

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISH NETWORK L.L.C.,
Petitioner

v.

BROADBAND ITV, INC.,
Patent Owner

Case IPR2020-01268
U.S. Patent No. 10,028,026

**PATENT OWNER BROADBAND ITV, INC.’S MANDATORY
NOTICES PURSUANT TO 37 C.F.R. § 42.8(a)(2)**

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
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Patent Owner Broadband iTV, Inc., (“Patent Owner”) hereby files these Mandatory Notices Pursuant to 37 C.F.R. § 42.8(a)(2). These Notices are being timely filed within 21 days of the service of the petition.

I. REAL PARTY-IN-INTEREST

The Patent Owner and real party-in-interest is Broadband iTV, Inc.

II. RELATED MATTERS

U.S. Patent No. 10,028,026 (“the ’026 patent”) is at issue in the below-listed pending district-court litigation proceedings:

Proceeding	Filed
<i>Broadband iTV, Inc. v. AT&T Services, Inc. et al.</i> , Case No. 1:20-cv-00717 (WDTX) (originally Case No. 6:19-cv-00712)	December 17, 2019
<i>Broadband iTV, Inc. v. DISH Network LLC</i> , Case No. 6:19-cv-00716 (WDTX)	December 19, 2019
<i>Broadband iTV, Inc. v. DirecTV, LLC f/k/a DirecTV, Inc.</i> , Case No. 6:19-cv-00714 (WDTX)	December 19, 2019

Petitioner has filed the following additional petitions for *inter partes* review against the ’026 patent and related U.S. Patent Nos. 9,998,791 and 10,506,269, which are each also involved in one or more of the above-listed district-court litigation proceedings:

Proceeding No.	Patent No.	Filed
IPR2020-01267	10,028,026	July 10, 2020
IPR2020-01280	9,998,791	July 20, 2020
IPR2020-01281	9,998,791	July 20, 2020
IPR2020-01332	10,506,269	July 24, 2020
IPR2020-01333	10,506,269	July 24, 2020

The '026 patent is related to U.S. Patent No. 7,631,336 (“the '336 patent”),

which was at issue in the following PTAB proceedings:

Proceeding No.	Filed	Petitioner	Status
IPR2014-01222	July 30, 2014	Hawaiian Telcom, Inc.	Institution denied January 5, 2015
CBM2014-00189	September 19, 2014	Unified Patents, Inc.	Institution denied April 1, 2015

The '336 patent was asserted in *Broadband iTV, Inc. v. Hawaiian Telcom, Inc.*, 1:14-cv-00169 (DHI), in which it was invalidated by the district court for lack of patentable subject-matter.

Pending U.S. Patent Application No. 16/671,968, filed November 1, 2019, claims the benefit of the '026 patent.

III. LEAD AND BACK-UP COUNSEL

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IV. SERVICE INFORMATION

Please address all correspondence to the lead and back-up counsel as shown above. Patent Owner consents to electronic service by e-mail at all of the e-mail addresses listed above and fdalb-bbitv@feinday.com and PTAB@sternekessler.com.

Respectfully submitted,
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