

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 99/03028

| C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT | | |
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| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
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Form PCT/ISA/210 (continuation of second sheet) (July 1992)

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Information on patent family members

International Application No
PCT/US 99/03028

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date |
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Electronic Acknowledgement Receipt

| | |
|---|--|
| EFS ID: | 26327803 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Tzvi Hirshaut/Victoria Gilmore |
| Filer Authorized By: | Tzvi Hirshaut |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 12-JUL-2016 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 16:28:50 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

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| Submitted with Payment | no |
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| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
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| 1 | Information Disclosure Statement (IDS) Form (SB08) | 26-IDS_24.pdf | 1035416 <small>ad19333fa511e7b8c25a3c220c6be47dc9b a1cc0</small> | no | 4 |

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| 2 | Non Patent Literature | 27-NPL- EPO_Comm_087267936.pdf | 148723 | no | 5 |
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| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| Examiner Name | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32781 |

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| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

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|------------|---------------------|---------------------|------------|
| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32781 |

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| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| | 1 | 20020092019 | | 2002-07-11 | Marcus Dwight | | |
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| | 1 | WO01038960 | IE | | 2001-05-31 | Future TV | | |
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| 3 | JP Publ 11-150692 | JP | 1999-06-02 | Sony |
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| 5 | JP Publ 07-284035 | JP | 1995-10-27 | Toshiba |

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| | 1 | International Search Report, dated 03/06/2006, in PCT International Application US2005/027376, of Broadband iTV, Inc. | |
| | 2 | International Search Report, dated 09/15/2009, in PCT International Application US2008/003341, of Broadband iTV, Inc. | |
| | 3 | International Search Report, dated 11/28/2008, in PCT International Application US2008/007980, of Broadband iTV, Inc. | |

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| | Examiner Name | |
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| | 1 | 6269275 | | 2001-07-31 | Slade | |
| | 2 | 7103906 | | 2006-09-05 | Katz et al. | |
| | 3 | 7065709 | | 2006-06-20 | Ellis | |
| | 4 | 7225455 | | 2007-05-25 | Bennington et al. | |
| | 5 | 7493643 | | 2009-02-17 | Ellis | |
| | 6 | 8112776 | | 2012-02-07 | Schein et al. | |
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| | 8 | 5594936 | | 1997-01-14 | Rebec et al. | |

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| 9 | 8340994 | | 2012-12-25 | Tota et al. |
| 10 | 8090605 | | 2012-01-03 | Tota et al. |
| 11 | 7308413 | | 2007-12-11 | Tota et al. |
| 12 | 5550735 | | 1996-08-27 | Slade et al. |
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| | 1 | 9406084 | WO | A1 | 1994-03-17 | Datavision | | |

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| 2 | 9950778 | WO | A1 | 1999-10-07 | Slade | |
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| | 2 | VOD Capsule, issue dated April 11, 2006, includes article "Bresnan Taps CMC for VOD", published by Communications, Engineering & Design Magazine, http://www.cedmagazine.com/newsletter.aspx?id=67468 | |
| | 3 | Comcast Media Center, Content Gateway, Content Distribution website, circa 2010, http://www.comcastmediacenter.com/content-gateway | |

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| | 1 | 20020104099 | | 2002-08-00 | Novak | |

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|---|-------------|------------|----------------|
| 2 | 20060267995 | 2006-11-00 | Radloff et al. |
| 3 | 20050160458 | 2005-07-05 | Baumgartner |
| 4 | 20030037010 | 2003-02-00 | Schmelzer |

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| Application Number | 15192598 |
| Filing Date | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez |
| Art Unit | 2422 |
| Examiner Name | |
| Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32781 |

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| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
| | 1 | 8479246 | | 2013-07-02 | Hudson et al. | |
| | 2 | 6177931 | | 2001-01-23 | Alexander et al. | |
| | 3 | 6025837 | | 2000-02-05 | Matthews et al. | |
| | 4 | 6092080 | | 2000-07-18 | Gustman | |
| | 5 | 6005561 | | 1999-12-21 | Hawkins et al. | |
| | 6 | 5832499 | | 1998-11-03 | Gustman | |
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| 9 | 5686954 | | 1997-11-17 | Yoshinobu et al. |
| 10 | 5589892 | | 1996-12-31 | Knee et al. |
| 11 | 5479268 | | 1995-12-26 | Young et al. |

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|------------|---------------------|---------------------|------------|
| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| | 1 | 7548565 | | 2009-06-00 | Sull et al. | |
| | 2 | 8006263 | | 2011-08-23 | Ellis et al. | |
| | 3 | 8644354 | | 2014-02-04 | George et al. | |

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| | 1 | 20040158855 | | 2004-08-00 | Gu et al. | |
| | 2 | 20050138560 | | 2005-06-23 | Lee et al. | |
| | 3 | 20100153999 | | 2010-06-17 | Yates | |

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|---|-------------|------------|--------------|
| 4 | 20060155850 | 2006-07-13 | Ma et al. |
| 5 | 20080163330 | 2008-07-03 | Sparrell |
| 6 | 20040049788 | 2004-03-11 | Mori et al. |
| 7 | 20040015989 | 2004-01-02 | Kaizu et al. |

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| | 2 | Decision Denying Institution of Inter Partes Review, 2015-01-05, IPR2014-01222, Unified Patents v. Broadband iTV, Inc., re U.S. Patent 7,631,336 | |

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

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| 10 | 7835920 | | 2010-11-16 | Snyder et al. |
| 11 | 7917933 | | 2011-03-29 | Thomas et al. |

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| | 1 | 20020104099 | | 2002-08-01 | Novak | |
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| | 1 | WO03052572 | WO | | 2003-06-26 | D'Souza et al. | | |

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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| | 7 | 6546393 | | 2003-04-08 | Khan | |
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| | 10 | 20080222687 | | 2008-09-01 | Edry | |

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| 12 | 20080022298 | 2008-01-01 | Cavicchia |
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| | 1 | WO03069457 | WO | | 2003-08-21 | Wilson | | |

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| 10 | 8042132 | | 2011-10-18 | Carney et al. |
| 11 | 8151290 | | 2012-04-03 | Ujihara |
| 12 | 8365230 | | 2013-01-29 | Chane et al. |
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| | 1 | 20020184635 | | 2002-12-05 | Istvan | |
| | 2 | 20030093790 | | 2003-05-15 | Logan et al. | |
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| 4 | 20050188415 | 2005-08-25 | Riley |
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| Application Number | | 15192598 |
| Filing Date | | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez | |
| Art Unit | 2422 | |
| Examiner Name | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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| 8 | Exhibit A, Defendants' Joint Preliminary Invalidation Contentions, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 14-cv-00169-ACK-KSC (D. Haw. February 20, 2015). |
| 9 | Exhibit B, Defendants' Joint Preliminary Invalidation Contentions, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 14-cv-00169-ACK-KSC (D. Haw. February 20, 2015). |
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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| | First Named Inventor | Milton Diaz Perez |
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| | Examiner Name | |
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|--------------------|---------|--|----------------|
| | 1 | TimeWarner, Time Warner Cable Launches Quick Clips, http://www.timewarner.com/newsroom/press-releases/2006/09/28/time-warner-cable-launches-quick-clips (published Sept. 28, 2006, last visited June 26, 2015). | |
| | 2 | Time Warner Cable, Photos & Video Go from Digital Cameras to Television with Free, New Time Warner Cable Product, http://www.timewarnercable.com/en/about-us/press/photos_video_go_fromdigitalcamerastotelevisionwithfreenewtimewar.html (published Apr. 27, 2007, last visited June 26, 2015). | |

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**INFORMATION DISCLOSURE
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| | |
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| Application Number | 15192598 |
| Filing Date | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez |
| Art Unit | 2422 |
| Examiner Name | |
| Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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|-------------------|---------|---------------|------------------------|------------|---|--|
| | 1 | 5892536 | | 1999-04-06 | Logan et al. | |
| | 2 | 6088455 | | 2000-07-11 | Logan et al. | |
| | 3 | 6931451 | B1 | 2005-08-16 | Logan et al. | |
| | 4 | 7055166 | B1 | 2006-05-30 | Logan et al. | |
| | 5 | 8191098 | B2 | 2012-05-29 | Cooper et al. | |

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|-------------------|---------|--------------------|------------------------|------------------|---|--|
| | 1 | 20020120925 | A1 | 2002-08-29 | Logan | |

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|---|-------------|----|------------|--------------|
| 2 | 20060015925 | A1 | 2006-01-19 | Logan |
| 3 | 20060085830 | A1 | 2006-04-20 | Bruck et al. |
| 4 | 20070016530 | A1 | 2007-01-18 | Stasi et al. |
| 5 | 20070245399 | A1 | 2007-10-18 | Espelien |

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| | 1 | 1 361 759 | EP | A1 | 2003-11-12 | Canal+ Technologies Societe Anonyme | | |

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|---|--|
| 1 | Defendants Oceanic Time Warner Cable, LLC and Time Warner Cable Inc.'s Motion for Summary Judgment Regarding Invalidity of U.S. Patent No. 7,631,336 (ECF 474), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 10, 2015) (5 pgs). |
| 2 | Memorandum in Support of Defendants Oceanic Time Warner Cable LLC and Time Warner Cable Inc.'s Motion for Summary Judgment Regarding Invalidity of U.S. Patent No. 7,631,336 (ECF 474-1), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 10, 2015) (49 pgs). |
| 3 | Concise Statement of Facts in Support of Defendants Oceanic Time Warner Cable LLC and Time Warner Cable Inc.'s Motion for Summary Judgment Regarding Invalidity of U.S. Patent No. 7,631,336 (ECF 475), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 10, 2015) (12 pgs). |
| 4 | Declaration of Nathan L. Brown (ECF 475-1), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 10, 2015) (6 pgs). |
| 5 | Exhibits 1 (ECF 475-2), 4 (ECF 475-5), 5 (ECF 475-6), and 6 (ECF 475-7) to Concise Statement of Facts in Support of Defendants Oceanic Time Warner Cable LLC and Time Warner Cable Inc.'s Motion for Summary Judgment Regarding Invalidity of U.S. Patent No. 7,631,336, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 10, 2015) (133 pgs). |
| 6 | Plaintiff's Opposition to Defendants Time Warner Cable, Inc. and Oceanic Time Warner Cable, LLC's Motion for Summary Judgment Regarding Invalidity of U.S. Patent No. 7,631,336 (ECF 561), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 27, 2015) (52 pgs). |
| 7 | Plaintiff Broadband iTV, Inc.'s Concise Statement of Facts in Opposition to Defendants Oceanic Time Warner Cable and Time Warner Cable, Inc.'s Concise Statement of Facts (ECF 562), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 27, 2015) (8 pgs). |
| 8 | Declaration of Keith A. Jones (ECF 562-1), Inc.'s Concise Statement of Facts, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 27, 2015) (8 pgs). |
| 9 | Exhibits 1-10 (ECF 562-2 - ECF-11), 12 (ECF 562-13), 14 (ECF 562-15), 16-17 (ECF 562-17 - 562-18), and 19-20 (ECF 562-20 - 562-21) to Plaintiff Broadband iTV, Inc.'s Concise Statement of Facts in Opposition to Defendants Oceanic Time Warner Cable and Time Warner Cable, Inc.'s Concise Statement of Facts, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 27, 2015) (508 pgs). |

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| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| | 1 | 7028327 | | 2006-04-11 | Dougherty et al. | |
| | 2 | 7089309 | | 2006-08-08 | Ramaley et al. | |
| | 3 | 7200575 | | 2007-04-03 | Hans et al. | |

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| | 1 | 20040172419 | A1 | 2004-09-02 | Morris et al. | |
| | 2 | 20150237403 | A1 | 2015-08-20 | Diaz Perez | |
| | 3 | 20150245099 | A1 | 2015-08-27 | Diaz Perez | |

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| | First Named Inventor | Milton Diaz Perez |
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| 1 | ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS OCEANIC TIME WARNER CALBE, LLC AND TIME WARNER CABLE, INC.'S MOTION FOR SUMMARY JUDGMENT REGARDING INVALIDITY OF U.S. PATENT NO. 7,631,336, Broadband iTV, Inc. v. Oceanic Time Warner Cable, LLC and Time Warner Cable, Inc., No. 15-00131 (D. Haw. Sept. 29, 2015) (77 pgs). |
| 2 | Judgment, Broadband iTV, Inc. v. Oceanic Time Warner Cable, LLC and Time Warner Cable, Inc., No. 15-00131 (D. Haw. Sept. 29, 2015) (2 pgs). |
| 3 | PLAINTIFF'S NOTICE OF APPEAL; CERTIFICATE OF SERVICE, Broadband iTV, Inc. v. Oceanic Time Warner Cable, LLC and Time Warner Cable, Inc., No. 15-00131 (D. Haw. Oct. 9, 2015) (4 pgs). |
| 4 | ORDER GRANTING DEFENDANT HAWAIIAN TELCOM, INC.'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY UNDER 35 U.S.C. § 101, Broadband iTV, Inc. v. Hawaiian Telcom, Inc., No. 14-00169 (D. Haw. Sept. 29, 2015) (43 pgs). |
| 5 | Judgment, Broadband iTV, Inc. v. Hawaiian Telcom, Inc., No. 14-00169 (D. Haw. Sept. 29, 2015) (2 pgs). |
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|-------------------|---------|---------------|------------------------|------------|---|--|
| | 1 | 7471834 | B2 | 2008-12-30 | Sull et al. | |
| | 2 | 7624337 | B2 | 2009-11-24 | Sull et al. | |

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| | 1 | 20020069218 | A1 | 2002-06-06 | Sull et al. | |
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| | 1 | 2002008948 | WO | A2 | 2002-01-31 | Sull et al. | | |

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| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| | 1 | 9055325 | B2 | 2015-06-09 | Gaydou et al. | |

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See attached certification statement.

The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| | 1 | 6148081 | | 2000-11-14 | Szymanski et al. | |
| | 2 | 7644429 | B2 | 2010-01-05 | Bayassi et al. | |

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| | 1 | Brief of Amici Curiae Broadband iTV, Inc., Double Rock Corporation, Island Intellectual Property, LLC, Access Control Advantage, Inc., and Fairway Financial U.S., Inc. In Support of Appellants, Netflix, Inc. v. Rovi Corporation et al., No. 2015-1917 (Fed. Cir. Dec. 18, 2015). | |
| | 2 | Consolidated Brief for Appellant Broadband iTV, Inc., Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 16-1082 (Fed. Cir. Jan. 21, 2016). | |
| | 3 | Amicus Brief of United Inventors Association of the United States of America in Support of Appellant Broadband iTV, Inc. and Reversal, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 16-1082 (Fed. Cir. Jan. 27, 2016). | |
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| | 4 | 7100185 | B2 | 2006-08-29 | Bennington et al. | |
| | 5 | 7213005 | B2 | 2007-05-01 | Mourad et al. | |
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| | 7 | 7945929 | B2 | 2011-05-17 | Knudson et al. | |
| | 8 | 7974962 | B2 | 2011-07-05 | Krakirian et al. | |

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| 9 | 9232275 | B2 | 2016-01-05 | Diaz Perez |
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| | 1 | 20020184634 | A1 | 2002-12-05 | Cooper | |
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| | 6 | 20050283800 | A1 | 2005-12-22 | Ellis et al. | |
| | 7 | 20080072260 | A1 | 2008-03-20 | Rosin et al. | |
| | 8 | 20150264440 | A1 | 2015-09-17 | Diaz Perez | |

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| 9 | 20150358682 | A1 | 2015-12-10 | Diaz Perez |
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| Filing Date | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez |
| Art Unit | 2422 |
| Examiner Name | |
| Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
| | 1 | 7801838 | B2 | 2010-09-21 | Colbath et al. | |
| | 2 | 7801910 | B2 | 2010-09-21 | Houh et al. | |
| | 3 | 7925973 | B2 | 2011-04-12 | Allaire et al. | |
| | 4 | 9292866 | B2 | 2016-03-22 | Allaire et al. | |
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| | 1 | 20070038567 | A1 | 2007-02-15 | Allaire et al. | |
| | 2 | 20110191163 | A1 | 2011-08-04 | Allaire et al. | |

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| 3 | 20110166918 | A1 | 2011-07-07 | Allaire et al. |
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| | 1 | WO 2007/021974 | WO | A2 | 2007-02-22 | Allaire | | |

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|-------------------|---------|---------------|------------------------|------------|---|--|
| | 1 | 7987492 | B2 | 2011-07-26 | Liverant et al. | |
| | 2 | 8473868 | B1 | 2013-06-25 | Kauffman | |

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|-------------------|---------|--------------------|------------------------|------------------|---|--|
| | 1 | 20020152318 | A1 | 2002-10-17 | Menon et al. | |

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| EFS ID: | 26327720 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Tzvi Hirshaut/Victoria Gilmore |
| Filer Authorized By: | Tzvi Hirshaut |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 12-JUL-2016 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 16:25:30 |
| Application Type: | Utility under 35 USC 111(a) |

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| 8 | Information Disclosure Statement (IDS) Form (SB08) | 8-IDS7.pdf | 612661 | no | 5 |
| | | | bae07b53e55330822d58219d8a2350bde4 ffaafd | | |
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| 9 | Information Disclosure Statement (IDS) Form (SB08) | 9-IDS8.pdf | 613176 | no | 6 |
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| 10 | Information Disclosure Statement (IDS) Form (SB08) | 10-IDS9.pdf | 612845 | no | 5 |
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| 11 | Information Disclosure Statement (IDS) Form (SB08) | 11-IDS9A.pdf | 613067 | no | 6 |
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| 12 | Information Disclosure Statement (IDS) Form (SB08) | 12-IDS10.pdf | 614931 | no | 8 |
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| 13 | Information Disclosure Statement (IDS) Form (SB08) | 13-IDS11.pdf | 614153 | no | 9 |
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| 14 | Information Disclosure Statement (IDS) Form (SB08) | 14-IDS12.pdf | 612764 | no | 5 |
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| 15 | Information Disclosure Statement (IDS) Form (SB08) | 15-IDS13.pdf | 612900 | no | 5 |
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| 16 | Information Disclosure Statement (IDS) Form (SB08) | 16-IDS14.pdf | 1035844 | no | 5 |
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| 17 | Information Disclosure Statement (IDS) Form (SB08) | 17-IDS15.pdf | 1035953 | no | 5 |
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| 19 | Information Disclosure Statement (IDS) Form (SB08) | 19-IDS17.pdf | 1035711 | no | 4 |
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| 20 | Information Disclosure Statement (IDS) Form (SB08) | 20-IDS18.pdf | 1035353 | no | 4 |
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| 21 | Information Disclosure Statement (IDS) Form (SB08) | 21-IDS19.pdf | 1035258 | no | 4 |
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| 22 | Information Disclosure Statement (IDS) Form (SB08) | 22-IDS20.pdf | 1035992 | no | 6 |
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| 23 | Information Disclosure Statement (IDS) Form (SB08) | 23-IDS21.pdf | 1035663 | no | 4 |
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| Information: | | | | | |
| 24 | Information Disclosure Statement (IDS) Form (SB08) | 24-IDS22.pdf | 1035449 | no | 4 |
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| Warnings: | | | | | |
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| 25 | Information Disclosure Statement (IDS) Form (SB08) | 25-IDS23A.pdf | 1035253 | no | 4 |
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| Total Files Size (in bytes): | | | 19015327 | | |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Broadband iTV, Inc. Confirmation No.: 1328
Title: SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM
CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV
SERVICES PROVIDER
Appl. No.: 15/192,598
Filing Date: June 24, 2016
Examiner: TBD
Art Unit: 2422
Docket No.: BBiTV-CIP1-D9 (07612/58)
Customer No.: 01912

INFORMATION DISCLOSURE STATEMENT LETTER
UNDER 37 CFR § 1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22323-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicant would like to direct the Examiner's attention to the references that are listed on the attached forms PTO/SB/08A. In addition to any copies of Foreign Patent Documents and Non-Patent Literature Documents submitted herewith, Applicant refers the Examiner to the references previously submitted to or cited by the Patent Office during prosecution of U.S. Patent Application No. 14/827,090, from which the subject application claims priority under 35 U.S.C. §120. Accordingly, pursuant to 37 C.F.R. § 1.98(d), copies of previously cited or submitted references and Non-Patent Literature Documents are not included with this Information Disclosure Statement.

Page 1 of 2

635317.1

DISH Ex-1018, p. 643
DISH v. BBiTV
IPR2020-01267

AT&T EXHIBIT 1018

Since this Information Disclosure Statement is being filed before the first Office Action, Applicant believes that no fee is required in connection with the filing of this Statement. However, if a fee should be required, the Commissioner is hereby authorized to charge or credit any fees which may be required for this filing to Deposit Account No. 01-1785.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP
Attorneys for Applicant
90 Park Avenue
New York, NY 10016
(212) 336-8000

Dated: July 12, 2016

By: /Charles R. Macedo/
Charles R. Macedo, Reg. No. 32,781

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
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| | 2 | 7058223 | | 2006-06-06 | Cox | |
| | 3 | 7720707 | | 2010-05-18 | Mowry | |
| | 4 | 8010988 | | 2011-08-30 | Cox | |
| | 5 | 8020187 | | 2011-09-13 | Cox | |
| | 6 | 8205237 | | 2012-06-19 | Cox | |
| | 7 | 8214254 | | 2012-07-03 | Mowry | |
| | 8 | 8219446 | | 2012-07-10 | Mowry | |

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| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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|----|---------|--|------------|-------|--|
| 9 | 8249924 | | 2012-08-21 | Mowry | |
| 10 | 5931901 | | 1999-08-03 | Wolfe | |
| 11 | 6038591 | | 2000-03-14 | Wolfe | |
| 12 | 6161142 | | 2000-12-12 | Wolfe | |

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| | 1 | 20010049625 | | 2001-12-06 | Mowry | |

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| Examiner Name | | |
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| Art Unit | 2422 | | |
| Examiner Name | | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | | |

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|---------------------|---------------------|------------|
| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32781 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

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| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
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| Examiner Name | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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| 34 | 20130254809 | A1 | 2013-09-26 | Diaz Perez |
| 35 | 20130254814 | A1 | 2013-09-26 | Diaz Perez |
| 36 | 20150128192 | A1 | 2015-05-07 | Diaz Perez |

If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS

| Examiner Initial* | Cite No | Foreign Document Number ³ | Country Code ² i | Kind Code ⁴ | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | T ⁵ |
|-------------------|---------|--------------------------------------|-----------------------------|------------------------|------------------|---|--|----------------|
| | 1 | EP 1 164 796 | EP | A1 | 2001-12-19 | Astrium SAS | | |
| | 2 | 01/010124 | WO | A1 | 2001-02-08 | Sun Microsystems, Inc. | | |
| | 3 | 03/052572 | WO | A1 | 2003-06-26 | D'Souza et al. | | |

If you wish to add additional Foreign Patent Document citation information please click the Add button.

NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published. | T ⁵ |
|--------------------|---------|---|----------------|
| | 1 | PTAB Decision Denying Institution of Covered Business Method Patent Review, 2015-04-01, CBM2014-00189, Hawaiian Telcom, Inc. v. Broadband iTV, Inc., re U.S. Patent 7,631,336 | |

If you wish to add additional non-patent literature document citation information please click the Add button.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

| | | |
|------------------------|--------------------------|--|
| Application Number | 15192598 | |
| Filing Date | 2016-06-24 | |
| First Named Inventor | Milton Diaz Perez | |
| Art Unit | 2422 | |
| Examiner Name | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

EXAMINER SIGNATURE

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

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STATEMENT BY APPLICANT**
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| Application Number | | 15192598 |
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| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|---------------------|---------------------|------------|
| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32781 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number
15/192,598

APPLICATION AS FILED - PART I

| (Column 1) | | (Column 2) | SMALL ENTITY | | OR | OTHER THAN SMALL ENTITY | |
|---|---|--------------|--------------|---------|----|-------------------------|---------|
| FOR | NUMBER FILED | NUMBER EXTRA | RATE(\$) | FEE(\$) | | RATE(\$) | FEE(\$) |
| BASIC FEE (37 CFR 1.16(a), (b), or (c)) | N/A | N/A | N/A | 70 | | N/A | |
| SEARCH FEE (37 CFR 1.16(k), (l), or (m)) | N/A | N/A | N/A | 300 | | N/A | |
| EXAMINATION FEE (37 CFR 1.16(o), (p), or (q)) | N/A | N/A | N/A | 360 | | N/A | |
| TOTAL CLAIMS (37 CFR 1.16(i)) | 17 minus 20 = * | * | x 40 = | 0.00 | OR | | |
| INDEPENDENT CLAIMS (37 CFR 1.16(h)) | 1 minus 3 = * | * | x 210 = | 0.00 | | | |
| APPLICATION SIZE FEE (37 CFR 1.16(s)) | If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | | | 0.00 | | | |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j)) | | | | 0.00 | | | |
| * If the difference in column 1 is less than zero, enter "0" in column 2. | | | TOTAL | 730 | | TOTAL | |

APPLICATION AS AMENDED - PART II

| (Column 1) | | (Column 2) | (Column 3) | SMALL ENTITY | | OR | OTHER THAN SMALL ENTITY | |
|---|----------------------------------|------------------------------------|---------------|-----------------|--------------------|----|-------------------------|--------------------|
| AMENDMENT A | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE(\$) | ADDITIONAL FEE(\$) | | RATE(\$) | ADDITIONAL FEE(\$) |
| Total (37 CFR 1.16(i)) | * | Minus ** | ** | x = | | OR | x = | |
| Independent (37 CFR 1.16(h)) | * | Minus *** | *** | x = | | OR | x = | |
| Application Size Fee (37 CFR 1.16(s)) | | | | | | OR | | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | | | OR | | |
| | | | | TOTAL ADD'L FEE | | OR | TOTAL ADD'L FEE | |

| (Column 1) | | (Column 2) | (Column 3) | SMALL ENTITY | | OR | OTHER THAN SMALL ENTITY | |
|---|----------------------------------|------------------------------------|---------------|-----------------|--------------------|----|-------------------------|--------------------|
| AMENDMENT B | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE(\$) | ADDITIONAL FEE(\$) | | RATE(\$) | ADDITIONAL FEE(\$) |
| Total (37 CFR 1.16(i)) | * | Minus ** | ** | x = | | OR | x = | |
| Independent (37 CFR 1.16(h)) | * | Minus *** | *** | x = | | OR | x = | |
| Application Size Fee (37 CFR 1.16(s)) | | | | | | OR | | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | | | OR | | |
| | | | | TOTAL ADD'L FEE | | OR | TOTAL ADD'L FEE | |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY.DOCKET.NO, TOT CLAIMS, IND CLAIMS. Row 1: 15/192,598, 06/24/2016, 2422, 730, BBitV-CIP1-D9 (07612/58), 17, 1

CONFIRMATION NO. 1328

FILING RECEIPT

1912
AMSTER, ROTHSTEIN & EBENSTEIN LLP
90 PARK AVENUE
NEW YORK, NY 10016



Date Mailed: 07/13/2016

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s) Milton Diaz Perez, Tiburon, CA;
Applicant(s) Broadband iTV, Inc., Honolulu, HI;

Power of Attorney: The patent practitioners associated with Customer Number 1912

Domestic Priority data as claimed by applicant
This application is a CON of 14/827,090 08/14/2015
which is a CON of 12/632,745 12/07/2009 PAT 9113228
which is a DIV of 11/685,188 03/12/2007 PAT 7631336
which is a CIP of 10/909,192 07/30/2004 PAT 7590997

Foreign Applications for which priority is claimed (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: Yes

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 07/11/2016

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 15/192,598**

Projected Publication Date: 10/20/2016

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES
PLATFORM OF A DIGITAL TV SERVICES PROVIDER

Preliminary Class

348

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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| | | |
|---|------------------------|--------------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, MUSHFIKH I. |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

| U.S.PATENTS | | | | | | | Remove | |
|--|---------|--------------------------------------|-----------------------------|------------------------|---|--|--|----------------|
| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | | |
| | 1 | 6476826 | B1 | 2002-11-05 | Plotkin et al. | | | |
| | 2 | 6446083 | B1 | 2002-09-03 | Leight et al. | | | |
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| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

| Examiner Initials* | Cite No | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published. | T ⁵ |
|--------------------|---------|---|----------------|
| | 1 | Notice of Entry of Judgment Without Opinion for Case No. 2016-1082 of the United States Court of Appeals for the Federal Circuit dated September 26, 2016. | |
| | 2 | Judgment, Broadband iTV, Inc. v. Hawaiian Telcom, Inc., Oceanic Time Warner Cable, LLC and Time Warner Cable, Inc., Nos. 2016-1082, 2016-1083 (CAFC Sept. 26, 2016) (2 pgs). | |
| | 3 | Affidavit of Milton Diaz Perez Under 37 C.F.R. 132, 01-20-2012, submitted in U.S. Patent Application 11/768,895. | |

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| Examiner Signature | <input type="text"/> | Date Considered | <input type="text"/> |
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STATEMENT BY APPLICANT**
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| Art Unit | 2426 | | |
| Examiner Name | ALAM, MUSHFIKH I. | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | | |

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| | | | |
|------------|-----------------|---------------------|------------|
| Signature | /Tzvi Hirshaut/ | Date (YYYY-MM-DD) | 2016-10-14 |
| Name/Print | Tzvi Hirshaut | Registration Number | 38,732 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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Electronic Acknowledgement Receipt

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| EFS ID: | 27222781 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Tzvi Hirshaut/Victoria Gilmore |
| Filer Authorized By: | Tzvi Hirshaut |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 14-OCT-2016 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 16:52:18 |
| Application Type: | Utility under 35 USC 111(a) |

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File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|--|----------------|--|------------------|------------------|
| 1 | Information Disclosure Statement (IDS) Form (SB08) | 1-58-IDS26.pdf | 1035566 <small>27519e278a47e4b581a76b5311f6931d0601ce47</small> | no | 4 |

Warnings:

| Information: | | | | | |
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| 2 | Non Patent Literature | 2-NPL-16-1082- Notice_of_Entry_of_Judgment _Without_Opinion.pdf | 663199 9607d80fb9881a3d5762fa2889d89c131ed 29a40 | no | 2 |
| Warnings: | | | | | |
| Information: | | | | | |
| 3 | Non Patent Literature | 3-NPL- BroadbandiTV_IncvHawaiian_T elcom_Inc-Nos16-1082-1083. pdf | 86098 1ff57c84170afd776285e57e8f3e0895ae431 24b | no | 2 |
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| Information: | | | | | |
| 4 | Non Patent Literature | 4- NPL-11768895_2012-01-21_Aff idavit- submitted_prior_to_Mar15201 3.pdf | 307660 fd7315d0483fa87de645b7287f8cb87a0c3d c09c | no | 4 |
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Table with 4 columns: APPLICATION NUMBER (15/192,598), FILING OR 371(C) DATE (06/24/2016), FIRST NAMED APPLICANT (Milton Diaz Perez), ATTY. DOCKET NO./TITLE (BBiTV-CIP1-D9 (07612/58))

CONFIRMATION NO. 1328

1912
AMSTER, ROTHSTEIN & EBENSTEIN LLP
90 PARK AVENUE
NEW YORK, NY 10016

PUBLICATION NOTICE



Title: SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER

Publication No. US-2016-0309232-A1

Publication Date: 10/20/2016

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, Mushfikh I. |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

U.S. PATENTS

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| | 1 | 20020163532 | A1 | 2002-11-07 | Thomas et al. | |

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STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

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|------------------------|--------------------------|
| Application Number | 15192598 |
| Filing Date | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez |
| Art Unit | 2426 |
| Examiner Name | ALAM, Mushfikh I. |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| | | |
|------------------------|--------------------------|------------|
| Application Number | | 15192598 |
| Filing Date | | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez | |
| Art Unit | 2426 | |
| Examiner Name | ALAM, Mushfikh I. | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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|------------|-----------------|---------------------|------------|
| Signature | /Tzvi Hirshaut/ | Date (YYYY-MM-DD) | 2016-12-15 |
| Name/Print | Tzvi Hirshaut | Registration Number | 38,732 |

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| EFS ID: | 27808439 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Tzvi Hirshaut/Victoria Gilmore |
| Filer Authorized By: | Tzvi Hirshaut |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 15-DEC-2016 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 15:44:23 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

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File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
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| 1 | Information Disclosure Statement (IDS) Form (SB08) | 58-Thomas-IDS.pdf | 1035187 <small>93922b27e2dcb004d42479111e8ae8ff7b49ce74</small> | no | 4 |

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, Mushfikh I. |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| | |
|------------------------|--------------------------|
| Application Number | 15192598 |
| Filing Date | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez |
| Art Unit | 2426 |
| Examiner Name | ALAM, Mushfikh I. |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| | | | |
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| Application Number | | 15192598 | |
| Filing Date | | 2016-06-24 | |
| First Named Inventor | Milton Diaz Perez | | |
| Art Unit | 2426 | | |
| Examiner Name | ALAM, Mushfikh I. | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | | |

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| | | | |
|------------|--------------------|---------------------|------------|
| Signature | /Michael J. Sebba/ | Date (YYYY-MM-DD) | 2017-02-08 |
| Name/Print | Michael J. Sebba | Registration Number | 75,595 |

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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

| | |
|---|--|
| EFS ID: | 28295590 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Michael J. Sebba/Victoria Gilmore |
| Filer Authorized By: | Michael J. Sebba |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 08-FEB-2017 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 10:43:38 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

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|------------------------|----|
| Submitted with Payment | no |
|------------------------|----|

File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|--|-----------|---|------------------|------------------|
| 1 | Information Disclosure Statement (IDS) Form (SB08) | 1-IDS.pdf | 1035228 <small>b2a13af5872d19f6bc4f0bb78a0fc0decf9b051e4</small> | no | 4 |

Warnings:

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| Information: | |
| Total Files Size (in bytes): | 1035228 |
| <p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> | |

| | | |
|---|---|---|
| Doc Code: DIST.E.FILE Document Description: Electronic Terminal Disclaimer - Filed | | PTO/SB/25 U.S. Patent and Trademark Office Department of Commerce |
| Electronic Petition Request | TERMINAL DISCLAIMER TO OBIVATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION | |
| Application Number | 15192598 | |
| Filing Date | 24-Jun-2016 | |
| First Named Inventor | Milton Perez | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |
| Title of Invention | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | |
| <input checked="" type="checkbox"/> Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action <input checked="" type="checkbox"/> This electronic Terminal Disclaimer is not being used for a Joint Research Agreement. | | |
| Owner | Percent Interest | |
| Broadband iTV, Inc. | 100% | |
| <p>The owner(s) of percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number(s)</p> <p>15251865 filed on 08/30/2016</p> <p>as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that any such patent granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.</p> | | |
| <input checked="" type="radio"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request. | | |

I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.

Applicant claims the following fee status:

- Small Entity
- Micro Entity
- Regular Undiscounted

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

- An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application

Registration Number 75595

- A sole inventor
- A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application
- A joint inventor; all of whom are signing this request

| | |
|-----------|--------------------|
| Signature | /Michael J. Sebba/ |
| Name | Michael J. Sebba |

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Electronic Patent Application Fee Transmittal

| | | | | |
|--|--|-----------------|---------------|-----------------------------|
| Application Number: | 15192598 | | | |
| Filing Date: | 24-Jun-2016 | | | |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | | | |
| First Named Inventor/Applicant Name: | Milton Diaz Perez | | | |
| Filer: | Michael J. Sebba/Victoria Gilmore | | | |
| Attorney Docket Number: | BBitV-CIP1-D9 (07612/58) | | | |
| Filed as Small Entity | | | | |
| Filing Fees for Utility under 35 USC 111(a) | | | | |
| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | | | |
| STATUTORY OR TERMINAL DISCLAIMER | 2814 | 1 | 160 | 160 |
| Pages: | | | | |
| Claims: | | | | |
| Miscellaneous-Filing: | | | | |
| Petition: | | | | |
| Patent-Appeals-and-Interference: | | | | |
| Post-Allowance-and-Post-Issuance: | | | | |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|---------------------------|----------|----------|--------|----------------------|
| Extension-of-Time: | | | | |
| Miscellaneous: | | | | |
| Total in USD (\$) | | | | 160 |

Doc Code: DISQ.E.FILE

Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 15192598

Filing Date: 24-Jun-2016

Applicant/Patent under Reexamination: Perez

Electronic Terminal Disclaimer filed on February 8, 2017

APPROVED

This patent is subject to a terminal disclaimer

DISAPPROVED

Approved/Disapproved by: Electronic Terminal Disclaimer automatically approved by EFS-Web

U.S. Patent and Trademark Office

Electronic Acknowledgement Receipt

| | |
|---|--|
| EFS ID: | 28287324 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Michael J. Sebba/Victoria Gilmore |
| Filer Authorized By: | Michael J. Sebba |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 08-FEB-2017 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 11:21:01 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

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|--|-----------------------------|
| Submitted with Payment | yes |
| Payment Type | DA |
| Payment was successfully received in RAM | \$ 160 |
| RAM confirmation Number | 020817INTEFSW00008959011785 |
| Deposit Account | |
| Authorized User | |

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|--------------------------------------|--------------------------|---|------------------|------------------|
| 1 | Electronic Terminal Disclaimer-Filed | eTerminal-Disclaimer.pdf | 34015 da4b3315c9f0d5ea36b4933474d1a265d53841ba | no | 2 |

Warnings:**Information:**

| | | | | | |
|---|----------------------|--------------|---|----|---|
| 2 | Fee Worksheet (SB06) | fee-info.pdf | 30679 6ec63850e1b7509619b215d1a5915b0301b15354 | no | 2 |
|---|----------------------|--------------|---|----|---|

Warnings:**Information:**

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| Total Files Size (in bytes): | 64694 |
|-------------------------------------|-------|

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
Row 1: 15/192,598, 06/24/2016, Milton Diaz Perez, BBitV-CIP1-D9 (07612/58), 1328
Row 2: 1912, 7590, 05/02/2017, AMSTER, ROTHSTEIN & EBENSTEIN LLP, 90 PARK AVENUE, NEW YORK, NY 10016
Row 3: EXAMINER ALAM, MUSHFIKH I
Row 4: ART UNIT 2426, PAPER NUMBER
Row 5: NOTIFICATION DATE 05/02/2017, DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTODOCKET@ARELAW.COM

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 15/192,598 | Applicant(s) PEREZ, MILTON DIAZ | |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 | AIA (First Inventor to File) Status No |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 6/24/2016.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a) This action is **FINAL**. 2b) This action is non-final.

3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5) Claim(s) 1-17 is/are pending in the application.
5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) Claim(s) _____ is/are allowed.

7) Claim(s) 1-17 is/are rejected.

8) Claim(s) _____ is/are objected to.

9) Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10) The specification is objected to by the Examiner.

11) The drawing(s) filed on 6/24/2016 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a) All b) Some** c) None of the:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date 7/12/16, 10/14/16, 12/15/16, 2/8/16

3) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

4) Other: _____.

DETAILED ACTION

1. Claims 1-17 are pending.
2. The present application is being examined under the pre-AIA first to invent provisions.

Terminal Disclaimer

3. The terminal disclaimer filed on 2/8/2017 disclaiming the terminal portion of any patent granted on this application has been reviewed and is accepted. The terminal disclaimer has been recorded.

Double Patenting

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*,

686 F.2d 937, 214 USPQ 761 (CCPA 1982); In re Vogel, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); In re Thorington, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting provided the reference application or patent either is shown to be commonly owned with the examined application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. See MPEP § 717.02 for applications subject to examination under the first inventor to file provisions of the AIA as explained in MPEP § 2159. See MPEP §§ 706.02(l)(1) - 706.02(l)(3) for applications not subject to examination under the first inventor to file provisions of the AIA. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO Internet website contains terminal disclaimer forms which may be used. Please visit www.uspto.gov/patent/patents-forms. The filing date of the application in which the form is filed determines what form (e.g., PTO/SB/25, PTO/SB/26, PTO/AIA/25, or PTO/AIA/26) should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to www.uspto.gov/patents/process/file/efs/guidance/eTD-info-l.jsp.

5. Claims 1-17 rejected on the ground of nonstatutory double patenting as being unpatentable over claims 23-44 of U.S. Patent No. 9113228 in view of Ellis et al. (US

Art Unit: 2426

2002/0042921).US Patent 9113228 claim similar features of Claim 1 of the present application recited below:

1. An Internet-connected digital device for receiving via the Internet video content to be viewed by a subscriber of a video-on-demand system using a hierarchically arranged electronic program guide,

the Internet-connected digital device being configured to obtain and present to the subscriber an electronic program guide as a templated video-on-demand display, which uses at least one of a plurality of different video display templates to which the Internet-connected digital device has access, to enable a subscriber using the Internet-connected digital device to navigate in a drill-down manner through titles by category information in order to locate a particular one of the titles whose associated video content is desired for viewing on the Internet-connected digital device using the same category information as was designated by a video content provider in metadata associated with the video content;

wherein the templated video-on-demand display has been generated in a plurality of layers, comprising:

(a) a first layer comprising a background screen to provide at least one of a basic color, logo, or graphical theme to display;

(b) a second layer comprising a particular video display template from the plurality of different video display templates layered on the background screen, wherein the particular video display template comprises one or more reserved areas that are reserved for displaying content provided by a different layer of the plurality of layers; and

(c) a third layer comprising reserved area content generated using the received video content, the associated metadata, and the associated plurality of images to be displayed in the one or more reserved areas in the particular video display template as at least one of text, an image, a navigation link, and a button.

