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Move Gets Streaming Patent; Are Adobe & Apple Hosed?

By [Ryan Lawler](#) Sep. 15, 2010, 1:09pm PDT [14 Comments](#)

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Move Networks just got a lot more valuable on the intellectual property front, as it has just been [granted a patent](#) for its HTTP-based adaptive streaming technology. The awarding of the patent also means that it could pose a threat to Adobe, Microsoft, Apple and many other companies that have rolled out adaptive streaming technology of their own.

Move Networks was an early proponent of HTTP-based adaptive streaming technology for delivery of video streams that adjust to the amount of bandwidth that is available to the end user. Since the introduction of Move's technology and the filing of the patent in question, a number of video providers have followed its example with similar technology of their own.

According to a Move Networks press release,

"The seminal patent covers the encoding and use of multiple bit rate 'streamlets' with the same time index; such that the aggregate set of streamlets, stored on standard web servers, independently yield playback of the original full length video. This is accomplished through intelligent requests of successive unique optimal streamlets sent by a client device."

In the press release, Move founder Drew Major even explicitly names multiple video companies that have deployed technology similar to that which Move Networks received the patent for. Major is quoted as saying that Akamai, Apple, Adobe, Limelight, Microsoft, Netflix and Widevine all now use adaptive bit rate streaming that was "inspired" by Move's invention.

But when asked whether Move would look to sue companies that have rolled out copycat implementations of adaptive streaming technology, or even perhaps license the IP to them, a Move spokesperson deferred to comment.

"We consider this an affirmation of the hard work that went into Move before the company was founded. This is a very recent development, so what this means for the business going forward is part of a broader discussion that hasn't happened yet," the spokesperson said. He also said that this patent is one of 17 patent applications that have been filed by Move, and there are a lot to follow. "This is an innovative technology company that has built unique IP and there is more to come," he said.

Image [courtesy of Flickr user cytech](#).

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What would be really helpful is if companies actually identified the patent number when they talk about a “seminal patent”.

We should have all learned by now that trusting a company to tell us what their patent covers is a bad model to follow.



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Cornelius [Wednesday, September 15 2010](#)

Apparatus, system, and method for adaptive-rate shifting of streaming content

<http://www.google.com/patents/about?id=Ts6WAAAAEBAJ>



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Not exactly the right one.

A related case (link to the [published application](#), which does NOT necessarily have the same claims as the to be issued patent) was allowed by the USPTO, and Move paid the issue fee.

The application has not yet issued.



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james [Wednesday, September 15 2010](#)

http streaming is a legal nightmare . With multiple lawsuits happening from Oracle to Move networks and several obscure companies, it is amazing anybody with a right mind to uses it just to save a few bucks. The old saying goes, you get what you pay for.



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sorry it is emblaze, not oracle. A typo.



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Just to save a few bucks? You don't use http adaptive streaming to save money; you use it because nothing else on the market looks as good on all connection types. You use it because buffering is almost not noticable. You use it because you can stream on normal connections and not have it pause all the time, even if it is a full length.

That's why netflixs uses silverlight streaming, which is a poor imitation of Move's technology, which was, frankly, amazing.



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"Move Networks was an early proponent of HTTP-based adaptive streaming" ...who actually ever referred to it as "adaptive" prior to Move? I find this reference pathetic and uneducated. All the majors are bad copy cats of the actual implementation Move created... Haven't seen anything even come close to their quality...I used to enjoy abc.com, today I tolerate it out of necessity.



6. [Reply](#)
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Is it strange only to me that they give out patents to a single company if many companies are already using the same technology? Now I know for sure that all the great inventions I'll make in my life will first be patented and then published:)



- o [Reply](#)
[Sanity](#) [Thursday, September 16 2010](#)

So if you invent something it is OK for others to practice it so long as they do it before the patent office grants the patent? This one's earliest filing date is apparently from 2004.

Or, is your comment that they should not grant a patent if a bunch of people copy the technology? That doesn't make sense. The only inventions allowed to be patented are ones that no one cares about?



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The patent was filed in November of 2005. Way before anyone else was working on "adaptive" video. Move might have made some dumb choices of what to do lately but the ideas that came from that team were the ones that the whole industry was founded on.



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Huh? Nobody was even thinking about adaptive video before 2005? How about 2003 (a survey called "Adaptive video multicast over the Internet"), 2001 ("A Survey of Application Layer Techniques for Adaptive Streaming of Multimedia"), 1998 ("Architectural Considerations for Playback of Quality Adaptive Video over the Internet"), etc.

It's possible that Move patented a superior solution, but it was far from the first.



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as an insider during the "HTTP adaptive streaming" wars, here is an insight regarding the MS relationship with Move and why their patent claims won't hold.

When MS and Move got close around Silverlight, Move was brought into the early adopter program for Silverlight as well as received investment. As I was privy to that deal, it also required that MS have claims to any intellectual property that was discussed in the deal... meaning that Move most likely gave up the good to MS very early on.



10. [Reply](#)
so what [Saturday, September 18 2010](#)

does a patent mean the company was a success or does a patent mean a failed business can now damage others...



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What's not clear is whether these other companies are basing their streaming on Move's patent or on a different procedure to accomplish the same thing. If their adaptive streaming relies on a substantially different technology then Move has nothing to sue over. They'll have to prove this point in a court case.

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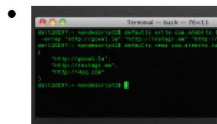


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