

CHARTER COMMUNICATIONS, INC.; ALTICE USA, INC.

PETITIONERS

v.

TOUCHSTREAM TECHNOLOGIES, INC

PATENT OWNER

CASE No. IPR2024-00322 (U.S. PAT. No. 8,356,251)

PETITIONERS' HEARING DEMONSTRATIVES – APRIL 29, 2025

Challenged Claims and Grounds

Claims	Basis	Reference(s)
1-26	103(a)*	Danciu, Mahajan
1-26	103(a)	Danciu, Mahajan, Calvert
1-26	103(a)	Aldrey, Mahajan

*Petitioner applies pre-AIA §§ 102 and 103.

Roadmap

- **Challenged Patent Overview**

- Prior Art Overview

- The Petition

- Motivation to Combine

- **Patent Owner's Arguments Fail**

- Claims 1, 11

- The Petition Relies on the Hardware Architecture of Danciu / Aldrey and the Teachings of Mahajan for "Converting"
- The Grounds Teach "Selecting From Among a Plurality of Specific Commands . . . For a Respective Media Player"

- Claim 22

- Danciu-Mahajan Teaches "Identifying" and "Retrieving"
- Aldrey-Mahajan Teaches "Obtaining" and "Loading"

- **Motion to Strike**

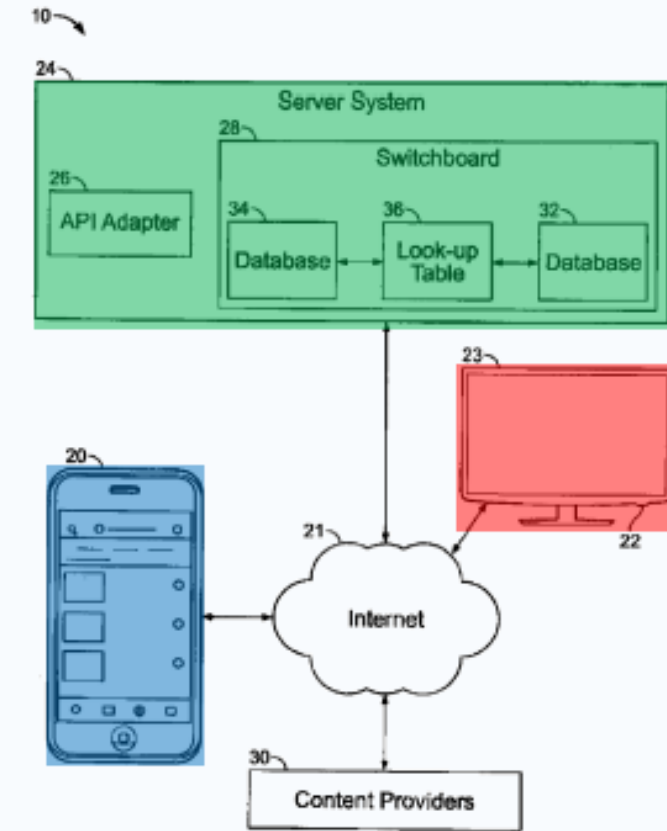
'251 Patent Features

(57)

ABSTRACT

A system for presenting and controlling content on a display device includes a network, a server system coupled to the network and comprising one or more servers, a display device coupled to the network and having a display, and a personal computing device operable to transmit a first message according to a specified format over the network to the server system. The server system stores an association between the personal computing device and the display device. The first message identifies user-selected content and a media player to play the content. The server system is operable, in response to receiving the first message from the personal computing device, to provide to the display device a second message identifying the user-selected content and the media player to play the content. In response to receiving the second message, the display device is operable to obtain a first media player needed to play the content, to load the media player and to present the content on the display.

Ex. 1001, Abstract.