Novak in view of Ellis are disclosed to teach an obvious variant not present in the claims of Patent 9113228, shown below:

wherein the received video content was uploaded to a Web-based content management system by a content provider device associated with the video content provider via the Internet in a digital video format, along with associated metadata including title information and category information, and along with an associated plurality of images designated by the video content provider, the associated metadata specifying a respective hierarchical location of a respective title of the video content within the electronic program guide to be displayed on the Internet-connected digital device using the respective hierarchically-arranged category information associated with the respective title (see Office Action below).

Claim Rejections - 35 USC § 103

6. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 1-6, 8-14 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Novak (US 2002/0104099) in view of Ellis et al. (US 2002/0042921).

Claim 1, Novak teaches “an Internet-connected digital device (122) for receiving via the Internet video content to be viewed by a subscriber of a video-on-demand system (i.e. video on demand embodiment) (p. 0068)”,

“the Internet-connected digital device (122) being configured to obtain and present to the subscriber an electronic program guide as a templated video-on-demand display” (p. 0025-0026, 0068);

“wherein the received video content was uploaded to a Web-based content management system (i.e. website) by a content provider device (222) associated with the video content provider (i.e. server) via the Internet in a digital video format, along with associated metadata (i.e. title) including title information and category information (i.e. content uploaded to server than linked to website or visa versa both envisioned) (p. 0025-0026, 0057, 0068, 0079)”.

Novak not entirely clear in teaching “using a hierarchically arranged electronic program guide”;

“an *electronic program guide* which uses at least one of a plurality of different video display templates to which the Internet-connected digital device has access, to enable a subscriber using the Internet-connected digital device to navigate in a drill-down manner through titles by category information in order to locate a particular one of the titles whose associated video content is desired for viewing on the Internet-connected digital device using the same category information as was designated by a video content provider in metadata associated with the video content”;

wherein the templated video-on-demand display has been generated in a plurality of layers, comprising:

(a) a first layer comprising a background screen to provide at least one of a basic color, logo, or graphical theme to display;

(b) a second layer comprising a particular video display template from the plurality of different video display templates layered on the background screen, wherein the particular video display template comprises one or more reserved areas that are reserved for displaying content provided by a different layer of the plurality of layers; and

(c) a third layer comprising reserved area content generated using the received video content, the associated metadata, and the associated plurality of images to be displayed in the one or more reserved areas in the particular video display template as at least one of text, an image, a navigation link, and a button,

“along with an associated plurality of images designated by the video content provider, the associated metadata specifying a respective hierarchical location of a

respective title of the video content within the electronic program guide to be displayed on the Internet-connected digital device using the respective hierarchically-arranged category information associated with the respective title”.

Ellis teaches “using a hierarchically arranged electronic program guide” (fig. 13);

“*an electronic program guide* which uses at least one of a plurality of different video display templates (figs. 13+) to which the Internet-connected digital device (122) has access, to enable a subscriber using the Internet-connected digital device to navigate in a drill-down manner through titles by category information in order to locate a particular one of the titles (figs. 13+) whose associated video content is desired for viewing on the Internet-connected digital device (122) using the same category information as was designated by a video content provider (i.e. server) in metadata associated with the video content” (figs. 9+; p. 0005);

wherein the templated video-on-demand display has been generated in a plurality of layers (fig. 13+), comprising:

(a) a first layer comprising a background screen to provide at least one of a basic color, logo, or graphical theme to display (i.e. background of any screen) (fig. 13);

(b) a second layer comprising a particular video display template from the plurality of different video display templates layered on the background screen (figs. 13+), wherein the particular video display template comprises one or more reserved areas that are reserved for displaying content provided by a different layer of the plurality of layers (i.e. advertisement) (fig. 13+); and

(c) a third layer comprising reserved area content generated using the received video content, the associated metadata, and the associated plurality of images to be displayed in the one or more reserved areas in the particular video display template as at least one of text, an image, a navigation link, and a button (figs. 13+),

“along with an associated plurality of images designated by the video content provider, the associated metadata specifying a respective hierarchical location of a respective title of the video content within the electronic program guide (i.e. VOD titles are navigated through numerous categories) to be displayed on the Internet-connected digital device using the respective hierarchically-arranged category information associated with the respective title” (figs. 13+; p. 0085-0088).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Claim 2, Novak teaches the specific feature of “the Internet-connected digital device of claim 1, wherein the associated plurality of images that are received” (p. 0025-0026, 0057).

Novak is not entirely clear in teaching the specific feature of “the associated plurality of images includes at least one of graphic, video and audio elements”.

Ellis teaches the specific feature of “the associated plurality of images includes at least one of graphic, video and audio elements” (i.e. icon for programs in VOD list) (fig. 13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Claim 3, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the plurality of different video display templates for display with the electronic program guide are used to locate the particular one of the titles in a drill-down manner from a first level of a hierarchical structure of the electronic program guide to a second level of the hierarchical structure of the electronic program guide, wherein a first of the plurality of different video display templates is used for displaying the first level of the electronic program guide and wherein a second of the plurality of different video display templates is used for displaying the second level of the electronic program guide.

Ellis teaches the Internet-connected digital device of claim 1, wherein the plurality of different video display templates for display with the electronic program guide are used to locate the particular one of the titles in a drill-down manner from a first level of a hierarchical structure of the electronic program guide to a second level of the hierarchical structure of the electronic program guide, wherein a first of the plurality of different video display templates is used for displaying the first level of the electronic program guide and wherein a second of the plurality of different video display templates is used for displaying the second level of the electronic program guide (fig. 13+; p. 0085-0088).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Claim 4, Novak is not entirely clear in teaching the Internet-connected digital device of claim 1, wherein at least a first video display template of the plurality of different video display templates is associated with at least the video content provider.

Ellis teaches the Internet-connected digital device of claim 1, wherein at least a first video display template of the plurality of different video display templates is associated with at least the video content provider (main facility aggregates program guide data) (fig. 13; p. 0033).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Claim 5, Novak teaches the Internet-connected digital device of claim 1, wherein the associated metadata includes descriptive data about the video content (i.e. information related to object) (p. 0026).

Claim 6, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the one or more category terms associated with the first video-on-demand

program content correspond to one or more topics that pertain to video-on-demand program content from more than one content provider.

Ellis teaches the Internet-connected digital device of claim 1, wherein the one or more category terms associated with the first video-on-demand program content (e.g. movies, new releases, etc.) correspond to one or more topics that pertain to video-on-demand program content from more than one content provider (on-demand data can be retrieved from on demand data source, main facility or other) (p. 0046).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Claim 8, Novak teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a set top box (152) (p. 0028).

Claim 9, Novak teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device uses the Internet Protocol (p. 0030).

Claim 10, Novak teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is configured to be used with an Internet Protocol TV (IPTV) system (i.e. Internet or other IP system) (p. 0089).

Claim 13, Novak teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a media player (152) (p. 0028).

Claim 14, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a game console.

Ellis teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a game console (i.e. receives video game data) (p. 0036).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a game console as taught by Ellis to the system on Novak to allow users to receive video game content (p. 0036).

8. Claim 7 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Novak (US 2002/0104099) in view of Ellis et al. (US 2002/0042921), and further in view of Segerberg et al. (US 6910191).

Claim 7, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the one or more category terms associated with the first video-on-demand program content correspond to one or more content providers and wherein the hierarchically arranged electronic program guide is organized according to the content provider.

Ellis teaches the specific feature of "the Internet-connected digital device of claim 1, wherein the one or more category terms (e.g. movies) associated with the first video-on-demand program content" (fig. 13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Segeberg teaches the specific feature of "program content, wherein the hierarchically arranged electronic program guide is organized according to the content provider" (i.e. different sources) (col. 4, lines 11-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a display with multiple sources as taught by Segeberg to the system of Novak to allow users to see which source programming is from (col. 4, lines 4-10).

9. Claim 11-12 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Novak (US 2002/0104099) in view of Ellis et al. (US 2002/0042921), and further in view of Gu et al. (US 2004/0158855).

Claim 11, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a digital phone.

Gu teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a digital phone (140) (p. 0022-0027).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided mobile devices as taught by Gu to the system of Novak to broaden scopes of signal transmission (p. 0012).

Claim 12, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a personal digital assistant (PDA).

Gu teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a personal digital assistant (PDA) (140) (p. 0022-0027).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided mobile devices as taught by Gu to the system of Novak to broaden scopes of signal transmission (p. 0012).

10. Claim 15 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Novak (US 2002/0104099) in view of Ellis et al. (US 2002/0042921), and further in view of Rodriguez et al. (US 2002/0007485).

Claim 15, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is further configured to receive a selection from the subscriber to bookmark a selected title and to store an electronic guide location address for the video-on-demand program associated with the selected title as an electronic bookmark for later viewing.

Rodriguez teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is further configured to receive a selection from the subscriber to bookmark a selected title and to store an electronic guide location address for the video-on-demand program associated with the selected title as an electronic bookmark for later viewing (i.e. bookmark a scene) (p. 0052).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided bookmarking as taught by Rodriguez to the system of Novak to allow users to easily retrieve saved programming (p. 0052).

11. Claim 16-17 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Novak (US 2002/0104099) in view of Ellis et al. (US 2002/0042921), and further in view of Rodriguez et al. (US 2002/0007485), and further in view of Wong et al. (US 2007/0277201).

Claim 16, Novak is silent regarding the Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to send the electronic bookmark from the Internet-connected digital device to a second Internet-connected digital device.

Wong teaches regarding the Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to send the electronic bookmark (i.e. token) from the Internet-connected digital device to a second Internet-connected digital device (fig. 5; p. 0013)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided sending tokens to other users as taught by Wong to the system of Novak to allow users to share favorite programs with others (p. 0013).

Claim 17, Novak is silent regarding the Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to transmit an email including the stored electronic bookmark to an email address of a user on the Internet.

Wong teaches the Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to transmit an email including the stored electronic bookmark (i.e. token) to an email address of a user on the Internet (fig. 5; p. 0013).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided sending tokens to other users as taught by Wong to the system of Novak to allow users to share favorite programs with others (p. 0013).

Conclusion

12. Claims 1-17 are rejected.
13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUSHFIKH ALAM whose telephone number is (571)270-1710. The examiner can normally be reached on Mon-Fri: 8:30-18:00 EST.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Goodarzi can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/MUSHFIKH ALAM/
Primary Examiner, Art Unit 2426
4/25/2017

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| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| Application Number | | 15192598 |
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| First Named Inventor | Milton Diaz Perez | |
| Art Unit | 2422 | |
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| 9 | 6008803 | | 1999-12-28 | Rowe et al. |
| 10 | 7835920 | | 2010-11-16 | Snyder et al. |
| 11 | 7917933 | | 2011-03-29 | Thomas et al. |

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| | | | |
|------------|---------------------|---------------------|------------|
| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| SERIAL NUMBER 15/192,598 | FILING or 371(c) DATE 06/24/2016 RULE | CLASS 725 | GROUP ART UNIT 2426 | ATTORNEY DOCKET NO. BBiTV-CIP1-D9 (07612/58) | | |
| APPLICANTS Broadband iTV, Inc., Honolulu, HI; INVENTORS Milton Diaz Perez, Tiburon, CA; ** CONTINUING DATA ***** This application is a CON of 14/827,090 08/14/2015 PAT 9420318 which is a CON of 12/632,745 12/07/2009 PAT 9113228 which is a DIV of 11/685,188 03/12/2007 PAT 7631336 which is a CIP of 10/909,192 07/30/2004 PAT 7590997 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 07/11/2016 | | | | | | |
| Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and Acknowledged <u>/MUSHFIKH I ALAM/</u> Examiner's Signature | | <input type="checkbox"/> Met after Allowance Initials _____ | STATE OR COUNTRY CA | SHEETS DRAWINGS 13 | TOTAL CLAIMS 17 | INDEPENDENT CLAIMS 1 |
| ADDRESS AMSTER, ROTHSTEIN & EBENSTEIN LLP 90 PARK AVENUE NEW YORK, NY 10016 UNITED STATES | | | | | | |
| TITLE SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | | | | | | |
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| | 2 | 5734853 | | 1998-03-31 | Hendricks et al. | |
| | 3 | 5812123 | | 1998-09-22 | Rowe et al. | |
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| 16 | 7631336 | B2 | 2009-12-08 | Diaz Perez |
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| 2 | 20010052132 | | 2001-12-13 | Fryer |
| 3 | 20020056104 | | 2002-05-09 | Burnhouse et al. |
| 4 | 20020152224 | | 2002-10-17 | Roth et al. |
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| First Named Inventor | Milton Diaz Perez | |
| Art Unit | 2422 | |
| Examiner Name | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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|--------------------|-------------------|
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| Date Considered | 04/24/2017 |

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| | | | |
|------------|---------------------|---------------------|------------|
| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32781 |

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| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, Mushfikh I. |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| | Examiner Name | ALAM, Mushfikh I. | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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|------------|--------------------|---------------------|------------|
| Signature | /Michael J. Sebba/ | Date (YYYY-MM-DD) | 2017-02-08 |
| Name/Print | Michael J. Sebba | Registration Number | 75,595 |

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| | 1 | 20020163532 | A1 | 2002-11-07 | Thomas et al. | |

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|------------|-----------------|---------------------|------------|
| Signature | /Tzvi Hirshaut/ | Date (YYYY-MM-DD) | 2016-12-15 |
| Name/Print | Tzvi Hirshaut | Registration Number | 38,732 |

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32781 |

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| | 1 | 7987492 | B2 | 2011-07-26 | Liverant et al. | | |
| | 2 | 8473868 | B1 | 2013-06-25 | Kauffman | | |

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| | 1 | 20020152318 | A1 | 2002-10-17 | Menon et al. | | |

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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| | 3 | 20040205816 | A1 | 2004-10-14 | Barrett | |
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| 9 | 20150358682 | A1 | 2015-12-10 | Diaz Perez |
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| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | | |

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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

U.S.PATENTS

| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
|-------------------|---------|---------------|------------------------|------------|---|--|
| | 1 | 7801838 | B2 | 2010-09-21 | Colbath et al. | |
| | 2 | 7801910 | B2 | 2010-09-21 | Houh et al. | |
| | 3 | 7925973 | B2 | 2011-04-12 | Allaire et al. | |
| | 4 | 9292866 | B2 | 2016-03-22 | Allaire et al. | |

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| | 1 | 20070038567 | A1 | 2007-02-15 | Allaire et al. | |
| | 2 | 20110191163 | A1 | 2011-08-04 | Allaire et al. | |

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| 3 | 20110166918 | A1 | 2011-07-07 | Allaire et al. |
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| | 1 | WO 2007/021974 | WO | A2 | 2007-02-22 | Allaire | | |

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| | 1 | 6148081 | | 2000-11-14 | Szymanski et al. | | |
| | 2 | 7644429 | B2 | 2010-01-05 | Bayassi et al. | | |

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|--------------------|---------|--|----------------|
| | 1 | Brief of Amici Curiae Broadband iTV, Inc., Double Rock Corporation, Island Intellectual Property, LLC, Access Control Advantage, Inc., and Fairway Financial U.S., Inc. In Support of Appellants, Netflix, Inc. v. Rovi Corporation et al., No. 2015-1917 (Fed. Cir. Dec. 18, 2015). | |
| | 2 | Consolidated Brief for Appellant Broadband iTV, Inc., Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 16-1082 (Fed. Cir. Jan. 21, 2016). | |
| | 3 | Amicus Brief of United Inventors Association of the United States of America in Support of Appellant Broadband iTV, Inc. and Reversal, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 16-1082 (Fed. Cir. Jan. 27, 2016). | |
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| | 1 | 9055325 | B2 | 2015-06-09 | Gaydou et al. | |

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| | 1 | 20050166230 | A1 | 2005-07-28 | Gaydou et al. | |
| | 2 | 20150281792 | A1 | 2015-10-01 | Gaydou et al. | |

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

| | | | |
|------------------------|--------------------------|------------|--|
| Application Number | | 15192598 | |
| Filing Date | | 2016-06-24 | |
| First Named Inventor | Milton Diaz Perez | | |
| Art Unit | 2422 | | |
| Examiner Name | | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | | |

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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| | Examiner Name | |
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| | 1 | 7471834 | B2 | 2008-12-30 | Sull et al. | |
| | 2 | 7624337 | B2 | 2009-11-24 | Sull et al. | |
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| | 1 | 2002008948 | WO | A2 | 2002-01-31 | Sull et al. | |

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|-------------------|---------|---------------|------------------------|------------|---|--|
| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
| | 1 | 7444402 | | 2008-10-00 | Rennels | |
| | 2 | 7386512 | | 2008-06-10 | Allibhoy et al. | |
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| | 4 | 7606883 | | 2009-10-20 | Allibhoy et al. | |
| | 5 | 7962414 | | 2011-06-14 | Allibhoy et al. | |

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| | 1 | 20020104099 | | 2002-08-00 | Novak | |

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|---|-------------|------------|----------------|
| 2 | 20060267995 | 2006-11-00 | Radloff et al. |
| 3 | 20050160458 | 2005-07-05 | Baumgartner |
| 4 | 20030037010 | 2003-02-00 | Schmelzer |

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| | 1 | 7028327 | | 2006-04-11 | Dougherty et al. | |
| | 2 | 7089309 | | 2006-08-08 | Ramaley et al. | |
| | 3 | 7200575 | | 2007-04-03 | Hans et al. | |

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| | 1 | 20040172419 | A1 | 2004-09-02 | Morris et al. | |
| | 2 | 20150237403 | A1 | 2015-08-20 | Diaz Perez | |
| | 3 | 20150245099 | A1 | 2015-08-27 | Diaz Perez | |

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

| | | |
|------------------------|--------------------------|------------|
| Application Number | | 15192598 |
| Filing Date | | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez | |
| Art Unit | 2422 | |
| Examiner Name | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

CERTIFICATION STATEMENT

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| | | | |
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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| | Examiner Name | |
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| | 1 | 6269275 | | 2001-07-31 | Slade | |
| | 2 | 7103906 | | 2006-09-05 | Katz et al. | |
| | 3 | 7065709 | | 2006-06-20 | Ellis | |
| | 4 | 7225455 | | 2007-05-25 | Bennington et al. | |
| | 5 | 7493643 | | 2009-02-17 | Ellis | |
| | 6 | 8112776 | | 2012-02-07 | Schein et al. | |
| | 7 | 5991801 | | 1999-11-23 | Rebec et al. | |
| | 8 | 5594936 | | 1997-01-14 | Rebec et al. | |

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|----|---------|--|------------|--------------|
| 9 | 8340994 | | 2012-12-25 | Tota et al. |
| 10 | 8090605 | | 2012-01-03 | Tota et al. |
| 11 | 7308413 | | 2007-12-11 | Tota et al. |
| 12 | 5550735 | | 1996-08-27 | Slade et al. |
| 13 | 6317885 | | 2001-11-13 | Fries |

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| | 1 | 9406084 | WO | A1 | 1994-03-17 | Datavision | | |

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| 2 | 9950778 | WO | A1 | 1999-10-07 | Slade | |
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|--------------------|---------|---|----------------|
| | 1 | VOD Metadata - Project Primer, Overview of VOD Content Specification 1.0, 1.1, and 2.0, published by Cable Labs, circa 2002-2007, http://www.cablelabs.com/projects/metadata/primer | |
| | 2 | VOD Capsule, issue dated April 11, 2006, includes article "Bresnan Taps CMC for VOD", published by Communications, Engineering & Design Magazine, http://www.cedmagazine.com/newsletter.aspx?id=67468 | |
| | 3 | Comcast Media Center, Content Gateway, Content Distribution website, circa 2010, http://www.comcastmediacenter.com/content-gateway | |

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| Name/Print | Charles R. Macedo | Registration Number | 32781 |

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| | 1 | 7269854 | B2 | 2007-09-11 | Simmons et al. | |
| | 2 | 8464302 | B1 | 2013-06-11 | Liwera et al. | |

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| | 1 | 99/10822 | WO | A1 | 1999-03-04 | Veon, Inc. | | |
| | 2 | 99/41684 | WO | A1 | 1999-08-19 | FAST TV | | |

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|--------------------|---------|---|----------------|
| | 1 | VDO expands Webcasting possibilities, Broadcasting & Cable, Nov. 11, 1996. | |
| | 2 | Jose Alvear, "Web Developer.com Guide to Streaming Multimedia", Chapters 9 and 11, 1998. | |
| | 3 | Business Wire, "Ivex Announces ViewOps Internet Video Service; Allows Business Managers to View and Manage Operations Online," May 2, 2000. | |

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EAST Search History (Prior Art)

| Ref # | Hits | Search Query | DBs | Default Operator | Plurals | Time Stamp |
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| L3 | 47 | 725/\$.ccls. and wong.in. and token | US-PGPUB; USPAT | OR | OFF | 2017/04/25 16:09 |
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| S36 | 79 | 725/\$.ccls. and (multiple numerous many) with (provider source) same guide with display with source | US-PGPUB; USPAT | OR | ON | 2017/04/25 14:24 |
| S35 | 989 | 725/\$.ccls. and (multiple numerous many) with (provider source) same guide | US-PGPUB; USPAT | OR | ON | 2017/04/25 14:23 |
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| S32 | 1 | "20020004292" | US-PGPUB; USPAT | OR | OFF | 2017/04/25 13:37 |
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|---|--|--|
| Index of Claims  | Application/Control No. 15192598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 |

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|---|-----------------|
| ✓ | Rejected |
| = | Allowed |

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| - | Cancelled |
| ÷ | Restricted |

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| N | Non-Elected |
| I | Interference |

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|---|-----------------|
| A | Appeal |
| O | Objected |

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

| CLAIM | | DATE | | | | | | | | |
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| Final | Original | 04/24/2017 | | | | | | | | |
| | 1 | ✓ | | | | | | | | |
| | 2 | ✓ | | | | | | | | |
| | 3 | ✓ | | | | | | | | |
| | 4 | ✓ | | | | | | | | |
| | 5 | ✓ | | | | | | | | |
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| | 7 | ✓ | | | | | | | | |
| | 8 | ✓ | | | | | | | | |
| | 9 | ✓ | | | | | | | | |
| | 10 | ✓ | | | | | | | | |
| | 11 | ✓ | | | | | | | | |
| | 12 | ✓ | | | | | | | | |
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| | 16 | ✓ | | | | | | | | |
| | 17 | ✓ | | | | | | | | |

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| Art Unit | 2422 | |
| Examiner Name | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

| | |
|---|--|
| 1 | Defendants Oceanic Time Warner Cable, LLC and Time Warner Cable Inc.'s Motion for Summary Judgment Regarding Invalidity of U.S. Patent No. 7,631,336 (ECF 474), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 10, 2015) (5 pgs). |
| 2 | Memorandum in Support of Defendants Oceanic Time Warner Cable LLC and Time Warner Cable Inc.'s Motion for Summary Judgment Regarding Invalidity of U.S. Patent No. 7,631,336 (ECF 474-1), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 10, 2015) (49 pgs). |
| 3 | Concise Statement of Facts in Support of Defendants Oceanic Time Warner Cable LLC and Time Warner Cable Inc.'s Motion for Summary Judgment Regarding Invalidity of U.S. Patent No. 7,631,336 (ECF 475), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 10, 2015) (12 pgs). |
| 4 | Declaration of Nathan L. Brown (ECF 475-1), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 10, 2015) (6 pgs). |
| 5 | Exhibits 1 (ECF 475-2), 4 (ECF 475-5), 5 (ECF 475-6), and 6 (ECF 475-7) to Concise Statement of Facts in Support of Defendants Oceanic Time Warner Cable LLC and Time Warner Cable Inc.'s Motion for Summary Judgment Regarding Invalidity of U.S. Patent No. 7,631,336, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 10, 2015) (133 pgs). |
| 6 | Plaintiff's Opposition to Defendants Time Warner Cable, Inc. and Oceanic Time Warner Cable, LLC's Motion for Summary Judgment Regarding Invalidity of U.S. Patent No. 7,631,336 (ECF 561), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 27, 2015) (52 pgs). |
| 7 | Plaintiff Broadband iTV, Inc.'s Concise Statement of Facts in Opposition to Defendants Oceanic Time Warner Cable and Time Warner Cable, Inc.'s Concise Statement of Facts (ECF 562), Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 27, 2015) (8 pgs). |
| 8 | Declaration of Keith A. Jones (ECF 562-1), Inc.'s Concise Statement of Facts, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 27, 2015) (8 pgs). |
| 9 | Exhibits 1-10 (ECF 562-2 - ECF-11), 12 (ECF 562-13), 14 (ECF 562-15), 16-17 (ECF 562-17 - 562-18), and 19-20 (ECF 562-20 - 562-21) to Plaintiff Broadband iTV, Inc.'s Concise Statement of Facts in Opposition to Defendants Oceanic Time Warner Cable and Time Warner Cable, Inc.'s Concise Statement of Facts, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 1:14-cv-00169 (D. Haw. Aug. 27, 2015) (508 pgs). |

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See attached certification statement.

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A certification statement is not submitted herewith.

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A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

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|------------|---------------------|---------------------|------------|
| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

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| | 1 | 5892536 | | 1999-04-06 | Logan et al. | |
| | 2 | 6088455 | | 2000-07-11 | Logan et al. | |
| | 3 | 6931451 | B1 | 2005-08-16 | Logan et al. | |
| | 4 | 7055166 | B1 | 2006-05-30 | Logan et al. | |
| | 5 | 8191098 | B2 | 2012-05-29 | Cooper et al. | |

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| | 1 | 20020120925 | A1 | 2002-08-29 | Logan | |

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|---|-------------|----|------------|--------------|
| 2 | 20060015925 | A1 | 2006-01-19 | Logan |
| 3 | 20060085830 | A1 | 2006-04-20 | Bruck et al. |
| 4 | 20070016530 | A1 | 2007-01-18 | Stasi et al. |
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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32781 |

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| | 1 | 6845396 | B1 | 2005-01-18 | Kanojia et al. | |
| | 2 | 7590997 | B2 | 2009-09-15 | Diaz Perez | |
| | 3 | 7631336 | B2 | 2009-12-08 | Diaz Perez | |
| | 4 | 7774819 | B2 | 2010-08-10 | Diaz Perez | |
| | 5 | 9066118 | B2 | 2015-06-23 | Diaz Perez | |
| | 6 | 9078016 | B2 | 2015-07-07 | Diaz Perez | |
| | 7 | 9106959 | B2 | 2015-08-11 | Diaz Perez | |
| | 8 | 9113228 | B2 | 2015-08-18 | Diaz Perez | |

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| Application Number | 15192598 |
| Filing Date | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez |
| Art Unit | 2422 |
| Examiner Name | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| Examiner Initial* | Cite No | Publication Number | Kind Code ¹ | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
| | 1 | 20020066106 | A1 | 2002-05-30 | Kanojia et al. | |
| | 2 | 20070250864 | A1 | 2007-10-25 | Diaz Perez | |
| | 3 | 20100138863 | A1 | 2010-06-03 | Diaz Perez | |
| | 4 | 20100319040 | A1 | 2010-12-16 | Diaz Perez | |
| | 5 | 20100325655 | A1 | 2010-12-23 | Diaz Perez | |
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| | 7 | 20110030013 | A1 | 2011-02-03 | Diaz Perez | |
| | 8 | 20130254804 | A1 | 2013-09-26 | Diaz Perez | |
| | 9 | 20130254809 | A1 | 2013-09-26 | Diaz Perez | |

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| 10 | 20130254814 | A1 | 2013-09-26 | Diaz Perez |
| 11 | 20150128192 | A1 | 2015-05-07 | Diaz Perez |

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|------------|---------------------|---------------------|------------|
| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
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| | 1 | 7548565 | | 2009-06-00 | Sull et al. | |
| | 2 | 8006263 | | 2011-08-23 | Ellis et al. | |
| | 3 | 8644354 | | 2014-02-04 | George et al. | |

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| | 1 | 20040158855 | | 2004-08-00 | Gu et al. | |
| | 2 | 20050138560 | | 2005-06-23 | Lee et al. | |
| | 3 | 20100153999 | | 2010-06-17 | Yates | |

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|---|-------------|------------|--------------|
| 4 | 20060155850 | 2006-07-13 | Ma et al. |
| 5 | 20080163330 | 2008-07-03 | Sparrell |
| 6 | 20040049788 | 2004-03-11 | Mori et al. |
| 7 | 20040015989 | 2004-01-02 | Kaizu et al. |

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| | 1 | Patent Owner's Preliminary Response, 2015-01-02, CBM2014-00189, Hawaiian Telecom, Inc. v. Broadband iTV, Inc., re U.S. Patent 7,631,336 | |
| | 2 | Decision Denying Institution of Inter Partes Review, 2015-01-05, IPR2014-01222, Unified Patents v. Broadband iTV, Inc., re U.S. Patent 7,631,336 | |

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| | 1 | 20020092019 | | 2002-07-11 | Marcus Dwight | | |
| | 2 | 20050160458 | | 2005-07-21 | Baumgartner | | |

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| | 1 | WO01038960 | IE | | 2001-05-31 | Future TV | | | |
| | 2 | WO01022688 | WO | | 2001-03-29 | Streaming 21 | | | |

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|---|-------------------|----|------------|------------|
| 3 | JP Publ 11-150692 | JP | 1999-06-02 | Sony |
| 4 | JP Publ 03-116121 | JP | 2003-04-18 | Matsushita |
| 5 | JP Publ 07-284035 | JP | 1995-10-27 | Toshiba |

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| | 1 | International Search Report, dated 03/06/2006, in PCT International Application US2005/027376, of Broadband iTV, Inc. | |
| | 2 | International Search Report, dated 09/15/2009, in PCT International Application US2008/003341, of Broadband iTV, Inc. | |
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| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
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| 9 | 5859898 | | 1999-01-12 | Checco | |
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| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
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| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
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| | 1 | THE INDUSTRY STANDARD, "Web Entertainment Gets Personal", Jan 10, 2000, www.thestandard.com | |
| | 2 | AFFIDAVIT OF MILTON DIAZ PEREZ UNDER C.F.R. 132, 03-09-2009, submitted in U.S. Patent Application 10/909,192, filed 07-03-2004 | |
| | 3 | Affidavit of Milton Diaz Perez, Ex. A, WIKIPEDIA, "Cable Television in the United States", history, last modified 01/17/2009, pp. 1-7, http://en.wikipedia.org/wiki/Cable_Television_in_the_United_States | |
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| Name/Print | Charles R. Macedo | Registration Number | 32781 |

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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|--------------------|---------|---|----------------|
| | 1 | EPO Communication for European Application No. 08726793.6, dated May 30, 2016. | |
| | 2 | EPO Communication for European Application No. 08768802.4, dated May 30, 2016. | |

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See attached certification statement.

The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

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|------------|---------------------|---------------------|------------|
| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
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| | 1 | 6100883 | | 2000-08-08 | Hoarty | |
| | 2 | 6205582 | B1 | 2001-03-20 | Hoarty | |
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| | 4 | 7690020 | B2 | 2010-03-30 | Lebar | |
| | 5 | 7926079 | B2 | 2011-04-12 | Lebar | |
| | 6 | 8843978 | B2 | 2014-09-23 | Hardin | |
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| | 1 | 20070016530 | A1 | 2007-01-18 | Stasi et al. | |

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| | 1 | TimeWarner, Time Warner Cable Launches Quick Clips, http://www.timewarner.com/newsroom/press-releases/2006/09/28/time-warner-cable-launches-quick-clips (published Sept. 28, 2006, last visited June 26, 2015). | |
| | 2 | Time Warner Cable, Photos & Video Go from Digital Cameras to Television with Free, New Time Warner Cable Product, http://www.timewarnercable.com/en/about-us/press/photos_video_go_fromdigitalcamerastotelevisionwithfreenewtimewar.html (published Apr. 27, 2007, last visited June 26, 2015). | |

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| 9 | 7921448 | | 2011-04-05 | Fickle et al. |
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| 12 | 8365230 | | 2013-01-29 | Chane et al. |
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| 14 | 8707354 | | 2014-04-22 | Moreau et al. |

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| | 1 | 20020184635 | | 2002-12-05 | Istvan | |
| | 2 | 20030093790 | | 2003-05-15 | Logan et al. | |
| | 3 | 20040103120 | | 2004-05-27 | Fickle et al. | |

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| 4 | 20050188415 | 2005-08-25 | Riley |
| 5 | 20050240961 | 2005-10-27 | Jerding et al. |

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| | 1 | 01/10127 | WO | A1 | 2001-02-08 | Liwerant | | |

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|--------------------|---------|---|----------------|
| | 1 | Adams, Open Cable Architecture (Cisco Press 2000), Chapter 8-16. | |
| | 2 | ATSC Standard: Program and System Information Protocol for Terrestrial Broadcast and Cable (PSIP) (December 23, 1997). | |
| | 3 | Attack of the \$500 Killer Network Computers: Time-Warner Cable's Full Service Network, Network Computing (August 19, 2000) Internet Archive, https://web.archive.org/web/20000819050301/http://www.networkcomputing.com/616/616tw.html . | |
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| 5 | CableLabs Video-On-Demand Content Specification Version 1.1 (January 7, 2004). |
| 6 | Declaration of Milton Diaz Perez, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 14-cv-00169-ACK-KSC (D. Haw. March 2, 2015). |
| 7 | Defendants' Joint Preliminary Invalidity Contentions, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 14-cv-00169-ACK-KSC (D. Haw. February 20, 2015). |
| 8 | Exhibit A, Defendants' Joint Preliminary Invalidity Contentions, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 14-cv-00169-ACK-KSC (D. Haw. February 20, 2015). |
| 9 | Exhibit B, Defendants' Joint Preliminary Invalidity Contentions, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 14-cv-00169-ACK-KSC (D. Haw. February 20, 2015). |
| 10 | Exhibit C, Defendants' Joint Preliminary Invalidity Contentions, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 14-cv-00169-ACK-KSC (D. Haw. February 20, 2015). |
| 11 | Exhibit E, Defendants' Joint Preliminary Invalidity Contentions, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 14-cv-00169-ACK-KSC (D. Haw. February 20, 2015). |
| 12 | Exhibit F, Defendants' Joint Preliminary Invalidity Contentions, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 14-cv-00169-ACK-KSC (D. Haw. February 20, 2015). |
| 13 | Exhibit G, Defendants' Joint Preliminary Invalidity Contentions, Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al., No. 14-cv-00169-ACK-KSC (D. Haw. February 20, 2015). |
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**INFORMATION DISCLOSURE
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(Not for submission under 37 CFR 1.99)

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| Application Number | 15192598 |
| Filing Date | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez |
| Art Unit | 2422 |
| Examiner Name | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| Examiner Signature | /MUSHFIKH I ALAM/ | Date Considered | 04/25/2017 |
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See attached certification statement.

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A certification statement is not submitted herewith.

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A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|---------------------|---------------------|------------|
| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

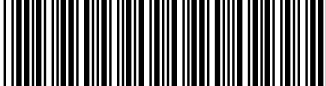
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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
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| Search Notes  | Application/Control No. 15192598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 |

| CPC- SEARCHED | | |
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| US CLASSIFICATION SEARCHED | | | |
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| Class | Subclass | Date | Examiner |
| 725 | 74-104 | 4/24/2017 | MA |

| SEARCH NOTES | | |
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| Search Notes | Date | Examiner |
| Inventor Search | 4/24/2017 | MA |
| 725/74-104 - limited by text search | 4/24/2017 | MA |
| 725 - limited by text search | 4/24/2017 | MA |

| INTERFERENCE SEARCH | | | |
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| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, MUSHFIKH I. |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | | |
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|--------------------|---------|---|----------------|
| | 1 | Notice of Entry of Judgment Without Opinion for Case No. 2016-1082 of the United States Court of Appeals for the Federal Circuit dated September 26, 2016. | |
| | 2 | Judgment, Broadband iTV, Inc. v. Hawaiian Telcom, Inc., Oceanic Time Warner Cable, LLC and Time Warner Cable, Inc., Nos. 2016-1082, 2016-1083 (CAFC Sept. 26, 2016) (2 pgs). | |
| | 3 | Affidavit of Milton Diaz Perez Under 37 C.F.R. 132, 01-20-2012, submitted in U.S. Patent Application 11/768,895. | |

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| Signature | /Tzvi Hirshaut/ | Date (YYYY-MM-DD) | 2016-10-14 |
| Name/Print | Tzvi Hirshaut | Registration Number | 38,732 |

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| | Examiner Name | |
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| 1 | ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS OCEANIC TIME WARNER CALBE, LLC AND TIME WARNER CABLE, INC.'S MOTION FOR SUMMARY JUDGMENT REGARDING INVALIDITY OF U.S. PATENT NO. 7,631,336, Broadband iTV, Inc. v. Oceanic Time Warner Cable, LLC and Time Warner Cable, Inc., No. 15-00131 (D. Haw. Sept. 29, 2015) (77 pgs). |
| 2 | Judgment, Broadband iTV, Inc. v. Oceanic Time Warner Cable, LLC and Time Warner Cable, Inc., No. 15-00131 (D. Haw. Sept. 29, 2015) (2 pgs). |
| 3 | PLAINTIFF'S NOTICE OF APPEAL; CERTIFICATE OF SERVICE, Broadband iTV, Inc. v. Oceanic Time Warner Cable, LLC and Time Warner Cable, Inc., No. 15-00131 (D. Haw. Oct. 9, 2015) (4 pgs). |
| 4 | ORDER GRANTING DEFENDANT HAWAIIAN TELCOM, INC.'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY UNDER 35 U.S.C. § 101, Broadband iTV, Inc. v. Hawaiian Telcom, Inc., No. 14-00169 (D. Haw. Sept. 29, 2015) (43 pgs). |
| 5 | Judgment, Broadband iTV, Inc. v. Hawaiian Telcom, Inc., No. 14-00169 (D. Haw. Sept. 29, 2015) (2 pgs). |
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A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|---------------------|---------------------|------------|
| Signature | /Charles R. Macedo/ | Date (YYYY-MM-DD) | 2016-07-12 |
| Name/Print | Charles R. Macedo | Registration Number | 32,781 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

| | | |
|--|--|---|
| Doc Code: DIST.E.FILE Document Description: Electronic Terminal Disclaimer - Filed | | PTO/SB/26 U.S. Patent and Trademark Office Department of Commerce |
| Electronic Petition Request | TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT | |
| Application Number | 15192598 | |
| Filing Date | 24-Jun-2016 | |
| First Named Inventor | Milton Perez | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |
| Title of Invention | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | |
| <input checked="" type="checkbox"/> Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action <input checked="" type="checkbox"/> This electronic Terminal Disclaimer is not being used for a Joint Research Agreement. | | |
| Owner | Percent Interest | |
| Broadband iTV, Inc. | 100% | |
| <p>The owner(s) with percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent number(s)</p> <p>9113228</p> <p>as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:</p> <ul style="list-style-type: none"> - expires for failure to pay a maintenance fee; - is held unenforceable; - is found invalid by a court of competent jurisdiction; - is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; - has all claims canceled by a reexamination certificate; - is reissued; or - is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. <p><input checked="" type="radio"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.</p> | | |

I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.

