

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AT&T SERVICES, INC. and DIRECTV, LLC,<sup>1</sup>  
Petitioners

v.

BROADBAND iTV, INC.,  
Patent Owner

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Case IPR2020-01267  
U.S. Patent No. 10,028,026 B2

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**JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW**

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<sup>1</sup> 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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**PATENT OWNER'S UPDATED EXHIBIT LIST**

<b>Exhibit No.</b>	<b>Description</b>
<b>2001</b>	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.
<b>2002</b>	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.
<b>2003</b>	“The last thing anyone should think about WDTX is that it is patent plaintiff friendly, says Albright,” (IAM, Apr. 7, 2020), <a href="https://www.iam-media.com/law-policy/albright-the-last-thing-anyone-should-think-about-venue-it-plaintiff-friendly">https://www.iam-media.com/law-policy/albright-the-last-thing-anyone-should-think-about-venue-it-plaintiff-friendly</a> (accessed Sept. 14, 2020).
<b>2004</b>	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.
<b>2005</b>	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.
<b>2006</b>	Divisional Standing Order Regarding Trials in Waco, U.S. District Court for the Western District of Texas, August 18, 2020.
<b>2007</b>	Divisional Standing Order Regarding Trials in Waco, U.S. District Court for the Western District of Texas, September 23, 2020.
<b>2008</b>	Divisional Standing Order Regarding Trials in Waco, U.S. District Court for the Western District of Texas, March 24, 2020.
<b>2009</b>	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.
<b>2010</b>	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.
<b>2011</b>	“Roku Tells WDTX Patent Jury Its Tech's Web Access Is Key” <i>Law360</i> , October 5, 2020, <a href="https://www.law360.com/articles/1302893/print?section=ip">https://www.law360.com/articles/1302893/print?section=ip</a> (accessed October 20, 2020).
<b>2012</b>	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.

<b>Exhibit No.</b>	<b>Description</b>
<b>2013</b>	Dish Network LLC's Preliminary Invalidation Contentions, <i>Broadband iTV, Inc. v. DISH Network, LLC</i> , Case No. 6:19-cv-00716-ADA (W.D. Tex.), June 25, 2020.
<b>2014</b>	<i>Intentionally Left Blank</i>
<b>2015</b>	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.
<b>2016</b>	<i>Intentionally Left Blank</i>
<b>2017</b>	U.S. Patent Appl. Publ. No. 2002/00104099 to Novak ("Novak")
<b>2018</b>	"Roku Beats \$41M Infringement Claim In Texas Trial" <i>Law360</i> , October 14, 2020, <a href="https://www.law360.com/articles/1319005/print?section=ip">https://www.law360.com/articles/1319005/print?section=ip</a> (accessed October 21, 2020).
<b>2019</b>	"3 Things To Know After Busy WDTX Patent Judge's 1st Trial" <i>Law360</i> , October 16, 2020, <a href="https://www.law360.com/articles/1320360/print?section=ip">https://www.law360.com/articles/1320360/print?section=ip</a> (accessed October 21, 2020).
<b>2020</b>	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.
<b>2021-2025</b>	<i>Intentionally Left Blank</i>
<b>2026</b>	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.
<b>2027-2029</b>	<i>Intentionally Left Blank</i>
<b>2030</b>	Teleconference Transcript, November 25, 2020.
<b>2031</b>	DISH Final Invalidation Contentions and Example Claim Charts
<b>2032</b>	AT&T Final Invalidation Contentions and Example Claim Charts
<b>2033</b>	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.
<b>2034</b>	Teleconference Transcript, February 2, 2021.
<b>2035</b>	Michael Shamos Declaration (PARTIALLY CONFIDENTIAL)
<b>2036</b>	Milton Diaz Perez Declaration (PARTIALLY CONFIDENTIAL)
<b>2037</b>	Leighton Chong Declaration (PARTIALLY CONFIDENTIAL)

<b>Exhibit No.</b>	<b>Description</b>
<b>2038</b>	Clif Kagawa Declaration (PARTIALLY CONFIDENTIAL)
<b>2039</b>	Deposition Transcript of Dr. Samuel Russ, April 30, 2021
<b>2040</b>	“Why Comcast Leads the Pack,” Bloomberg, May 31, 2001
<b>2041</b>	Comcast Fact Sheet
<b>2042</b>	"HOW IT WORKS: Video on Demand Is Ready, but the Market Is Not," New York Times, Oct. 10, 2002
<b>2043</b>	“Behind Comcast's video-on-demand growth” dated Oct. 4, 2004, available at <a href="https://money.cnn.com/2004/10/04/technology/techinvestor/hellweg/index.htm">https://money.cnn.com/2004/10/04/technology/techinvestor/hellweg/index.htm</a>
<b>2044</b>	Comcast press release dated Jan. 8, 2008, available at <a href="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">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</a>
<b>2045</b>	“Comcast’s Road to 20 Billion VOD Views” dated Aug. 10, 2011, available at <a href="https://www.multichannel.com/news/comcast-s-road-20-billion-vod-views-327466">https://www.multichannel.com/news/comcast-s-road-20-billion-vod-views-327466</a>
<b>2046</b>	Comcast press release dated Mar. 31, 2009, available at <a href="https://www.prlog.org/10880181-comcast-media-center-to-introduce-express-lane-service-for-video-on-demand-content-providers-at.html">https://www.prlog.org/10880181-comcast-media-center-to-introduce-express-lane-service-for-video-on-demand-content-providers-at.html</a>
<b>2047</b>	Navic meeting 07/03 (CONFIDENTIAL)
<b>2048</b>	<i>Intentionally Left Blank</i>
<b>2049</b>	<i>Intentionally Left Blank</i>
<b>2050</b>	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
<b>2051</b>	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
<b>2052</b>	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
<b>2053</b>	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
<b>2054</b>	Specs / Flowcharts late 2003-early 2004 (CONFIDENTIAL)
<b>2055</b>	Email from Nestel to Diaz, dated January 12, 2004 (CONFIDENTIAL)
<b>2056</b>	Email from Wall to Diaz (Perez) dated Jan. 25, 2004 (CONFIDENTIAL)
<b>2057</b>	Email from Kagawa to Hcctor dated Dec. 7, 2003 (CONFIDENTIAL)

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