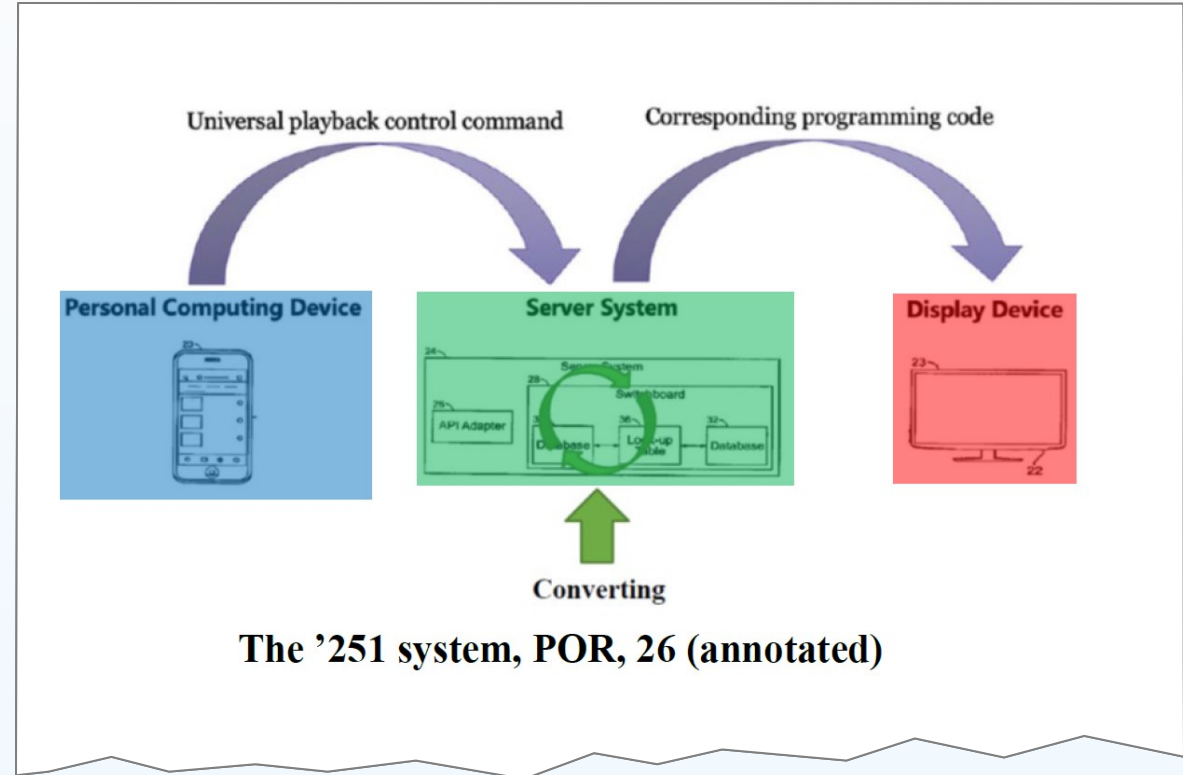


Ex. 1001, Fig. 1 (annotated)

'251 Patent Features (Cont'd)

In the illustrated implementation, the command in the transmission code (see FIG. 3) contains a JavaScript reference to control the media player needed to play the selected video. Various types of video players may use different JavaScript commands to control their respective playback. Therefore, in the illustrated implementation, a universal adapter 26 is provided to interpret and convert a standard or universal command (e.g., play, pause, etc.) into the specific command recognized by the media player. Each time a signal is received from the mobile device 20, the API adapter 26 checks and identifies the specific media player that is being requested. Based on this information, the system loads the appropriate set of protocols or application programming interfaces (APIs) from its library and converts the incoming commands from

Ex. 1001, 5:54-67.



Reply, 5.

Claim 1 of the '251 Patent

[1A] 1. A machine-implemented method of controlling presentation of video content on a display device that loads any one of a plurality of different media player players, the method comprising:

[1B] assigning, by a server system, a synchronization code to the display device;

[1C] receiving, in the server system, a message from a personal computing device that is separate from the server system and separate from the display device, wherein the message includes the synchronization code;

[1D] storing, by the server system, a record establishing an association between the personal computing device and the display device based on the synchronization code;

[1E] receiving, in the server system, one or more signals from the personal computing device, the one or more signals specifying a video file to be acted upon and identifying a particular media player for playing the video content, **[1F]** the one or more signals further including a universal playback control command for controlling playing of the video content on the display device by the particular media player,

[1G] converting, by the server system, the universal playback control command into corresponding programming code to control playing of the video content on the display device by the particular media player, wherein converting the universal playback control command includes selecting from among a plurality of specific commands, each of which represents a corresponding playback control command for a respective media player; and

[1H] storing, in a database associated with the server system, information for transmission to or retrieval by the display device, wherein the information specifies the video file to be acted upon, identifies the particular media player for playing the video content, and includes the corresponding programming code to control playing of the video content on the display device by the particular media player in accordance with the universal playback control command.