Applicant claims the following fee status:

- Small Entity
- Micro Entity
- Regular Undiscounted

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

- An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application

Registration Number 32781

- A sole inventor
- A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application
- A joint inventor; all of whom are signing this request

| | |
|-----------|---------------------|
| Signature | /Charles R. Macedo/ |
| Name | Charles R. Macedo |

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Electronic Patent Application Fee Transmittal

| | | | | |
|--|--|-----------------|---------------|-----------------------------|
| Application Number: | 15192598 | | | |
| Filing Date: | 24-Jun-2016 | | | |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | | | |
| First Named Inventor/Applicant Name: | Milton Diaz Perez | | | |
| Filer: | Charles R. Macedo/Victoria Gilmore | | | |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) | | | |
| Filed as Small Entity | | | | |
| Filing Fees for Utility under 35 USC 111(a) | | | | |
| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | | | |
| STATUTORY OR TERMINAL DISCLAIMER | 2814 | 1 | 160 | 160 |
| Pages: | | | | |
| Claims: | | | | |
| Miscellaneous-Filing: | | | | |
| Petition: | | | | |
| Patent-Appeals-and-Interference: | | | | |
| Post-Allowance-and-Post-Issuance: | | | | |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|---------------------------|----------|----------|--------|----------------------|
| Extension-of-Time: | | | | |
| Miscellaneous: | | | | |
| Total in USD (\$) | | | | 160 |

Doc Code: DISQ.E.FILE

Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 15192598

Filing Date: 24-Jun-2016

Applicant/Patent under Reexamination: Perez

Electronic Terminal Disclaimer filed on July 28, 2017

APPROVED

This patent is subject to a terminal disclaimer

DISAPPROVED

Approved/Disapproved by: Electronic Terminal Disclaimer automatically approved by EFS-Web

U.S. Patent and Trademark Office

Electronic Acknowledgement Receipt

| | |
|---|--|
| EFS ID: | 29922878 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Charles R. Macedo/Victoria Gilmore |
| Filer Authorized By: | Charles R. Macedo |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 28-JUL-2017 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 16:42:33 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

| | |
|--|-----------------------------|
| Submitted with Payment | yes |
| Payment Type | DA |
| Payment was successfully received in RAM | \$160 |
| RAM confirmation Number | 073117INTEFSW00003409011785 |
| Deposit Account | |
| Authorized User | |

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|--|--------------------------|--|------------------|------------------|
| 1 | Terminal Disclaimer-Filed (Electronic) | eTerminal-Disclaimer.pdf | 33471 5a32dbf71b96f4eabd3e9a60e783f362129d97e9a | no | 2 |

Warnings:**Information:**

| | | | | | |
|---|----------------------|--------------|---|----|---|
| 2 | Fee Worksheet (SB06) | fee-info.pdf | 30574 64176bf79b38df426f5e05f5abbdd60be772f05d | no | 2 |
|---|----------------------|--------------|---|----|---|

Warnings:**Information:**

| | |
|-------------------------------------|-------|
| Total Files Size (in bytes): | 64045 |
|-------------------------------------|-------|

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 15/192,598 Confirmation No. 1328
Inventor : Milton Diaz Perez
Filed : June 24, 2016
TC/A.U. : 2426
Title : SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM
CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV
SERVICES PROVIDER
Examiner : Mushfikh Alam
Docket No. : BBiTV-CIP1-D9 (07612/58)
Customer No. : 1912

RESPONSE TO OFFICE ACTION OF MAY 2, 2017

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated May 2, 2017, please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.

In view of the amendments and remarks, prompt and favorable reconsideration of this Application is respectfully requested. If, however, the Examiner believes that there are any unresolved issues, or believes that the Application is not in condition for Allowance, Applicant respectfully requests that the Examiner contact the undersigned to schedule a telephonic Examiner Interview before any further Actions on the merits.

659534.1

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) An Internet-connected digital device for receiving via the Internet video content to be viewed by a subscriber of a video-on-demand system using a hierarchically arranged electronic program guide,

the Internet-connected digital device being configured to obtain and present to the subscriber an electronic program guide as a templated video-on-demand display, which uses at least one of a plurality of different ~~video~~ display templates to which the Internet-connected digital device has access, to enable a subscriber using the Internet-connected digital device to navigate in a drill-down manner through titles by category information in order to locate a particular one of the titles whose associated video content is desired for viewing on the Internet-connected digital device using the same category information as was designated by a video content provider in metadata associated with the video content;

wherein the templated video-on-demand display has been generated in a plurality of layers, comprising:

(a) a first layer comprising a background screen to provide at least one of a basic color, logo, or graphical theme to display;

(b) a second layer comprising a particular ~~video~~ display template from the plurality of different ~~video~~ display templates layered on the background screen, wherein the particular ~~video~~ display template comprises one or more reserved areas that are reserved for displaying content provided by a different layer of the plurality of layers; and

(c) a third layer comprising reserved area content generated using the received video content, the associated metadata, and the associated plurality of images to be displayed in the one or more reserved areas in the particular ~~video~~ display template as at least one of text, an image, a navigation link, and a button,

wherein the received video content was uploaded to a Web-based content management system by a content provider device associated with the video content provider via the Internet in a digital video format, along with associated metadata including title information and category information, and along with an associated plurality of images designated by the video content provider, the associated metadata specifying a respective hierarchical location of a respective

title of the video content within the electronic program guide to be displayed on the Internet-connected digital device using the respective hierarchically-arranged category information associated with the respective title,

wherein at least one of the uploaded associated plurality of images designated by the video content provider is displayed with the associated respective title in the templated video-on-demand display.

2. (Original) The Internet-connected digital device of claim 1, wherein the associated plurality of images that are received includes at least one of graphic, video and audio elements.

3. (Currently Amended) The Internet-connected digital device of claim 1, wherein the plurality of different ~~video~~ display templates for display with the electronic program guide are used to locate the particular one of the titles in a drill-down manner from a first level of a hierarchical structure of the electronic program guide to a second level of the hierarchical structure of the electronic program guide, wherein a first of the plurality of different ~~video~~ display templates is used for displaying the first level of the electronic program guide and wherein a second of the plurality of different ~~video~~ display templates is used for displaying the second level of the electronic program guide.

4. (Currently Amended) The Internet-connected digital device of claim 1, wherein at least a first video display template of the plurality of different ~~video~~ display templates is associated with at least the video content provider.

5. (Original) The Internet-connected digital device of claim 1, wherein the associated metadata includes descriptive data about the video content.

6. (Original) The Internet-connected digital device of claim 1, wherein the one or more category terms associated with the first video-on-demand program content correspond to one or more topics that pertain to video-on-demand program content from more than one content provider.

7. (Original) The Internet-connected digital device of claim 1, wherein the one or more category terms associated with the first video-on-demand program content correspond to one or more content providers and wherein the hierarchically arranged electronic program guide is organized according to the content provider.

8. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a set top box.

9. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device uses the Internet Protocol.

10. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is configured to be used with an Internet Protocol TV (IPTV) system.

11. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a digital phone.

12. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a personal digital assistant (PDA).

13. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a media player.

14. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a game console.

15. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is further configured to receive a selection from the subscriber to bookmark a selected title and to store an electronic guide location address for the video-on-demand program associated with the selected title as an electronic bookmark for later viewing.

16. (Original) The Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to send the electronic bookmark from the Internet-connected digital device to a second Internet-connected digital device.

17. (Original) The Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to transmit an email including the stored electronic bookmark to an email address of a user on the Internet.

REMARKS

Claims 1-17 are currently pending. By this amendment, claims 1, 3 and 4 are amended and the remaining claims are unchanged. Claim 1 is an independent claim. Support for this Amendment is found at ¶¶ 27 and 35 and FIG. 1C of the Specification.

In view of the amendments and remarks, prompt and favorable reconsideration of this Application is respectfully requested. **If, however, the Examiner believes that there are any unresolved issues, or believes that the Application is not in condition for Allowance, Applicant respectfully requests that the Examiner contact the undersigned to schedule a telephonic Examiner Interview before any further Actions on the merits.**

1. Summary of Examiner Interview

Applicant would like to thank Examiner Alam for the courtesies extended to Applicant's representative Charles R. Macedo during a telephonic interview conducted on July 26, 2017. During the interview, Applicant's representative discussed with the Examiner the amendment of claim 1 presented herein. The Examiner stated that the claim amendment overcame the cited prior art, but that the Examiner would conduct a further search.

2. Provisional Terminal Disclaimer

Claims 1-17 are rejected on the ground of nonstatutory double patenting as unpatentable over claims 23-44 of U.S. Patent No. 9,113,228 in view of Ellis. Applicant submits herewith a terminal disclaimer that disclaims the terminal part of the statutory term of any patent granted on this application that would extend beyond the expiration of U.S. Patent No. 9,113,228. This terminal disclaimer is in addition to a terminal disclaimer previously submitted for this application on February 8, 2017.

3. Consideration of Additional Information Disclosure Statements

Applicant requests that the Examiner please review and indicate his consideration of two Information Disclosure Statements (IDS) filed herewith for the present application.

4. The Claims Define Patentable Subject Matter

The Office Action has rejected the pending claims on various bases. Claims 1-6, and 8-14 are rejected under 35 U.S.C. § 103(a) as obvious over a combination of U.S. Patent Application Publication No. 2002/0104099 (Novak) in view of U.S. Patent Application Publication No. 2002/0042921 (Ellis). Claim 7 is rejected under 35 U.S.C. § 103(a) as obvious over the combination of Novak, Ellis, and U.S. Patent No. 6,910,191 (Seegerberg). Claims 11 and 12 are rejected as under 35 U.S.C. § 103(a) as obvious over the combination of Novak, Ellis, and U.S. Patent Application Publication No. 2004/0158855 (Gu). Claim 15 is rejected under 35 U.S.C. § 103(a) as obvious over the combination of Novak, Ellis, and U.S. Patent Application Publication No. 2002/0007485 (Rodriguez). Claims 16 and 17 are rejected under 35 U.S.C. § 103(a) as obvious over the combination of Novak, Ellis, Rodriguez, and U.S. Patent Application Publication No. 2007/0277201 (Wong). Claims 1-17 are also rejected on the ground of nonstatutory double patenting as unpatentable over claims 23-44 of U.S. Patent No. 9,113,228 in view of Ellis.

Applicant respectfully submits that the amendments and accompanying remarks presented herewith overcome the prior art of record. **To the extent the Examiner disagrees, Applicant requests that the Examiner contact Applicant's representative for a telephone interview before issuing the next office action.**

The present invention is directed to an Internet-connected digital device for providing video content to a subscriber via a closed, video-on-demand system. A hierarchically arranged

electronic program guide is presented to the subscriber on the Internet-connected digital device as a multi-layered, templated display that is navigable in a drill-down manner through titles by category information. The video content to be viewed on the Internet-connected digital device was uploaded to a Web-based content management system by a content provider device associated with the video content provider via the Internet in a digital video format, along with associated metadata including title information, category information, and an associated plurality of images designated by the video content provider. At least one of the uploaded associated plurality of images designated by the video content provider is displayed with the associated respective title in the templated video-on-demand display.

Significantly, the Office Action does not address the complete limitation in claim 1, before amendment, as the claim requires as part of the uploaded content “an associated plurality of images designated *by the video content provider.*” (Emphasis added). While the Office Action points to Fig. 13+ of Ellis as showing images that are uploaded by the video content provider, the images on the screens of these figures are advertisements that are unrelated to the displayed video content and would **not** be uploaded by the video content provider. Therefore, Applicant submits that the combination of Novak and Ellis is insufficient to serve as a basis for rejection of claim 1.

To reinforce this distinction, Applicant has added to claim 1 a recitation that at least one of the uploaded associated plurality of images designated by the video content provider is displayed with the associated respective title in the templated video-on-demand display. This is neither taught nor suggested by Novak or Ellis, either alone or in combination.

For at least these reasons, Applicant submits that amended claim 1 and claims dependent thereon are allowable. Withdrawal of the rejections of the claims and allowance of the

application is respectfully requested.

Status of Related Applications

The below chart provides information regarding related issued patents and co-pending applications filed by the present applicant:

| APPLICATION SERIAL NO. | ATTORNEY DOCKET NO. | FILING DATE | STATUS |
|------------------------|---------------------|-------------|-------------------------------------|
| 10/909,192 | P1 07612/4 | 2004-07-30 | Issued as U.S. Patent No. 7,590,997 |
| 11/952,552 | P1-D1 07612/5 | 2007-12-07 | Issued as U.S. Patent No. 7,774,819 |
| 12/852,663 | P1-D2 07612/6 | 2010-08-09 | Issued as U.S. Patent No. 9,078,016 |
| 13/830,872 | P1-D3 07612/27 | 2013-03-14 | Issued as U.S. Patent No. 9,066,118 |
| 14/598,633 | P1-D4 07612/35 | 2015-01-16 | Issued as U.S. Patent No. 9,106,959 |
| 14/703,597 | P1-D5 07612/36 | 2015-01-05 | Issued as U.S. Patent No. 9,232,275 |
| 14/706,721 | P1-D6 07612/37 | 2015-05-07 | Issued as U.S. Patent No. 9,338,511 |
| 14/978,881 | P1-D7 07612/45 | 2015-12-22 | Issued as U.S. Patent No. 9,386,340 |
| 14/978,953 | P1-D8 07612/46 | 2015-12-22 | Issued as U.S. Patent No. 9,491,511 |
| 14/987,237 | P1-D9 07612/48 | 2016-01-04 | Issued as U.S. Patent No. 9,491,512 |
| 14/987,283 | P1-D10 07612/49 | 2016-01-04 | Issued as U.S. Patent No. 9,338,512 |
| 15/148,807 | P1-D11 07612/56 | 2016-05-06 | Issued as U.S. Patent No. 9,578,376 |
| 15/190,954 | P1-D12 07612/57 | 2016-06-23 | Issued as U.S. Patent No. 9,641,896 |

| APPLICATION SERIAL NO. | ATTORNEY DOCKET NO. | FILING DATE | STATUS |
|------------------------|----------------------|-------------|--|
| 15/253,321 | P1-D13 07612/62 | 2016-08-31 | Issued as U.S. Patent No. 9,648,388 |
| 15/253,288 | P1-D14 07612/61 | 2016-08-31 | Issued as U.S. Patent No. 9,635,423 |
| 15/399,116 | P1-D15 07612/64 | 2017-01-05 | Notice of Allowance 2017-05-05 |
| 15/492,870 | P1-D16 07612/71 | 2017-04-20 | Pending |
| 15/582,155 | P1-D17 07612/73 | 2017-04-28 | Pending |
| 11/685,188 | CIP1 07612/7 | 2007-03-12 | Issued as U.S. Patent No. 7,631,336 |
| 12/632,745 | CIP1-D1 07612/8 | 2009-12-07 | Issued as U.S. Patent No. 9,113,228 |
| 12/869,466 | CIP1-D2 07612/9 | 2010-08-26 | Pending - Reply Brief filed 2017-02-16 |
| 13/830,961 | CIP1-D3 07612/28 | 2013-03-14 | Pending - Non-final Rejection 2016-12-23 |
| 14/724,125 | CIP1-D4 07612/38 | 2015-05-28 | Issued as U.S. Patent No. 9,338,487 |
| 14/827,090 | CIP1-D5 07612/39 | 2015-08-14 | Issued as U.S. Patent No. 9,420,318 |
| 14/827,113 | CIP1-D6 07612/40 | 2015-08-14 | Issued as U.S. Patent No. 9,491,497 |
| 14/827,129 | CIP1-D7 07612/41 | 2015-08-14 | Pending - Non-final Rejection 2017-04-26 |
| 15/148,796 | CIP1-D8 07612/55 | 2016-05-06 | Issued as U.S. Patent No. 9,635,395 |
| 15/251,865 | CIP1-D10 07612/59 | 2016-08-30 | Pending - Non-final Rejection 2017-05-02 |
| 15/493,409 | CIP1-D11 07612/72 | 2017-04-21 | Pending |
| 11/768,895 | CIP2 07612/10 | 2007-06-26 | Issued as U.S. Patent No. 9,584,868 |
| 12/869,493 | CIP2-D1 07612/11 | 2010-08-26 | Pending Notice of Informal Amendment 2017-05-31 |
| 12/869,534 | CIP2-D2 07612/25 | 2010-08-26 | Issued as U.S. Patent No. 9,344,765 |
| 13/831,042 | CIP2-D3 07612/29 | 2013-03-14 | Issued as U.S. Patent No. 9,247,308 |
| 15/001,992 | CIP2-D4 07612/47 | 2016-01-20 | Issued as U.S. Patent No. 9,635,429 |
| 15/002,011 | CIP2-D5 07612/51 | 2016-01-20 | Issued as U.S. Patent No. 9,641,902 |
| 15/002,029 | CIP2-D6 07612/52 | 2016-01-20 | Issued as U.S. Patent No. 9,654,833 |
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| 15/441,956 | CIP2-D12 07612/70 | 2017-02-24 | Pending |
| 15/604,272 | CIP2-D13 07612/75 | 2017-05-24 | Pending |

The Examiner is invited to review the prosecution history of this application to see the prior art of record and related office actions as he deems appropriate.

Applicant further notes the following litigations have been filed with respect to related patents and have been concluded:

| Case | Filing Date | Status |
|--|-------------|---|
| <i>Broadband iTV, Inc. v. Hawaiian Telcom, Inc., et al.</i> , No. 14-cv-00169 (D. Haw. 2014) | 2014-04-09 | Summary Judgment entered in favor of Hawaiian Telcom, Inc. based on 35 U.S.C. 101 Notice of Appeal filed by Broadband iTV, Inc. with Federal Circuit Court of Appeals Consolidated Opening Brief filed by Broadband iTV, Inc. with Federal Circuit Court of Appeals. 2 Amicus Briefs also filed with the Federal Circuit Court of Appeals. January 21, 2016 Hawaiian Telcom, Inc.'s Response Brief filed March 14, 2016 Broadband iTV's Reply Brief filed April 1, 2016 |

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| | | <p>Oral Argument Sept 8, 2016</p> <p>Federal Circuit affirmance, without opinion, of Summary Judgment in favor of Hawaiian Telcom, Inc. Sept 26, 2016</p> <p>Petition to U.S. Supreme Court for Writ of Certiorari April 13, 2017</p> <p>Petition Denied May 22, 2017 (litigation terminated)</p> |
| <p><i>Broadband iTV, Inc. v. Time Warner Cable, Inc., et al.</i>, No. 15-cv-00131 (D. Haw. 2014)</p> | <p>2014-04-09</p> | <p>Summary Judgment denied to TWC based on prior art cited by Time Warner Cable, Inc. (TWC); Summary Judgment Entered in favor of TWC based on 35 U.S.C. 101</p> <p>Notice of Appeal filed by Broadband iTV, Inc. with Federal Circuit Court of Appeals</p> <p>No cross-appeal filed by TWC as to Denial of Summary Judgment on Prior Art grounds</p> <p>Consolidated Opening Brief filed by Broadband iTV, Inc. with Federal Circuit Court of Appeals. 2 Amicus Briefs also filed with the Federal Circuit Court of Appeals. January 21, 2016</p> <p>TWC's Response Brief filed March 14, 2016</p> <p>Broadband iTV's Reply Brief filed April 1, 2016</p> <p>Oral Argument Sept 8, 2016</p> <p>Federal Circuit affirmance, without opinion, of Summary Judgment denial to TWC based on prior art cited by TWC and of Summary Judgment Entered in favor of TWC Sept 26, 2016</p> <p>Petition to U.S. Supreme Court for Writ of</p> |

| | | |
|--|--|---|
| | | Certiorari April 13, 2017 Petition Denied May 22, 2017 (litigation terminated) |
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Applicant further notes that the following *inter partes* reviews (IPR) and covered business method (CBM) reviews have been filed with respect to related patents:

| IPR Case | | Filing Date | Patent No. | Status |
|---------------|--|-------------|------------|---|
| IPR2014-01222 | Unified Patents, Inc. v. Broadband iTV, Inc. (BBiTV) | 2014-07-30 | 7,631,336 | BBiTV - Institution of IPR Denied by PTAB 2015-01-05 (terminated) |
| CBM2014-00189 | Hawaiian Telcom Inc. v. Broadband iTV, Inc. (BBiTV) | 2014-09-19 | 7,631,336 | BBiTV - Institution of CBM Denied by PTAB 2015-04-01 (terminated) |

* * * * *

Any claim amendment(s), claim(s) added, claim(s) canceled, argument(s), remark(s), and/or any combination(s) thereof made in this response pertain solely to the specific aspects of this specific claimed invention. Further, any claim amendment(s), claim(s) added, claim(s) canceled, argument(s), remark(s), and/or any combination(s) thereof are made without prejudice to or disclaimer of Applicant's right to seek patent protection of any unclaimed subject matter such as, but not limited, to narrower unclaimed subject matter, broader unclaimed subject matter, different unclaimed subject matter, variations of unclaimed subject matter, any combination thereof, and/or any other unclaimed subject matter that may or may not be filed, for example, in

any design and/or utility patent application(s) such as, but not limited to, continuation patent application(s), continuation-in-part patent application(s), and/or divisional patent application(s) and/or any other patent application(s).

Applicant's silence as to any assertion(s) by the Examiner in the Office Action and/or to any certain fact(s) or conclusion(s) that may be implied and/or alleged by objections(s) and/or rejection(s) in the Office Action is not in any way a concession by Applicant that such assertion(s), implication(s), and/or allegation(s) are accurate, and that all requirements for any objection(s) and/or a rejection(s) have been met. Accordingly, Applicant reserves the right to analyze and dispute any such assertion(s), implication(s), and/or allegation(s) in the future.

In view of the amendments and remarks, prompt and favorable reconsideration of this Application is respectfully requested. If, however, the Examiner believes that there are any unresolved issues, or believes that the Application is not in condition for Allowance, Applicant respectfully requests that the Examiner contact the undersigned to schedule a telephonic Examiner Interview before any further Actions on the merits.

The director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 01-1785.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP
Attorneys for Applicant
90 Park Avenue
New York, NY 10016
(212) 336-8000

Dated: New York, New York
July 28, 2017

By: /Charles R. Macedo/
Charles R. Macedo
Registration No.: 32,781

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|---|------------------------|--------------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, Mushfikh I. |
| | Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

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| Application Number | | 15192598 |
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| First Named Inventor | Milton Diaz Perez | |
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| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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| Examiner Name | ALAM, Mushfikh I. |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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|--------------------|---------|---|----------------|
| | 1 | Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al; BBiTV Petition for a Writ of Certiorari (Sup. Ct. April 13, 2017 (No.16-1241)). | |
| | 2 | Order List 581 U.S. Sup. Ct.- Monday, May 22, 2017 - Broadband ITV, Inc. v. Hawaiian Telcom, Inc., et al., Petition for Writ of Certiorari Denied (p.7) | |

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| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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| Art Unit | 2426 | | |
| Examiner Name | ALAM, Mushfikh I. | | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | | |

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

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- A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

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| Signature | /Tzvi Hirshaut/ | Date (YYYY-MM-DD) | 2017-07-28 |
| Name/Print | Tzvi Hirshaut | Registration Number | 38,732 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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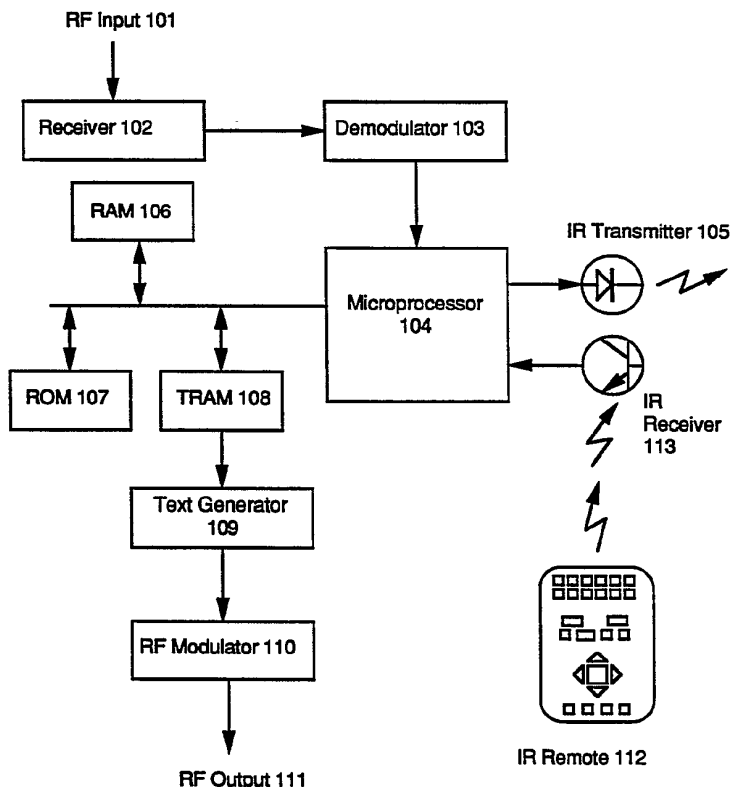
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| <p>(51) International Patent Classification 5 : H04N 7/173, G11B 27/02, 27/10 G11B 27/36</p> | <p>A1</p> | <p>(11) International Publication Number: WO 90/15507 (43) International Publication Date: 13 December 1990 (13.12.90)</p> |
| <p>(21) International Application Number: PCT/AU90/00226 (22) International Filing Date: 30 May 1990 (30.05.90) (30) Priority data: PJ 4500 1 June 1989 (01.06.89) AU (71) Applicant (for all designated States except US): RIGHT HEMISPHERE PTY. LTD. [AU/AU]; 28 Adeline Street, Faulconbridge, NSW 2776 (AU). (72) Inventor; and (75) Inventor/Applicant (for US only) : VOGEL, Peter, Samuel [AU/AU]; 28 Adeline Street, Faulconbridge, NSW 2776 (AU).</p> | | <p>(81) Designated States: AT (European patent), AU, BE (European patent), CH (European patent), DE (European patent)*, DK (European patent), ES (European patent), FR (European patent), GB (European patent), IT (European patent), JP, LU (European patent), NL (European patent), SE (European patent), US. Published With international search report.</p> |

(54) Title: TELEVISION PROGRAM SELECTION

(57) Abstract

A signal representative of a television program guide and a signal indicating which program is currently being received are received at the point of reception of a television program signal. The program guide signal is used to cause a program guide to be displayed on a television screen. A viewer selects one or more programs to be recorded or viewed from the displayed guide. While the received program indicating signal indicates that the program currently being received is one of the selected programs, recording or viewing of the program is enabled. A further extension of the invention causes the name of a television program to be recorded on a video recording along with the program so that on replay the recording can readily be identified.



* See back of page

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TELEVISION PROGRAM SELECTION

5

TECHNICAL FIELD

The present invention relates to means for and methods of controlling video appliances, such as video cassette recorders or television receivers, so that selected television programs are viewed or recorded.

BACKGROUND ART

With the increasing use of video cassette recorders (VCRs) in the home, VCRs are being increasingly used for recording broadcast programs for later replay and viewing. Many VCRs are equipped with timing means for starting and stopping recording of programs at times selected by the user. To take advantage of this ability, the user must consult a television schedule, select the programs to be recorded, and enter into the VCR's memory the start time and end time or duration of the selected programs, and channel to be recorded. In some cases this process can be complicated and error-prone. There is a great need for convenient ways of selecting programs to be recorded.

In an attempt to address this problem, some manufacturers have equipped VCRs with bar-code reading wands. Users can pass the wand over a bar-code printed on the television schedule which identifies the channel and time of the selected program. This information is used to set the timing means of the VCR. Another variation on this concept involves use of a sheet of times, dates and channels bearing the associated bar codes. In this case, the user must scan the appropriate bar code on this sheet for time, date and channel corresponding to programs selected for recording.

While these prior-art schemes have somewhat alleviated the difficulties, programming VCRs for recording is still error prone and inconvenient. Attempts have been made to provide improved programming by providing a device which accepts a machine-readable version of the television schedule via the medium of

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magnetic card, tape or similar means, the user being then offered a display of available programs from which to select. Although this arrangement does represent an improvement over prior schemes, it suffers the disadvantage that the user must obtain the medium on which the schedule is distributed, which may be inconvenient. The media cost and cost of the reading device is also considerable. Another shortcoming of prior-art schemes is that they rely on time-of-day information for starting and stopping recording, with the result that unwanted material can be recorded, or part of the wanted program missed, in cases where actual broadcast times differ from scheduled times. It is also not possible using such schemes to control recording with great precision, with the result that selective recording, as required for example for eliminating advertisements from recordings, is not possible.

DISCLOSURE OF INVENTION

The present invention is directed towards providing new and useful alternatives to known arrangements for controlling video appliances so that selected programs can be viewed or recorded. As well as making selection simple, fast and accurate, the present invention offers a number of other benefits not hitherto obtainable.

According to the present invention there is provided a method of selecting television programs to be recorded including the steps of receiving a first signal conveying data representative of a television programming schedule, decoding said received signals, displaying the resulting decoded schedule information, selecting one or more of programs displayed in said schedule as programs to be recorded, receiving a second signal identifying for each television channel the program being currently broadcast, decoding said second signal, and controlling recording of the selected programs according to the selection from the schedule and the content of said decoded second signal.

According to another aspect of the present invention there is provided a method of selecting television programs to be viewed including the steps of receiving a first signal conveying data representative of a television programming schedule, decoding said received signals, displaying the resulting decoded schedule

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information, identifying a number of programs displayed in said schedule as programs to be recorded, receiving a second signal identifying for each television channel the program being currently broadcast, decoding said second signal, and enabling viewing of the selected programs according to the programs selected from the schedule as those to be viewed and the content of said decoded second signal.

According to another useful extension of this inventive concept, there is provided a television program recording identifying method comprising the steps of receiving a first signal representative of the name of a television program being broadcast, receiving a second signal being a television broadcast, and recording said first signal while simultaneously recording said second signal.

In another aspect, the invention consists in a television program recording selector including a receiver adapted to receive a first signal conveying data representative of a television programming schedule, means to decode said received signals, means for displaying the resulting decoded schedule information, means for selecting a number of programs displayed in said schedule as programs to be recorded, means for receiving a second signal identifying for each television channel the program being currently broadcast, means for decoding said second signal, and means for controlling recording of the selected programs according to the programs identified as those to be recorded and the content of said decoded second signal.

In another aspect, the invention consists in a television program viewing selector including a receiver adapted to receive a first signal conveying data representative of a television programming schedule, means to decode said received signal, means for displaying the resulting decoded schedule information, means for selecting a number of programs displayed in said schedule as programs to be viewed, means for receiving a second signal identifying for each television channel the program being currently broadcast, means for decoding said second signal, and means for controlling viewing of the identified programs according to the programs selected as those to be viewed and the content of said decoded second signal.

According to another useful extension of this inventive concept, there is provided a television program recorder comprising means

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for receiving an identifying signal representative of the name of a television program being broadcast, recording means adapted to record said signal while simultaneously recording the television program being broadcast, replay means for simultaneously
5 replaying said identifying signal and said program, and means for displaying said identifying signal in the form of text.

BRIEF DESCRIPTION OF THE DRAWINGS

10 A particular embodiment of the invention will now be described with reference to the drawings in which:-

Fig. 1 is a block diagram of a television program selector according to the invention;

Fig. 2 shows the control panel of this embodiment

15 Fig. 3 shows an example of the schedule menu display of this embodiment; and

Fig. 4 shows an example of the status menu display of this embodiment

20

MODE FOR CARRYING OUT THE INVENTION

As seen in Fig. 1, an embodiment of the invention is provided for use in conjunction with video cassette recorders (VCRs). This embodiment takes the form of a device which communicates with
25 the VCR via an infra-red (IR) control signal, this signal being similar to the control signal used by the hand-held remote control of conventional VCRs. This embodiment of the invention is in turn controlled by a hand-held remote control. Using this control means, the invention allows the user to control the usual functions of a VCR,
30 such as recording or playing a tape, as well as the novel functions provided by this invention. This arrangement is particularly beneficial as it can be used with a wide range of VCRs without modification of the VCR. Referring to Fig. 1, RF input 101 is derived from the television antenna being used to receive off-air programs
35 or a separate antenna, and comprises a signal modulated with data relating to the television schedule and the programs currently being broadcast. This signal is received by receiver 102, and fed to

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demodulator 103 which provides as an output digital data which is fed to an input of microprocessor 104.

Microprocessor 104 executes program instructions stored in read-only-memory ROM 107, and is responsible for all control and user-interface functions of this embodiment of the invention. Received data comprises two main types: periodic data and real-time data. Periodic data comprises the television schedule for the current day and future days, including the name of each program, its scheduled start time, the channel on which it is to be broadcast, and a classification (such as whether or not it is suitable for viewing by children). The periodic data is transmitted from a remote source, such as the television broadcast station or a separate transmitting station, at infrequent intervals, say once every hour. Real-time data comprises information which identifies which program is currently being broadcast on each channel, including the program classification. This data is transmitted from the remote source as soon as possible after a change of program on any channel, and is then repeated occasionally, say every 10 seconds, until another change of program occurs.

On receipt of program schedule data, microprocessor 104 stores the data in random access memory RAM 106.

On receipt of a command from the user requesting information, such as the program schedule, microprocessor 104 retrieves the relevant data from RAM 106, formats it for display and stores it in text random access memory TRAM 108.

Text generator 109 accesses the data stored in TRAM 108 and generates a video raster signal which when conveyed to a television receiver via RF modulator 110 and RF output 111 causes the text to be displayed on the television receiver screen.

IR receiver 113 receives infra-red control signals from IR remote 112, which for convenience is a hand-held control device. IR remote 112 includes a switch array which provides means for users to issue instructions to microprocessor 104, and in this embodiment is constructed as shown in Fig.2, so as to offer most conveniently the functions described below.

IR transmitter 105 is an infra-red emitting diode which is used to control a VCR, via the infra-red remote control channel commonly used with VCRs. IR transmitter 105 is pulsed under control of

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microprocessor 104 to generate control data which controls the operation of the VCR, for example, by issuing a PAUSE command or a RECORD command.

Referring now to Fig. 2, the layout of switches of the user control keyboard can be seen. Twelve switches labelled "CHANNEL" are used to select one of 12 channels to be viewed. The switches "Rew", "FF", "Rec", "Play", "Pause" and "Stop" control the rewind, fast forward, record, play, pause and stop functions of the VCR in the usual manner. The switch "sel" is used to select a menu option. The four triangular switches surrounding the "sel" switch cause movement of the cursor on a menu display in one of the four directions indicated. The switches "C", "P", "S" and "?" are used to initiate the classification, program, status and QUERY functions respectively. The operation of these four functions will now be described.

CLASSIFICATION. Pressing this button causes a display such as that shown in Fig. 4 to appear on the television screen. This display is known as the STATUS menu. The CLASSIFICATION function relates to the text in the left-hand column of the display, headed "ENABLE". The letters shown in the column under ENABLE represent the following classifications:

| | | |
|----|----|---|
| | C | Suitable for children |
| | G | General viewing |
| 25 | A | Adult |
| | R | Restricted |
| | AD | Advertisement or other non-program material |

The boxes adjacent to each classification letter indicate whether each classification is enabled, a check mark indicating enabled, and a cross indicating prohibited. If a program of a classification which is prohibited is received, the invention causes the video recorder to pause, preventing recording. If desired, viewing of programs bearing prohibited classification can also be inhibited by the invention causing the channel selector of the receiver or VCR to select the output of the invention, rather than the channel of the program. It is also possible to provide an alarm function to alert viewers that a particular program is about to start. For example, the

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invention can be used to turn on the television receiver when a preselected broadcast starts, and to sound an alarm five minutes beforehand. To enable or prohibit a particular classification, the user pushes the C button, which causes the STATUS display to
5 appear with the cursor positioned on one of the indicator boxes. The desired classification is then selected by moving the cursor up or down using the up or down pointing triangular keys. The enable status of the cursored classification can be changed by pressing the "sel" button.

10 Another box in the ENABLE column labelled "LOCK" enables a security function which prevents changing the status of classifications unless a personal identity number, known only to authorised persons, is entered first.

PROGRAM. Pressing this button causes a display such as that of
15 Fig. 3 to be displayed. This display is known as the PROGRAM menu, and shows a list of scheduled programs for each available channel. Channel indicator box 301 shows the date and channel to which each column of schedule information relates. Each entry in the schedule shows the scheduled time of broadcast, title and censorship
20 classification. A cursor is used to highlight one schedule item at a time. The cursor can be moved up, down, right or left using the triangular switches. By way of example, in Fig. 3 item 302 is shown as cursored. A program can be selected for recording by pressing the "sel" switch when the desired item is cursored. An asterisk is
25 displayed next to each item selected for recording, as shown in the example of item 303 in Fig. 3. As it will generally not be possible to fit all the schedule information on the display, this embodiment of the invention is arranged so that the program menu scrolls in both axes. This scrolling occurs if the cursor movement switches are
30 pressed and the cursor is at the limit of movement in the corresponding direction. As seen in Fig. 3, arrows appear on the display indicating that further information can be accessed by scrolling the display further in the direction of the arrow.

STATUS. Pressing this button causes the status menu to be
35 shown. The column of this display under the heading "CURRENT" shows details of the program currently being broadcast on the channel selected for viewing. The information displayed includes the scheduled time of broadcast, date, channel, title and

SUBSTITUTE SHEET

classification. The status menu also shows a list of programs selected for recording. The downward-pointing arrow below the list shown in the example of Fig. 4 indicates that there are more items selected for recording, and these can be accessed by scrolling the display using the downward-pointing cursor control switch.

5 QUERY. If this switch is pressed while a menu is being displayed, details of the currently censored broadcast are displayed. For example, if a movie is censored and the "?" switch is pressed, a description of the movie is displayed, the text of this description
10 having been previously conveyed from the remote transmitter as part of the schedule information. If the "?" switch is pressed when no menu is being displayed, details of the program currently being received are displayed.

As well as responding as described above to commands requiring text display as described above, the microprocessor performs a number of other major functions.

These functions are now described with reference to Fig. 1.

VCR CONTROL. Certain commands received by IR receiver 113, in particular those which effect the usual VCR functions such as play, stop, channel change, are passed on to the VCR being controlled.
20 Because control codes used by different models of VCRs are not standardised, the command code required by the VCR will in general not be the same as that generated by the corresponding button of IR remote 112. To permit use of the invention with a wide range of
25 VCRs, data representing the control codes required by the particular VCR in use is stored within the ROM or RAM of the invention, so that when a VCR control command is to be issued, the corresponding code can be looked up and transmitted. Microprocessor 104 maintains a VCR status table in RAM 106, which stores data such as television
30 channel currently being received and VCR transport status such as stopped, recording or spooling. This status table is updated each time a VCR control command is issued.

SCHEDULE UPDATE. Data conveying schedule information is periodically received by receiver 102. This information is stored in
35 RAM 106. When the available memory is full, the oldest schedule information is discarded.

CURRENT PROGRAM IDENTIFICATION. Whenever a change of program occurs on one of the available television channels, an

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identifying signal is received by receiver 102. This signal includes data identifying the channel concerned, the classification of the program, the name of the program, and such other identifying information as may be desired. When an identifying signal is
5 recognised by microprocessor 104, it takes different action depending on the current status of the VCR (ascertained by reference to the status table in memory) and the instructions previously issued by the user. The VCR status must be taken into account because different commands must be generated depending
10 on what the VCR is doing at that moment. For example, if advertisements have been prohibited (using the status display) and the received identifying signal indicates commencement of an advertisement, the microprocessor must ascertain whether the channel indicated by the identifying signal is the channel currently
15 selected by the VCR's tuner. Because any channel change commands previously issued to the VCR by the user have been forwarded to the VCR by the invention, the identity of the currently-selected channel is always available to the microprocessor. In this example, if the VCR is tuned to the channel on which a prohibited
20 advertisement is in progress, further reference is made to the status table to ascertain whether the VCR is recording. If it is, a suitable "pause" command is issued. When an identifying signal indicates that the program being recorded has resumed, the status is again checked before issuing a "resume recording" command, in case the
25 user has issued a command which has changed the status of the VCR in the meantime. Another example of action taken on receipt of a current program identification signal is comparison to a list of programs selected from the program guide display for recording. If the current program is identified as one selected for recording, the
30 VCR status is read and, depending on the current status, the commands required to start recording are issued. For example, if the VCR is currently tuned to a different channel, "channel up" or "channel down" commands are issued as required to select the channel to be recorded. Other commands, such as "power on" may
35 also be issued if required before the "record" command is issued.

The functions of this embodiment of the invention are implemented by suitable software stored in ROM 107 and executed by microprocessor 104. The program required to achieve this can

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be effectively realised in many different ways well known to those skilled in the art.

The foregoing describes only one embodiment of the present invention, and changes, obvious to those skilled in the art, can be made without departing from the scope of the invention.

For example, whereas the exemplary embodiment described above takes the form of apparatus separate from the video recording or viewing apparatus, the invention can also be practised by including suitable means within a video recorder, television receiver or other appliance. In such a case, control of the receiving or recording appliance can be effected by suitable connection to the control means of the appliance, rather than the infra-red control path used by the embodiment above.

It will also be understood that the functions offered to the user according to the embodiment described above are given by way of example only, and other functions can be provided without departing from the scope of the invention. For example, whereas the embodiment described causes recording or viewing of the classifications not enabled to be inhibited, it is envisaged that other options can be provided. For example, the user can instruct that advertisements be muted, in which case the invention is arranged so that on receipt of data indicating that an advertisement is being received on the channel being viewed, a command is issued to the television receiver to cause muting of the sound signal, the sound being re-enabled on resumption of program.

It is also envisaged that the user controls of the invention can be incorporated with control of other appliances, for example, by incorporating the function switches of the invention into an infra-red remote control handpiece of another appliance, such as a VCR or television receiver.

