

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AT&T SERVICES, INC. AND DIRECTV, LLC,
Petitioners

v.

BROADBAND ITV, INC.,
Patent Owner

Case IPR2021-00556
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 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

DISH Network L.L.C. has filed the following additional petitions for *inter partes* reviews against the ’026 patent and related U.S. Patent Nos. 9,998,791, 10,506,269, and 9,648,388 which are each also involved in one or more of the above-listed district-court litigation proceedings:

Proceeding No.	Patent No.	Filed	Status
IPR2020-01267	10,028,026	July 10, 2020	Trial instituted January 21, 2021
IPR2020-01268	10,028,026	July 10, 2020	Institution denied January 21, 2021
IPR2020-01280	9,998,791	July 20, 2020	Trial instituted February 4, 2021
IPR2020-01281	9,998,791	July 20, 2020	Institution denied February 4, 2021
IPR2020-01332	10,506,269	July 24, 2020	Trial instituted January 27, 2021

Proceeding No.	Patent No.	Filed	Status
IPR2020-01333	10,506,269	July 24, 2020	Institution denied January 27, 2021
IPR2020-01359	9,648,388	July 31, 2020	Trial instituted February 12, 2021
IPR2020-01360	9,648,388	July 31, 2020	Institution denied February 12, 2021

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

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