Disputed Limitations – Claim 1

[1A] 1. A machine-implemented method of controlling presentation of video content on a display device that loads any one of a plurality of different media player players, the method comprising:

[1B] assigning, by a server system, a synchronization code to the display device;

[1C] receiving, in the server system, a message from a personal computing device that is separate from the server system and separate from the display device, wherein the message includes the synchronization code;

[1D] storing, by the server system, a record establishing an association between the personal computing device and the display device based on the synchronization code;

[1E] receiving, in the server system, one or more signals from the personal computing device, the one or more signals specifying a video file to be acted upon and identifying a particular media player for playing the video content, **[1F]** the one or more signals further including a universal playback control command for controlling playing of the video content on the display device by the particular media player,

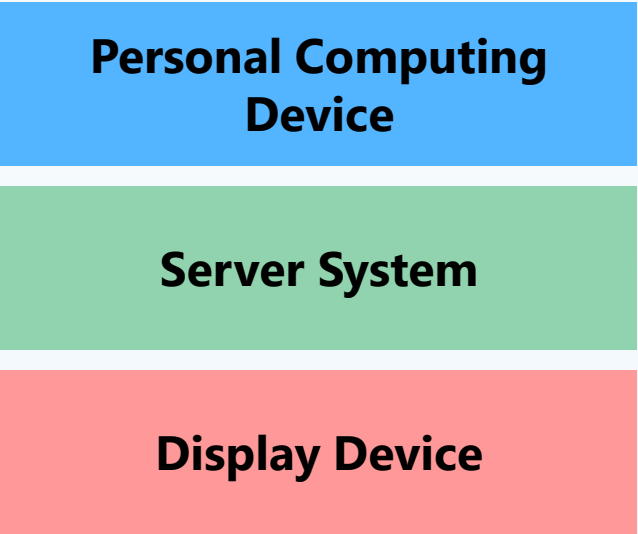
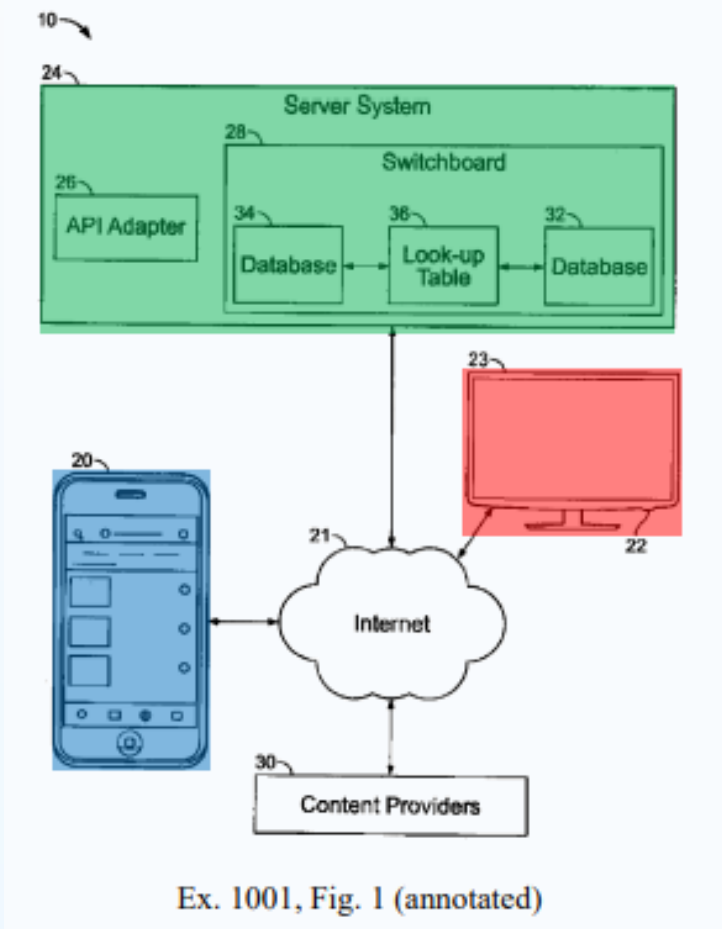
[1G] converting, by the server system, the universal playback control command into corresponding programming code to control playing of the video content on the display device by the particular media player, wherein converting the universal playback control command includes selecting from among a plurality of specific commands, each of which represents a corresponding playback control command for a respective media player; and