According to a further extension of the invention, program identification data within the invention can be used to label tape recordings, using the identifying data received by the data receiver of the invention to provide the labelling information. For example, the invention can be arranged to place a suitable code in the vertical interval of the video recording so that the name of a program is recorded as the program is recorded. This extension permits programs recorded on a tape to be identified by name on replay, as

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well as facilitating automatic location of a program by name. For convenience the invention can be further adapted to cause the name of a program to be printed legibly, for example on the casing of the video cassette on which the corresponding program is recorded.

5 This can be achieved in practise using a thermal or impact or other printing means controlled by the microprocessor or other controller of the invention, program identifying data received by the invention being caused to be printed as alpha-numeric characters on the outside of the video cassette, or onto another medium such as an
10 adhesive label which can be subsequently affixed to the enclosure of the recording or into a catalogue or elsewhere.

Whereas in the exemplary embodiment recording of selected programs is initiated and terminated according to correspondence between the name of a selected program and the name of the
15 currently-broadcast program being received, it is also possible to control recording according to the scheduled time of broadcast.

It will also be understood by those skilled in the art that the display functions and other details of the invention described in relation to the embodiment above are given by way of example
20 only, and that changes to the features offered and particularly to the means of interaction with the user can be made without departing from the scope and spirit of the invention. For example, whereas the television display is used to display information for user inspection and switches are used for user control, the invention can
25 be practised using any other suitable display means and control means, such as a liquid crystal display or touch-activated screen. The screen formats shown in the drawings herein are given by way of example only and should also not be construed as limiting the scope of the invention. Furthermore, whereas the exemplary
30 embodiment provides a video-modulated RF output which is selected for viewing of menus, it is possible to arrange the invention so that the requested information is overlaid on the picture of the program being viewed.

It is also envisaged that the method of transmission of data to
35 the invention from a remote station need not be by means of a radio transmission as used in the exemplary embodiment above. For example, the data could be conveyed to the invention by means of a signal embedded in the television broadcast, such as a special-

SUBSTITUTE SHEET

purpose subcarrier or vertical-interval signal, or by cable or fibre-optic connection, or by data transmitted by optical signalling via a designated area of a television picture, or by telephone line, or by any other data transmission means. It is also possible to transmit
5 the non-realtime data by means of portable recording medium such as floppy disk or optically marked card.

It is envisaged that the data used by the invention can originate from any source without departing from the scope of the invention. For example, the data can originate from a central station where a
10 person monitors all television channels and transmits identifying information to the invention by activating appropriate switches controlling a suitably-equipped transmitter. Alternatively, program information can be automatically generated using a data-base in which detailed programming data is stored in advance.
15

INDUSTRIAL APPLICABILITY

The invention provides improved means for controlling the operation of video recording equipment and television receivers. In
20 one application the invention can be used to select which of a number of available broadcast television programs will be recorded by a domestic video cassette recorder.

SUBSTITUTE SHEET

CLAIMS

- 5 1. A method of controlling a video appliance comprising the steps of:
receiving a first signal representative of a television program schedule;
receiving a second signal indicating which television program is currently being received;
10 converting said first signal into a display of text representative of a television program schedule;
selecting a subset of items of said displayed text;
causing said selected subset of displayed text to be marked on said display;
15 and, if said second signal indicates that a television program currently being received corresponds to one of said selected items;
causing a video apparatus to be activated.
- 20 2. A method of controlling a video appliance according to claim 1 wherein said first signal and said second signal are transmitted as part of a broadcast television signal.
- 25 3. A method of controlling a video appliance according to claim 1 wherein said first signal and said second signal are transmitted as a data signal independent of a broadcast television signal.
- 30 4. A method of controlling a video appliance according to claim 2 comprising the further steps of:
receiving a classification signal indicating the class of program being received;
selecting a set of classifications which are to be prohibited;
35 comparing said classification signal to said set of prohibited classifications, and, if said classification signal indicates that a received program is a member of the set of prohibited classifications;

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causing a video appliance to be temporarily deactivated until said classification signal indicates that a received program is no longer a member of the set of prohibited classifications.

- 5
5. A method of controlling a video appliance according to claim 3 comprising the further steps of:
receiving a classification signal indicating the class of program being received;
10 selecting a set of classifications which are to be prohibited;
comparing said classification signal to said set of prohibited classifications, and, if said classification signal indicates that a received program is a member of the set of prohibited classifications;
15 causing a video appliance to be temporarily deactivated until said classification signal indicates that a received program is no longer a member of the set of prohibited classifications.
- 20 6. A method of controlling a video appliance according to claim 2 comprising the further step of:
deriving, from said second signal, visible text descriptive of the television program currently being replayed.
- 25 7. A method of controlling a video appliance according to claim 3 comprising the further step of:
deriving, from said second signal, visible text descriptive of the television program currently being replayed.
- 30 8. A method of controlling a video appliance according to claim 2 comprising the further steps of:
combining said second signal with a television program signal;
recording said combined signal on a video recording medium;
replaying said recorded signal;
35 separating said second signal from said television program signal; and
deriving, from said second signal, visible text descriptive of the television program currently being replayed.

SUBSTITUTE SHEET

9. A method of controlling a video appliance according to claim 3 comprising the further steps of:
5 combining said second signal with a television program signal;
recording said combined signal on a video recording medium;
replaying said recorded signal;
separating said second signal from said television program
10 signal; and
deriving, from said second signal, visible text descriptive of
the television program currently being replayed.
10. A method of controlling a video appliance according to claims 1-9 wherein said video appliance is a video recorder.
- 15 11. A method of controlling a video appliance according to claims 1-9 wherein said video appliance is a television receiver.
12. A video appliance controller comprising:
20 means for receiving a first signal representative of a
television program schedule;
means for receiving a second signal indicating which
television program is currently being received;
means for converting said first signal into a display of text
25 representative of a television program schedule;
means for selecting a subset of items of said displayed text;
means for causing said selected subset of displayed text to be
30 marked on said display; and,
means for causing a video apparatus to be activated if said
second signal indicates that a television program currently
being received corresponds to one of said selected items.
13. A video appliance controller according to claim 12 wherein
35 said first signal and said second signal are transmitted as part
of a broadcast television signal.
14. A video appliance controller according to claim 12 wherein
said first signal and said second signal are transmitted as a
data signal independent of a broadcast television signal.

SUBSTITUTE SHEET

15. A video appliance controller according to claim 13 and further comprising:
5 means for receiving a classification signal indicating the class of program being received;
means for selecting a set of classifications which are to be prohibited;
10 means for comparing said classification signal to said set of prohibited classifications, and, if said classification signal indicates that a received program is a member of the set of prohibited classifications;
15 causing a video appliance to be temporarily deactivated until said classification signal indicates that a received program is no longer a member of the set of prohibited classifications.
16. A video appliance controller according to claim 14 and further comprising:
20 means for receiving a classification signal indicating the class of program being received;
means for selecting a set of classifications which are to be prohibited;
25 means for comparing said classification signal to said set of prohibited classifications, and, if said classification signal indicates that a received program is a member of the set of prohibited classifications;
30 causing a video appliance to be temporarily deactivated until said classification signal indicates that a received program is no longer a member of the set of prohibited classifications.
17. A video appliance controller according to claim 13 and further comprising:
35 means for deriving, from said second signal, visible text descriptive of the television program currently being replayed.

SUBSTITUTE SHEET

18. A video appliance controller according to claim 14 and further comprising:
means for deriving, from said second signal, visible text descriptive of the television program currently being replayed.
19. A video recorder including a video appliance controller according to claims 12-18.
20. A television receiver including a video appliance controller according to claims 12-18.
21. A video recorder comprising an appliance controller according to claim 13 and further comprising:
means for combining said second signal with a television program signal;
means for recording said combined signal on a video recording medium;
means for replaying said recorded signal;
means for separating said second signal from said television program signal; and
means for deriving, from said second signal, visible text descriptive of the television program currently being replayed.
22. A video recorder comprising an appliance controller according to claim 14 and further comprising:
means for combining said second signal with a television program signal;
means for recording said combined signal on a video recording medium;
means for replaying said recorded signal;
means for separating said second signal from said television program signal; and
means for deriving, from said second signal, visible text descriptive of the television program currently being replayed.

SUBSTITUTE SHEET

23. A video appliance controller according to claims 15 or 16 wherein said video appliance is controlled by means of infra-red control signals and further comprising:
- 5 a transmitter adapted to transmit infra-red signals to said video appliance;
- a receiver adapted to receive infra-red signals from hand-held remote control means;
- 10 means for recognising those infra-red signals received by said infra-red receiver which correspond to appliance control commands;
- memory means for forming a table of data representative of the most recent appliance control commands received; and
- 15 means for causing said appliance control commands to be transmitted to said video appliance.
24. A video appliance controller according to claims 15 or 16 wherein said video appliance is controlled by means of infra-red control signals and further comprising:
- 20 a transmitter adapted to transmit infra-red signals to said video appliance;
- a receiver adapted to receive infra-red signals from hand-held remote control means;
- 25 means for recognising infra-red signals received by said infra-red receiver corresponding to appliance control commands;
- memory means for forming a table of data representative of the most recent appliance control commands received;
- 30 means for causing said appliance control commands to be transmitted to said video appliance;
- means for receiving a classification signal indicating a class of program being received and a signal indicating a corresponding channel;
- 35 means for selecting a set of classifications which are to be prohibited; and
- means for:
- comparing said stored channel data with said corresponding channel data, and if the result is equality,

SUBSTITUTE SHEET

- 19 -

comparing said classification signal to said set of prohibited classifications, and, if said classification signal indicates that a received program is a member of the set of prohibited classifications;

5

causing a video appliance to be temporarily deactivated until said classification signal indicates that a received program is no longer a member of the set of prohibited classifications.

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SUBSTITUTE SHEET

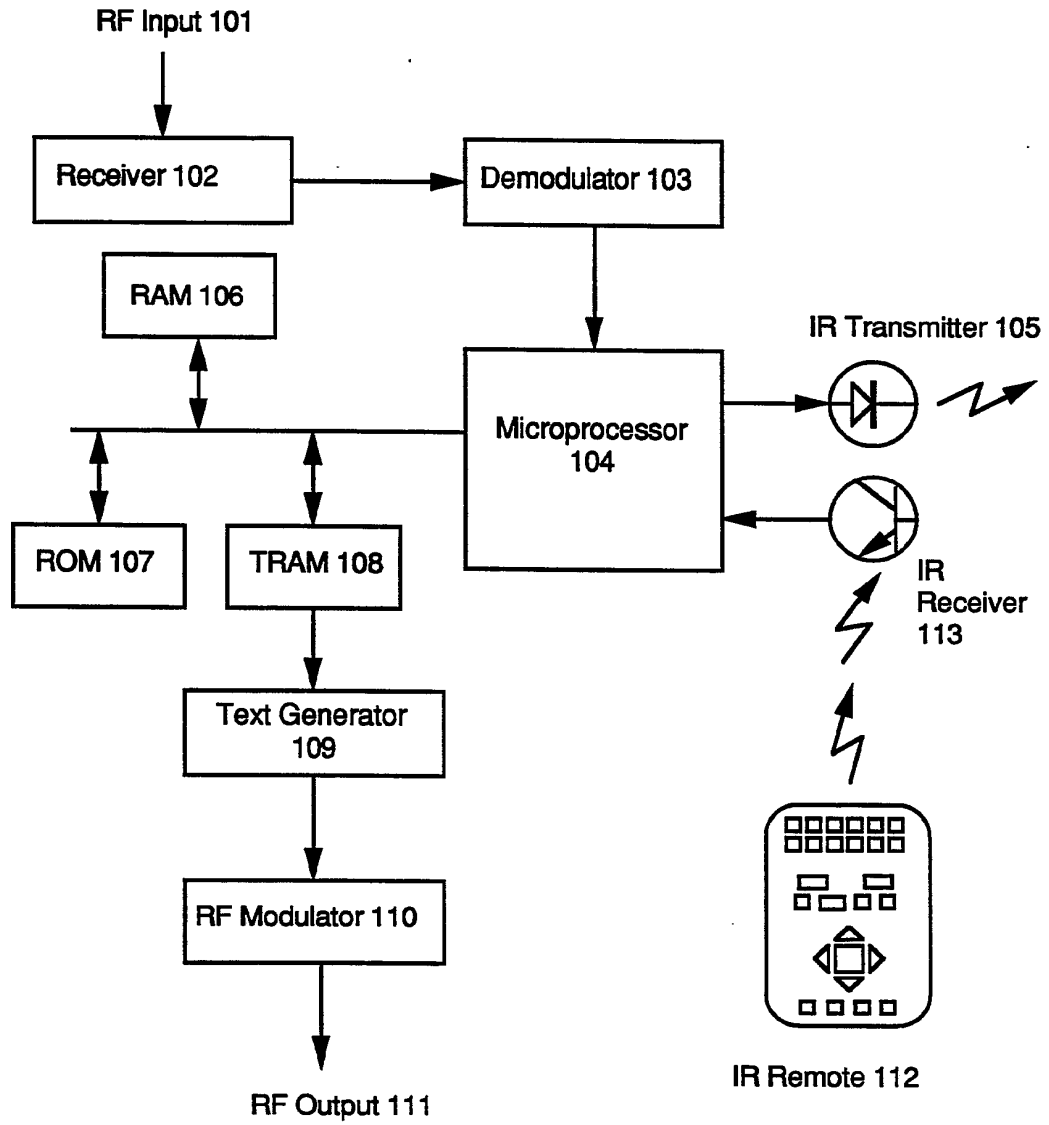


Fig. 1

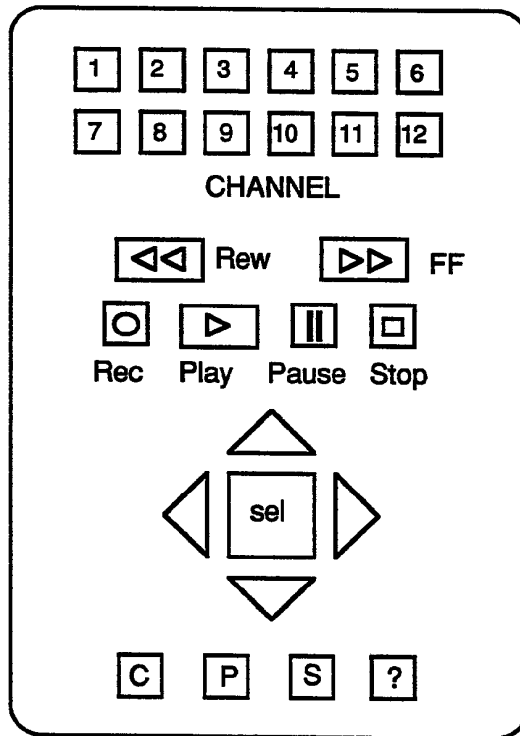


Fig 2

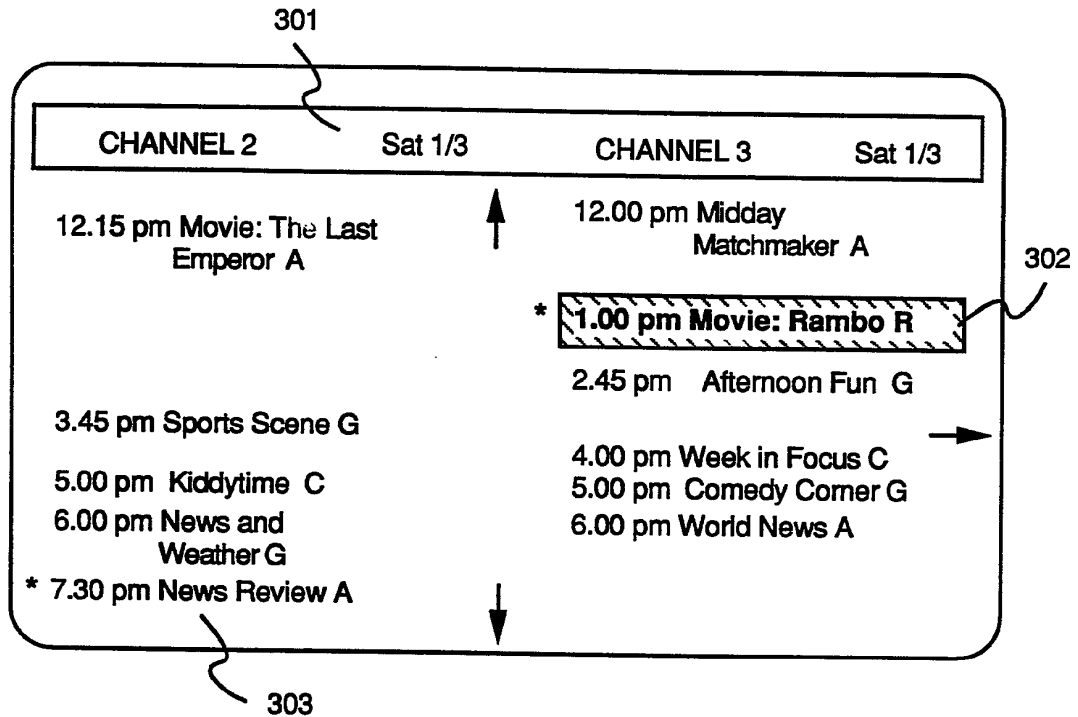


Fig 3

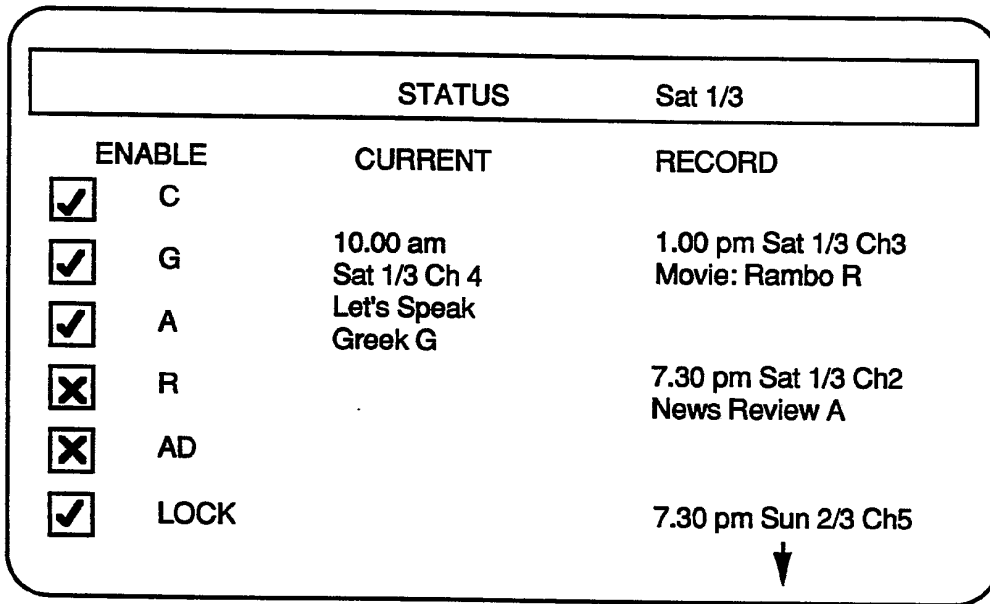


Fig 4

INTERNATIONAL SEARCH REPORT

International Application No. **PCT/AU 90/00226**

| | | |
|--|---|---|
| I. CLASSIFICATION OF SUBJECT MATTER (if several classification symbols apply, indicate all) 6 | | |
| According to International Patent Classification (IPC) or to both National Classification and IPC | | |
| Int. Cl. ⁵ H04N 7/173; G11B 27/02, 27/10, 27/36 | | |
| II. FIELDS SEARCHED | | |
| Minimum Documentation Searched 7 | | |
| Classification System | Classification Symbols | |
| IPC | H04N 7/16, 7/173; G11B 27/02, 27/10, 27/36 | |
| Documentation Searched other than Minimum Documentation to the Extent that such Documents are Included in the Fields Searched 8 | | |
| AU: IPC as above; Australian Classification 05.42 | | |
| III. DOCUMENTS CONSIDERED TO BE RELEVANT 9 | | |
| Category* | Citation of Document, ¹¹ with indication where appropriate, of the relevant passages ¹² | Relevant to Claim No 13 |
| X,P | WO,A, 90/00847 (INSIGHT TELECAST INC) 25 January 1990 (25.01.90) See pages 3-18, Figures 1, 2 | 1, 2, 10-13, 19, 20 |
| Y | WO,A, 88/04507 (BRITISH BROADCASTING CORPORATION) 16 June 1988 (16.06.88) See pages 1-10, Figures 1-3 | 1, 2, 10-13, 19, 20 |
| Y | AU,A, 76254/87 (SANYO ELECTRIC CO, LTD) 4 February 1988 (04.02.88) See pages 6-9, Figures 1-3 | 1, 2, 10-13, 19, 20 |
| Y | US,A, 4305101 (YARBOUGH et al) 8 December 1981 (08.12.81) See column 1 line 41 to column 5 line 10, Figures 1, 2, 5 | 1, 2, 4, 6, 8, 10- 13, 15, 17, 19-21, 24 |
| Y | US,A, 4390901 (KEISER) 28 June 1983 (28.06.83) See column 3 line 13 to column 5 line 5, Figures 1, 2 | 1, 2, 10-13, 19, 20 |
| Y | US,A, 4605964 (CHARD) 12 August 1986 (12.08.86) See column 5 line 46 to column 7 line 65, Figure 3 | 1, 2, 4, 10-13, 15, 19, 20, 24 |
| Y | US,A, 4635121 (HOFFMAN et al) 6 January 1987 (06.01.87) See column 2 lines 24-48, Figure 1 | 1, 12, 23 |
| (continued....) | | |
| * Special categories of cited documents: 10 | | |
| "A" | document defining the general state of the art which is not considered to be of particular relevance | "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention |
| "E" | earlier document but published on or after the international filing date | "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step |
| "L" | document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) | "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. |
| "O" | document referring to an oral disclosure, use, exhibition or other means | "&" document member of the same patent family |
| "P" | document published prior to the international filing date but later than the priority date claimed | |
| IV. CERTIFICATION | | |
| Date of the Actual Completion of the International Search 23 August 1990 (23.08.90) | Date of Mailing of this International Search Report 29 August 1990 | |
| International Searching Authority Australian Patent Office | Signature of Authorized Officer R TOLHURST <i>RJ Tolhurst</i> | |

Form PCT/ISA/210 (second sheet) (January 1985)

DISH Ex-1018, p. 912
DISH v. BBitV
IPR2020-01267

AT&T EXHIBIT 1018

FURTHER INFORMATION CONTINUED FROM THE SECOND SHEET

| | | |
|-----|--|------------------------------|
| Y | US,A, 4787063 (MUGUET) 22 November 1988 (22.11.88) See column 2 line 56 to column 3 line 31, column 8 line 66 to column 9 line 4, column 11 lines 45-65, Figures 1-4 | 1-3, 6, 7, 10-14, 17, 18, 23 |
| Y,P | US,A, 4864429 (EIGELDINGER et al) 5 September 1989 (05.09.89) See column 1 line 44 to column 2 line 51, Figure 1 | 1, 2, 10-13, 19, 20 |

V. OBSERVATIONS WHERE CERTAIN CLAIMS WERE FOUND UNSEARCHABLE 1

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claim numbers ..., because they relate to subject matter not required to be searched by this Authority, namely:
2. Claim numbers ..., because they relate to parts of the international application that do comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. Claim numbers ..., because they are dependent claims and are not drafted in accordance with the second and third sentences of PCT Rule 6.4 (a):

VI. OBSERVATIONS WHERE UNITY OF INVENTION IS LACKING 2

This International Searching Authority found multiple inventions in this international application as follows:

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims of the international application.
2. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims of the international application for which fees were paid, specifically claims:
3. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claim numbers:
4. As all searchable claims could be searched without effort justifying an additional fee, the International Searching Authority did not invite payment of any additional fee.

Remark on Protest

- The additional search fees were accompanied by applicant's protest.
 No protest accompanied the payment of additional search fees.

ANNEX TO THE INTERNATIONAL SEARCH REPORT ON
INTERNATIONAL APPLICATION NO. PCT/AU 90/00226

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

| Patent Document Cited in Search Report | Patent Family Members | | | |
|--|---|---------------------------------------|--------------------------------------|--|
| WO 90/00847 | AU 40420/89 | | | |
| WO 88/04507 | EP 296190 | GB 2200519 | JP 1502153 | |
| AU 76254/87 AU 594179 | EP 255107 | JP 63050277 | US 4879611 | |
| US 4305101 | CA 1159551 GB 2046967 | DE 3014309 JP 55141876 | FR 2454736 | |
| US 4390901 | DE 2950432 | | | |
| US 4605964 | AU 11045/83 WO 8302208 | EP 96705 | JP 58502179 | |
| US 4635121 | AT 26028 EP 112589 | AU 21629/83 JP 59108433 | DE 3370383 | |
| US 4787063 | EP 179001 | FR 2572235 | FR 2579397 | |
| US 4864429 | AU 62876/86 DK 1768/87 HU 46173 WO 8701001 | DD 248915 EP 270537 JP 62110379 | DE 3528467 FI 880544 NO 871443 | |

END OF ANNEX



DEMANDE INTERNATIONALE PUBLIEE EN VERTU DU TRAITE DE COOPERATION EN MATIERE DE BREVETS (PCT)

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| (51) Classification internationale des brevets⁴ : G11B 27/02, 15/02 | A1 | (11) Numéro de publication internationale: WO 89/12896 (43) Date de publication internationale: 28 décembre 1989 (28.12.89) |
| (21) Numéro de la demande internationale: PCT/FR89/00271 (22) Date de dépôt international: 1er juin 1989 (01.06.89) (30) Données relatives à la priorité: 88/08412 17 juin 1988 (17.06.88) FR (71)(72) Déposant et inventeur: ULMER, Siegfried, W. [DE/FR]; Le Riou C, Domaine du Loup, F-06800 Cagnes-sur-Mer (FR). (81) Etats désignés: AT (brevet européen), BE (brevet européen), CH (brevet européen), DE (brevet européen), FR (brevet européen), GB (brevet européen), IT (brevet européen), JP, KR, LU (brevet européen), NL (brevet européen), SE (brevet européen), US. | | Publiée <i>Avec rapport de recherche internationale.</i> |
| (54) Title: DEVICE FOR SIMULTANEOUS RECORDING AND PLAYBACK OF TELEVISION IMAGES (54) Titre: DISPOSITIF D'ENREGISTREMENT ET DE LECTURE SIMULTANES D'IMAGES DE TELEVISION (57) Abstract Process and device for recording television images and for reproducing them after a short period, in order to remove the advertising material from a television broadcast. The process according to the invention is characterized in that television images are recorded in real time for reproduction with a slight time-lag, so as to remove the advertising material by accelerated playback. Said device uses a recording support of the direct-access memory type, and comprises a playback mechanism and a recording mechanism, the playback mechanism and recording mechanism being separate and independent, with the possibility of operating simultaneously, and capable of being located and moved independently of one another on the recording support, and including buffer memories for synchronization and speed matching. The device according to the invention is intended in particular for audio-visual use by the public at large. (57) Abrégé L'invention concerne un procédé et un dispositif permettant d'enregistrer des images de télévision et de les restituer après un court délai, afin d'éliminer les séquences publicitaires d'une émission de télévision. Le procédé selon l'invention se caractérise par le fait qu'on enregistre des images de télévision en temps réel pour les restituer avec un léger décalage, et ceci dans le but d'éliminer les séquences publicitaires par une lecture accélérée. Le dispositif selon l'invention utilise un support d'enregistrement du type mémoire à accès direct, et comporte un mécanisme lecteur et un mécanisme enregistreur, le mécanisme lecteur et le mécanisme enregistreur étant séparés et indépendants, pouvant opérer simultanément, et pouvant être placés et déplacés d'une façon indépendante l'un de l'autre sur le support d'enregistrement, et comporte des mémoires tampons de synchronisation et d'adaptation de vitesse. Le dispositif selon l'invention est particulièrement destiné à l'audio-visuel "grand public". | | |

UNIQUEMENT A TITRE D'INFORMATION

Codes utilisés pour identifier les Etats parties au PCT, sur les pages de couverture des brochures publiant des demandes internationales en vertu du PCT.

| | | | | | |
|----|-----------------------------------|----|---|----|-----------------------|
| AT | Autriche | FI | Finlande | ML | Mali |
| AU | Australie | FR | France | MR | Mauritanie |
| BB | Barbade | GA | Gabon | MW | Malawi |
| BE | Belgique | GB | Royaume-Uni | NL | Pays-Bas |
| BF | Burkina Fasso | HU | Hongrie | NO | Norvège |
| BG | Bulgarie | IT | Italie | RO | Roumanie |
| BJ | Bénin | JP | Japon | SD | Soudan |
| BR | Brésil | KP | République populaire démocratique de Corée | SE | Suède |
| CF | République Centrafricaine | KR | République de Corée | SN | Sénégal |
| CG | Congo | LI | Liechtenstein | SU | Union soviétique |
| CH | Suisse | LK | Sri Lanka | TD | Tchad |
| CM | Cameroun | LU | Luxembourg | TG | Togo |
| DE | Allemagne, République fédérale d' | MC | Monaco | US | Etats-Unis d'Amérique |
| DK | Danemark | MG | Madagascar | | |
| ES | Espagne | | | | |

Dispositif d'Enregistrement et de Lecture Simultanés d'Images de Télévision.

La présente invention concerne un procédé et un dispositif permettant d'enregistrer des images télévision et de les restituer après un court délai, afin d'éliminer les séquences publicitaires et d'autres séquences d'une émission de télévision.

Par élimination on entend que le téléspectateur peut réduire le temps pendant lequel les séquences publicitaires le dérangent par un facteur d'au moins 10 et jusqu'à 40 ou plus. A titre d'exemple, une séance publicitaire d'une durée de 2 minutes peut être réduite à une interruption d'une durée de 3 secondes.

Il est précisé que c'est le téléspectateur lui-même qui identifie le début et la fin de la séance publicitaire qu'il veut éliminer, et que c'est lui qui pilote le dispositif de l'invention, par exemple avec l'aide d'une télécommande. La présente invention ne nécessite donc pas une reconnaissance automatique du début et de la fin d'une séance publicitaire, mais saura avantageusement intégrer une tel dispositif.

Par délai court on entend que le téléspectateur peut commencer à regarder l'émission après un temps T qui correspond à peu près à la durée de l'ensemble de toutes les séquences publicitaires qu'on veut éliminer de l'émission qu'on souhaite regarder. A titre d'exemple, pour une émission de 2 heures, qui comporte 5 séquences publicitaires de 2 minutes chacune, on peut commencer à regarder l'émission 10 minutes après le début de sa transmission.

Il est déjà connu des dispositifs pouvant enregistrer, puis restituer, des images télévision, et permettant d'éliminer les séquences publicitaires par une lecture à vitesse accélérée.

L'appareil le plus répandu de ce type est le magnétoscope à cassette. Avec le magnétoscope, l'élimination des séquences publicitaires nécessite les étapes suivantes:

- on démarre l'enregistrement de l'émission télévision;
- on attend le fin de l'émission;
- on rebobine la cassette;
- on démarre la lecture de la cassette afin de restituer les images enregistrées;
- dès le début de chaque séance publicitaire, on restitue les images en lecture à vitesse accélérée, de sorte qu'on peut identifier la fin de la séance publicitaire;
- dès la fin de la séance publicitaire, on restitue les images enregistrées à vitesse normale.

FEUILLE DE REMPLACEMENT

Ce dispositif présente un inconvénient majeur, à savoir: pour regarder une émission, il faut d'abord attendre la fin de l'enregistrement, donc la fin de la transmission. A titre d'exemple, si on veut éliminer les séquences publicitaires d'un film programmé de 21 heures à 23 heures, c'est seulement à partir de 23 heures qu'on peut commencer à le regarder.

Ce dispositif présente encore un autre inconvénient, à savoir: la recherche de la fin d'une séance publicitaire est généralement limitée à une lecture à vitesse 9 fois accélérée. A titre d'exemple, une séance publicitaire d'une durée de 2 minutes nécessite toujours 14 secondes pour défiler en lecture à vitesse 9 fois accélérée.

L'alternative à la lecture à vitesse accélérée, l'embobinage de la bande magnétique, ne permet pas non plus de raccourcir ce délai d'une façon importante, car il consiste de mouvements mécaniques relativement lents: le dégagement du mécanisme de lecture de la bande, l'accélération de la bande et des deux bobines de la cassette, leur décélération, et le réengagement du mécanisme de lecture sur la bande. En plus, comme l'embobinage ne permet pas un contrôle visuel pour la recherche de la fin de la séance publicitaire, il faut l'arrêter bien avant la fin supposée de cette séance publicitaire et continuer en lecture à vitesse accélérée.

Le procédé et le dispositif selon la présente invention ont pour but de pallier ces inconvénients, à savoir: d'éliminer les séances publicitaires d'une manière qui permet de regarder une émission de télévision pas en différée, mais en temps (presque) réel, et qui permet de réduire la durée de l'interruption dû à une séance publicitaire pas seulement par un facteur de 9, mais plutôt par un facteur de 40.

A cet effet, la présente invention concerne un procédé d'enregistrement et de restitution d'images télévision, et d'élimination des séances publicitaires et d'autres séquences d'une émission de télévision, caractérisé en ce qu'il comporte les étapes suivantes:

- on enregistre une émission télévision sur le support d'enregistrement;
- on attend un temps T qui correspond à peu près à la durée de l'ensemble de toutes les séances publicitaires qu'on veut éliminer de l'émission qu'on souhaite regarder;
- on démarre la lecture du support d'enregistrement afin de restituer les images enregistrées sur un écran de télévision;
- dès le début de chaque séance publicitaire, on restitue les images en lecture à vitesse accélérée, de sorte qu'on peut identifier la fin de la séance publicitaire;
- dès la fin de la séance publicitaire, on restitue les images enregistrées à vitesse normale.

FEUILLE DE REMPLACEMENT

La présente invention concerne également un procédé pour rendre plus dense un enregistrement d'images télévision, en éliminant des séquences publicitaires et d'autres séquences de l'enregistrement caractérisé en ce qu'il comporte les étapes suivantes:

- on place le mécanisme enregistreur au début du support d'enregistrement ou derrière la première partie de l'enregistrement qu'on souhaite garder;
- on place le mécanisme lecteur au début du support d'enregistrement ou devant la deuxième partie de l'enregistrement qu'on souhaite garder;
- on fait une copie avec le mécanisme enregistreur des images télévision lus par le mécanisme lecteur, tout en restituant ces images sur l'écran d'un téléviseur pour contrôle;
- au début de chaque séance publicitaire, on arrête de faire la copie, laissant le mécanisme enregistreur sur place, et on cherche la fin de la séance publicitaire, en restituant des images en lecture à vitesse accélérée;
- a la fin de chaque séance publicitaire, on fait une copie avec le mécanisme enregistreur des images télévision lus par le mécanisme lecteur, tout en restituant ces images sur l'écran d'un téléviseur.

La présente invention concerne aussi deux procédés qui apportent des avantages supplémentaires, à savoir:

- un procédé qui permet faire la copie des images télévision dans un des modes suivants: vitesse normale en avant, vitesse accélérée en avant, vitesse ralentie en avant, vitesse normale en arrière, vitesse accélérée en arrière, vitesse ralentie en arrière, arrêt sur image, image par image en avant, image par image en arrière;
- un procédé qui, au début d'une séance publicitaire, permet faire la recherche de la fin de la séance par un enchaînement de deux fonctions: d'abord, un déplacement direct du mécanisme lecteur sur le support d'enregistrement, la distance correspondant à la durée la plus courte d'une séance publicitaire (durée initialisée préalablement); en suite, une lecture en vitesse accélérée.

La présente invention concerne également un dispositif pour enregistrer des images télévision et de les restituer après lecture caractérisé en ce qu'il utilise un support d'enregistrement du type mémoire à accès direct, et qu'il comporte un mécanisme lecteur et un mécanisme enregistreur, le mécanisme lecteur et le mécanisme enregistreur étant séparés et indépendants, pouvant opérer simultanément, et pouvant être placés et déplacés d'une façon indépendante l'un de l'autre sur le support d'enregistrement, et qu'il comporte des mémoires tampons de synchronisation et d'adaptation de vitesse.

FEUILLE DE REMPLACEMENT

Les caractéristiques de l'invention ressortiront de la description qui suit, donnée à titre d'exemple non limitatif d'un mode préféré de l'invention:

La mémoire à accès direct du support d'enregistrement est réalisée par une mémoire linéaire à double porte du type semiconducteur ou autre, permettant un accès simultané en écriture et en lecture. Elle comporte un nombre important de cellules de mémoire, chaque cellule pouvant contenir une image de télévision (et les signaux son associés), formatée d'une manière adaptée. Chaque cellule est accédée par son adresse contenue dans le Registre d'Adresse Ecriture (RAE) pour le mécanisme enregistreur et dans le Registre d'Adresse Lecture (RAL) pour le mécanisme lecteur. Des mémoires tampons intermédiaires sont utilisées pour le formatage, la synchronisation, et l'adaptation de vitesse.

Le fonctionnement d'un tel dispositif est décrit ci-après:

Pour enregistrer, on initialise le RAE:

- à zéro, si la mémoire doit être utilisée à partir de son début,
- à la valeur qu'il avait lors de la fin du dernier enregistrement, si on veut enregistrer à la suite de l'enregistrement précédent,
- à la valeur actuelle du RAL, si on veut enregistrer à la suite de la dernière image qu'on a lu, ou
- à toute autre valeur permettant réaliser une fonction utile.

L'enregistrement comporte les étapes suivantes:

- dès qu'une image vidéo (avec les signaux son associés) est reçue du récepteur du téléviseur, elle est stockée après un formatage éventuel dans la cellule mémoire indiquée par le RAE;
- puis on ajoute "1" à la valeur du RAE afin que l'image vidéo suivante sera écrite dans la cellule mémoire suivante.

Pour lire, on initialise le RAL:

- à zéro, si la restitution d'images doit commencer au début de la mémoire,
- à la valeur qu'il avait lors de la fin de la dernière lecture, si on veut restituer à la suite de la dernière image qu'on a lu,
- à la valeur du RAE moins 1, si on veut restituer ce qu'on est en train d'enregistrer, ou
- à toute autre valeur permettant réaliser une fonction utile.

La lecture comporte les étapes suivantes:

- on lit l'image vidéo (avec les signaux son associés) indiquée par le RAL pour la stocker dans des mémoires tampons;
- puis, après un formatage éventuel, et à la fréquence de F images vidéo par seconde, l'image est transmise à l'écran du téléviseur pour restitution;

FEUILLE DE REMPLACEMENT

- puis on ajoute "1" à la valeur du RAL afin que l'image vidéo suivante sera lu de la cellule mémoire suivante.

Pour lire à vitesse normale en arrière, on procède comme pour la lecture en avant, sauf qu'on retire "1" de la valeur du RAL à la place de l'y ajouter, afin que l'image vidéo suivante sera lu à partir de la cellule mémoire précédente.

Pour lire à vitesse N fois accélérée en avant ou en arrière, on procède comme pour la lecture à vitesse normale, sauf qu'on ajoute/retire "N" respectivement à la place de "1" à/de la valeur du RAL, afin que l'image vidéo suivante sera lu à partir de la N-ième cellule mémoire qui suit/précède la cellule qu'on vient de lire.

Pour lire à vitesse N fois ralentie en avant ou en arrière, on procède comme pour la lecture à vitesse normale, sauf qu'on transmet l'image vidéo N fois au téléviseur pour restitution avant d'ajouter/retirer "1" respectivement à/de la valeur du RAL, afin de restituer le même image vidéo N fois avant de passer à la suivante.

Pour restituer en arrêt sur image, on transmet en permanence la même image vidéo identifiée par la valeur actuelle du RAL.

Pour restituer image par image en avant ou en arrière, on transmet en permanence la même image vidéo identifiée par la valeur actuelle du RAL, et - sur demande - on ajoute/retire "1" respectivement à/de la valeur du RAL, afin de restituer l'image vidéo suivante ou précédente.

Pour avancer rapidement en avant ou en arrière le mécanisme enregistreur ou le mécanisme lecteur, on ajoute/retire N au/du RAE ou au/du RAL respectivement, N étant le nombre d'images vidéo qu'on veut faire passer, afin de reprendre l'enregistrement ou la lecture N images vidéo plus loin.

