

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISH NETWORK L.L.C., AT&T SERVICES, INC.,
And DIRECTV, LLC,¹
Petitioner

v.

BROADBAND ITV, INC.,
Patent Owner

Case IPR2020-01267
U.S. Patent No. 10,028,026

**PATENT OWNER'S SUR-REPLY
TO PETITIONER'S REPLY**

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¹ AT&T Services, Inc. and DIRECTV, LLC filed a motion for joinder and a petition in Case IPR2021-00556, which were granted, and, therefore, have been joined as petitioners in this proceeding.

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UPDATED EXHIBIT LIST

Exhibit No.	Description
2001	Complaint for Patent Infringement, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716-ADA (W.D. Tex.), December 19, 2019.
2002	Transcript of Telephonic Discovery Hearing Before the Honorable Alan D. Albright, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716-ADA (W.D. Tex.), August 31, 2020.
2003	“The last thing anyone should think about WDTX is that it is patent plaintiff friendly, says Albright,” (IAM, Apr. 7, 2020), https://www.iam-media.com/law-policy/albright-the-last-thing-anyone-should-think-about-venue-it-plaintiff-friendly (accessed Sept. 14, 2020).
2004	Order Denying Motion to Stay Case, <i>Continental Intermodal Group-Trucking, LLC v. Sand Revolution, LLC</i> , Case No. 7:18-cv-00147 (W.D. Tex.), July 22, 2020.
2005	Order Denying Motion to Stay Case, <i>Kerr Machine Co. v. Vulcan Indus. Holdings, LLC.</i> , Case No. 6:20-cv-00200 (W.D. Tex.), August 18, 2020.
2006	Divisional Standing Order Regarding Trials in Waco, U.S. District Court for the Western District of Texas, August 18, 2020.
2007	Divisional Standing Order Regarding Trials in Waco, U.S. District Court for the Western District of Texas, September 23, 2020.
2008	Divisional Standing Order Regarding Trials in Waco, U.S. District Court for the Western District of Texas, March 24, 2020.
2009	Order Granting Motion to Consolidate Cases, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00712 (W.D. Tex.), April 15, 2020.
2010	Minute Entry for Proceedings held before Judge Alan D. Albright, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716 (W.D. Tex.), August 31, 2020.
2011	“Roku Tells WDTX Patent Jury Its Tech's Web Access Is Key” <i>Law360</i> , October 5, 2020, https://www.law360.com/articles/1302893/print?section=ip (accessed October 20, 2020).

Exhibit No.	Description
2012	Order Denying Motion to Dismiss, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716-ADA (W.D. Tex.), July 25, 2020.
2013	Dish Network LLC's Preliminary Invalidity Contentions, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716-ADA (W.D. Tex.), June 25, 2020.
2014	<i>Intentionally Left Blank</i>
2015	Defendants' Opening Claim Construction Brief, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-716, U.S. District Court for the Western District of Texas, dated September 10, 2020.
2016	<i>Intentionally Left Blank</i>
2017	U.S. Patent Appl. Publ. No. 2002/00104099 to Novak ("Novak")
2018	"Roku Beats \$41M Infringement Claim In Texas Trial" <i>Law360</i> , October 14, 2020, https://www.law360.com/articles/1319005/print?section=ip (accessed October 21, 2020).
2019	"3 Things To Know After Busy WDTX Patent Judge's 1st Trial" <i>Law360</i> , October 16, 2020, https://www.law360.com/articles/1320360/print?section=ip (accessed October 21, 2020).
2020	Transcript of Telephonic Discovery Hearing Before the Honorable Alan D. Albright, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716-ADA (W.D. Tex.), March 26, 2020.
2021-2025	<i>Intentionally Left Blank</i>
2026	BBitV Court's Claim Constructions Final At Hearing 11/13/20, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-716, U.S. District Court for the Western District of Texas, dated November 13, 2020.
2027-2029	<i>Intentionally Left Blank</i>
2030	Teleconference Transcript, November 25, 2020.
2031	DISH Final Invalidity Contentions and Example Claim Charts
2032	AT&T Final Invalidity Contentions and Example Claim Charts
2033	Civil Docket for <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:16-cv-00716-ADA (W.D. Tex.), February 2, 2021.
2034	Teleconference Transcript, February 2, 2021.

Exhibit No.	Description
2035	Michael Shamos Declaration (PARTIALLY CONFIDENTIAL)
2036	Milton Diaz Perez Declaration (PARTIALLY CONFIDENTIAL)
2037	Leighton Chong Declaration (PARTIALLY CONFIDENTIAL)
2038	Clif Kagawa Declaration (PARTIALLY CONFIDENTIAL)
2039	Deposition Transcript of Dr. Samuel Russ, April 30, 2021
2040	“Why Comcast Leads the Pack,” Bloomberg, May 31, 2001
2041	Comcast Fact Sheet
2042	"HOW IT WORKS: Video on Demand Is Ready, but the Market Is Not," New York Times, Oct. 10, 2002
2043	“Behind Comcast's video-on-demand growth” dated Oct. 4, 2004, available at https://money.cnn.com/2004/10/04/technology/techinvestor/hellweg/index.htm
2044	Comcast press release dated Jan. 8, 2008, available at https://corporate.comcast.com/news-information/news-feed/comcast-ceo-brian-l-roberts-announces-project-infinity-strategy-to-deliver-exponentially-more-content-choice-on-tv
2045	“Comcast’s Road to 20 Billion VOD Views” dated Aug. 10, 2011, available at https://www.multichannel.com/news/comcast-s-road-20-billion-vod-views-327466
2046	Comcast press release dated Mar. 31, 2009, available at https://www.prlog.org/10880181-comcast-media-center-to-introduce-express-lane-service-for-video-on-demand-content-providers-at.html
2047	Navic meeting 07/03 (CONFIDENTIAL)
2048	<i>Intentionally Left Blank</i>
2049	<i>Intentionally Left Blank</i>
2050	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
2051	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
2052	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
2053	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
2054	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)

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