[1H] storing, in a database associated with the server system, information for transmission to or retrieval by the display device, wherein the information specifies the video file to be acted upon, identifies the particular media player for playing the video content, and includes the corresponding programming code to control playing of the video content on the display device by the particular media player in accordance with the universal playback control command.

Roadmap

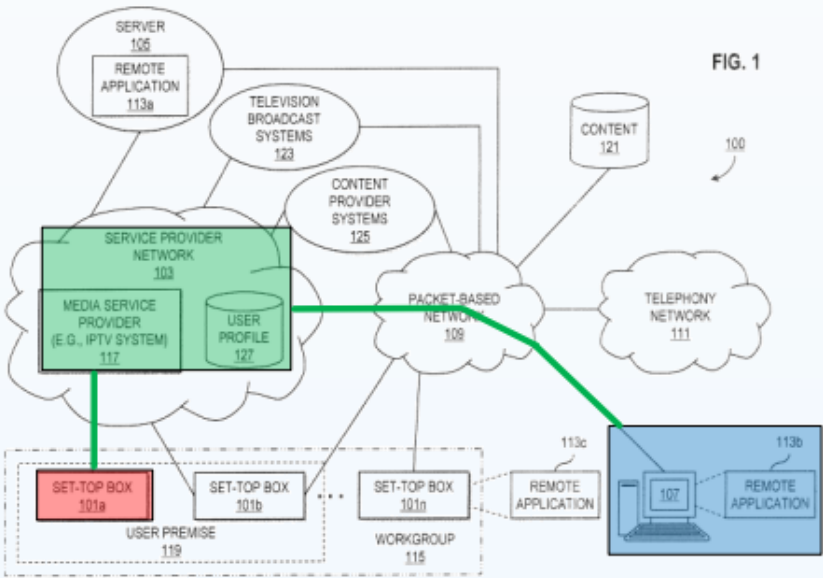
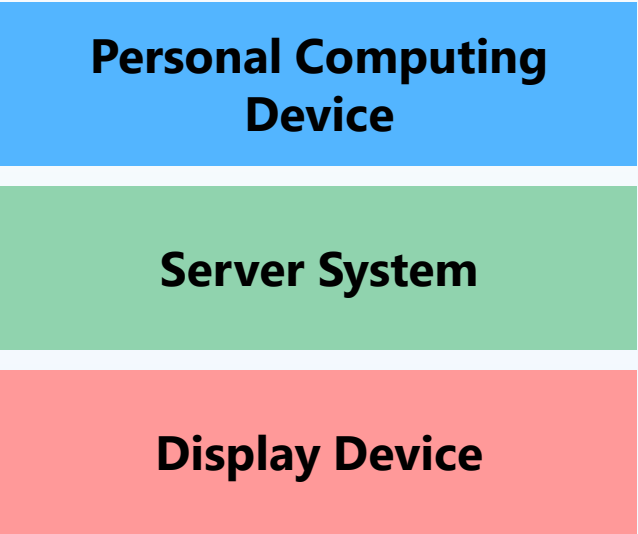
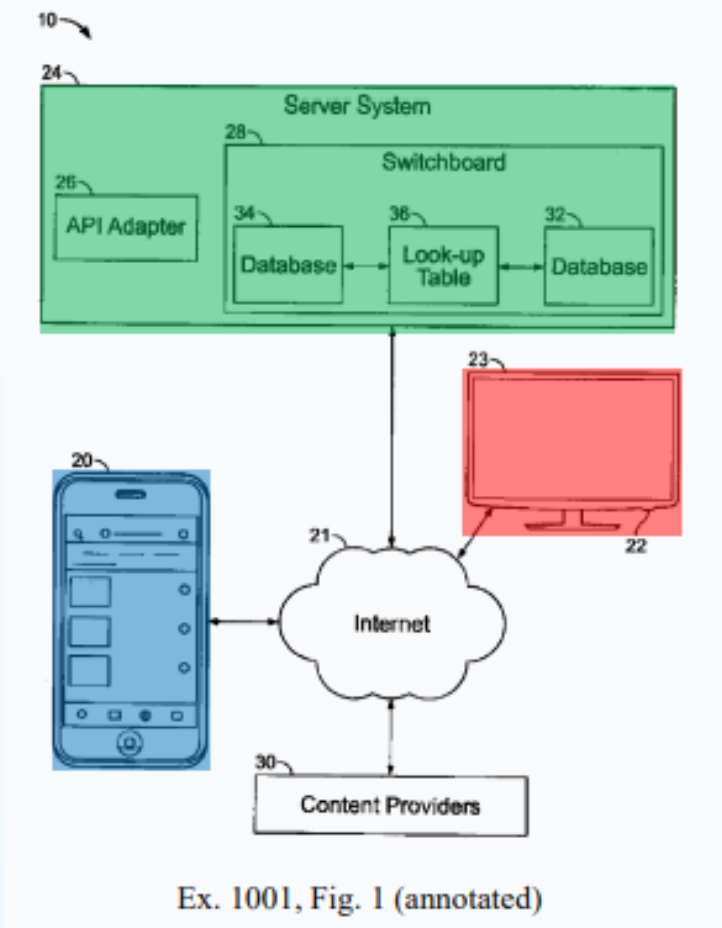
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- The Petition
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- Patent Owner's Arguments Fail
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- Motion to Strike