Pour rendre plus dense un enregistrement d'images vidéo, et pour éliminer les séquences d'enregistrement qu'on ne veut pas garder, on copie successivement les séquences qu'on veut garder l'une derrière l'autre, en éliminant toutes celles qu'on ne veut pas garder. On utilise les fonctions primitives décrites en haut, en passant par les étapes suivantes:

- on cherche l'endroit de l'enregistrement derrière lequel on veut copier la séquence suivante, en utilisant toutes les fonctions de lecture et d'avancée rapide;

- pour la copie de la première séquence, on initialise le RAE avec la valeur du RAL (il est à noter que pour les séquences suivantes le RAE n'est plus modifié);

- on cherche la fin de la séquence qu'on veut éliminer, en utilisant toutes les fonctions de lecture et d'avancée rapide;

FEUILLE DE REMPLACEMENT

- on lit l'image vidéo (avec les signaux son associés) dans la cellule mémoire indiquée par le RAL et on l'écrit dans la cellule mémoire indiquée par le RAE, et on la restitue en même temps sur l'écran du téléviseur pour contrôle, puis on ajoute "1" au RAL et au RAE, afin de lire et copier l'image vidéo suivante.

Il est à noter que la copie peut se faire selon tous les modes de lecture décrits en haut, en apportant toujours la même modification au RAE qu'au RAL.

La mémoire du support d'enregistrement étant d'une taille limitée de L cellules, deux options sont offertes quand la mise à jour du RAE ou du RAL lors de l'enregistrement, de la lecture, ou de l'avancée rapide dépasse la valeur L - 1 ou devient négative en marche arrière:

- soit la fonction en cours s'arrête quand cette condition est remplie,
- soit la fonction continue après remplacement de la valeur du RAE ou du RAL par le modulo L de cette même valeur.

Selon une variante du mode préféré de l'invention, la mémoire linéaire est départagée en M plages et comporte $N = M + 1$ portes, les M portes avec leurs M registres RAE étant utilisées pour l'enregistrement de M programmes de télévision, l'unique porte de lecture avec son registre RAL permettant toutes les fonctions décrits en haut sur toutes les M plages d'enregistrement.

D'autres modes de réalisation du dispositif selon l'invention consistent à remplacer la mémoire linéaire comme support d'enregistrement par une mémoire rotative à accès direct, telle qu'une mémoire à bulles, un disque magnétique, un disque optique, un disque opto-magnétique, ou de toute autre technologie.

Les caractéristiques de ces modes de réalisation sont semblables à celles décrites en haut pour le mode préféré. Néanmoins, le mécanismes enregistreur et lecteur, bien que indépendants l'un de l'autre, sont tout de même soumis à la même vitesse angulaire de la mémoire rotative.

Ces modes de réalisation comportent donc en outre plusieurs (N) mécanismes lecteur, plusieurs (M) mécanismes enregistreur, et de mémoires tampons d'adaptation de vitesse supplémentaires.

Toutes les fonctions de lecture et d'avancée rapide sont exécutées à partir de la mémoire tampon, remplie en anticipation par les N mécanismes lecture à partir de N pistes adjacentes de la mémoire rotative.

L'écriture pour la fonction "copie à vitesse accélérée" se fait dans la mémoire tampon, vidée par les M mécanismes enregistreur vers M pistes adjacentes de la mémoire rotative.

Bien entendu, l'invention n'est pas limitée aux modes de réalisation décrits, il est possible d'envisager d'autres variantes, sans sortir du cadre de l'invention.

FEUILLE DE REMPLACEMENT

REVENDEICATIONS

1) Procédé d'enregistrement et de restitution d'images télévision, et d'élimination des séances publicitaires et d'autres séquences d'une émission de télévision, caractérisé en ce qu'il comporte les étapes suivantes:

- on enregistre une émission télévision sur le support d'enregistrement;
- on attend un temps T qui correspond à peu près à la durée de l'ensemble de toutes les séances publicitaires qu'on veut éliminer de l'émission qu'on souhaite regarder;
- on démarre la lecture du support d'enregistrement afin de restituer les images enregistrées sur un écran de télévision;
- dès le début de chaque séance publicitaire, on restitue les images en lecture à vitesse accélérée, de sorte qu'on peut identifier la fin de la séance publicitaire;
- dès la fin de la séance publicitaire, on restitue les images enregistrées à vitesse normale.

2) Procédé selon la revendication 1 caractérisé en ce qu'on rend plus dense un enregistrement d'images télévision, en éliminant des séances publicitaires et d'autres séquences de l'enregistrement, et qu'il comporte les étapes suivantes:

- on place le mécanisme enregistreur au début du support d'enregistrement ou derrière la première partie de l'enregistrement qu'on souhaite garder;
- on place le mécanisme lecteur au début du support d'enregistrement ou devant la deuxième partie de l'enregistrement qu'on souhaite garder;
- on fait une copie avec le mécanisme enregistreur des images télévision lus par le mécanisme lecteur, tout en restituant ces images sur l'écran d'un téléviseur pour contrôle;
- au début de chaque séance publicitaire, on arrête de faire la copie, laissant le mécanisme enregistreur sur place, et on cherche la fin de la séance publicitaire, en restituant des images en lecture à vitesse accélérée;
- a la fin de chaque séance publicitaire, on fait une copie avec le mécanisme enregistreur des images télévision lus par le mécanisme lecteur, tout en restituant ces images sur l'écran d'un téléviseur.

3) Procédé selon la revendication 2 caractérisé en ce qu'on fait la copie des images télévision dans un des modes suivants: vitesse normale en avant, vitesse accélérée en avant, vitesse ralentie en avant, vitesse normale en arrière, vitesse accélérée en arrière, vitesse ralentie en arrière, arrêt sur image, image par image en avant, image par image en arrière.

FEUILLE DE REMPLACEMENT

4) Procédé selon l'une des revendications 1, 2 ou 3 caractérisé en ce qu'au début d'une séance publicitaire, la recherche de la fin de la séance se fait par un enchaînement de deux fonctions:

-d'abord, un déplacement direct du mécanisme lecteur sur le support d'enregistrement, la distance correspondant à la durée la plus courte d'une séance publicitaire (durée initialisée préalablement);

- en suite, une lecture en vitesse accélérée.

5) Dispositif pour enregistrer des images télévision et de les restituer après lecture caractérisé en ce qu'il utilise un support d'enregistrement du type mémoire à accès direct; qu'il comporte un mécanisme lecteur et un mécanisme enregistreur, le mécanisme lecteur et le mécanisme enregistreur étant séparés et indépendants, pouvant opérer simultanément, et pouvant être placés et déplacés d'une façon indépendante l'un de l'autre sur le support d'enregistrement; et qu'il comporte des mémoires tampons de synchronisation et d'adaptation de vitesse.

6) Dispositif selon la revendication 5 caractérisé en ce qu'il comporte plusieurs (N) mécanismes lecteurs et/ou plusieurs (M) mécanismes enregistreurs.

7) Dispositif selon l'une des revendications 5 ou 6 caractérisé en ce que le(s) mécanisme(s) lecteur(s) restituent, et/ou que le(s) mécanisme(s) enregistreur(s) enregistrent, les images télévision dans un des modes suivants: vitesse normale en avant, vitesse accélérée en avant, vitesse ralentie en avant, vitesse normale en arrière, vitesse accélérée en arrière, vitesse ralentie en arrière, arrêt sur image, image par image en avant, image par image en arrière.

8) Dispositif selon l'une des revendications 5, 6, ou 7 caractérisé en ce que le(s) mécanisme(s) lecteur(s) et/ou le(s) mécanisme(s) enregistreur(s) se déplace/déplacent d'une façon directe d'un endroit sur le support d'enregistrement vers un autre.

9) Dispositif selon l'une des revendications 5, 6, 7, ou 8 caractérisé en ce que le(s) mécanisme(s) lecteur(s) et/ou le(s) mécanisme(s) enregistreur(s), arrivée(s) à la fin du support d'enregistrement, s'arrête/s'arrêtent de restituer ou d'enregistrer, ou continue/continuent de restituer ou d'enregistrer à partir du début du support.

FEUILLE DE REMPLACEMENT

INTERNATIONAL SEARCH REPORT

International Application No PCT/FR 89/00271

| | | |
|---|--|-------------------------------------|
| I. CLASSIFICATION OF SUBJECT MATTER (if several classification symbols apply, indicate all) ⁶ | | |
| According to International Patent Classification (IPC) or to both National Classification and IPC | | |
| Int.Cl. ⁴ : G 11 B 27/02; G 11 B 15/02 | | |
| II. FIELDS SEARCHED | | |
| Minimum Documentation Searched ⁷ | | |
| Classification System | Classification Symbols | |
| Int.Cl. ⁴ : | G 11 B | |
| Documentation Searched other than Minimum Documentation to the Extent that such Documents are Included in the Fields Searched ⁸ | | |
| | | |
| III. DOCUMENTS CONSIDERED TO BE RELEVANT ⁹ | | |
| Category [*] | Citation of Document, ¹¹ with indication, where appropriate, of the relevant passages ¹² | Relevant to Claim No. ¹³ |
| A | US, A, 4602297 (REESE) 22 July 1986, see column 2, line 4 - column 5, line 54; abstract* -- | 1-4 |
| A | US, A, 4408309 (KIESLING ET AL.) 4 October 1983 see the whole document -- | 1-4 |
| A | US, A, 4430676 (JOHNSON) 7 February 1984 see column 2, line 21 - column 8, line 64; abstract* -- | 1,2,5 |
| A | US, A, 4314285 (BONNER ET AL.) 2 February 1982 see the whole document -- | 1,2 |
| A | US, A, 4750052 (POPPY ET AL.) 7 June 1988 see the whole document -- | 1-3 |
| A | EP, A, 0204578 (PICOTRIN TECHNOLOGY, INC.) 10 December 1986, see page 5, line 1 - page 9, line 4 -- | 1-3,5 9 |
| | ./. | |
| <p>[*] Special categories of cited documents: ¹⁰</p> <p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier document but published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p> <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.</p> <p>"&" document member of the same patent family</p> | | |
| IV. CERTIFICATION | | |
| Date of the Actual Completion of the International Search | Date of Mailing of this International Search Report | |
| 31 July 1989 (31.07.89) | 21 August 1989 (21.08.89) | |
| International Searching Authority | Signature of Authorized Officer | |
| European Patent Office | | |

Form PCT/ISA/210 (second sheet) (January 1985)

DISH Ex-1018, p. 925
DISH v. BBitV
IPR2020-01267

AT&T EXHIBIT 1018

| III. DOCUMENTS CONSIDERED TO BE RELEVANT (CONTINUED FROM THE SECOND SHEET) | | |
|--|---|-----------------------|
| Category * | Citation of Document, with indication, where appropriate, of the relevant passages | Relevant to Claim No. |
| A | FR, A, 2606922 (MEFLAH ET AL.) 20 May 1988 see page 5, line 4 - page 16, line 3 -- | 1-3,5, 8,9 |
| A | DE, A, 3217557 (VICTOR COMPANY OF JAPAN, LTD.) 25 November 1982, see page 4, line 6 - page 7, line 2, see page 17, line 6 - page 20, line 4 -- | 1-4 |
| A | Patent Abstracts of Japan, vol. 6, No: 171 (P-140) (1049) 4 September 1982, & JP-A-57 088542 (MATSU- SHITA DENKI SANGYO K.K.) 2 June 1982, * see the whole document * | 1 |
| A | RUNDFUNKTECHNISCHE MITTEILUNGEN, vol. 22, No: 1, February 1978, HAMBURG DE page 15 - 21; J. HEITMAN: "Zeitlupenwiedergabe und Suchlauf bei "Segmented Field"-Videorecordern" see the whole document -- | 1,3,5, 7 |
| A | IMAGE TECHNOLOGY (JOURNAL OF THE BKSTS) vol. 70, No: 5, May 1988, LONDON GB page 158 - 161; J.D. MILLWARD: "Disc Based Storage Systems" see the whole document ----- | 1,5-8 |

**ANNEX TO THE INTERNATIONAL SEARCH REPORT
ON INTERNATIONAL PATENT APPLICATION NO.**

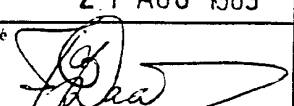
PCT/FR 89/00271
SA 29288

This annex lists the patent family members relating to the patent documents cited in the above-mentioned international search report. The members are as contained in the European Patent Office EDP file on The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information. 31/07/89

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date |
|--|------------------|-------------------------|------------------|
| US-A-4602297 | 22-07-86 | None | |
| US-A-4408309 | 04-10-83 | None | |
| US-A-4430676 | 07-02-84 | None | |
| US-A-4314285 | 02-02-82 | US-A- 4782401 | 01-11-88 |
| US-A-4750052 | 07-06-88 | CA-A- 1189182 | 18-06-85 |
| EP-A-0204578 | 10-12-86 | US-A- 4633331 | 30-12-86 |
| FR-A-2606922 | 20-05-88 | None | |
| DE-A-3217557 | 25-11-82 | JP-A- 57186207 | 16-11-82 |
| | | US-A- 4549231 | 22-10-85 |
| | | JP-A- 57186249 | 16-11-82 |

EPO FORM P0479

For more details about this annex : see Official Journal of the European Patent Office, No. 12/82

| I. CLASSEMENT DE L'INVENTION (si plusieurs symboles de classification sont applicables, les indiquer tous) 7 | | |
|---|--|---|
| Selon la classification internationale des brevets (CIB) ou à la fois selon la classification nationale et la CIB | | |
| CIB 4 G11B27/02 ; G11B15/02 | | |
| II. DOMAINES SUR LESQUELS LA RECHERCHE A PORTE | | |
| Documentation minimale consultée ⁸ | | |
| Système de classification | Symboles de classification | |
| CIB 4 | G11B | |
| Documentation consultée autre que la documentation minimale dans la mesure où de tels documents font partie des domaines sur lesquels la recherche a porté ⁹ | | |
| III. DOCUMENTS CONSIDERES COMME PERTINENTS ¹⁰ | | |
| Catégorie ¹¹ | Identification des documents cités, avec indication, si nécessaire, de passages pertinents ¹² | No. des revendications visées ¹⁴ |
| A | US,A,4602297 (REESE) 22 juillet 1986 voir colonne 2, ligne 4 - colonne 5, ligne 54 ; résumé* | 1-4 |
| A | US,A,4408309 (KIESLING ET AL.) 04 octobre 1983 voir le document en entier | 1-4 |
| A | US,A,4430676 (JOHNSON) 07 février 1984 voir colonne 2, ligne 21 - colonne 8, ligne 64; résumé* | 1, 2, 5 |
| A | US,A,4314285 (BONNER ET AL.) 02 février 1982 voir le document en entier | 1, 2 |
| A | US,A,4750052 (POPPY ET AL.) 07 juin 1988 voir le document en entier | 1-3 |
| | -/-- | |
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| IV. CERTIFICATION | | |
| Date à laquelle la recherche internationale a été effectivement achevée | Date d'expédition du présent rapport de recherche internationale | |
| 2 31 JUILLET 1989 | 21 AUG 1989 | |
| Administration chargée de la recherche internationale | Signature du fonctionnaire autorisé | |
| OFFICE EUROPEEN DES BREVETS | DAALMANS F.J.  | |

| III. DOCUMENTS CONSIDERES COMME PERTINENTS ¹⁴ | | (SUITE DES RENSEIGNEMENTS INDIOUES SUR LA DEUXIEME FEUILLE) |
|--|--|---|
| Catégorie ¹⁵ | Identification des documents cités, ¹⁶ avec indication, si nécessaire des passages pertinents ¹⁷ | No. des revendications visées ¹⁸ |
| A | EP,A,0204578 (PICOTRIN TECHNOLOGY, INC.) 10 décembre 1986 voir page 5, ligne 1 - page 9, ligne 4 --- | 1-3, 5, 9 |
| A | FR,A,2606922 (MEFLAH ET AL.) 20 mai 1988 voir page 5, ligne 4 - page 16, ligne 3 --- | 1-3, 5, 8, 9 |
| A | DE,A,3217557 (VICTOR COMPANY OF JAPAN, LTD.) 25 novembre 1982 voir page 4, ligne 6 - page 7, ligne 2 voir page 17, ligne 6 - page 20, ligne 4 --- | 1-4 |
| A | PATENT ABSTRACTS OF JAPAN vol. 6, no. 171 (P-140)(1049) 04 septembre 1982, & JP-A-57 088542 (MATSUSHITA DENKI SANGYO K.K.) 02 juin 1982, * voir le document en entier * --- | 1 |
| A | RUNDFUNKTECHNISCHE MITTEILUNGEN vol. 22, no. 1, février 1978, HAMBURG DE page 15 - 21; J.HEITMAN: "Zeitlupenwiedergabe und Suchlauf bei "Segmented Field"-Videorecordern" voir le document en entier --- | 1, 3, 5, 7 |
| A | IMAGE TECHNOLOGY (JOURNAL OF THE BKSTS) vol. 70, no. 5, mai 1988, LONDON GB page 158 - 161; J.D.MILLWARD: "Disc Based Storage Systems" voir le document en entier --- | 1, 5-8 |

ANNEXE AU RAPPORT DE RECHERCHE INTERNATIONALE
RELATIF A LA DEMANDE INTERNATIONALE NO.

PCT/FR 89/00271
SA 29288

La présente annexe indique les membres de la famille de brevets relatifs aux documents brevets cités dans le rapport de recherche internationale visé ci-dessus.

Lesdits membres sont contenus au fichier informatique de l'Office européen des brevets à la date du

Les renseignements fournis sont donnés à titre indicatif et n'engagent pas la responsabilité de l'Office européen des brevets. 31/07/89

| Document brevet cité au rapport de recherche | Date de publication | Membre(s) de la famille de brevet(s) | Date de publication |
|---|------------------------|---|------------------------|
| US-A-4602297 | 22-07-86 | Aucun | |
| US-A-4408309 | 04-10-83 | Aucun | |
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| | | US-A- 4549231 | 22-10-85 |
| | | JP-A- 57186249 | 16-11-82 |

EPO FORM 10472

Pour tout renseignement concernant cette annexe : voir Journal Officiel de l'Office européen des brevets, No.12/82

| | | |
|---|------------------------|--------------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, Mushfikh I. |
| | Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

| U.S. PATENTS | | | | | | Remove |
|-------------------|---------|---------------|------------------------|------------|---|--|
| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
| | 1 | 5566287 | | 1996-10-15 | Delpuch | |
| | 2 | 5689799 | | 1997-11-18 | Dougherty, et al. | |
| | 3 | 5884033 | | 1999-03-16 | Duvall et al. | |
| | 4 | 6018768 | | 2000-01-25 | Ullman et al. | |
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

| | | |
|------------------------|--------------------------|------------|
| Application Number | | 15192598 |
| Filing Date | | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez | |
| Art Unit | 2426 | |
| Examiner Name | ALAM, Mushfikh I. | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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| 9 | 6606746 | B1 | 2003-08-12 | Zdepski et al. |
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
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| | | |
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| First Named Inventor | Milton Diaz Perez | |
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| Examiner Name | ALAM, Mushfikh I. | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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|----|---------|----|------------|-----------------|
| 20 | 7950033 | B2 | 2011-05-24 | Pierre et al. |
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| 22 | 7725740 | B2 | 2010-05-25 | Kudelski et al. |
| 23 | 7305691 | B2 | 2007-12-04 | Cristofalo |
| 24 | 7409437 | B2 | 2008-08-05 | Ullman et al. |
| 25 | 7490346 | B2 | 2009-02-10 | Alao et al. |
| 26 | 8621541 | B2 | 2013-12-31 | Ullman et al. |

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U.S.PATENT APPLICATION PUBLICATIONS

| Examiner Initial* | Cite No | Publication Number | Kind Code ¹ | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
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**INFORMATION DISCLOSURE
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| | |
|------------------------|--------------------------|
| Application Number | 15192598 |
| Filing Date | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez |
| Art Unit | 2426 |
| Examiner Name | ALAM, Mushfikh I. |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

| Examiner Initial* | Cite No | Foreign Document Number ³ | Country Code ² i | Kind Code ⁴ | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | T ⁵ |
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

| | | |
|------------------------|--------------------------|------------|
| Application Number | | 15192598 |
| Filing Date | | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez | |
| Art Unit | 2426 | |
| Examiner Name | ALAM, Mushfikh I. | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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See attached certification statement.

- The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|-----------------|---------------------|------------|
| Signature | /Tzvi Hirshaut/ | Date (YYYY-MM-DD) | 2017-07-28 |
| Name/Print | Tzvi Hirshaut | Registration Number | 38,732 |

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Electronic Patent Application Fee Transmittal

| | | | | |
|--|--|-----------------|---------------|-----------------------------|
| Application Number: | 15192598 | | | |
| Filing Date: | 24-Jun-2016 | | | |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | | | |
| First Named Inventor/Applicant Name: | Milton Diaz Perez | | | |
| Filer: | Charles R. Macedo/Victoria Gilmore | | | |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) | | | |
| Filed as Small Entity | | | | |
| Filing Fees for Utility under 35 USC 111(a) | | | | |
| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | | | |
| Pages: | | | | |
| Claims: | | | | |
| Miscellaneous-Filing: | | | | |
| Petition: | | | | |
| Patent-Appeals-and-Interference: | | | | |
| Post-Allowance-and-Post-Issuance: | | | | |
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| Miscellaneous: | | | | |
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| Total in USD (\$) | | | | 90 |

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| | |
|---|--|
| EFS ID: | 29925046 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Charles R. Macedo/Victoria Gilmore |
| Filer Authorized By: | Charles R. Macedo |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 28-JUL-2017 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 16:53:57 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

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| Submitted with Payment | yes |
| Payment Type | DA |
| Payment was successfully received in RAM | \$90 |
| RAM confirmation Number | 073117INTEFSW00003649011785 |
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| | Claims | | 2 | 5 | |
| | Applicant Arguments/Remarks Made in an Amendment | | 6 | 15 | |
| Warnings: | | | | | |
| Information: | | | | | |
| 2 | Information Disclosure Statement (IDS) Form (SB08) | 1-IDS27.pdf | 613783 6fd4b0745aa8b9c210a68f0f13892b5009823fcc | no | 7 |
| Warnings: | | | | | |
| Information: | | | | | |
| 3 | Foreign Reference | 2-FR-WO9015507A1.pdf | 1275355 241d332b7080ac42f10e692bdf949afdf2bfc9ba | no | 27 |
| Warnings: | | | | | |
| Information: | | | | | |
| 4 | Foreign Reference | 3-FR-WO8912896A1.pdf | 782070 fe129ed6d66077bd9c3deb8dc176295815866e7e | no | 16 |
| Warnings: | | | | | |
| Information: | | | | | |
| 5 | Non Patent Literature | 4-NPLPetition_for_Cert.pdf | 16626834 d6ee59137bd95878642fafad920965ae069bddc9 | no | 172 |

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| Warnings: | | | | | |
| Information: | | | | | |
| 6 | Non Patent Literature | 5-NPLCert-Decision.pdf | 83479 | no | 13 |
| | | | b5443125f927e54eb0b042bd8811c4d4f4c e7a79 | | |
| Warnings: | | | | | |
| Information: | | | | | |
| 7 | Non Patent Literature | 6-NPL-Ciciora_Farmer_Large. pdf | 8654296 | no | 18 |
| | | | a9c5db904ea1628b48833e8171669d2096 9cc97a | | |
| Warnings: | | | | | |
| Information: | | | | | |
| 8 | Information Disclosure Statement (IDS) Form (SB08) | 7-IDS-28.pdf | 1036162 | no | 6 |
| | | | ef411fc0d02274161b053847ae2b21aee74 dbc1c | | |
| Warnings: | | | | | |
| Information: | | | | | |
| 9 | Fee Worksheet (SB06) | fee-info.pdf | 30579 | no | 2 |
| | | | db195d2c27210235f84426d6dfdcd1c701b d202c | | |
| Warnings: | | | | | |
| Information: | | | | | |
| Total Files Size (in bytes): | | | 29255209 | | |
| <p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> | | | | | |

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| | | | |
|---|---|----------------------------------|---------------------------------------|
| PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875 | Application or Docket Number 15/192,598 | Filing Date 06/24/2016 | <input type="checkbox"/> To be Mailed |
|---|---|----------------------------------|---------------------------------------|

ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

| FOR | NUMBER FILED | NUMBER EXTRA | RATE (\$) | FEE (\$) |
|--|---|--------------|-----------|----------|
| <input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c)) | N/A | N/A | N/A | |
| <input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (j), or (m)) | N/A | N/A | N/A | |
| <input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q)) | N/A | N/A | N/A | |
| TOTAL CLAIMS (37 CFR 1.16(i)) | minus 20 = * | * | X \$ = | |
| INDEPENDENT CLAIMS (37 CFR 1.16(h)) | minus 3 = * | * | X \$ = | |
| <input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s)) | If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | | | |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j)) | | | | |
| * If the difference in column 1 is less than zero, enter "0" in column 2. | | | TOTAL | |

APPLICATION AS AMENDED – PART II

| | (Column 1) | (Column 2) | (Column 3) | RATE (\$) | ADDITIONAL FEE (\$) |
|------------------|--|----------------------------------|------------------------------------|---------------|---------------------|
| AMENDMENT | 07/28/2017 | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | |
| | Total (37 CFR 1.16(i)) | * 17 | Minus | ** 20 | = 0 |
| | Independent (37 CFR 1.16(h)) | * 1 | Minus | ***3 | = 0 |
| | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(s)) | | | | |
| | <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | |
| | | | TOTAL ADD'L FEE | 0 | |

| | (Column 1) | (Column 2) | (Column 3) | RATE (\$) | ADDITIONAL FEE (\$) |
|------------------|--|----------------------------------|------------------------------------|---------------|---------------------|
| AMENDMENT | | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | |
| | Total (37 CFR 1.16(i)) | * | Minus | ** | = |
| | Independent (37 CFR 1.16(h)) | * | Minus | *** | = |
| | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(s)) | | | | |
| | <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | |
| | | | TOTAL ADD'L FEE | | |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/DORIS KING/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
Row 1: 15/192,598, 06/24/2016, Milton Diaz Perez, BBitV-CIP1-D9 (07612/58), 1328
Row 2: 1912, 7590, 10/30/2017, AMSTER, ROTHSTEIN & EBENSTEIN LLP, 90 PARK AVENUE, NEW YORK, NY 10016
Row 3: EXAMINER ALAM, MUSHFIKH I
Row 4: ART UNIT 2426, PAPER NUMBER
Row 5: NOTIFICATION DATE 10/30/2017, DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTODOCKET@ARELAW.COM

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 15/192,598 | Applicant(s) PEREZ, MILTON DIAZ | |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 | AIA (First Inventor to File) Status No |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 7/28/2017.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) Claim(s) 1-17 is/are pending in the application.
5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) Claim(s) _____ is/are allowed.
- 7) Claim(s) 1-17 is/are rejected.
- 8) Claim(s) _____ is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on 6/24/2016 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) All b) Some** c) None of the:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date 7/28/2017.
- 3) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 4) Other: _____.

DETAILED ACTION

1. Claims 1-17 are pending.
2. The present application is being examined under the pre-AIA first to invent provisions.

Terminal Disclaimer

3. The terminal disclaimer filed on 7/28/2017 disclaiming the terminal portion of any patent granted on this application has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 103

4. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 1-6, 8-14 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Novak (US 2002/0104099) in view of Ellis et al. (US 2002/0042921), and further in view of Betz et al. (US 2003/0126605).

Claim 1, Novak teaches “an Internet-connected digital device (122) for receiving via the Internet video content to be viewed by a subscriber of a video-on-demand system (i.e. video on demand embodiment) (p. 0068)”,

“the Internet-connected digital device (122) being configured to obtain and present to the subscriber an electronic program guide as a templated video-on-demand display” (p. 0025-0026, 0068);

“wherein the received video content was uploaded to a Web-based content management system (i.e. website) by a content provider device (222) associated with the video content provider (i.e. server) via the Internet in a digital video format, along with associated metadata (i.e. title) including title information and category information (i.e. content uploaded to server than linked to website or visa versa both envisioned) (p. 0025-0026, 0057, 0068, 0079)”.

Novak not entirely clear in teaching “using a hierarchically arranged electronic program guide”;

“*an electronic program guide* which uses at least one of a plurality of different display templates to which the Internet-connected digital device has access, to enable a subscriber using the Internet-connected digital device to navigate in a drill-down manner through titles by category information in order to locate a particular one of the titles whose associated video content is desired for viewing on the Internet-connected digital device using the same category information as was designated by a video content provider in metadata associated with the video content”;

wherein the templated video-on-demand display has been generated in a plurality of layers, comprising:

(a) a first layer comprising a background screen to provide at least one of a basic color, logo, or graphical theme to display;

(b) a second layer comprising a particular display template from the plurality of different display templates layered on the background screen, wherein the particular display template comprises one or more reserved areas that are reserved for displaying content provided by a different layer of the plurality of layers; and

(c) a third layer comprising reserved area content generated using the received video content, the associated metadata, and the associated plurality of images to be displayed in the one or more reserved areas in the particular display template as at least one of text, an image, a navigation link, and a button,

“along with an associated plurality of images designated by the video content provider, the associated metadata specifying a respective hierarchical location of a respective title of the video content within the electronic program guide to be displayed on the Internet-connected digital device using the respective hierarchically-arranged category information associated with the respective title”;

“wherein at least one of the uploaded associated plurality of images designated by the video content provider is displayed with the associated respective title in the templated video-on-demand display”.

Ellis teaches “using a hierarchically arranged electronic program guide” (fig. 13);

“*an electronic program guide* which uses at least one of a plurality of different display templates (figs. 13+) to which the Internet-connected digital device (122) has access, to enable a subscriber using the Internet-connected digital device to navigate in a drill-down manner through titles by category information in order to locate a particular one of the titles (figs. 13+) whose associated video content is desired for viewing on the

Internet-connected digital device (122) using the same category information as was designated by a video content provider (i.e. server) in metadata associated with the video content” (figs. 9+; p. 0005);

wherein the templated video-on-demand display has been generated in a plurality of layers (fig. 13+), comprising:

(a) a first layer comprising a background screen to provide at least one of a basic color, logo, or graphical theme to display (i.e. background of any screen) (fig. 13);

(b) a second layer comprising a particular display template from the plurality of different display templates layered on the background screen (figs. 13+), wherein the particular display template comprises one or more reserved areas that are reserved for displaying content provided by a different layer of the plurality of layers (i.e. advertisement) (fig. 13+); and

(c) a third layer comprising reserved area content generated using the received video content, the associated metadata, and the associated plurality of images to be displayed in the one or more reserved areas in the particular display template as at least one of text, an image, a navigation link, and a button (figs. 13+),

“along with an associated plurality of images designated by the video content provider, the associated metadata specifying a respective hierarchical location of a respective title of the video content within the electronic program guide (i.e. VOD titles are navigated through numerous categories) to be displayed on the Internet-connected digital device using the respective hierarchically-arranged category information associated with the respective title” (figs. 13+; p. 0085-0088).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Betz teaches the specific feature of “wherein at least one of the uploaded (i.e. of Novak) associated plurality of images designated by the video content provider is displayed (i.e. still picture or poster) with the associated respective title in the templated video-on-demand display” (i.e. VOD programs) (p. 0002)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided display of program related graphics as taught by Betz to the system of Novak to improve a user's browsing experience (p. 0002).

Claim 2, Novak teaches the specific feature of “the Internet-connected digital device of claim 1, wherein the associated plurality of images that are received” (p. 0025-0026, 0057).

Novak is not entirely clear in teaching the specific feature of “the associated plurality of images includes at least one of graphic, video and audio elements”.

Ellis teaches the specific feature of “the associated plurality of images includes at least one of graphic, video and audio elements” (i.e. icon for programs in VOD list) (fig. 13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Claim 3, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the plurality of different display templates for display with the electronic program guide are used to locate the particular one of the titles in a drill-down manner from a first level of a hierarchical structure of the electronic program guide to a second level of the hierarchical structure of the electronic program guide, wherein a first of the plurality of different display templates is used for displaying the first level of the electronic program guide and wherein a second of the plurality of different display templates is used for displaying the second level of the electronic program guide.

Ellis teaches the Internet-connected digital device of claim 1, wherein the plurality of different display templates for display with the electronic program guide are used to locate the particular one of the titles in a drill-down manner from a first level of a hierarchical structure of the electronic program guide to a second level of the hierarchical structure of the electronic program guide, wherein a first of the plurality of different display templates is used for displaying the first level of the electronic program guide and wherein a second of the plurality of different display templates is used for displaying the second level of the electronic program guide (fig. 13+; p. 0085-0088).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Claim 4, Novak is not entirely clear in teaching the Internet-connected digital device of claim 1, wherein at least a first display template of the plurality of different video display templates is associated with at least the video content provider.

Ellis teaches the Internet-connected digital device of claim 1, wherein at least a first display template of the plurality of different video display templates is associated with at least the video content provider (main facility aggregates program guide data) (fig. 13; p. 0033).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Claim 5, Novak teaches the Internet-connected digital device of claim 1, wherein the associated metadata includes descriptive data about the video content (i.e. information related to object) (p. 0026).

Claim 6, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the one or more category terms associated with the first video-on-demand

program content correspond to one or more topics that pertain to video-on-demand program content from more than one content provider.

Ellis teaches the Internet-connected digital device of claim 1, wherein the one or more category terms associated with the first video-on-demand program content (e.g. movies, new releases, etc.) correspond to one or more topics that pertain to video-on-demand program content from more than one content provider (on-demand data can be retrieved from on demand data source, main facility or other) (p. 0046).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Claim 8, Novak teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a set top box (152) (p. 0028).

Claim 9, Novak teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device uses the Internet Protocol (p. 0030).

Claim 10, Novak teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is configured to be used with an Internet Protocol TV (IPTV) system (i.e. Internet or other IP system) (p. 0089).

Claim 13, Novak teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a media player (152) (p. 0028).

Claim 14, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a game console.

Ellis teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a game console (i.e. receives video game data) (p. 0036).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a game console as taught by Ellis to the system on Novak to allow users to receive video game content (p. 0036).

6. Claim 7 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Novak (US 2002/0104099) in view of Ellis et al. (US 2002/0042921), and further in view of Betz et al. (US 2003/0126605), and further in view of Segerberg et al. (US 6910191).

Claim 7, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the one or more category terms associated with the first video-on-demand program content correspond to one or more content providers and wherein the hierarchically arranged electronic program guide is organized according to the content provider.

Ellis teaches the specific feature of "the Internet-connected digital device of claim 1, wherein the one or more category terms (e.g. movies) associated with the first video-on-demand program content" (fig. 13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a drill down menu as taught by Ellis to the system of Novak to allow users to navigate content (p. 0005).

Seegerberg teaches the specific feature of "program content, wherein the hierarchically arranged electronic program guide is organized according to the content provider" (i.e. different sources) (col. 4, lines 11-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a display with multiple sources as taught by Seegerberg to the system of Novak to allow users to see which source programming is from (col. 4, lines 4-10).

7. Claim 11-12 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Novak (US 2002/0104099) in view of Ellis et al. (US 2002/0042921), and further in view of Betz et al. (US 2003/0126605), and further in view of Gu et al. (US 2004/0158855).

Claim 11, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a digital phone.

Gu teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a digital phone (140) (p. 0022-0027).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided mobile devices as taught by Gu to the system of Novak to broaden scopes of signal transmission (p. 0012).

Claim 12, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a personal digital assistant (PDA).

Gu teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a personal digital assistant (PDA) (140) (p. 0022-0027).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided mobile devices as taught by Gu to the system of Novak to broaden scopes of signal transmission (p. 0012).

8. Claim 15 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Novak (US 2002/0104099) in view of Ellis et al. (US 2002/0042921), and further in view of Betz et al. (US 2003/0126605), and further in view of Rodriguez et al. (US 2002/0007485).

Claim 15, Novak is silent regarding the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is further configured to receive a selection from the subscriber to bookmark a selected title and to store an electronic

guide location address for the video-on-demand program associated with the selected title as an electronic bookmark for later viewing.

Rodriguez teaches the Internet-connected digital device of claim 1, wherein the Internet-connected digital device is further configured to receive a selection from the subscriber to bookmark a selected title and to store an electronic guide location address for the video-on-demand program associated with the selected title as an electronic bookmark for later viewing (i.e. bookmark a scene) (p. 0052).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided bookmarking as taught by Rodriguez to the system of Novak to allow users to easily retrieve saved programming (p. 0052).

9. Claim 16-17 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Novak (US 2002/0104099) in view of Ellis et al. (US 2002/0042921), and further in view of Betz et al. (US 2003/0126605), and further in view of Rodriguez et al. (US 2002/0007485), and further in view of Wong et al. (US 2007/0277201).

Claim 16, Novak is silent regarding the Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to send the electronic bookmark from the Internet-connected digital device to a second Internet-connected digital device.

Wong teaches regarding the Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to send the electronic

bookmark (i.e. token) from the Internet-connected digital device to a second Internet-connected digital device (fig. 5; p. 0013)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided sending tokens to other users as taught by Wong to the system of Novak to allow users to share favorite programs with others (p. 0013).

Claim 17, Novak is silent regarding the Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to transmit an email including the stored electronic bookmark to an email address of a user on the Internet.

Wong teaches the Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to transmit an email including the stored electronic bookmark (i.e. token) to an email address of a user on the Internet (fig. 5; p. 0013).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided sending tokens to other users as taught by Wong to the system of Novak to allow users to share favorite programs with others (p. 0013).

Response to Arguments

10. Applicant's arguments with respect to claims 1-17 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

Conclusion

11. Claims 1-17 are rejected.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUSHFIKH ALAM whose telephone number is (571)270-1710. The examiner can normally be reached on Mon-Fri: 8:30-18:00 EST.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Goodarzi can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MUSHFIKH ALAM/
Primary Examiner, Art Unit 2426
10/25/2017

Application/Control Number: 15/192,598
Art Unit: 2426

Page 17

| | | | |
|-----------------------------------|---------------------------------------|---|-------------|
| Notice of References Cited | Application/Control No. 15/192,598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ | |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 | Page 1 of 1 |

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| B | US- | | | | |
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| D | US- | | | | |
| E | US- | | | | |
| F | US- | | | | |
| G | US- | | | | |
| H | US- | | | | |
| I | US- | | | | |
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| | | |
|---|--|--|
| Index of Claims  | Application/Control No. 15192598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 |

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| ✓ | Rejected |
| = | Allowed |

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| - | Cancelled |
| ÷ | Restricted |

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| N | Non-Elected |
| I | Interference |

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|---|-----------------|
| A | Appeal |
| O | Objected |

Claims renumbered in the same order as presented by applicant
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 T.D.
 R.1.47

| CLAIM | | DATE | | | | | | | |
|-------|----------|------------|------------|--|--|--|--|--|--|
| Final | Original | 04/24/2017 | 10/25/2017 | | | | | | |
| | 1 | ✓ | ✓ | | | | | | |
| | 2 | ✓ | ✓ | | | | | | |
| | 3 | ✓ | ✓ | | | | | | |
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| | 5 | ✓ | ✓ | | | | | | |
| | 6 | ✓ | ✓ | | | | | | |
| | 7 | ✓ | ✓ | | | | | | |
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| | 9 | ✓ | ✓ | | | | | | |
| | 10 | ✓ | ✓ | | | | | | |
| | 11 | ✓ | ✓ | | | | | | |
| | 12 | ✓ | ✓ | | | | | | |
| | 13 | ✓ | ✓ | | | | | | |
| | 14 | ✓ | ✓ | | | | | | |
| | 15 | ✓ | ✓ | | | | | | |
| | 16 | ✓ | ✓ | | | | | | |
| | 17 | ✓ | ✓ | | | | | | |

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, Mushfikh I. |
| | Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

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| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

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- A certification statement is not submitted herewith.

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| Name/Print | Tzvi Hirshaut | Registration Number | 38,732 |

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| 26 | 5701161 | | 1997-12-23 | Williams et al. |

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| | 2 | 89/12896 | WO | A1 | 1989-12-28 | Siegfried | | |

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|--------------------|---------|---|----------------|
| | 1 | Broadband iTV, Inc. v. Hawaiian Telcom, Inc. et al; BBiTV Petition for a Writ of Certiorari (Sup. Ct. April 13, 2017 (No.16-1241)). | |
| | 2 | Order List 581 U.S. Sup. Ct.- Monday, May 22, 2017 - Broadband ITV, Inc. v. Hawaiian Telcom, Inc., et al., Petition for Writ of Certiorari Denied (p.7) | |

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| | | |
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| 3 | | Ciciora, Farmer, & Large, Modern Cable Television Technology (Morgan Kaufmann Publishers, Inc. 1999), 18 pages |
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|------------|-----------------|---------------------|------------|
| Signature | /Tzvi Hirshaut/ | Date (YYYY-MM-DD) | 2017-07-28 |
| Name/Print | Tzvi Hirshaut | Registration Number | 38,732 |


This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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| Search Notes  | Application/Control No. 15192598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 |

| CPC- SEARCHED | | |
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| Symbol | Date | Examiner |
| | | |

| CPC COMBINATION SETS - SEARCHED | | |
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| US CLASSIFICATION SEARCHED | | | |
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| Class | Subclass | Date | Examiner |
| 725 | 74-104 | 4/24/2017 | MA |
| 725 | 74-104 | 10/25/2017 | MA |

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

| SEARCH NOTES | | |
|-------------------------------------|------------|----------|
| Search Notes | Date | Examiner |
| Inventor Search | 4/24/2017 | |
| 725/74-104 - limited by text search | 4/24/2017 | MA |
| 725 - limited by text search | 4/24/2017 | MA |
| 725/74-104 - limited by text search | 10/25/2017 | MA |
| 725 - limited by text search | 10/25/2017 | MA |

| INTERFERENCE SEARCH | | | |
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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, Mushfikh I. |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
| | 1 | 7814519 | B2 | 2010-10-12 | Rao et al. | |

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| | 1 | 20100175090 | A1 | 2010-07-08 | Cordray | |
| | 2 | 20080155613 | A1 | 2008-06-26 | Benya et al. | |
| | 3 | 20050216941 | A1 | 2005-09-29 | Flanagan et al. | |
| | 4 | 20050097600 | A1 | 2005-05-05 | Heer | |
| | 5 | 20020199188 | A1 | 2002-12-26 | Sie et al. | |

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| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

| | | | | |
|---|-------------|----|------------|-----------------|
| 6 | 20030149981 | A1 | 2003-08-07 | Finster, et al. |
| 7 | 20080276277 | A1 | 2008-11-06 | Ahn, et al. |

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FOREIGN PATENT DOCUMENTS

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| | | | |
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| Signature | /Tzvi Hirshaut/ | Date (YYYY-MM-DD) | 2017-11-16 |
| Name/Print | Tzvi Hirshaut | Registration Number | 38,732 |

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Electronic Patent Application Fee Transmittal

| | | | | |
|--|--|-----------------|---------------|-----------------------------|
| Application Number: | 15192598 | | | |
| Filing Date: | 24-Jun-2016 | | | |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | | | |
| First Named Inventor/Applicant Name: | Milton Diaz Perez | | | |
| Filer: | Tzvi Hirshaut/Victoria Gilmore | | | |
| Attorney Docket Number: | BBitV-CIP1-D9 (07612/58) | | | |
| Filed as Small Entity | | | | |
| Filing Fees for Utility under 35 USC 111(a) | | | | |
| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | | | |
| Pages: | | | | |
| Claims: | | | | |
| Miscellaneous-Filing: | | | | |
| Petition: | | | | |
| Patent-Appeals-and-Interference: | | | | |
| Post-Allowance-and-Post-Issuance: | | | | |
| Extension-of-Time: | | | | |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
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| Miscellaneous: | | | | |
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| Total in USD (\$) | | | | 90 |

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| EFS ID: | 30975321 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Tzvi Hirshaut/Victoria Gilmore |
| Filer Authorized By: | Tzvi Hirshaut |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 16-NOV-2017 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 17:00:45 |
| Application Type: | Utility under 35 USC 111(a) |

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| Submitted with Payment | yes |
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| Payment was successfully received in RAM | \$90 |
| RAM confirmation Number | 111717INTEFSW00004233011785 |
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| 1 | Information Disclosure Statement (IDS) Form (SB08) | 58-IDS.pdf | 1035414 f7e13f963238491c0bebb92ef435d35ae5640e23 | no | 4 |

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| 2 | Fee Worksheet (SB06) | fee-info.pdf | 30634 efcec9e9fccc23227b0421b0f77531092015357 | no | 2 |
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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, Mushfikh I. |
| | Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

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| | 1 | 5616876 | A | 1997-04-01 | Cluts | |
| | 2 | 5670730 | A | 1997-09-23 | Grewe et al. | |
| | 3 | 5739451 | A | 1998-04-14 | Winsky et al. | |
| | 4 | 5798921 | A | 1998-08-25 | Johnson et al. | |
| | 5 | 5918303 | A | 1999-06-29 | Yamaura et al. | |
| | 6 | 5969283 | A | 1999-10-19 | Looney et al. | |
| | 7 | 6062868 | A | 2000-05-16 | Toriumi | |
| | 8 | 6118450 | A | 2000-09-12 | Proehl et al. | |

**INFORMATION DISCLOSURE
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|----|---------|----|------------|----------------------------|
| 9 | 6128012 | A | 2000-10-03 | Seidensticker, Jr., et al. |
| 10 | 6248946 | B1 | 2001-06-19 | Dwek |
| 11 | 6332175 | B1 | 2001-12-18 | Birrell et al. |
| 12 | 6377530 | B1 | 2002-04-23 | Burrows |
| 13 | 6760721 | B1 | 2004-07-06 | Chasen et al. |
| 14 | 6928433 | B2 | 2005-08-09 | Goodman et al. |
| 15 | 6976229 | B1 | 2005-12-13 | Balabanovic et al. |

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| | 1 | 20020045960 | A1 | 2002-04-18 | Phillips et al. | |
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|------------|-----------------|---------------------|------------|
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Electronic Patent Application Fee Transmittal

| | | | | |
|--|--|-----------------|---------------|-----------------------------|
| Application Number: | 15192598 | | | |
| Filing Date: | 24-Jun-2016 | | | |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | | | |
| First Named Inventor/Applicant Name: | Milton Diaz Perez | | | |
| Filer: | Tzvi Hirshaut/Victoria Gilmore | | | |
| Attorney Docket Number: | BBitV-CIP1-D9 (07612/58) | | | |
| Filed as Small Entity | | | | |
| Filing Fees for Utility under 35 USC 111(a) | | | | |
| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | | | |
| Pages: | | | | |
| Claims: | | | | |
| Miscellaneous-Filing: | | | | |
| Petition: | | | | |
| Patent-Appeals-and-Interference: | | | | |
| Post-Allowance-and-Post-Issuance: | | | | |
| Extension-of-Time: | | | | |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|---|----------|----------|--------|----------------------|
| Miscellaneous: | | | | |
| SUBMISSION- INFORMATION DISCLOSURE STMT | 2806 | 1 | 90 | 90 |
| Total in USD (\$) | | | | 90 |

Electronic Acknowledgement Receipt

| | |
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| EFS ID: | 31190639 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Tzvi Hirshaut/Victoria Gilmore |
| Filer Authorized By: | Tzvi Hirshaut |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 11-DEC-2017 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 16:50:03 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

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|--|-----------------------------|
| Submitted with Payment | yes |
| Payment Type | DA |
| Payment was successfully received in RAM | \$90 |
| RAM confirmation Number | 121217INTEFSW00004708011785 |
| Deposit Account | |
| Authorized User | |

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|--|------------|---|------------------|------------------|
| 1 | Information Disclosure Statement (IDS) Form (SB08) | 58-IDS.pdf | 1035872 37726bdbfcd61c0bf76eca721cab56fd53a3d526 | no | 5 |

Warnings:**Information:**

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|---|----------------------|--------------|---|----|---|
| 2 | Fee Worksheet (SB06) | fee-info.pdf | 30634 cdbce3c9da9b269826cf21f9db685eece0228a46 | no | 2 |
|---|----------------------|--------------|---|----|---|

Warnings:**Information:****Total Files Size (in bytes):**

1066506

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 15/192,598 Confirmation No. 1328
Inventor : Milton Diaz Perez
Filed : June 24, 2016
TC/A.U. : 2426
Title : SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM
CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV
SERVICES PROVIDER
Examiner : Mushfikh Alam
Docket No. : BBiTV-CIP1-D9 (07612/58)
Customer No. : 1912

RESPONSE TO OFFICE ACTION OF OCTOBER 30, 2017

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated October 30, 2017, please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.

In view of the amendments and remarks, prompt and favorable reconsideration of this Application is respectfully requested. *If, however, the Examiner believes that there are any unresolved issues, or believes that the Application is not in condition for Allowance, Applicant respectfully requests that the Examiner contact the undersigned to schedule a telephonic Examiner Interview before any further Actions on the merits.*

659534.1

AMENDMENTS TO THE CLAIMS

1. (Previously Presented) An Internet-connected digital device for receiving via the Internet video content to be viewed by a subscriber of a video-on-demand system using a hierarchically arranged electronic program guide,

the Internet-connected digital device being configured to obtain and present to the subscriber an electronic program guide as a templated video-on-demand display, which uses at least one of a plurality of different display templates to which the Internet-connected digital device has access, to enable a subscriber using the Internet-connected digital device to navigate in a drill-down manner through titles by category information in order to locate a particular one of the titles whose associated video content is desired for viewing on the Internet-connected digital device using the same category information as was designated by a video content provider in metadata associated with the video content;

wherein the templated video-on-demand display has been generated in a plurality of layers, comprising:

(a) a first layer comprising a background screen to provide at least one of a basic color, logo, or graphical theme to display;

(b) a second layer comprising a particular display template from the plurality of different display templates layered on the background screen, wherein the particular display template comprises one or more reserved areas that are reserved for displaying content provided by a different layer of the plurality of layers; and

(c) a third layer comprising reserved area content generated using the received video content, the associated metadata, and the associated plurality of images to be displayed in the one or more reserved areas in the particular display template as at least one of text, an image, a navigation link, and a button,

wherein the received video content was uploaded to a Web-based content management system by a content provider device associated with the video content provider via the Internet in a digital video format, along with associated metadata including title information and category information, and along with an associated plurality of images designated by the video content provider, the associated metadata specifying a respective hierarchical location of a respective

title of the video content within the electronic program guide to be displayed on the Internet-connected digital device using the respective hierarchically-arranged category information associated with the respective title,

wherein at least one of the uploaded associated plurality of images designated by the video content provider is displayed with the associated respective title in the templated video-on-demand display.

2. (Original) The Internet-connected digital device of claim 1, wherein the associated plurality of images that are received includes at least one of graphic, video and audio elements.

3. (Previously Presented) The Internet-connected digital device of claim 1, wherein the plurality of different display templates for display with the electronic program guide are used to locate the particular one of the titles in a drill-down manner from a first level of a hierarchical structure of the electronic program guide to a second level of the hierarchical structure of the electronic program guide, wherein a first of the plurality of different display templates is used for displaying the first level of the electronic program guide and wherein a second of the plurality of different display templates is used for displaying the second level of the electronic program guide.

4. (Currently Amended) The Internet-connected digital device of claim 1, wherein at least a first ~~video~~ display template of the plurality of different display templates is associated with at least the video content provider.

5. (Original) The Internet-connected digital device of claim 1, wherein the associated metadata includes descriptive data about the video content.

6. (Original) The Internet-connected digital device of claim 1, wherein the one or more category terms associated with the first video-on-demand program content correspond to one or more topics that pertain to video-on-demand program content from more than one content provider.

7. (Original) The Internet-connected digital device of claim 1, wherein the one or more category terms associated with the first video-on-demand program content correspond to one or more content providers and wherein the hierarchically arranged electronic program guide is organized according to the content provider.

8. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a set top box.

9. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device uses the Internet Protocol.

10. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is configured to be used with an Internet Protocol TV (IPTV) system.

11. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a digital phone.

12. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a personal digital assistant (PDA).

13. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a media player.

14. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is a game console.

15. (Original) The Internet-connected digital device of claim 1, wherein the Internet-connected digital device is further configured to receive a selection from the subscriber to bookmark a selected title and to store an electronic guide location address for the video-on-demand program associated with the selected title as an electronic bookmark for later viewing.

16. (Original) The Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to send the electronic bookmark from the Internet-connected digital device to a second Internet-connected digital device.

17. (Original) The Internet-connected digital device of claim 15, wherein the Internet-connected digital device is further configured to transmit an email including the stored electronic bookmark to an email address of a user on the Internet.

REMARKS

Claims 1-17 are currently pending. By this amendment, claim 4 is amended for antecedent basis / consistency and the remaining claims are unchanged. Claim 1 is an independent claim.

In view of the amendments and remarks, prompt and favorable reconsideration of this Application is respectfully requested. **If, however, the Examiner believes that there are any unresolved issues, or believes that the Application is not in condition for Allowance, Applicant respectfully requests that the Examiner contact the undersigned to schedule a telephonic Examiner Interview before any further Actions on the merits.**

1. Summary of Examiner Interview

Applicant would like to thank Examiner Alam for the courtesies extended to Applicant's representatives Charles R. Macedo and Tzvi Hirshaut during a telephonic interview conducted on November 14, 2017 and January 9, 2018 follow up telephone interview with Mr. Macedo.

During the November 14, 2017 interview, Applicant's representatives explained that the rejections under 35 U.S.C. sec. 103 are inappropriate as the combination of references do not teach or suggest navigation in a hierarchical VOD EPG where category metadata that is used in an EPG is provided by a video content provider along with the video content. Applicant's representatives referred to a PTAB decision (see attached and discussion below) that confirms that Novak does not supply this teaching. Applicants' representatives also noted that the other cited references also do not supply this missing teaching. The Examiner indicated that the remarks overcame the cited prior art. In the further telephone conference with Mr. Macedo on January 9, 2018, the Examiner requested that Applicant file a formal response to the current Office Action confirming this discussion.

2. The Claims Define Patentable Subject Matter

The Office Action has rejected the pending claims on various bases. Claims 1-6, and 8-14 are rejected under 35 U.S.C. § 103(a) as obvious over a combination of U.S. Patent Application Publication No. 2002/0104099 (Novak) and U.S. Patent Application Publication No. 2002/0042921 (Ellis) in view of U.S. Patent Application Publication No. 2003/0126605 (Betz). Claim 7 is rejected under 35 U.S.C. § 103(a) as obvious over the combination of Novak, Ellis, Betz, and U.S. Patent No. 6,910,191 (Segeberg). Claims 11 and 12 are rejected as under 35 U.S.C. § 103(a) as obvious over the combination of Novak, Ellis, Betz, and U.S. Patent Application Publication No. 2004/0158855 (Gu). Claim 15 is rejected under 35 U.S.C. § 103(a) as obvious over the combination of Novak, Ellis, Betz, and U.S. Patent Application Publication No. 2002/0007485 (Rodriguez). Claims 16 and 17 are rejected under 35 U.S.C. § 103(a) as obvious over the combination of Novak, Ellis, Rodriguez, Betz, and U.S. Patent Application Publication No. 2007/0277201 (Wong).

Applicant respectfully submits that the claims are allowable over the prior art of record, and requests that the pending rejection be withdrawn and the application be allowed. **To the extent the Examiner disagrees, Applicant requests that the Examiner contact Applicant's representative for a telephone interview before issuing the next office action.**

The present invention is directed to an Internet-connected digital device for providing video content to a subscriber via a closed, video-on-demand system. A hierarchically arranged electronic program guide is presented to the subscriber on the Internet-connected digital device as a multi-layered, templated display that is navigable in a drill-down manner through titles by category information. The video content to be viewed on the Internet-connected digital device was uploaded to a Web-based content management system by a content provider device

associated with the video content provider via the Internet in a digital video format, along with associated metadata including title information, category information, and an associated plurality of images designated by the video content provider. At least one of the uploaded associated plurality of images designated by the video content provider is displayed with the associated respective title in the templated display.

The Internet-connected digital device of claim 1 is neither taught nor suggested by Novak, Ellis, or Getz, either alone or in combination, at least because the combination of references do not teach or suggest navigation in a hierarchical VOD EPG where category metadata that is used in an EPG is provided by a video content provider along with the video content. In particular, the Examiner relied upon Novak as purportedly teaching this feature in the pending claims. As noted during the interview, the PTAB explicitly stated in a Decision Denying Institution of Covered Business Method Patent Review entered April 1, 2015, Case CBM2014-00189 (copy attached with highlighted sections at pp. 20 and 22) for a related patent U.S. Patent No. 7,631,336 that Novak is lacking this teaching. The PTAB stated, in pertinent part, at page 20 of the Decision as follows:

Petitioner argues that “hierarchically-arranged categories and subcategories as metadata for categorizing a hierarchical ordering [for] the title for the video content” should be construed as “topics and subtopics associated with a particular video title that are useful to categorize and order the title.” Pet. 20 (citing Ex. 1001, 3:28–34, 18:3–20). Petitioner suggests that “genre” could be a “topic,” and “director or actor” could be a “subtopic,” but Petitioner does not describe how these purported topics and subtopics would be useful to order or identify the title. *Id.*; see also Ex. 1001, 15:37–41 (describing the “hierarchical addressing scheme” as “a string of category term, subcategory term(s), and title that together . . . uniquely identify[] each program”). At most, Petitioner has explained how Novak teaches the inclusion of terms (e.g., media object description, actors, director, story summary) that may be used to describe uploaded video content, but not how these terms are arranged hierarchically into topics and subtopics to categorize and order the title.

The PTAB added at p. 22 of the Decision that:

Again, we are not persuaded by Petitioner’s contentions that Novak alone teaches or suggests listing the title of the video content in an electronic program guide using the same hierarchically-arranged categories and subcategories as used in the uploaded metadata for the hierarchical address. At most, Petitioner has explained how Novak teaches the inclusion of the title of the uploaded content in an electronic program guide (as well as time slot, length, and a description, for example), but not how *any* hierarchically-arranged categories and subcategories are used in listing the title of the video content in the electronic program guide, let alone the *same* hierarchically-arranged categories and subcategories as were used in the uploaded metadata (i.e., data to describe a hierarchical ordering that is useful to categorize and order the title of video content).

Ellis also does not teach a hierarchically arranged EPG with content provider defined categories to be used for navigation. The Office Action at pp. 4-6 cites Ellis as teaching a hierarchically arranged EPG that has a drill down menu. However, Ellis does not teach or suggest that the categories for the EPG are “provided” by the video content provider, in contrast

to the EPG provider. *Cf.* Ellis par. 0005. Betz also does not supply the missing teachings. Therefore, Applicant respectfully submits that the combination of Novak, Ellis, and Betz is insufficient to serve as a basis for rejection of claim 1.

For at least these reasons, Applicant submits that amended claim 1 and claims dependent thereon are allowable. Withdrawal of the rejections of the claims and allowance of the application is respectfully requested.

Status of Related Applications

The below chart provides information regarding related issued patents and co-pending applications filed by the present applicant:

| APPLICATION SERIAL NO. | ATTORNEY DOCKET NO. | FILING DATE | STATUS |
|------------------------|---------------------|-------------|-------------------------------------|
| 10/909,192 | P1 07612/4 | 2004-07-30 | Issued as U.S. Patent No. 7,590,997 |
| 11/952,552 | P1-D1 07612/5 | 2007-12-07 | Issued as U.S. Patent No. 7,774,819 |
| 12/852,663 | P1-D2 07612/6 | 2010-08-09 | Issued as U.S. Patent No. 9,078,016 |
| 13/830,872 | P1-D3 07612/27 | 2013-03-14 | Issued as U.S. Patent No. 9,066,118 |
| 14/598,633 | P1-D4 07612/35 | 2015-01-16 | Issued as U.S. Patent No. 9,106,959 |
| 14/703,597 | P1-D5 07612/36 | 2015-01-05 | Issued as U.S. Patent No. 9,232,275 |
| 14/706,721 | P1-D6 07612/37 | 2015-05-07 | Issued as U.S. Patent No. 9,338,511 |
| 14/978,881 | P1-D7 07612/45 | 2015-12-22 | Issued as U.S. Patent No. 9,386,340 |
| 14/978,953 | P1-D8 07612/46 | 2015-12-22 | Issued as U.S. Patent No. 9,491,511 |
| 14/987,237 | P1-D9 07612/48 | 2016-01-04 | Issued as U.S. Patent No. 9,491,512 |
| 14/987,283 | P1-D10 07612/49 | 2016-01-04 | Issued as U.S. Patent No. 9,338,512 |
| 15/148,807 | P1-D11 07612/56 | 2016-05-06 | Issued as U.S. Patent No. 9,578,376 |
| 15/190,954 | P1-D12 07612/57 | 2016-06-23 | Issued as U.S. Patent No. 9,641,896 |

| APPLICATION SERIAL NO. | ATTORNEY DOCKET NO. | FILING DATE | STATUS |
|------------------------|----------------------|-------------|--|
| 15/253,321 | P1-D13 07612/62 | 2016-08-31 | Issued as U.S. Patent No. 9,648,388 |
| 15/253,288 | P1-D14 07612/61 | 2016-08-31 | Issued as U.S. Patent No. 9,635,423 |
| 15/399,116 | P1-D15 07612/64 | 2017-01-05 | Notice of Allowance 2017-10-23 |
| 15/492,870 | P1-D16 07612/71 | 2017-04-20 | Issue Fee Paid 2017-12-22 |
| 15/582,155 | P1-D17 07612/73 | 2017-04-28 | Issued as U.S. Patent No. 9,866,909 |
| 15/589,196 | P1-D18 07612/74 | 2017-05-08 | Issued as U.S. Patent No. 9,866,910 |
| 15/664,655 | P1-D19 07612/77 | 2017-07-31 | Pending |
| 15/864,502 | P1-D21 07612/83 | 2018-01-08 | Pending |
| 15/864,561 | P1-D22 07612/84 | 2018-01-08 | Pending |
| 11/685,188 | CIP1 07612/7 | 2007-03-12 | Issued as U.S. Patent No. 7,631,336 |
| 12/632,745 | CIP1-D1 07612/8 | 2009-12-07 | Issued as U.S. Patent No. 9,113,228 |
| 12/869,466 | CIP1-D2 07612/9 | 2010-08-26 | Pending - Reply Brief filed 2017-02-16 |
| 13/830,961 | CIP1-D3 07612/28 | 2013-03-14 | Abandoned |
| 14/724,125 | CIP1-D4 07612/38 | 2015-05-28 | Issued as U.S. Patent No. 9,338,487 |
| 14/827,090 | CIP1-D5 07612/39 | 2015-08-14 | Issued as U.S. Patent No. 9,420,318 |
| 14/827,113 | CIP1-D6 07612/40 | 2015-08-14 | Issued as U.S. Patent No. 9,491,497 |
| 14/827,129 | CIP1-D7 07612/41 | 2015-08-14 | Pending - Office Action 2017-11-09 |
| 15/148,796 | CIP1-D8 07612/55 | 2016-05-06 | Issued as U.S. Patent No. 9,635,395 |
| 15/192,598 | CIP1-D9 07612/58 | 2016-06-24 | Pending - Office Action 2017-10-30 |
| 15/251,865 | CIP1-D10 07612/59 | 2016-08-30 | Pending - Office Action 2017-10-30 |
| 15/493,409 | CIP1-D11 07612/72 | 2017-04-21 | Pending |
| 11/768,895 | CIP2 07612/10 | 2007-06-26 | Issued as U.S. Patent No. 9,584,868 |
| 12/869,493 | CIP2-D1 07612/11 | 2010-08-26 | Abandoned |
| 12/869,534 | CIP2-D2 | 2010-08-26 | Issued as U.S. Patent No. 9,344,765 |

| APPLICATION SERIAL NO. | ATTORNEY DOCKET NO. | FILING DATE | STATUS |
|------------------------|----------------------|-------------|--|
| | 07612/25 | | |
| 13/831,042 | CIP2-D3 07612/29 | 2013-03-14 | Issued as U.S. Patent No. 9,247,308 |
| 15/001,992 | CIP2-D4 07612/47 | 2016-01-20 | Issued as U.S. Patent No. 9,635,429 |
| 15/002,011 | CIP2-D5 07612/51 | 2016-01-20 | Issued as U.S. Patent No. 9,641,902 |
| 15/002,029 | CIP2-D6 07612/52 | 2016-01-20 | Issued as U.S. Patent No. 9,654,833 |
| 15/002,040 | CIP2-D7 07612/53 | 2016-01-20 | Issued as U.S. Patent No. 9,648,390 |
| 15/595,200 | CIP2-D8 07612/66 | 2017-05-15 | Issue Fee Paid 2017-12-27 |
| 15/582,099 | CIP2-D9 07612/67 | 2017-04-28 | Pending - Notice of Allowance 2017-10-13 |
| 15/595,210 | CIP2-D10 07612/68 | 2017-05-15 | Issue Fee Paid 2018-01-03 |
| 15/589,225 | CIP2-D11 07612/69 | 2017-05-08 | Issue Fee Paid 2017-12-22 |
| 15/441,956 | CIP2-D12 07612/70 | 2017-02-24 | Pending - Notice of Allowance 2018-01-08 |
| 15/604,272 | CIP2-D13 07612/75 | 2017-05-24 | Pending - Office Action 2017-10-27 |

The Examiner is invited to review the prosecution history of this application to see the prior art of record and related office actions as he deems appropriate.

Applicant further notes the following litigations have been filed with respect to related patents and have been concluded:

| Case | Filing Date | Status |
|--|-------------|--|
| <i>Broadband iTV, Inc. v. Hawaiian Telcom, Inc., et al.</i> , No. 14-cv-00169 (D. Haw. 2014) | 2014-04-09 | Summary Judgment entered in favor of Hawaiian Telcom, Inc. based on 35 U.S.C. 101 Notice of Appeal filed by Broadband iTV, Inc. with Federal Circuit Court of Appeals Consolidated Opening Brief filed by Broadband iTV, Inc. with Federal Circuit |

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| | | <p>Court of Appeals. 2 Amicus Briefs also filed with the Federal Circuit Court of Appeals. January 21, 2016</p> <p>Hawaiian Telcom, Inc.'s Response Brief filed March 14, 2016</p> <p>Broadband iTV's Reply Brief filed April 1, 2016</p> <p>Oral Argument Sept 8, 2016</p> <p>Federal Circuit affirmance, without opinion, of Summary Judgment in favor of Hawaiian Telcom, Inc. Sept 26, 2016</p> <p>Petition to U.S. Supreme Court for Writ of Certiorari April 13, 2017</p> <p>Petition Denied May 22, 2017 (litigation terminated)</p> |
| <p><i>Broadband iTV, Inc. v. Time Warner Cable, Inc., et al.</i>, No. 15-cv-00131 (D. Haw. 2014)</p> | <p>2014-04-09</p> | <p>Summary Judgment denied to TWC based on prior art cited by Time Warner Cable, Inc. (TWC); Summary Judgment Entered in favor of TWC based on 35 U.S.C. 101</p> <p>Notice of Appeal filed by Broadband iTV, Inc. with Federal Circuit Court of Appeals</p> <p>No cross-appeal filed by TWC as to Denial of Summary Judgment on Prior Art grounds</p> <p>Consolidated Opening Brief filed by Broadband iTV, Inc. with Federal Circuit Court of Appeals. 2 Amicus Briefs also filed with the Federal Circuit Court of Appeals. January 21, 2016</p> <p>TWC's Response Brief filed March 14, 2016</p> <p>Broadband iTV's Reply Brief filed April 1, 2016</p> |

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| | | <p>Oral Argument Sept 8, 2016</p> <p>Federal Circuit affirmance, without opinion, of Summary Judgment denial to TWC based on prior art cited by TWC and of Summary Judgment Entered in favor of TWC Sept 26, 2016</p> <p>Petition to U.S. Supreme Court for Writ of Certiorari April 13, 2017</p> <p>Petition Denied May 22, 2017 (litigation terminated)</p> |
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Applicant further notes that the following *inter partes* reviews (IPR) and covered business method (CBM) reviews have been filed with respect to related patents:

| IPR Case | | Filing Date | Patent No. | Status |
|---------------|--|-------------|------------|---|
| IPR2014-01222 | Unified Patents, Inc. v. Broadband iTV, Inc. (BBiTV) | 2014-07-30 | 7,631,336 | BBiTV - Institution of IPR Denied by PTAB 2015-01-05 (terminated) |
| CBM2014-00189 | Hawaiian Telcom Inc. v. Broadband iTV, Inc. (BBiTV) | 2014-09-19 | 7,631,336 | BBiTV - Institution of CBM Denied by PTAB 2015-04-01 (terminated) |

* * * * *

Any claim amendment(s), claim(s) added, claim(s) canceled, argument(s), remark(s), and/or any combination(s) thereof made in this response pertain solely to the specific aspects of this specific claimed invention. Further, any claim amendment(s), claim(s) added, claim(s)

canceled, argument(s), remark(s), and/or any combination(s) thereof are made without prejudice to or disclaimer of Applicant's right to seek patent protection of any unclaimed subject matter such as, but not limited, to narrower unclaimed subject matter, broader unclaimed subject matter, different unclaimed subject matter, variations of unclaimed subject matter, any combination thereof, and/or any other unclaimed subject matter that may or may not be filed, for example, in any design and/or utility patent application(s) such as, but not limited to, continuation patent application(s), continuation-in-part patent application(s), and/or divisional patent application(s) and/or any other patent application(s).

Applicant's silence as to any assertion(s) by the Examiner in the Office Action and/or to any certain fact(s) or conclusion(s) that may be implied and/or alleged by objections(s) and/or rejection(s) in the Office Action is not in any way a concession by Applicant that such assertion(s), implication(s), and/or allegation(s) are accurate, and that all requirements for any objection(s) and/or a rejection(s) have been met. Accordingly, Applicant reserves the right to analyze and dispute any such assertion(s), implication(s), and/or allegation(s) in the future.

In view of the amendments and remarks, prompt and favorable reconsideration of this Application is respectfully requested. If, however, the Examiner believes that there are any unresolved issues, or believes that the Application is not in condition for Allowance, Applicant respectfully requests that the Examiner contact the undersigned to schedule a telephonic Examiner Interview before any further Actions on the merits.

The director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 01-1785.

Respectfully submitted,

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January 12, 2018

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HAWAIIAN TELCOM, INC.,
Petitioner,

v.

BROADBAND iTV, INC.,
Patent Owner.

Case CBM2014-00189
Patent 7,631,336 B2

Before JUSTIN T. ARBES, MICHELLE R. OSINSKI, and
TINA E. HULSE, *Administrative Patent Judges*.

OSINSKI, *Administrative Patent Judge*.

DECISION

Denying Institution of Covered Business Method Patent Review
37 C.F.R. § 42.208

I. INTRODUCTION

A. Background

Hawaiian Telecom, Inc. (“Petitioner”) filed a corrected Petition (Paper 5, “Pet.”) requesting a covered business method patent review of claims 1–4 and 7–11 of U.S. Patent No. 7,631,336 B2 (Ex. 1001, “the ’336 patent”). Broadband iTV, Inc. (“Patent Owner”) filed a Preliminary Response (Paper 9, “Prelim. Resp.”). We have jurisdiction under 35 U.S.C. § 324, which provides that a covered business method patent review may not be instituted unless the information in the petition, if un rebutted, “would demonstrate that it is more likely than not that at least 1 of the claims challenged in the petition is unpatentable.” 35 U.S.C. § 324(a).

Upon consideration of the Petition and Preliminary Response, we determine that the information presented in the Petition does not demonstrate that any of the challenged claims is more likely than not unpatentable. We, therefore, deny the Petition.

B. The ’336 Patent (Ex. 1001)

The ’336 patent relates to a method for enabling the converting, navigating, and displaying of video content from a video content provider on an open online network to a discrete digital TV service provider network. Ex. 1001, 21:15–18 (claim 1). One example of such a method outlined in the ’336 patent broadly relates to “uploading wide ranging content via [the] Internet for viewing on the VOD [video-on-demand] platforms of any type of digital TV system.” *Id.* at 14:36–38. Figure 4 of the ’336 patent is reproduced below.

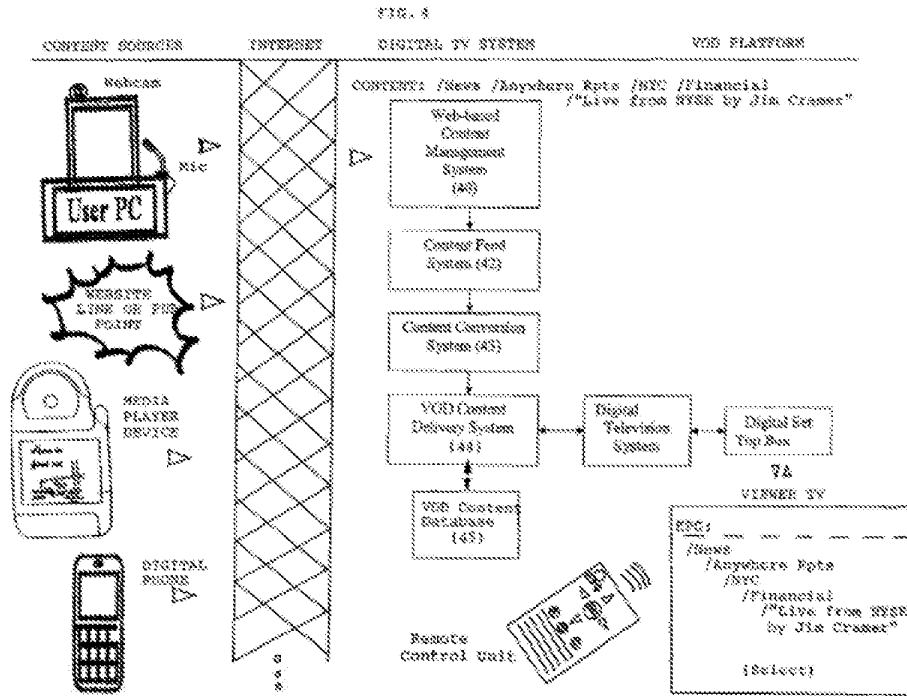


Figure 4 depicts “a diagram illustrating a process flow for enabling content publishers on the Internet to upload video content to digital television service providers for viewing on the home TV.” *Id.* at 4:24–27. Referring to Figure 4, an author or publisher can upload content from his or her computer, for example, to Web-based Content Management System 40. *Id.* at 14:45–46. “[H]ierarchical addressing metadata is associated with or tagged to the content when uploaded to the Web-based Content Management System 40.” *Id.* at 16:55–57. “[T]he author or publisher selects the category term, subcategory term(s) and title by which it is desired to find the program title in the TV EPG [electronic program guide] display hierarchy.” *Id.* at 16:46–50. In this way, “the addressing metadata identifying content uploaded on the Internet” is the same as the “EPG hierarchical addressing scheme used for the VOD program guide.” *Id.* at 16:42–46.

Content Feed System 42 transfers the uploaded content to Content Conversion System 43. *Id.* at 14:45–47. Content Conversion System 43 converts the uploaded content “from standard digital data formats to TV video format.” *Id.* at 14:45–49. The converted content is then sent to VOD Content Delivery System 44 where a “local instance” of the converted content is stored at an assigned VID [video ID] address in Video Content Database 45 for retrieval upon viewer request. *Id.* at 14:49–51, 17:3–6. “The VID address is linked to the metadata title for the video content listed in the EPG.” *Id.* at 17:6–8.

“Uploaded [content is] offered to viewers by listing them on the EPG, and upon viewer selection via the Set Top Box, are delivered via the Digital TV System infrastructure.” *Id.* at 14:51–54. The content is “automatically listed in the EPG under the common addressing scheme to enable viewers to find any program of interest.” *Id.* at 16:60–62. “Upon the subscriber selecting . . . the title of the video content from the hierarchically-arranged categories and subcategories in the EPG, a return request for the selected title is transmitted to the VOD platform for retrieving the video content at the linked VID address in the Video Content Database.” *Id.* at 17:12–18.

C. Illustrative Claim

Claim 1 is illustrative of the claimed subject matter and is reproduced below.

1. A method for automatically enabling the converting, navigating and displaying of video content from a video content provider on an open online network to a discrete digital TV service provider network which is of the type employing a closed system of pre-screened and pre-programmed video content selectable for viewing by TV service subscribers

inputting keypresses on their TV remote control units to set-top boxes connected to their TV equipment, which predetermined video content is listed by title for selection from an electronic program guide for a video-on-demand (VOD) platform of a the discrete digital TV service provider comprising:

(a) enabling the uploading of video content in a digital video format via an online network to a Web-based content management server that is connected to the VOD platform of the discrete digital TV service provider network, along with a title and a hierarchical address of hierarchically-arranged categories and subcategories as metadata for categorizing a hierarchical ordering for the title for the video content;

(b) converting the content uploaded to the Web-based content management server into a standard TV digital format used by the discrete digital TV service provider network and storing a "local instance" thereof at a video ID (VID) address in a video content database of the VOD platform, wherein the VID address is linked to the title for the video content;

(c) listing the title of the video content in an electronic program guide for the VOD platform of the discrete digital TV service provider using the same hierarchically-arranged categories and subcategories as used in the uploaded metadata for the hierarchical address for the video content in the electronic program guide of the VOD platform;

(d) providing a TV service subscriber, having a TV-equipment-connected set-top box connected to the VOD platform of the discrete digital TV service provider network, with access to the electronic program guide for the VOD platform for navigating through the hierarchically-arranged titles of video content by categories and subcategories therein in order to find the title of the video content desired for viewing on their TV equipment; and

(e) upon the TV service subscriber selecting, via their TV remote control unit in communication with the set-top box, the title for the video content from the hierarchically-arranged categories and subcategories of the electronic program guide, and the set-top box transmitting a request for the selected title to the VOD platform, then enabling retrieval of the selected

video content stored at the VID address in the video content database of the VOD platform linked thereto, and transmission of the selected video content to the TV service subscriber's set-top box for display on the TV service subscriber's TV equipment.

D. The Asserted Grounds of Unpatentability

Petitioner challenges the patentability of claims 1–4 and 7–11 of the '336 patent on the following grounds (Pet. 21–79).

| References | Basis | Challenged Claims |
|--|----------|-------------------|
| Novak, ¹ Dukiewicz, ² and Logan ³ | § 103(a) | 1–4 and 7–11 |
| Novak, Wilson, ⁴ and Logan | § 103(a) | 1–4 and 7–11 |
| N/A | § 101 | 1 |

II. DISCUSSION

A. Standing

Section 18 of the Leahy-Smith America Invents Act (“AIA”) governs the transitional program for covered business method patent reviews.⁵ Section 18(a)(1)(B) of the AIA limits such reviews to persons, or their privies, who have been sued or charged with infringement of a “covered

¹ Novak, U.S. Patent Application Publication No. 2002/0104099 A1 (published Aug. 1, 2002) (Ex. 1007).

² Dukiewicz et al., U.S. Patent Application Publication No. 2002/0088009 A1 (published July 4, 2002) (Ex. 1008).

³ Logan et al., U.S. Patent No. 5,721,827 (issued Feb. 24, 1998) (Ex. 1009).

⁴ Wilson, International Patent Application Publication No. WO 03/069457 A1 (published Aug. 21, 2003) (Ex. 1010).

⁵ See Section 18(a) of the Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284, 329 (2011).

business method patent.” AIA §§ 18(a)(1)(B), 18(d)(1); *see* 37 C.F.R. § 42.302(a).

1. Eligibility Requirements of § 42.302

Petitioner asserts that Patent Owner has sued Petitioner for infringement of the '336 patent. Pet. 14–15; *see also id.* at 3 (identifying *Broadband iTV, Inc. v. Hawaiian Telcom, Inc.*, No. 14-cv-00169-ACK-RLP (D. Haw.) as a related matter). Petitioner also asserts that it is not estopped from challenging the claims of the '336 patent on the grounds set forth in its Petition. *Id.* at 15. Patent Owner does not dispute that Petitioner has been sued for infringement of the '336 patent or challenge eligibility under § 42.302. *See* Paper 7 (Patent Owner’s Mandatory Notices), 2–3. On this record, Petitioner meets the eligibility requirements of § 42.302.

2. Covered Business Method Patent

Under § 18(a)(1)(E) of the AIA, the Board may institute a transitional proceeding only for a patent that is a covered business method patent. A “covered business method patent” is a patent that “claims a method or corresponding apparatus for performing data processing or other operations used in the practice, administration, or management of a financial product or service, except that the term does not include patents for technological inventions.” AIA § 18(d)(1); *see* 37 C.F.R. § 42.301(a). The “legislative history explains that the definition of covered business method patent was drafted to encompass patents ‘claiming activities that are financial in nature, incidental to a financial activity or complementary to a financial activity.’” *See* Transitional Program for Covered Business Method Patents—Definitions of Covered Business Method Patent and Technological Invention; Final Rule, 77 Fed. Reg. 48,734, 48,735 (Aug. 14, 2012) (quoting

157 Cong. Rec. S5432 (daily ed. Sept. 8, 2011) (statement of Sen. Schumer)). A patent need have only one claim directed to a covered business method to be eligible for review. *See id.* at 48,736 (Comment 8).

a. Financial Product or Service

For purposes of determining whether a patent is eligible for a covered business method patent review, our focus is on the claims. *See* 77 Fed. Reg. at 48,736. Petitioner argues that the '336 patent meets the “financial product or service” prong of the AIA. *See* Pet. 4–9. Patent Owner does not challenge this aspect, and only argues that the patent is for a “technological invention.” *See* Prelim. Resp. 11–18.

Claim 1 of the '336 patent recites “providing a *TV service subscriber*, having a TV-equipment-connected set-top box connected to the VOD platform of the discrete digital TV service provider network, with access to the electronic program guide” and “upon the *TV service subscriber* selecting, via their TV remote control unit in communication with the set-top box, the title for the video content . . . [, enabling the] transmission of the selected video content to the *TV service subscriber's* set-top box for display on the *TV service subscriber's* TV equipment.” Ex. 1001, 21:49–53, 22:4–7 (emphases added). As acknowledged within the patent, a TV service subscriber subscribes “to any of several tiers of bundled TV services on a scale with increasing rates in accordance with signal quality, TV program offerings, and types of interactive services.” *Id.* at 1:45–48.