Danciu Overview



Ex. 1112, Fig. 1 (annotated)

Aldrey Overview



Ex. 1115, Fig. 1 (annotated)

Mahajan Overview

Mahajan's server translates specific commands of a first type to genericized commands, the genericized commands are transmitted, and then Mahajan's client translates those generic commands to specialized commands of a second type. Ex. 1114, [0035]-[0036], Figs. 1-2; Ex. 1102, ¶¶ 129-130. Command mappings are shown in Figure 3. Ex. 1114, [0036]-[0043], [0063], Figs. 3, 5.

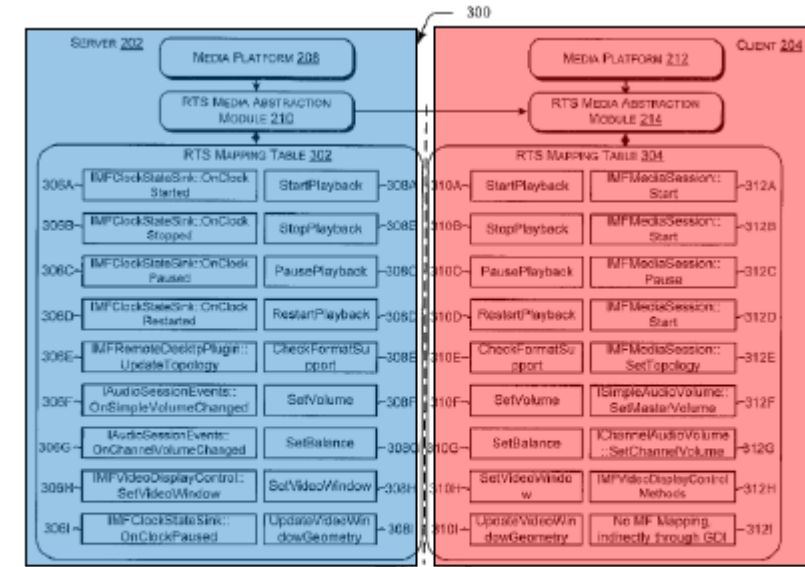


Fig. 3

Ex. 1114, Fig. 3 (annotated)

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The Danciu-Mahajan Combination

Applies Mahajan’s command-translation teachings to Danciu’s system

In particular, the Petition explicitly states “a POSITA would have been motivated to **implement Danciu’s system**, comprising a remote control sending commands to a controlled device via a server, **using known techniques for sending commands for media playback between a server and a client, such as is taught by Mahajan**.” Pet., 31-32 (emphasis added). The hardware of the Danciu system is a three-element system (**remote control 14**, **servers 24A-24N**, and **controlled device 18**) virtually identical to that of the ’251 Patent.