Claim 1 of the '336 patent is directed to a method of providing additional content to TV service subscribers, and, therefore, claims an activity that is incidental or complementary to television subscription services. Pet. 6. In the particular context of the '336 patent, and claim 1 in

particular, we conclude that the claimed television subscription services are a financial activity in that fees are generated based on use of the system provided under the subscription. *Id.* at 5; *see also SAP America, Inc. v. Versata Development Group, Inc.*, Case CBM2012-00001, slip op. at 23 (PTAB Jan. 9, 2013) (Paper 36) (concluding “[t]he term financial is an adjective that simply means relating to monetary matters” based on section 18 of the AIA and its legislative history).

Accordingly, we determine that claim 1 recites a method for performing data processing or other operations used in the practice, administration, or management of a financial product or service, as required by § 18(d)(1) of the AIA. *See* 37 C.F.R. §42.301(a).

b. Exclusion for Technological Inventions

The definition of a “covered business method patent” in Section 18 of the AIA expressly excludes patents for “technological inventions.” AIA § 18(d)(1); *see* 37 C.F.R. § 42.301(a). To determine whether a patent is for a technological invention, we consider “whether the claimed subject matter as a whole recites a technological feature that is novel and unobvious over the prior art; and solves a technical problem using a technical solution.” 37 C.F.R. § 42.301(b).

According to the Office Patent Trial Practice Guide, the following claim drafting techniques are examples that typically do not render a patent a “technological invention”:

- (a) Mere recitation of known technologies, such as computer hardware, communication or computer networks, software, memory, computer-readable storage medium, scanners, display devices or databases, or specialized machines, such as an ATM or point of sale device.

(b) Reciting the use of known prior art technology to accomplish a process or method, even if that process or method is novel and non-obvious.

(c) Combining prior art structures to achieve the normal, expected, or predictable result of that combination.

Office Patent Trial Practice Guide, 77 Fed. Reg. at 48,763–64.

Petitioner argues that claim 1 does not recite a technological feature that is novel and unobvious over the prior art because “it merely recites a combination of known technology to accomplish its claimed method.” Pet. 11. Petitioner points to the technology that would be used in the method of claim 1, such as “computer networks, display formats, and VOD systems,” as well as “metadata,” “technology that enabled uploading of metadata and content simultaneously,” “electronic program guides or hierarchical categories,” and/or “the Internet and video compression software,” as each comprising known technology. *Id.* at 11–12.

In its Preliminary Response, Patent Owner argues that Petitioner has failed to meet its burden by failing to consider the claim “as a whole.” Prelim. Resp. 11–12 (citing *Motorola Mobility, LLC v. Intellectual Ventures I, LLC*, CBM2014-00084, slip op. at 7 (PTAB Aug. 6, 2014) (Paper 18), and *Experian Mktg. Solutions, Inc. v. RPost Commc’ns. Ltd.*, CBM2014-00010, slip op. at 9 (PTAB Apr. 22, 2014) (Paper 20)). Patent Owner focuses on Petitioner’s purported failure to meet its burden, but does not identify any specific element(s) in the claims that were not well-known technology. *See, e.g., id.* at 14 (“Petitioner’s isolation of generic hardware elements, without any citation to any claim, is contrary to the Board’s previous decisions and is insufficient to meet its burden . . .”). We are persuaded by Petitioner’s identification of the technology necessary to accomplish the claimed steps

and Petitioner's explanation that such technology was well-known. *See* Pet. 11–12.

As to Patent Owner's contention that “[i]t does not necessarily follow from Petitioner's statement that the use of specific *steps* in the claims of the '336 patent are not novel or unobvious when viewed as a whole” (Prelim. Resp. 13 (emphasis added)), we reiterate that even if the steps of a process or method are novel and non-obvious, merely reciting the use of known prior art technology to accomplish the steps of a process or method falls squarely within an exemplary claim drafting technique that has been described as insufficient to qualify as a “technological invention.” Office Patent Trial Practice Guide, 77 Fed. Reg. at 48,763–64. We also distinguish the instant proceeding from the prior Board decisions cited by Patent Owner in that the prior Board decisions were focused on Petitioner's failure to consider whether specific technology elements set forth in the claims (e.g., software elements or server configurations) were known in the prior art. We are persuaded that claim 1, as a whole, does not recite a technological feature that is novel and unobvious over the prior art.

We also have considered whether the method of claim 1, as a whole,⁶ solves a technical problem using a technical solution as contended by Patent Owner. Prelim. Resp. 14–18. We do not agree, however, that the problem in the prior art described and addressed by the '336 patent is “the migration

⁶ “The reference ‘and solves a technical problem using a technical solution’ is with respect to ‘the claimed subject matter as a whole.’” Transitional Program for Covered Business Method Patents—Definitions of Covered Business Method Patent and Technological Invention; Final Rule, 77 Fed. Reg. at 48,736.

of video content using an open online network into a discrete, closed digital television system” as suggested by Patent Owner. *Id.* at 15. Rather, the problem in the prior art described and addressed by the ’336 patent is the alleged lack of “capability for Internet uploading *and automatic listing in any VOD EPG* [to] open[] VOD programming to a greatly expanded field of non-studio TV program publishers.” Ex. 1001, 3:62–64 (emphasis added). Providing the ability for users to locate content easily in a familiar manner (through the use of an existing electronic program guide) is primarily a content organization problem, not a technical problem. The problem is addressed through “listing the title of the video content in the electronic program guide using the same categories as those specified in the [hierarchically arranged title-ordering] metadata uploaded along with the video content.” Prelim. Resp. 16. We are not persuaded that this is a technical solution to a technical problem. *See* Pet. 13–14.

The Board considers “whether a patent is for a technological invention on a case-by-case basis and will take into consideration the facts of a particular case.” Transitional Program for Covered Business Method Patents—Definitions of Covered Business Method Patent and Technological Invention; Final Rule, 77 Fed. Reg. at 48,737. A “determination of whether a patent is to a technological invention will be determined based on the claims of the patent.” *Id.* at 48,736. Based on the facts of this particular case, we determine that the ’336 patent is a “covered business method patent” that is not excluded for being a “technological invention” and, therefore, is eligible for a covered business method patent review.

B. Claim Construction

In a covered business method patent review, the Board interprets claim terms in an unexpired patent using the broadest reasonable construction. 37 C.F.R. § 42.300(b); Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,766 (Aug. 14, 2012); *In re Cuozzo Speed Techs., LLC*, No. 2014-1301, 2015 WL 448667, at *5–8 (Fed. Cir. Feb. 4, 2015). Claim terms generally are given their ordinary and customary meaning, as would be understood by one of ordinary skill in the art in the context of the entire disclosure. *In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). We have reviewed Petitioner’s and Patent Owner’s statements regarding claim construction (*see* Pet. 17–20; Prelim. Resp. 26–27), but we determine that express construction of any particular term is unnecessary for purposes of this Decision.

C. Challenge to Claim 1 Based on Same-Invention Type Double Patenting

Petitioner contends that claim 1 of the ’336 patent is unpatentable for same-invention type double patenting under 35 U.S.C. § 101 in view of claim 1 of U.S. Patent No. 7,590,997 (“the ’997 patent,” Ex. 1003).⁷ Pet. 66–79. Petitioner asserts that “[t]he AIA permits challenges under 35 U.S.C. § 101 in CBM proceedings.” *Id.* at 66 (citing *Apple Inc. v. SightSound Technologies, LLC*, Case CBM2013-00021, slip op. at 24 (PTAB Oct. 8, 2013) (Paper 13) (holding that judicially-created obviousness-type double

⁷ The ’336 patent is a continuation-in-part of the ’997 patent. Pet. 16, 66; Ex. 1001. The ’336 patent and the ’997 patent are commonly owned by Patent Owner and both list the same sole inventor. Pet. 67.

patenting is not a permissible ground for challenging claims in a covered business method patent review)). As set forth in the *SightSound* case, any ground that could be raised under 35 U.S.C. § 282(b)(2) or (3) can be raised in a covered business method patent review. See AIA § 18(a)(1); 35 U.S.C. § 321(b). The grounds under 35 U.S.C. § 282(b)(2) are: “Invalidity of the patent or any claim in suit on any ground specified in part II as a condition for patentability.” Title 35, Part II includes 35 U.S.C. § 101. “[S]ame invention,” or “statutory,” double patenting prevents a person from obtaining more than one patent on identical subject matter. *In re Longi*, 759 F.2d 887, 892 (Fed. Cir. 1985). This type of double patenting “finds its support in the language of 35 U.S.C. § 101,” which states that “[w]hoever invents or discovers any new and useful process . . . may obtain a patent therefor.” *Id.* (emphasis added). For purposes of this Decision, we determine that same-invention type double patenting under 35 U.S.C. § 101 is a permissible ground for challenging claims in a covered business method patent review.

Petitioner states that the test for same-invention type double patenting “is whether one of the claims could be literally infringed without literally infringing the other. If it could be, the claims do not define identically the same invention.” Pet. 67 (citing *Application of Vogel*, 422 F.2d 438, 441 (CCPA 1970)). Petitioner asserts that “[a] person of ordinary skill in the art would understand that ’336 claim 1 could not be literally infringed without literally infringing ’997 claim 1.” *Id.* at 72 (citing the Declaration of Stephen D. Bristow, Ex. 1011 ¶ 109); see also *id.* at 72–75 (setting forth a side-by-side comparison of claim 1 of the ’336 and ’997 patents).

Patent Owner argues Petitioner fails to apply properly the test for same-invention type double patenting for at least two reasons. Prelim. Resp.

29–30. First, Patent Owner points out that claim 1 of the '997 patent refers to the uploading, receipt, and storage of “a plurality of video content segments,” such that “[t]o literally infringe claim 1 of the '997 Patent, a user must be enabled to upload a *plurality* (i.e., more than one) of video content segments over the open online network.” *Id.* at 30 (citing Ex. 1003, 14:53–59). Patent Owner argues that claim 1 of the '336 patent merely requires a user to “be enabled to upload ‘video content,’ which could be in the form of a *single* video content segment.” *Id.* at 31. Patent Owner argues that claim 1 of the '336 patent could, thus, be literally infringed by enabling the upload of a single video content segment, whereas claim 1 of the '997 patent could not be literally infringed by enabling the upload of a single video content segment. *Id.*

Second, Patent Owner points out that claim 1 of the '997 patent refers to “links among video content segments that are ordered with respect to one another in a particular hierarchy,” whereas “[t]his feature of ‘linking’ is entirely absent from claim 1 of the '336 Patent.” *Id.* at 31–32 (citing Ex. 1003, 15:1–7). Patent Owner argues that because “claim 1 of the '336 Patent can be infringed by a system with unlinked video content segments[,] but claim 1 of the '997 Patent cannot, the proposed ground of rejection based on double patenting again fails.” *Id.* at 33.

We agree with Patent Owner on both points, and therefore, we are not persuaded that Petitioner has demonstrated that it is more likely than not that claim 1 of the '336 patent is unpatentable for same-invention type double patenting over claim 1 of the '997 patent.

*D. Obviousness of Claims 1--4 and 7--11 over Novak (Ex. 1007),
Dukiewicz (Ex. 1008), and Logan (Ex. 1009)*

1. Overview of Novak

Novak discloses a system and method for an individual to upload media objects⁸ to a server⁹ in which the media objects can be ultimately provided to an end user via a “synthetic channel” on a television of a cable subscriber. Ex. 1007, Abstr., ¶¶ 10, 28. A user interface may allow the individual uploading the media objects to indicate date, time slot, descriptions, file types, etc., associated with the media objects. *Id.* ¶¶ 62–63. The server “makes the media objects available and accessible through the Internet via . . . web site 124 or via other techniques/connections.” *Id.* ¶ 39. The upload source can own the server that stores web site 124, or the server can be hosted by third parties. *Id.* ¶ 40.

“[T]he synthetic channel is able to provide the media programs according to the type, sequence, length, desired scheduled play time, etc. specified by the individual who uploaded the media objects to the server.” *Id.* ¶ 26. The synthetic channel “can be tuned to or selected by the end user as if tuning to a conventional television broadcast channel.” *Id.* ¶ 10. “The synthetic channel is provisioned with information to access and display at

⁸ Exemplary media objects include audio and video clips, JPEGs, recorded audiovideo tape clips, sequenced JPEGs with attached audio files, MPEGs, MP3 files, web camera video clips, flash animation, text and graphics, or other media files. Ex. 1007 ¶ 39.

⁹ “The server can comprise part of or be communicatively coupleable to an interactive video casting system, such as an interactive television system.” Ex. 1007 ¶ 25.

least one media object . . . stored in a storage location if the synthetic channel is selected by a client terminal.” *Id.*

Information relating to the media object and the synthetic channel can be provided in an electronic program guide, “instead of having to navigate through complicated URL addresses and hyperlinks on the Internet.” *Id.*

¶¶ 10, 26. The information for the synthetic channel is displayed concurrently with information for television programs of available conventional channels. *Id.* ¶¶ 71, 74. The electronic program guide or set top box of the cable subscriber can “communicat[e] with the web site 124 to receive the uploaded media objects themselves when the synthetic channel is selected by the end user.” *Id.* ¶¶ 59, 75.

2. Overview of Dukiewicz

Dukiewicz discloses “devices and processes for generating metadata for individual program segments, thus allowing program segments to be treated as individual programming events that can be individually evaluated by the user or by user equipment,” as opposed to evaluation of programs “on a whole-program basis.” Ex. 1008 ¶ 15. The production data used to produce multi-segmented programming can be processed to generate metadata and distribute that metadata to consumers in advance of the airing of the program. *Id.*

Dukiewicz further discloses “a content classification hierarchy for classifying the content of programming events and for defining viewer’s particular interests” that allows for classification “with a previously unattainable degree of specificity.” *Id.* ¶ 16. For example, rather than broadly classifying based on “[s]ports,” the hierarchical classification could specify “Buffalo Bills” within “AFC” within “NFL” within “Football”

within the broad category of “[s]ports.” *Id.* ¶ 70. When the hierarchical classification is “coupled with metadata describing individual program segments . . . it becomes possible to provide the viewer with a truly personalized viewing experience, from which all uninteresting subject matter has been eliminated through deep content specific filtering at the program segment level.” *Id.* ¶ 17.

3. *Overview of Logan*

Logan discloses “a personalized information delivery system . . . which incorporates mechanisms for selectively delivering a subset of [a large number of diverse] programs to a given subscriber based on that subscriber’s characteristics, subject matter preferences and interests, and express requests.” Ex. 1009, Abstr., 1:39–46. Logan discloses that player mechanism 103 accepts commands that control the playback mechanism, including the command “MARK” that is “used to place a ‘bookmark’ into the usage log which identifies a program segment . . . which the listener wishes to designate for future use.” *Id.* at 12:17–20; 14:42–45. Logan discloses that “[b]y bookmarking a program segment, that segment may be recalled by the subscriber and all or part of it saved for later use in local storage, from which it may be reproduced, forwarded as an attachment to an email message, and the like.” *Id.* at 14:48–52.

4. *Obviousness of Claims 1–4 and 7–11*

Petitioner argues that the combination of Novak, Dukiewicz, and Logan renders claim 1 unpatentable as obvious. Pet. 21–40. Petitioner asserts that “Novak discloses a complete digital television system including traditional television content as well as content uploaded through the Internet into the closed digital system.” *Id.* at 26 (noting Figure 1’s

disclosure of uploaded content traveling from upload source 122 through web site 124 to cable service provider 108, which delivers the content over cable network 134 to cable subscribers, as well as electronic program guide 153 as part of set top box 152) (citing Ex. 1007 ¶¶ 27, 37, 39).

a. “Enabling” Step of Claim 1

With respect to the particular claim element of “enabling the uploading of video content . . . along with a title and a hierarchical address of hierarchically-arranged categories and subcategories as metadata for categorizing a hierarchical ordering for the title for the video content” (Ex. 1001, 21:27–34), Petitioner asserts that Novak “discloses the use of metadata associated with uploaded content that can be used to create hierarchical categories for ordering video content.” Pet. 28. Petitioner points to, in particular, Novak’s disclosure that “a plurality of headings 704 [e.g., date, time slot, media object identifier, media object description, file type, preview video] identifies a corresponding plurality of fields 706 where the individual can enter media object information or preferences.” *Id.* (quoting Ex. 1007 ¶ 63); *see* Ex. 1007, Fig. 7. Petitioner also points to Novak’s disclosure that “[o]ther fields may be present where the uploading individual can provide not just schedule information but also other program information, such as actors . . . director, story summary, . . . etc. that are all accessible/displayable from the [electronic program guide] 153.” *Id.* at 28–29 (quoting Ex. 1007 ¶ 63).

We are not persuaded by Petitioner’s contentions that Novak alone teaches or suggests the uploading of “a hierarchical address of hierarchically-arranged categories and subcategories as metadata for categorizing a hierarchical ordering for the title for the video content.”

Petitioner argues that “hierarchically-arranged categories and subcategories as metadata for categorizing a hierarchical ordering [for] the title for the video content” should be construed as “topics and subtopics associated with a particular video title that are useful to categorize and order the title.” Pet. 20 (citing Ex. 1001, 3:28–34, 18:3–20). Petitioner suggests that “genre” could be a “topic,” and “director or actor” could be a “subtopic,” but Petitioner does not describe how these purported topics and subtopics would be useful to order or identify the title. *Id.*; *see also* Ex. 1001, 15:37–41 (describing the “hierarchical addressing scheme” as “a string of category term, subcategory term(s), and title that together . . . uniquely identify[] each program”). At most, Petitioner has explained how Novak teaches the inclusion of terms (e.g., media object description, actors, director, story summary) that may be used to describe uploaded video content, but not how these terms are arranged hierarchically into topics and subtopics to categorize and order the title.

Petitioner further asserts that to the extent that “hierarchically arranged categories and subcategories are not disclosed inherently by Novak, this feature of claim 1 is disclosed by Du[k]iewicz.” *See* Pet. 30–31 (citing Ex. 1011 ¶ 37; Ex. 1008 ¶ 70, Fig. 8). Petitioner explains that Figure 8 of Dukiewicz “illustrates a portion of an exemplary classification hierarchy At the top level of the hierarchy are general subject categories . . . [and] extending from each of the top level categories is a tree of more specific subject categories that fall within the top level category.” *Id.* at 31 (citing Ex. 1008 ¶ 70, Fig. 8). Petitioner further asserts that Dukiewicz discloses that descriptive data concerning a given programming event can be processed to produce metadata to classify the programming

event using the classification hierarchy of Figure 8. *Id.* (citing Ex. 1008 ¶ 72, Fig. 8; Ex. 1011 ¶ 39).

Petitioner argues that “a person of skill in the art would . . . find the additional, more detailed disclosure of [Dukiewicz’s] categorization method helpful in implementing the invention of Novak.” *Id.* at 23. More particularly, Petitioner argues that “[b]ecause both Novak and Du[kiewicz] disclose the inclusion of metadata information with available video content, . . . it would naturally follow to use that information to categorize the uploaded content on the VOD platform in a logical way.” *Id.* According to Petitioner, “[b]y providing a method for automatic hierarchical categorization of programming content based on metadata, Du[kiewicz] facilitates the practice of the VOD system described in Novak.” *Id.* at 22.

The “enabling” and “listing” steps of claim 1 refer to the same “hierarchically-arranged categories and subcategories” in uploaded metadata. Even assuming we agree with Petitioner that the combination of Novak and Dukiewicz renders obvious the “enabling” step of claim 1, we determine that Petitioner has not shown sufficiently that the combination of prior art references renders obvious the subsequent “listing” step of claim 1, as explained further below.

b. “Listing” Step of Claim 1

With respect to the particular claim element of “listing the title of the video content in an electronic program guide for the VOD platform of the discrete digital TV service provider using the same hierarchically-arranged categories and subcategories as used in the uploaded metadata” (Ex. 1001, 21:42–48), Petitioner asserts that interface 702 of Figure 7 of Novak uses headings and fields, such as title, file type, time slot information, actors,

personalities, director, story summary, etc., for the purpose of organizing uploaded content. Pet. 36 (citing Ex. 1007 ¶¶ 63–64, Fig. 7). Petitioner further asserts that electronic program guide 153 includes listing 908 that “identifies the time slots, descriptions, and lengths (collectively shown at 910) of the media program that . . . upload source 122 created and is now making available to end users for viewing.” *Id.* at 35–36 (citing Ex. 1007 ¶ 74, Fig. 9). The implication is that the electronic program guide of Novak’s Figure 9 uses the same data as the metadata inserted through interface 702. Pet. 35. Petitioner argues that Novak discloses that “[o]nce the media object(s) is uploaded to the server, information related to the media objects can be displayed in an electronic program guide (EPG) or otherwise made available to selected subscribers or end users of the interactive video casting system.” Pet. 34–35 (citing Ex. 1007 ¶ 26; Ex. 1011 ¶ 45).

Again, we are not persuaded by Petitioner’s contentions that Novak alone teaches or suggests listing the title of the video content in an electronic program guide using the same hierarchically-arranged categories and subcategories as used in the uploaded metadata for the hierarchical address. At most, Petitioner has explained how Novak teaches the inclusion of the title of the uploaded content in an electronic program guide (as well as time slot, length, and a description, for example), but not how *any* hierarchically-arranged categories and subcategories are used in listing the title of the video content in the electronic program guide, let alone the *same* hierarchically-arranged categories and subcategories as were used in the uploaded metadata (i.e., data to describe a hierarchical ordering that is useful to categorize and order the title of video content).

To the extent that the hierarchically-arranged categories and subcategories are “not disclosed inherently in Novak,” Petitioner again relies on Dukiewicz, pointing to Dukiewicz’s alleged “explicit disclosure of subject-based hierarchically-arranged categories for organizing programming information.” *Id.* at 36 (citing Ex. 1008 ¶¶ 70–71). Even assuming we agree with Petitioner’s view of Dukiewicz’s teachings, we determine that Petitioner has not shown sufficiently that a person of ordinary skill would have combined Dukiewicz and Novak to render obvious the “listing” step of claim 1, as explained further below.

c. Reason to Combine

As stated in *KSR*, “a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art.” *KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 418 (2007). “Although common sense directs one to look with care” at patent claims that combine “two known devices according to their established functions, it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements.” *Id.*; *Unigene Labs., Inc. v. Apotex, Inc.*, 655 F.3d 1352, 1360 (Fed. Cir. 2011) (“Obviousness requires more than a mere showing that the prior art includes separate references covering each separate limitation in a claim under examination. Rather, obviousness requires the additional showing that a person of ordinary skill at the time of the invention would have selected and combined those prior art elements”); *see also In re Chaganti*, 554 F. App’x 917, 922 (Fed. Cir. 2014) (“It is not enough to say that there would have been a reason to combine two references because to do so would ‘have been obvious to one of ordinary skill.’ Such circular

reasoning is not sufficient—more is needed to sustain an obviousness rejection”) (citation omitted). As explained in *KSR*, an analysis regarding an apparent reason to combine known elements “should be made explicit.” *KSR*, 550 U.S. at 418.

Petitioner asserts that “[i]t would have been obvious to use [Dukiewicz’s] organization technique in conjunction with the electronic program guide disclosed in Novak” to render obvious the “listing” step of claim 1. Pet. 36 (citing Ex. 1011 ¶ 47). Petitioner seems to reason that using Dukiewicz’s organization technique (in which metadata is produced to classify content using a classification hierarchy) is useful with Novak’s electronic program guide “to categorize the uploaded content on the VOD platform in a logical way” (Pet. 23) and “for organizing programming information” (*id.* at 36).

Patent Owner, however, argues that “Novak teaches that the program lineup is fixed by the upload source (*i.e.*, arranging the programs into time slots) and is sent to the end viewer over a dedicated synthetic channel, which obviates any need to arrange programs in hierarchical categories and subcategories.” Prelim. Resp. 45. Patent Owner also argues that end users will be aware of the location of media programs without having to search for them in an electronic program guide because the media programs are only available on a dedicated channel. *Id.* at 45–46.

We agree with Patent Owner and are not persuaded that Petitioner has provided sufficiently articulated reasoning having a rational evidentiary underpinning explaining why an ordinary artisan would have had a reason to modify Novak’s electronic program guide to list the title of uploaded video content in the electronic program guide using the same hierarchically-

arranged categories and subcategories as used in the metadata produced in Dukiewicz for classifying content, considering that the content is already logically organized into assigned time slots on a single channel in Novak to facilitate identification and selection by the end user. Moreover, Petitioner has not explained with any particularity how Dukiewicz's classification hierarchy would be combined with listing the title of uploaded video content in Novak's electronic program guide, so as to support that such a modification of Novak would result in a logical organization of programming as asserted by Petitioner.

We also have considered Petitioner's argument that Novak and Dukiewicz share the same U.S. Classification code, as well as common elements (such as the use of electronic program guides). Pet. 23. These arguments, however, do not remedy the lack of reasoning to explain *why* or *how* one of ordinary skill in the art would use Dukiewicz's classification hierarchy in connection with Novak's electronic program guide.

Consequently, Petitioner has not demonstrated that it is more likely than not that independent claim 1 is unpatentable as obvious over Novak, Dukiewicz, and Logan. For the same reasons, we are not persuaded that Petitioner has demonstrated that it is more likely than not that dependent claims 2–4 and 7–11 are unpatentable as obvious over Novak, Dukiewicz, and Logan.

*E. Obviousness of Claims 1–4 and 7–11 over Novak (Ex. 1007),
Wilson (Ex. 1010), and Logan (Ex. 1009)*

1. Overview of Wilson

Wilson discloses a television program guide having a hierarchical tree structure. Ex. 1010, Abstr. The classifications of the hierarchical tree

structure may fall into first level, second level, third level, fourth level, and fifth level categories. *Id.* ¶ 47. Upon selecting particular content, the title of the program and channel and broadcast time can be displayed. *Id.* ¶ 50.

2. Obviousness of Claims 1–4 and 7–11

Petitioner contends that claim 1 would have been obvious over the combination of Novak, Wilson, and Logan. Pet. 53–59. For the same reasons as described above, we determine that, on the present record, Petitioner has not shown that Novak alone teaches or suggests the uploading of “a hierarchical address of hierarchically-arranged categories and subcategories as metadata for categorizing a hierarchical ordering for the title for the video content” or listing the title of the video content in an electronic program guide using the same hierarchically-arranged categories and subcategories as used in the uploaded metadata for the hierarchical address.

Petitioner submits that the limitation of uploading “a hierarchical address of hierarchically-arranged categories and subcategories as metadata for categorizing a hierarchical ordering for the title for the video content” “would have been obvious to one of skill in the art in view of the combination of Novak and Wilson.” Pet. 55–57. Petitioner points to Wilson’s “hierarchical program guide . . . shown in Figure 2” that includes “a plurality of levels, including at least a first level displayed on the display device and a second level.” *Id.* at 56 (citing Ex. 1010 ¶¶ 19, 27, Fig. 2).

As to a rationale for the combination of Novak and Wilson, Petitioner argues that “[h]ierarchical organization by category, as described by Wilson, would be a desirable means of organizing uploaded content to maximize discoverability” and “would also provide a convenient means for a user to

locate and identify a desired item of programming content within the VOD system of Novak.” *Id.* at 54. Petitioner further argues that Wilson “builds on [Novak’s] disclosure [of ‘the use of metadata as a means of locating desired content’] by describing a specific implementation of an electronic program guide that details the user interface features of a hierarchical structure.” *Id.* at 54–55 (citing Ex. 1007 ¶ 63; Ex. 1010 ¶ 19).

Although Novak arguably discloses the inclusion of metadata information (title, time slot, length, description, etc.) with uploaded content, Novak does not disclose the use of this metadata as a means for users to locate desired content other than showcasing the content at the desired data and time slot entered by the uploader. Patent Owner argues that “Wilson does not explicitly describe how content selections become associated with various categories in the hierarchical tree.” Prelim. Resp. 52. We agree with Patent Owner that Petitioner has not described sufficiently how Wilson’s classification hierarchy within its electronic program guide could be utilized in Novak’s system (in which users insert data regarding the uploaded content) so as to enable the uploading of a hierarchical address of categories and subcategories as metadata, along with the content itself.

As to the limitation of “listing the title of the video content in an electronic program guide . . . using the same hierarchically-arranged categories and subcategories as used in the uploaded metadata for the hierarchical address for the video content” (Ex. 1001, 21:42–47), Petitioner asserts that this element “would have been obvious to one of skill in the art in view of the combination of Novak with Wilson.” Pet. 57. Petitioner asserts that Wilson discloses that second level category 720b may have a plurality of third level categories 730a–c, such as title, actors, and director,

and that within the program guide, displayed data may include channel information, titles, program descriptions, and broadcast time. *Id.* at 58 (citing Ex. 1010 ¶¶ 19, 47, 50, 61, Figs. 2, 7). As to a rationale for the combination of Novak and Wilson, Petitioner argues that “a person of skill in the art would be motivated to improve upon the electronic program guide disclosed in Novak using the additional teachings of Wilson” in order “to organize th[e] content to make it readily accessible to the user.” *Id.* at 54.

Patent Owner, however, argues that “the arrangement of media objects in Novak is fixed by the uploading source and sent to a viewer via a synthetic channel, removing any need for hierarchical arrangement.” Prelim. Resp. 52 (citing Ex. 1007 ¶ 63). We agree with Patent Owner and are not persuaded that Petitioner has explained adequately why an ordinary artisan would have had a reason to purportedly improve upon Novak’s electronic program guide to list the title of the uploaded video content in the electronic program guide in a hierarchical organization by category as described in Wilson, considering that the content is already logically organized into assigned time slots on a single channel in Novak to facilitate identification and selection by the end user.

Overall, Petitioner provides insufficiently articulated reasoning that lacks a rational evidentiary underpinning explaining how or why Wilson’s teachings (that do not describe how content becomes associated with a particular hierarchical classification) would be combined with Novak’s teachings (that do not describe associating hierarchically-arranged categories and subcategories with uploaded content to order or identify content in light of content appearing on a single dedicated channel) to result in the claimed method.

We also have considered Petitioner's argument that Novak and Wilson share the same International Classification Number. Pet. 55. This argument, however, does not remedy the lack of reasoning to explain *why* or *how* one of ordinary skill in the art would use Wilson's hierarchical electronic program guide in connection with Novak's system of assigning a date and time slot at the time of uploading content for airing of the uploaded content on a single dedicated channel.

Consequently, Petitioner has not demonstrated that it is more likely than not that independent claim 1 is unpatentable as obvious over Novak, Wilson, and Logan. For the same reasons, we are not persuaded that Petitioner has demonstrated that it is more likely than not that dependent claims 2–4 and 7–11 are unpatentable as obvious over Novak, Wilson, and Logan.

III. CONCLUSION

For the foregoing reasons, we determine that Petitioner has not demonstrated that it is more likely than not that at least one of the claims challenged in the Petition is unpatentable.

IV. ORDER

For the reasons given, it is

ORDERED that institution of covered business method patent review is *denied*.

CBM2014-00189
Patent 7,631,336 B2

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Electronic Acknowledgement Receipt

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| EFS ID: | 31488361 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Charles R. Macedo/Victoria Gilmore |
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| Application Type: | Utility under 35 USC 111(a) |

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| | Amendment/Req. Reconsideration-After Non-Final Reject | 1 | 1 |
| | Claims | 2 | 5 |
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

| FOR | NUMBER FILED | NUMBER EXTRA | RATE (\$) | FEE (\$) |
|--|---|--------------|-----------|----------|
| <input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c)) | N/A | N/A | N/A | |
| <input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (j), or (m)) | N/A | N/A | N/A | |
| <input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q)) | N/A | N/A | N/A | |
| TOTAL CLAIMS (37 CFR 1.16(i)) | minus 20 = * | * | X \$ = | |
| INDEPENDENT CLAIMS (37 CFR 1.16(h)) | minus 3 = * | * | X \$ = | |
| <input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s)) | If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | | | |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j)) | | | | |
| * If the difference in column 1 is less than zero, enter "0" in column 2. | | | TOTAL | |

APPLICATION AS AMENDED – PART II

| | (Column 1) | (Column 2) | (Column 3) | (Column 3) | RATE (\$) | ADDITIONAL FEE (\$) |
|------------------|--|----------------------------------|------------------------------------|---------------|-----------------|---------------------|
| AMENDMENT | 01/12/2018 | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | | |
| | Total (37 CFR 1.16(i)) | * 17 | Minus | ** 20 | = 0 | X \$40 = 0 |
| | Independent (37 CFR 1.16(h)) | * 1 | Minus | ***3 | = 0 | X \$210 = 0 |
| | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(s)) | | | | | |
| | <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | | |
| | | | | | TOTAL ADD'L FEE | 0 |

| | (Column 1) | (Column 2) | (Column 3) | (Column 3) | RATE (\$) | ADDITIONAL FEE (\$) |
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| AMENDMENT | | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | | |
| | Total (37 CFR 1.16(i)) | * | Minus | ** | = | X \$ = |
| | Independent (37 CFR 1.16(h)) | * | Minus | *** | = | X \$ = |
| | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(s)) | | | | | |
| | <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) | | | | | |
| | | | | | TOTAL ADD'L FEE | |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
 PAULA MCCRAY STANLEY

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| Electronic Petition Request | TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT | |
| Application Number | 15192598 | |
| Filing Date | 24-Jun-2016 | |
| First Named Inventor | Milton Perez | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |
| Title of Invention | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | |
| <input checked="" type="checkbox"/> Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action <input checked="" type="checkbox"/> This electronic Terminal Disclaimer is not being used for a Joint Research Agreement. | | |
| Owner | Percent Interest | |
| Broadband iTV, Inc. | 100% | |
| <p>The owner(s) with percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent number(s)</p> <p>9635423</p> <p>as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:</p> <ul style="list-style-type: none"> - expires for failure to pay a maintenance fee; - is held unenforceable; - is found invalid by a court of competent jurisdiction; - is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; - has all claims canceled by a reexamination certificate; - is reissued; or - is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. <p><input checked="" type="radio"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.</p> | | |

I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.

Applicant claims the following fee status:

- Small Entity
- Micro Entity
- Regular Undiscounted

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

- An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application

Registration Number 38732

- A sole inventor
- A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application
- A joint inventor; all of whom are signing this request

| | |
|-----------|-----------------|
| Signature | /Tzvi Hirshaut/ |
| Name | Tzvi Hirshaut |

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Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Electronic Patent Application Fee Transmittal

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|--|--|-----------------|---------------|-----------------------------|
| Application Number: | 15192598 | | | |
| Filing Date: | 24-Jun-2016 | | | |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | | | |
| First Named Inventor/Applicant Name: | Milton Diaz Perez | | | |
| Filer: | Tzvi Hirshaut/Victoria Gilmore | | | |
| Attorney Docket Number: | BBitV-CIP1-D9 (07612/58) | | | |
| Filed as Small Entity | | | | |
| Filing Fees for Utility under 35 USC 111(a) | | | | |
| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | | | |
| STATUTORY OR TERMINAL DISCLAIMER | 2814 | 1 | 160 | 160 |
| Pages: | | | | |
| Claims: | | | | |
| Miscellaneous-Filing: | | | | |
| Petition: | | | | |
| Patent-Appeals-and-Interference: | | | | |
| Post-Allowance-and-Post-Issuance: | | | | |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|---------------------------|----------|----------|--------|----------------------|
| Extension-of-Time: | | | | |
| Miscellaneous: | | | | |
| Total in USD (\$) | | | | 160 |

Doc Code: DISQ.E.FILE

Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 15192598

Filing Date: 24-Jun-2016

Applicant/Patent under Reexamination: Perez

Electronic Terminal Disclaimer filed on February 15, 2018

APPROVED

This patent is subject to a terminal disclaimer

DISAPPROVED

Approved/Disapproved by: Electronic Terminal Disclaimer automatically approved by EFS-Web

U.S. Patent and Trademark Office

Electronic Acknowledgement Receipt

| | |
|---|--|
| EFS ID: | 31801025 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Tzvi Hirshaut/Victoria Gilmore |
| Filer Authorized By: | Tzvi Hirshaut |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 15-FEB-2018 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 14:44:10 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

| | |
|--|-----------------------------|
| Submitted with Payment | yes |
| Payment Type | DA |
| Payment was successfully received in RAM | \$160 |
| RAM confirmation Number | 021618INTEFSW00001072011785 |
| Deposit Account | |
| Authorized User | |

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|--|--------------------------|---|------------------|------------------|
| 1 | Terminal Disclaimer-Filed (Electronic) | eTerminal-Disclaimer.pdf | 33468 97a78d821238d1947c946c99e4b52777b72b74d8 | no | 2 |

Warnings:**Information:**

| | | | | | |
|---|----------------------|--------------|---|----|---|
| 2 | Fee Worksheet (SB06) | fee-info.pdf | 30623 06dd6c016285e9e355ecec1eb9c259458c106994 | no | 2 |
|---|----------------------|--------------|---|----|---|

Warnings:**Information:**

| | |
|-------------------------------------|-------|
| Total Files Size (in bytes): | 64091 |
|-------------------------------------|-------|

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



NOTICE OF ALLOWANCE AND FEE(S) DUE

1912 7590 03/13/2018
AMSTER, ROTHSTEIN & EBENSTEIN LLP
90 PARK AVENUE
NEW YORK, NY 10016

EXAMINER
ALAM, MUSHFIKH I

ART UNIT PAPER NUMBER

2426

DATE MAILED: 03/13/2018

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

15/192,598 06/24/2016 Milton Diaz Perez BBTV-CIPI-D9 1328
TITLE OF INVENTION: SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

1912 7590 03/13/2018
AMSTER, ROTHSTEIN & EBENSTEIN LLP
 90 PARK AVENUE
 NEW YORK, NY 10016

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

| |
|--------------------|
| (Depositor's name) |
| (Signature) |
| (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|--|------------------|
| 15/192,598 | 06/24/2016 | Milton Diaz Perez | BBITV-CIP1-D9 <small>(07612/58)</small> | 1328 |

TITLE OF INVENTION: SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER

| APPLN. TYPE | ENTITY STATUS | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|---------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | SMALL | \$500 | \$0 | \$0 | \$500 | 06/13/2018 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|------------------|----------|----------------|
| ALAM, MUSHFIKH I | 2426 | 725-087000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
 (1) The names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)
 PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.
 (A) NAME OF ASSIGNEE _____ (B) RESIDENCE: (CITY and STATE OR COUNTRY) _____

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are submitted:
 Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)
 A check is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)
 Applicant certifying micro entity status. See 37 CFR 1.29
 Applicant asserting small entity status. See 37 CFR 1.27
 Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
Row 1: 15/192,598, 06/24/2016, Milton Diaz Perez, BBITV-CIP1-D9 (07612/58), 1328
Row 2: 1912, 7590, 03/13/2018, AMSTER, ROTHSTEIN & EBENSTEIN LLP, 90 PARK AVENUE, NEW YORK, NY 10016, EXAMINER ALAM, MUSHFIKH I, ART UNIT 2426, PAPER NUMBER

DATE MAILED: 03/13/2018

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

| | | | |
|-------------------------------|--------------------------------------|---|--|
| Notice of Allowability | Application No. 15/192,598 | Applicant(s) PEREZ, MILTON DIAZ | |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 | AIA (First Inventor to File) Status No |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 2/15/2018.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. The allowed claim(s) is/are 1-17. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a) All b) Some *c) None of the:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>See Continuation Sheet</u> 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material 4. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date <u>2/14/2018</u>. | <ol style="list-style-type: none"> 5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 7. <input type="checkbox"/> Other _____. |
|--|---|

Continuation of Attachment(s) 2. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 11/16/2017, 12/11/2017.

DETAILED ACTION

1. The present application is being examined under the pre-AIA first to invent provisions.

Terminal Disclaimer

2. The terminal disclaimer filed on 2/15/2018 disclaiming the terminal portion of any patent granted on this application has been reviewed and is accepted. The terminal disclaimer has been recorded.

Information Disclosure Statement

3. The references listed on the Information Disclosure Statements filed on 11/16/2017, 12/11/2017 has been considered by examiner (see attached PTO/SB/08).

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Macedo on 2/14/2018.

The Application has been amended as follows:

In The Claims:

1. (Currently Amended) An Internet-connected digital device for receiving₁ via the Internet₁ video content to be viewed by a subscriber of a video-on-demand system using a hierarchically arranged electronic program guide,

the Internet-connected digital device being configured to obtain and present to the subscriber an electronic program guide as a templated video-on-demand display, which uses at least one of a plurality of different display templates to which the Internet-connected digital device has access, to enable a subscriber using the Internet-connected digital device to navigate in a drill-down manner through titles by category information in order to locate a particular one of the titles whose associated video content is desired for viewing on the Internet-connected digital device using the same category information as was designated by a video content provider in metadata associated with the video content;

wherein the templated video-on-demand display has been generated in a plurality of layers, comprising:

(a) a first layer comprising a background screen to provide at least one of a basic color, logo, or graphical theme to display;

(b) a second layer comprising a particular display template from the plurality of different display templates layered on the background screen, wherein the particular display template comprises one or more reserved areas that are reserved for displaying content provided by a different layer of the plurality of layers; and

(c) a third layer comprising reserved area content generated using the received video content, the associated metadata, and the associated plurality of images to be displayed in the one or more reserved areas in the particular display template as at least one of text, an image, a navigation link, and a button,

wherein the navigating through titles in a drill-down manner comprises navigating from a first level of the hierarchical structure of the video-on-demand content menu to a second level of the hierarchical structure to locate the particular one of the titles, and

wherein a first template of the plurality of different display templates is used as the particular display template for the templated display for displaying the first level of the hierarchical structure and wherein a second template of the plurality of different display templates is used as the particular display template for the templated display for displaying the second level of the hierarchical structure.

wherein the received video content was uploaded to a Web-based content management system by a content provider device associated with the video content provider via the Internet in a digital video format, along with associated metadata including title information and category information, and along with an associated plurality of images designated by the video content provider, the associated metadata specifying a respective hierarchical location of a respective title of the video content within the electronic program guide to be displayed on the Internet-connected digital device using the respective hierarchically-arranged category information associated with the respective title,

wherein at least one of the uploaded associated plurality of images designated by the video content provider is displayed with the associated respective title in the templated video-on-demand display.

Allowable Subject Matter

5. Claims 1-17 are allowed.

6. The following is an examiner's statement of reasons for allowance:

With respect to claim 1, the prior art of record fails to disclose singly or in combination or render obvious an Internet-connected digital device for receiving, via the Internet, video content to be viewed by a subscriber of a video-on-demand system using a hierarchically arranged electronic program guide,

the Internet-connected digital device being configured to obtain and present to the subscriber an electronic program guide as a templated video-on-demand display, which uses at least one of a plurality of different display templates to which the Internet-connected digital device has access, to enable a subscriber using the Internet-connected digital device to navigate in a drill-down manner through titles by category information in order to locate a particular one of the titles whose associated video content is desired for viewing on the Internet-connected digital device using the same category information as was designated by a video content provider in metadata associated with the video content;

wherein the templated video-on-demand display has been generated in a plurality of layers, comprising:

(a) a first layer comprising a background screen to provide at least one of a basic color, logo, or graphical theme to display;

(b) a second layer comprising a particular display template from the plurality of different display templates layered on the background screen, wherein the particular display template comprises one or more reserved areas that are reserved for displaying content provided by a different layer of the plurality of layers; and

(c) a third layer comprising reserved area content generated using the received video content, the associated metadata, and the associated plurality of images to be displayed in the one or more reserved areas in the particular display template as at least one of text, an image, a navigation link, and a button,

wherein the navigating through titles in a drill-down manner comprises navigating from a first level of the hierarchical structure of the video-on-demand content menu to a second level of the hierarchical structure to locate the particular one of the titles, and

wherein a first template of the plurality of different display templates is used as the particular display template for the templated display for displaying the first level of the hierarchical structure and wherein a second template of the plurality of different display templates is used as the particular display template

for the templated display for displaying the second level of the hierarchical structure.

wherein the received video content was uploaded to a Web-based content management system by a content provider device associated with the video content provider via the Internet in a digital video format, along with associated metadata including title information and category information, and along with an associated plurality of images designated by the video content provider, the associated metadata specifying a respective hierarchical location of a respective title of the video content within the electronic program guide to be displayed on the Internet-connected digital device using the respective hierarchically-arranged category information associated with the respective title,

wherein at least one of the uploaded associated plurality of images designated by the video content provider is displayed with the associated respective title in the templated video-on-demand display.

The prior art do not disclose or render obvious the amended features.

Furthermore, claim 1 recites a method claim for providing a VOD delivery platform which services multiple users. Thus, the claim is directed to a process, which is one of the statutory categories of invention.

Next, the claim recites the VOD content provider, web-based content management server. The network also receives uploaded content with metadata associated to the content for service to users in a VOD demand platform. Users will select content, from the VOD server, which will be played back from a tuner on the user

equipment. The data will be organized with categories and subcategories in a hierarchical structure to solve the problem of a user having to sift through thousands of titles in order to find a program of interest. The claim does not recite a basic concept that is similar to any abstract idea previously identified by the courts. For example, the claim does not recite any mathematical concept, a mental process such as comparing or categorizing information that can be performed in the human mind, or by a human using a pen and paper. Accordingly, the claim does not set forth or describe an abstract idea. Instead, the claimed method is necessarily rooted in video streaming technology to overcome a problem specifically arising in Video On Demand services that host large amounts of content.

Claim 2-17 are allowable as being dependent from allowable independent claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2426

| | |
|-------------------|--------------------------------|
| US 7917933 B2 | Thomas; William L. et al. |
| US 7367043 B2 | Dudkiewicz; Gil Gavriel et al. |
| US 20020104099 A1 | Novak, Robert Eustace |
| US 7444402 B2 | Rennels; Ernest B. |
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| US 20020059621 A1 | Thomas, William L. et al. |
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| US 7987492 B2 | Liwerant; Gad et al. |
| US 20020163532 A1 | Thomas, McGee et al. |

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUSHFIKH ALAM whose telephone number is (571)270-1710. The examiner can normally be reached on Mon-Fri: 8:30-18:00 EST.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Goodarzi can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MUSHFIKH ALAM/
Primary Examiner, Art Unit 2426
2/27/2018

| | | | |
|--|--------------------------------------|---|--|
| <i>Examiner-Initiated Interview Summary</i> | Application No. 15/192,598 | Applicant(s) PEREZ, MILTON DIAZ | |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 | |

All participants (applicant, applicant's representative, PTO personnel):

- (1) MUSHFIKH ALAM. (3) _____.
- (2) Charles Macedo. (4) _____.

Date of Interview: 14 February 2018.

Type: Telephonic Video Conference
 Personal [copy given to: applicant applicant's representative]

Exhibit shown or demonstration conducted: Yes No.
If Yes, brief description: _____.

Issues Discussed 101 112 102 103 Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1.

Identification of prior art discussed: n/a.

Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner suggested to amend the claims to further clarify the limitations and to file a Terminal Disclaimer to place the claims in condition for allowance.

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

| | | | |
|-----------------------------------|---------------------------------------|---|-------------|
| Notice of References Cited | Application/Control No. 15/192,598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ | |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 | Page 1 of 2 |

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| * | G | US-2003/0084126 A1 | 05-2003 | Kumar, Senthil | G06Q30/02 | 709/219 |
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| * | J | US-7,103,905 B2 | 09-2006 | Novak; Robert Eustace | H04N7/17318 | 348/E7.071 |
| * | K | US-7,222,163 B1 | 05-2007 | Girouard; David | G11B27/28 | 375/E7.025 |
| * | L | US-2007/0198532 A1 | 08-2007 | Krikorian; Jason | G06Q30/0273 | 705/14.69 |
| * | M | US-7,367,043 B2 | 04-2008 | Dudkiewicz; Gil Gavriel | G06F17/30017 | 348/E5.006 |

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| * | | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) |
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| | V | |
| | W | |
| | X | |

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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| Notice of References Cited | Application/Control No. 15/192,598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ | |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 | Page 2 of 2 |

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| * | C US-7,987,492 B2 | 07-2011 | Liwerant; Gad | H04M3/567 | 725/105 |
| * | D US-8,042,132 B2 | 10-2011 | Carney; John | G06Q30/02 | 709/217 |
| * | E US-8,434,118 B2 | 04-2013 | Gonder; Thomas L. | H04L29/06027 | 725/87 |
| | F US- | | | | |
| | G US- | | | | |
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FOREIGN PATENT DOCUMENTS

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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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| Index of Claims  | Application/Control No. 15192598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 |

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| N | Non-Elected |
| I | Interference |

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| A | Appeal |
| O | Objected |

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

| CLAIM | | DATE | | | | | | | |
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| Final | Original | 04/24/2017 | 10/25/2017 | 02/27/2018 | | | | | |
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| 14 | 14 | ✓ | ✓ | = | | | | | |
| 15 | 15 | ✓ | ✓ | = | | | | | |
| 16 | 16 | ✓ | ✓ | = | | | | | |
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EAST Search History

EAST Search History (Prior Art)

| Ref # | Hits | Search Query | DBs | Default Operator | Plurals | Time Stamp |
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| S104 | 1 | "9338511".pn. | US- PGPUB; USPAT | OR | OFF | 2017/08/10 15:48 |
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| S98 | 4 | 725/74-104.ccls. and manag\$3.clm. with content.clm. with web.clm. | USPAT | OR | OFF | 2016/09/27 15:36 |
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CONFIRMATION NO. 1328

| | | | | | | |
|---|---|--|-------------------------------|---|---------------------------|--------------------------------|
| SERIAL NUMBER 15/192,598 | FILING or 371(c) DATE 06/24/2016 RULE | CLASS 725 | GROUP ART UNIT 2426 | ATTORNEY DOCKET NO. BBiTV-CIP1-D9 (07612/58) | | |
| APPLICANTS Broadband iTV, Inc., Honolulu, HI; INVENTORS Milton Diaz Perez, Tiburon, CA; ** CONTINUING DATA ***** This application is a CON of 14/827,090 08/14/2015 PAT 9420318 which is a CON of 12/632,745 12/07/2009 PAT 9113228 which is a DIV of 11/685,188 03/12/2007 PAT 7631336 which is a CIP of 10/909,192 07/30/2004 PAT 7590997 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 07/11/2016 | | | | | | |
| Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and Acknowledged <u>/MUSHFIKH I ALAM/</u> Examiner's Signature | | <input type="checkbox"/> Met after Allowance Initials _____ | STATE OR COUNTRY CA | SHEETS DRAWINGS 13 | TOTAL CLAIMS 17 | INDEPENDENT CLAIMS 1 |
| ADDRESS AMSTER, ROTHSTEIN & EBENSTEIN LLP 90 PARK AVENUE NEW YORK, NY 10016 UNITED STATES | | | | | | |
| TITLE SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | | | | | | |
| FILING FEE RECEIVED 730 | FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following: | | | <input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit | | |

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| Issue Classification  | Application/Control No. 15192598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 |


| CPC | | | | | | |
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| H04N | 21 | | | 482 | I | 2013-01-01 |
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| H04N | 21 | | | 6125 | I | 2013-01-01 |
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| H04N | 21 | | | 4786 | I | 2013-01-01 |

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| NONE | | Total Claims Allowed: | |
| | | 17 | |
| (Assistant Examiner) | (Date) | O.G. Print Claim(s) | O.G. Print Figure |
| /MUSHFIKH ALAM/ Primary Examiner.Art Unit 2426 | 2/27/2018 | 1 | 1 |
| (Primary Examiner) | (Date) | | |

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| Issue Classification  | Application/Control No. 15192598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 |

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| (Primary Examiner) | (Date) | 1 | 1 |

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| Issue Classification  | Application/Control No. 15192598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 |

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|--|-----------|------------------------------|-------------------|
| NONE | | Total Claims Allowed: | |
| | | 17 | |
| (Assistant Examiner) | (Date) | O.G. Print Claim(s) | O.G. Print Figure |
| /MUSHFIKH ALAM/ Primary Examiner. Art Unit 2426 | 2/27/2018 | 1 | 1 |
| (Primary Examiner) | (Date) | | |

| | | |
|---|------------------------|--------------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, Mushfikh I. |
| | Attorney Docket Number | BBitV-CIP1-D9 (07612/58) |

| U.S.PATENTS | | | | | | Remove |
|-------------------|---------|---------------|------------------------|------------|---|--|
| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
| | 1 | 5616876 | A | 1997-04-01 | Cluts | |
| | 2 | 5670730 | A | 1997-09-23 | Grewe et al. | |
| | 3 | 5739451 | A | 1998-04-14 | Winsky et al. | |
| | 4 | 5798921 | A | 1998-08-25 | Johnson et al. | |
| | 5 | 5918303 | A | 1999-06-29 | Yamaura et al. | |
| | 6 | 5969283 | A | 1999-10-19 | Looney et al. | |
| | 7 | 6062868 | A | 2000-05-16 | Toriumi | |
| | 8 | 6118450 | A | 2000-09-12 | Proehl et al. | |

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

| | | |
|------------------------|--------------------------|------------|
| Application Number | | 15192598 |
| Filing Date | | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez | |
| Art Unit | 2426 | |
| Examiner Name | ALAM, Mushfikh I. | |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) | |

| | | | | |
|----|---------|----|------------|----------------------------|
| 9 | 6128012 | A | 2000-10-03 | Seidensticker, Jr., et al. |
| 10 | 6248946 | B1 | 2001-06-19 | Dwek |
| 11 | 6332175 | B1 | 2001-12-18 | Birrell et al. |
| 12 | 6377530 | B1 | 2002-04-23 | Burrows |
| 13 | 6760721 | B1 | 2004-07-06 | Chasen et al. |
| 14 | 6928433 | B2 | 2005-08-09 | Goodman et al. |
| 15 | 6976229 | B1 | 2005-12-13 | Balabanovic et al. |

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U.S.PATENT APPLICATION PUBLICATIONS

| Examiner Initial* | Cite No | Publication Number | Kind Code ¹ | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
|-------------------|---------|--------------------|------------------------|------------------|---|--|
| | 1 | 20020045960 | A1 | 2002-04-18 | Phillips et al. | |
| | 2 | 20030016940 | A1 | 2003-01-23 | Robbins | |

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|---|------------------------|--------------------------|------------|--|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | | 15192598 | |
| | Filing Date | | 2016-06-24 | |
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| | Art Unit | 2426 | | |
| | Examiner Name | ALAM, Mushfikh I. | | |
| | Attorney Docket Number | BBitV-CIP1-D9 (07612/58) | | |

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|--------------------------|---------|--------------------------------------|-----------------------------|------------------------|------------------|---|--|----------------|
| Examiner Initial* | Cite No | Foreign Document Number ³ | Country Code ² i | Kind Code ⁴ | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | T ⁵ |
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| Examiner Name | ALAM, Mushfikh I. | | |
| Attorney Docket Number | BBitV-CIP1-D9 (07612/58) | | |

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

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See attached certification statement.

The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|-----------------|---------------------|------------|
| Signature | /Tzvi Hirshaut/ | Date (YYYY-MM-DD) | 2017-12-11 |
| Name/Print | Tzvi Hirshaut | Registration Number | 38,732 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2426 |
| | Examiner Name | ALAM, Mushfikh I. |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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|-------------------|---------|---------------|------------------------|------------|---|--|
| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
| | 1 | 7814519 | B2 | 2010-10-12 | Rao et al. | |

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|-------------------------------------|---------|--------------------|------------------------|------------------|---|--|
| Examiner Initial* | Cite No | Publication Number | Kind Code ¹ | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
| | 1 | 20100175090 | A1 | 2010-07-08 | Cordray | |
| | 2 | 20080155613 | A1 | 2008-06-26 | Benya et al. | |
| | 3 | 20050216941 | A1 | 2005-09-29 | Flanagan et al. | |
| | 4 | 20050097600 | A1 | 2005-05-05 | Heer | |
| | 5 | 20020199188 | A1 | 2002-12-26 | Sie et al. | |

**INFORMATION DISCLOSURE
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| | |
|------------------------|--------------------------|
| Application Number | 15192598 |
| Filing Date | 2016-06-24 |
| First Named Inventor | Milton Diaz Perez |
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| Examiner Name | ALAM, Mushfikh I. |
| Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

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|---|-------------|----|------------|-----------------|
| 6 | 20030149981 | A1 | 2003-08-07 | Finster, et al. |
| 7 | 20080276277 | A1 | 2008-11-06 | Ahn, et al. |

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| | | | |
|------------|-----------------|---------------------|------------|
| Signature | /Tzvi Hirshaut/ | Date (YYYY-MM-DD) | 2017-11-16 |
| Name/Print | Tzvi Hirshaut | Registration Number | 38,732 |


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| Search Notes  | Application/Control No. 15192598 | Applicant(s)/Patent Under Reexamination PEREZ, MILTON DIAZ |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 |

| CPC- SEARCHED | | |
|---------------|------|----------|
| Symbol | Date | Examiner |
| | | |

| CPC COMBINATION SETS - SEARCHED | | |
|---------------------------------|------|----------|
| Symbol | Date | Examiner |
| | | |

| US CLASSIFICATION SEARCHED | | | |
|----------------------------|----------|------------|----------|
| Class | Subclass | Date | Examiner |
| 725 | 74-104 | 4/24/2017 | MA |
| 725 | 74-104 | 10/25/2017 | MA |
| 725 | 74-104 | 2/27/2018 | MA |

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

| SEARCH NOTES | | |
|-------------------------------------|------------|----------|
| Search Notes | Date | Examiner |
| Inventor Search | 4/24/2017 | |
| 725/74-104 - limited by text search | 4/24/2017 | MA |
| 725 - limited by text search | 4/24/2017 | MA |
| 725/74-104 - limited by text search | 10/25/2017 | MA |
| 725 - limited by text search | 10/25/2017 | MA |
| 725 - limited by text search | 2/27/2018 | MA |
| 725/74-104 - limited by text search | 2/27/2018 | MA |

| INTERFERENCE SEARCH | | | |
|-------------------------|--------------------------------|-----------|----------|
| US Class/ CPC Symbol | US Subclass / CPC Group | Date | Examiner |
| USPPGPUB | independent claim keyword.clm. | 2/27/2018 | MA |

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| (Signature) |
| (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|--|------------------|
| 15/192,598 | 06/24/2016 | Milton Diaz Perez | BBITV-CIP1-D9 <small>(07612/58)</small> | 1328 |

TITLE OF INVENTION: SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER

| APPLN. TYPE | ENTITY STATUS | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|---------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | SMALL | \$500 | \$0 | \$0 | \$500 | 06/13/2018 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|------------------|----------|----------------|
| ALAM, MUSHFIKH I | 2426 | 725-087000 |

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 3 _____

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 (B) RESIDENCE: (CITY and STATE OR COUNTRY) **Honolulu, HI**

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

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 Publication Fee (No small entity discount permitted)
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 Applicant asserting small entity status. See 37 CFR 1.27
 Applicant changing to regular undiscounted fee status.

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Authorized Signature /Tzvi Hirshaut/ Date June 12, 2018
 Typed or printed name Tzvi Hirshaut Registration No. 38,732

Electronic Patent Application Fee Transmittal

| | | | | |
|--|--|-----------------|---------------|-----------------------------|
| Application Number: | 15192598 | | | |
| Filing Date: | 24-Jun-2016 | | | |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | | | |
| First Named Inventor/Applicant Name: | Milton Diaz Perez | | | |
| Filer: | Tzvi Hirshaut/Victoria Gilmore | | | |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) | | | |
| Filed as Small Entity | | | | |
| Filing Fees for Utility under 35 USC 111(a) | | | | |
| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | | | |
| Pages: | | | | |
| Claims: | | | | |
| Miscellaneous-Filing: | | | | |
| Petition: | | | | |
| Patent-Appeals-and-Interference: | | | | |
| Post-Allowance-and-Post-Issuance: | | | | |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|--|----------|----------|--------|----------------------|
| PUBL. FEE- EARLY, VOLUNTARY, OR NORMAL | 1504 | 1 | 0 | 0 |
| UTILITY APPL ISSUE FEE | 2501 | 1 | 500 | 500 |
| Extension-of-Time: | | | | |
| Miscellaneous: | | | | |
| Total in USD (\$) | | | | 500 |

Electronic Acknowledgement Receipt

| | |
|---|--|
| EFS ID: | 32870325 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Tzvi Hirshaut/Victoria Gilmore |
| Filer Authorized By: | Tzvi Hirshaut |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 12-JUN-2018 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 11:41:18 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

| | |
|--|-----------------------------|
| Submitted with Payment | yes |
| Payment Type | DA |
| Payment was successfully received in RAM | \$500 |
| RAM confirmation Number | 061218INTEFSW00011358011785 |
| Deposit Account | |
| Authorized User | |

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|-----------------------------|----------------|--|------------------|------------------|
| 1 | Issue Fee Payment (PTO-85B) | 58-PTOL-85.pdf | 952877 | no | 1 |
| | | | 05ff6fb5684a76caba2bf409ab427ac62256fbee | | |

Warnings:**Information:**

| | | | | | |
|---|----------------------|--------------|---|----|---|
| 2 | Fee Worksheet (SB06) | fee-info.pdf | 32113 | no | 2 |
| | | | e496de26f9b45e30e5ecefcb64376bc22f88541 | | |

Warnings:**Information:****Total Files Size (in bytes):**

984990

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

| | | |
|---|------------------------|--------------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 15192598 |
| | Filing Date | 2016-06-24 |
| | First Named Inventor | Milton Diaz Perez |
| | Art Unit | 2422 |
| | Examiner Name | |
| | Attorney Docket Number | BBiTV-CIP1-D9 (07612/58) |

| U.S.PATENTS | | | | | | | Remove |
|-------------------|---------|---------------|------------------------|------------|---|--|--------|
| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | |
| | 1 | | | | | | |

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| Examiner Initial* | Cite No | Publication Number | Kind Code ¹ | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | |
| | 1 | 20020092019 | | 2002-07-11 | Marcus Dwight | | |
| | 2 | 20050160458 | | 2005-07-21 | Baumgartner | | |

If you wish to add additional U.S. Published Application citation information please click the Add button.

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|--------------------------|---------|--------------------------------------|-----------------------------|------------------------|------------------|---|--|----------------|--------|
| Examiner Initial* | Cite No | Foreign Document Number ³ | Country Code ² i | Kind Code ⁴ | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | T ⁵ | |
| | 1 | WO01038960 | WO | | 2001-05-31 | Future TV | | | |
| | 2 | WO01022688 | WO | | 2001-03-29 | Streaming 21 | | | |

Change(s) applied to document, /M.E.G./ 3/16/2018



| APPLICATION NO. | ISSUE DATE | PATENT NO. | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|------------|------------|--------------------------|------------------|
| 15/192,598 | 07/17/2018 | 10028026 | BBiTV-CIP1-D9 (07612/58) | 1328 |

1912 7590 06/27/2018

AMSTER, ROTHSTEIN & EBENSTEIN LLP
90 PARK AVENUE
NEW YORK, NY 10016

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Milton Diaz Perez, Tiburon, CA;
Broadband iTV, Inc., Honolulu, HI;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.



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Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO., EXAMINER, ART UNIT, PAPER NUMBER, NOTIFICATION DATE, DELIVERY MODE. Includes application details for Milton Diaz Perez and examiner ALAM, MUSHFIKH I.

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTODOCKET@ARELAW.COM

| | | | |
|--|--------------------------------------|---|--|
| Applicant-Initiated Interview Summary | Application No. 15/192,598 | Applicant(s) PEREZ, MILTON DIAZ | |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 | |

All participants (applicant, applicant's representative, PTO personnel):

- (1) MUSHFIKH ALAM. (3)_____.
- (2) Charles Macedo. (4)_____.

Date of Interview: 21 June 2018.

Type: Telephonic Video Conference
 Personal [copy given to: applicant applicant's representative]

Exhibit shown or demonstration conducted: Yes No.
If Yes, brief description: _____.

Issues Discussed 101 112 102 103 Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1.

Identification of prior art discussed: n/a.

Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Applicant requested the Examiner to perform an Examiner Amendment to fix an antecedent issue. Examiner submits a Corrected Notice of Allowance.

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

| | | | |
|--|--------------------------------------|---|--|
| Supplemental Notice of Allowability | Application No. 15/192,598 | Applicant(s) PEREZ, MILTON DIAZ | |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 | AIA (First Inventor to File) Status No |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 3/13/2018.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. The allowed claim(s) is/are 1-17. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a) All b) Some *c) None of the:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 7. <input type="checkbox"/> Other _____. |
| 4. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date <u>6/21/2018</u> . | |

DETAILED ACTION

1. The present application is being examined under the pre-AIA first to invent provisions.

Terminal Disclaimer

2. The terminal disclaimer filed on 2/15/2018 disclaiming the terminal portion of any patent granted on this application has been reviewed and is accepted. The terminal disclaimer has been recorded.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Macedo on 6/21/2018.

The Application has been amended as follows:

In The Claims:

1. (Currently Amended) An Internet-connected digital device for receiving₁ via the Internet₁ video content to be viewed by a subscriber of a video-on-demand system using a hierarchically arranged electronic program guide,

the Internet-connected digital device being configured to obtain and present to the subscriber an electronic program guide as a templated video-on-demand display, which uses at least one of a plurality of different display templates to which the Internet-connected digital device has access, to enable a subscriber using the Internet-connected digital device to navigate in a drill-down manner through titles by category information in order to locate a particular one of the titles whose associated video content is desired for viewing on the Internet-connected digital device using the same category information as was designated by a video content provider in metadata associated with the video content;

wherein the templated video-on-demand display has been generated in a plurality of layers, comprising:

(a) a first layer comprising a background screen to provide at least one of a basic color, logo, or graphical theme to display;

(b) a second layer comprising a particular display template from the plurality of different display templates layered on the background screen, wherein the particular display template comprises one or more reserved areas that are reserved for displaying content provided by a different layer of the plurality of layers; and

(c) a third layer comprising reserved area content generated using the received video content, the associated metadata, and the associated plurality of images to be

Art Unit: 2426

displayed in the one or more reserved areas in the particular display template as at least one of text, an image, a navigation link, and a button,

wherein the navigating through titles in a drill-down manner comprises navigating from a first level of a hierarchical structure of the video-on-demand content menu to a second level of the hierarchical structure to locate the particular one of the titles, and

wherein a first template of the plurality of different display templates is used as the particular display template for the templated display for displaying the first level of the hierarchical structure and wherein a second template of the plurality of different display templates is used as the particular display template for the templated display for displaying the second level of the hierarchical structure,

wherein the received video content was uploaded to a Web-based content management system by a content provider device associated with the video content provider via the Internet in a digital video format, along with associated metadata including title information and category information, and along with an associated plurality of images designated by the video content provider, the associated metadata specifying a respective hierarchical location of a respective title of the video content within the electronic program guide to be displayed on the Internet-connected digital device using the respective hierarchically-arranged category information associated with the respective title,

wherein at least one of the uploaded associated plurality of images designated by the video content provider is displayed with the associated respective title in the templated video-on-demand display.

Allowable Subject Matter

4. Claims 1-17 are allowed.

5. The following is an examiner's statement of reasons for allowance:

With respect to claim 1, the prior art of record fails to disclose singly or in combination or render obvious an Internet-connected digital device for receiving, via the Internet, video content to be viewed by a subscriber of a video-on-demand system using a hierarchically arranged electronic program guide,

the Internet-connected digital device being configured to obtain and present to the subscriber an electronic program guide as a templated video-on-demand display, which uses at least one of a plurality of different display templates to which the Internet-connected digital device has access, to enable a subscriber using the Internet-connected digital device to navigate in a drill-down manner through titles by category information in order to locate a particular one of the titles whose associated video content is desired for viewing on the Internet-connected digital device using the same category information as was designated by a video content provider in metadata associated with the video content;

wherein the templated video-on-demand display has been generated in a plurality of layers, comprising:

(a) a first layer comprising a background screen to provide at least one of a basic color, logo, or graphical theme to display;

(b) a second layer comprising a particular display template from the plurality of different display templates layered on the background screen, wherein the particular display template comprises one or more reserved areas that are reserved for displaying content provided by a different layer of the plurality of layers; and

(c) a third layer comprising reserved area content generated using the received video content, the associated metadata, and the associated plurality of images to be displayed in the one or more reserved areas in the particular display template as at least one of text, an image, a navigation link, and a button,

wherein the navigating through titles in a drill-down manner comprises navigating from a first level of a hierarchical structure of the video-on-demand content menu to a second level of the hierarchical structure to locate the particular one of the titles, and

wherein a first template of the plurality of different display templates is used as the particular display template for the templated display for displaying the first level of the hierarchical structure and wherein a second template of the plurality of different display templates is used as the particular display template for the templated display for displaying the second level of the hierarchical structure,

wherein the received video content was uploaded to a Web-based content management system by a content provider device associated with the video content provider via the Internet in a digital video format, along with associated metadata including title information and category information, and along with an associated plurality of images designated by the video content provider, the associated metadata specifying a respective hierarchical location of a respective title of the video content within the electronic program guide to be displayed on the Internet-connected digital device using the respective hierarchically-arranged category information associated with the respective title,

wherein at least one of the uploaded associated plurality of images designated by the video content provider is displayed with the associated respective title in the templated video-on-demand display.

The prior art do not disclose or render obvious the amended features.

Furthermore, claim 1 recites a method claim for providing a VOD delivery platform which services multiple users. Thus, the claim is directed to a process, which is one of the statutory categories of invention.

Next, the claim recites the VOD content provider, web-based content management server. The network also receives uploaded content with metadata associated to the content for service to users in a VOD demand platform. Users will select content, from the VOD server, which will be played back from a tuner on the user equipment. The data will be organized with categories and subcategories in a hierarchical structure to solve the problem of a user having to sift through thousands of

Art Unit: 2426

titles in order to find a program of interest. The claim does not recite a basic concept that is similar to any abstract idea previously identified by the courts. For example, the claim does not recite any mathematical concept, a mental process such as comparing or categorizing information that can be performed in the human mind, or by a human using a pen and paper. Accordingly, the claim does not set forth or describe an abstract idea. Instead, the claimed method is necessarily rooted in video streaming technology to overcome a problem specifically arising in Video On Demand services that host large amounts of content.

Claim 2-17 are allowable as being dependent from allowable independent claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUSHFIKH ALAM whose telephone number is (571)270-1710. The examiner can normally be reached on Mon-Fri: 8:30-18:00 EST.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Goodarzi can be reached on (571)272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MUSHFIKH ALAM/
Primary Examiner, Art Unit 2426
6/22/2018

| | | | |
|---|--------------------------------------|---|--|
| <i>Applicant-Initiated Interview Summary</i> | Application No. 15/192,598 | Applicant(s) PEREZ, MILTON DIAZ | |
| | Examiner MUSHFIKH ALAM | Art Unit 2426 | |

All participants (applicant, applicant's representative, PTO personnel):

(1) MUSHFIKH ALAM. (3)_____.

(2) Charles Macedo. (4)_____.

Date of Interview: 21 June 2018.

Type: Telephonic Video Conference
 Personal [copy given to: applicant applicant's representative]

Exhibit shown or demonstration conducted: Yes No.
If Yes, brief description: _____.

Issues Discussed 101 112 102 103 Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1.

Identification of prior art discussed: n/a.

Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Applicant requested the Examiner to perform an Examiner Amendment to fix an antecedent issue. Examiner submits a Corrected Notice of Allowance.

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Milton Diaz Perez
Patent No. : 10,028,026
Issued : July 17, 2018
Serial No. : 15/192,598
For: : SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM
CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV
SERVICES PROVIDER

COMMUNICATION TO REQUEST CERTIFICATE OF CORRECTION

Commissioner for Patents
Office of Data Management
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Certificates of Correction Branch

Sir (Madam):

This Communication is submitted pursuant to 35 U.S.C. §254 and 37 C.F.R. §1.322.

A Certificate of Correction is requested to correct a typographical error made by the U.S.

Patent and Trademark Office in Claim 1 of the patent.

The error is as follows:

Lines 28 of Claim 1 of the patent reads “wherein the ternplatized video-on-demand display has” The word “ternplatized” should be changed to “templitized.” Applicant’s Amendment of January 12, 2018 in addition to the Examiner’s Notices of Allowance of March 13, 2018 and June 29, 2018, all correctly include the word “templitized” in Claim 1.

A Certificate of Correction Form PTO/SB/44 is attached hereto.

As the error is the result of a mistake by the Patent and Trademark Office, no fee is due.

690453.1

Inventors: Diaz Perez
Serial No.: 15/192,598
Patent No.: 10,028,026
Issued: July 17, 2018
Page 2

However, if any fee is required, the Patent Office is authorized to charge the amount of any such fee to Deposit Account No. 01-1785. Overpayments may be credited to Deposit Account No. 01-1785.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP
Attorneys for Applicant
90 Park Avenue
New York, New York 10016
(212) 336-8000

Dated: October 26, 2018
New York, New York

By /Tzvi Hirshaut/
Tzvi Hirshaut, Reg. No. 38,732

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 10,028,026

APPLICATION NO.: 15/192,598

ISSUE DATE : July 17, 2018

INVENTOR(S) : Milton Diaz Perez

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims

Line 28 of Claim 1, please replace "wherein the templatized video-on-demand display has" with:

-- wherein the templatized video-on-demand display has --

MAILING ADDRESS OF SENDER (Please do not use Customer Number below):

Tzvi Hirshaut, Reg. No. 38,732
Amster, Rothstein & Ebenstein LLP
90 Park Avenue, New York, NY 10016

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**DISH Ex-1018, p. 1111
DISH v. BBitV
IPR2020-01267**

AT&T EXHIBIT 1018

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

| | |
|---|--|
| EFS ID: | 34130740 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Tzvi Hirshaut/Victoria Gilmore |
| Filer Authorized By: | Tzvi Hirshaut |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 26-OCT-2018 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 15:30:58 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

| | |
|------------------------|----|
| Submitted with Payment | no |
|------------------------|----|

File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|---------------------------------------|--|---|------------------|------------------|
| 1 | Request for Certificate of Correction | 1- Communication_to_Request_C ertificate_of_Correction.pdf | 69198 f3e2c923cff6f1391f4e28ec8f0b0905f9d90c 90 | no | 2 |

Warnings:

| Information: | | | | | |
|---|---------------------------------------|-------------------------------|---|--------|---|
| 2 | Request for Certificate of Correction | 2-CertificateofCorrection.pdf | 163815 | no | 2 |
| | | | c:\fc8f40581d22258e6008647b643587b0d07a98 | | |
| Warnings: | | | | | |
| Information: | | | | | |
| Total Files Size (in bytes): | | | | 233013 | |
| <p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> | | | | | |

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 10,028,026 B2
APPLICATION NO. : 15/192598
DATED : July 17, 2018
INVENTOR(S) : Milton Diaz Perez

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims

Column 22, Line 28 of Claim 1, please replace:

“wherein the templatized video-on-demand display has”

With:

-- wherein the templatized video-on-demand display has --

Signed and Sealed this
Fourth Day of December, 2018



Andrei Iancu
Director of the United States Patent and Trademark Office

DISH Ex-1018, p. 1115
DISH v. BBiTV
IPR2020-01267

AT&T EXHIBIT 1018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Milton Diaz Perez
Patent No. : 10,028,026
Issued : July 17, 2018
Serial No. : 15/192,598
For: : SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM
CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV
SERVICES PROVIDER

COMMUNICATION TO REQUEST CERTIFICATE OF CORRECTION

Commissioner for Patents
Office of Data Management
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Certificates of Correction Branch

Sir (Madam):

This Communication is submitted pursuant to 35 U.S.C. §254 and 37 C.F.R. §1.322.

A Certificate of Correction is requested to correct typographical errors in Claim 1 of the patent.

The errors are as follows:

Line 31 of Claim 1 of the patent reads “metadata and the associated plurality of images to be.” The word “the” should be changed to “an.” Line 37 of Claim 1 of the patent reads “hierarchal structure of the video-on-demand content.” The word “the” should be changed to “a.” Line 53 of Claim 1 of the patent reads “and category information, and along with an associated.” The word “an” should be changed to “the.”

A Certificate of Correction Form PTO/SB/44 is attached hereto.

As the error is not the result of a mistake by the U.S Patent and Trademark Office, a fee

Inventors: Diaz Perez
Serial No.: 15/129,598
Patent No.: 10,028,026
Issued: July 17, 2018
Page 2

is required. The Patent Office is authorized to charge the amount of any such fee to Deposit Account No. 01-1785. Overpayments may be credited to Deposit Account No. 01-1785.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP
Attorneys for Applicant
90 Park Avenue
New York, New York 10016
(212) 336-8000

Dated: January 9, 2019
New York, New York

By Keith J. Barkaus/
Keith J. Barkaus, Reg. No. 51,431

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 10,028,026
 APPLICATION NO.: 15/129,598
 ISSUE DATE : July 17, 2018
 INVENTOR(S) : Milton Diaz Perez

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims

Line 31 of Claim 1, please replace "metadata and the associated plurality of images to be" with:

-- metadata and an associated plurality of images to be --

Line 37 of Claim 1, please replace "hierarchal structure of the video-on-demand content." with:

-- hierarchal structure of a video-on-demand content. --

Line 53 of Claim 1, please replace "and category information, and along with an associated" with:

-- and category information, and along with the associated --

MAILING ADDRESS OF SENDER (Please do not use Customer Number below):

Keith J. Barkaus, Reg. No. 51,431
 Amster, Rothstein & Ebenstein LLP
 90 Park Avenue, New York, NY 10016

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**DISH Ex-1018, p. 1118
 DISH v. BBitV
 IPR2020-01267**

AT&T EXHIBIT 1018

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal

| | | | | |
|--|--|-----------------|---------------|-----------------------------|
| Application Number: | 15192598 | | | |
| Filing Date: | 24-Jun-2016 | | | |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER | | | |
| First Named Inventor/Applicant Name: | Milton Diaz Perez | | | |
| Filer: | Keith J. Barkaus/Victoria Gilmore | | | |
| Attorney Docket Number: | BBitV-CIP1-D9 (07612/58) | | | |
| Filed as Small Entity | | | | |
| Filing Fees for Utility under 35 USC 111(a) | | | | |
| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | | | |
| Pages: | | | | |
| Claims: | | | | |
| Miscellaneous-Filing: | | | | |
| Petition: | | | | |
| Patent-Appeals-and-Interference: | | | | |
| Post-Allowance-and-Post-Issuance: | | | | |
| CERTIFICATE OF CORRECTION | 2811 | 1 | 150 | 150 |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|---------------------------|----------|----------|--------|----------------------|
| Extension-of-Time: | | | | |
| Miscellaneous: | | | | |
| Total in USD (\$) | | | | 150 |

Electronic Acknowledgement Receipt

| | |
|---|--|
| EFS ID: | 34807803 |
| Application Number: | 15192598 |
| International Application Number: | |
| Confirmation Number: | 1328 |
| Title of Invention: | SYSTEM FOR ADDRESSING ON-DEMAND TV PROGRAM CONTENT ON TV SERVICES PLATFORM OF A DIGITAL TV SERVICES PROVIDER |
| First Named Inventor/Applicant Name: | Milton Diaz Perez |
| Customer Number: | 1912 |
| Filer: | Keith J. Barkaus/Victoria Gilmore |
| Filer Authorized By: | Keith J. Barkaus |
| Attorney Docket Number: | BBiTV-CIP1-D9 (07612/58) |
| Receipt Date: | 09-JAN-2019 |
| Filing Date: | 24-JUN-2016 |
| Time Stamp: | 15:55:27 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

| | |
|--|-----------------------------|
| Submitted with Payment | yes |
| Payment Type | DA |
| Payment was successfully received in RAM | \$150 |
| RAM confirmation Number | 011019INTEFSW00002562011785 |
| Deposit Account | |
| Authorized User | |

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|---------------------------------------|---------------|--|------------------|------------------|
| 1 | Request for Certificate of Correction | 1-Request.pdf | 109335 | no | 2 |
| | | | 356954996aac30c5de261d51154fe1ff493c c929 | | |

Warnings:

Information:

| | | | | | |
|---|---------------------------------------|-----------|--|----|---|
| 2 | Request for Certificate of Correction | 2-COC.pdf | 151813 | no | 2 |
| | | | 702760a0dc3bfb929071d3856d4b3680e3c daf44 | | |

Warnings:

Information:

| | | | | | |
|---|----------------------|--------------|--|----|---|
| 3 | Fee Worksheet (SB06) | fee-info.pdf | 30497 | no | 2 |
| | | | 6222b7764eeb8ea4d9046780c085f345f22 63222 | | |

Warnings:

Information:

Total Files Size (in bytes): 291645

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 10,028,026 B2
APPLICATION NO. : 15/192598
DATED : July 17, 2018
INVENTOR(S) : Milton Diaz Perez

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims

Column 22, Line 41 Claim 1, please replace “metadata and the associated plurality of images to be”
with: -- metadata and an associated plurality of images to be --

Column 22, Line 47 Claim 1, please replace “hierarchal structure of the video-on-demand content.”
with: -- hierarchal structure of a video-on-demand content. --

Column 22, Line 63 Claim 1, please replace “and category information, and along with an associated”
with: -- and category information, and along with the associated --

Signed and Sealed this
Twelfth Day of February, 2019



Andrei Iancu
Director of the United States Patent and Trademark Office