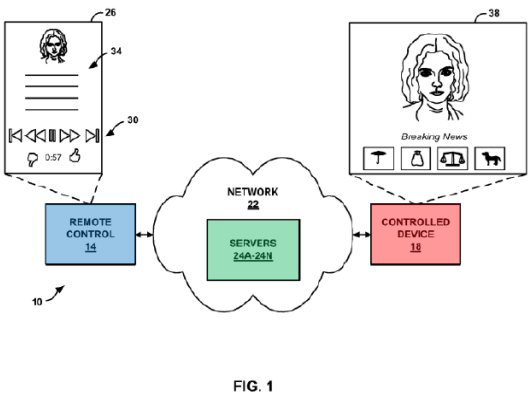


FIG. 1

Danciu’s system

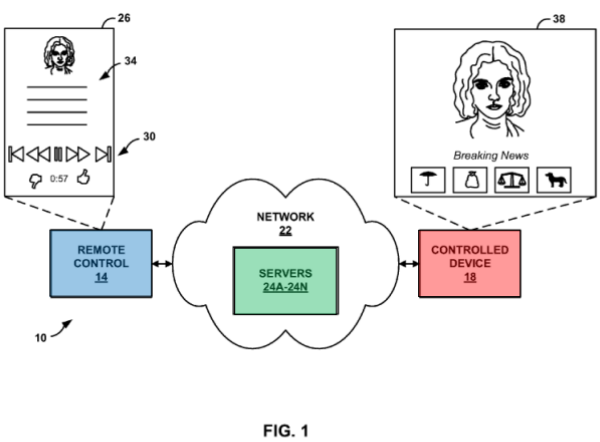


FIG. 1

Ex. 1112, Fig. 1 (annotated)

Mahajan’s command-translation teachings

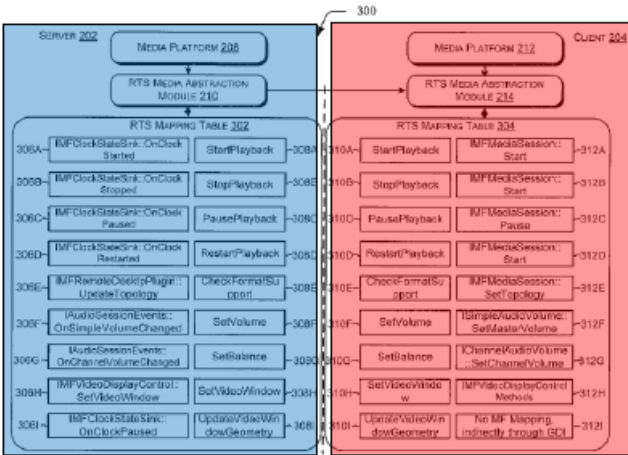


Fig. 3

Ex. 1114, Fig. 3 (annotated)

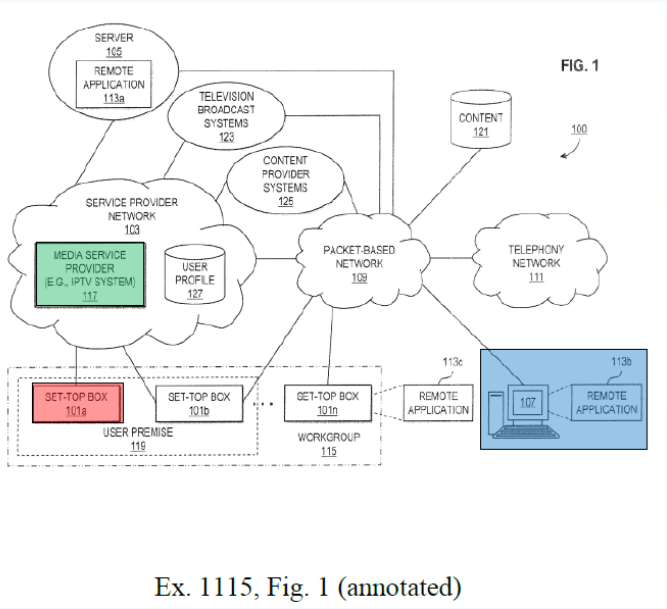
The Aldrey-Mahajan Combination

Applies Mahajan's command-translation teachings to Aldrey's system

Based on the teachings of Mahajan, a POSITA would have been motivated to implement Aldrey's system, comprising an end terminal sending commands to a connected television, using known techniques for sending commands for media playback between remote devices, such as is taught by Mahajan. Ex. 1102, ¶ 292.

Pet., 67.

Aldrey's system



Ex. 1115, Fig. 1 (annotated)

Mahajan's command-translation teachings

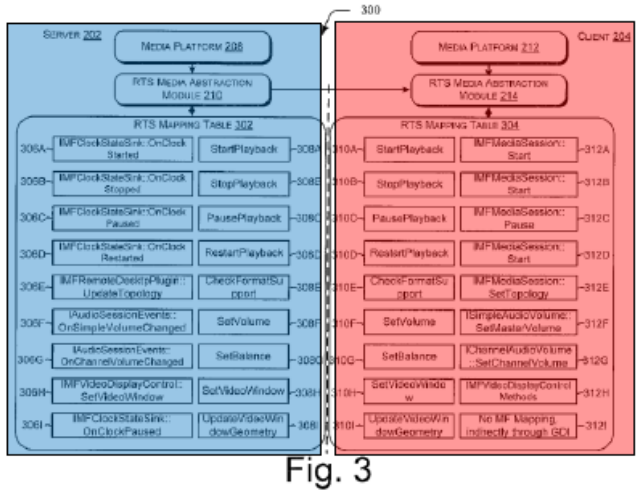


Fig. 3

Ex. 1114, Fig. 3 (annotated)

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The Danciu-Mahajan Combinations Obviousness Rationale

Based on the teachings of Mahajan, a POSITA would have been motivated to implement Danciu's system, comprising a remote control sending commands to a controlled device via a server, using known techniques for sending commands for media playback between a server and a client, such as is taught by Mahajan. Ex. 1102, ¶ 162. Mahajan, like Danciu, teaches a system wherein a user can command media on a controlled device to "play," "stop," etc. Ex. 1114, [0014]; Ex. 1112, 5:29-41; Ex. 1102, ¶ 162. A POSITA would have understood that Mahajan's server-command teachings could be implemented on Danciu's remote control, particularly because both disclosures reference those respective devices being a mobile phone. Ex. 1112, 5:1-28; Ex. 1114, [0017]; Ex. 1102, ¶ 162. A POSITA would have been motivated to apply Mahajan's teachings of command conversion because a POSITA would have understood that Danciu's remote control, which may be a portable device such as a cell phone, would likely employ different applications than Danciu's controlled device, which may be a set top box or personal video recorder. Ex. 1112, 5:1-6:13; Ex. 1102, ¶ 162.

Pet., 31-32.

Danciu contemplates that there may be separate messages from the remote control to the server, and from the server to the controlled device. Ex. 1112, 16:24-17:12, 17:21-43; Ex. 1102, ¶ 153.

Pet., 26-27.

The POR also argues that the Petition's statement that "it would have been obvious to a POSITA that one or more RTS Media Abstraction Modules could operate at a server, such as in Servers 24A-24N" fails to show a motivation to combine because it uses the word "could" instead of "would." POR, 40. This argument is misplaced because the Petition already explained why a POSITA would be motivated to combine Mahajan and Danciu when Mahajan was earlier introduced (Pet., 31-33). The discussion that PO cites (Pet., 41) merely confirms that a POSITA would successfully make the combination

Reply, 14.

The Aldrey-Mahajan Combination Obviousness Rationale

Based on the teachings of Mahajan, a POSITA would have been motivated to implement Aldrey's system, comprising an end terminal sending commands to a connected television, using known techniques for sending commands for media playback between remote devices, such as is taught by Mahajan. Ex. 1102, ¶ 292.

Mahajan, like Aldrey, teaches a system wherein a user can command media on a controlled device. Ex. 1114, [0014]; Ex. 1115, [0020], [0025], [0029]-[0030]; Ex. 1102, ¶ 292. A POSITA would have understood that Mahajan's server-command teachings could be implemented on Aldrey's end terminal remote control, particularly because both disclosures reference those respective devices being a mobile phone. Ex. 1115, [0026], [0054]; Ex. 1114, [0017]. Ex. 1102, ¶ 292. A POSITA would have been motivated to apply Mahajan's teachings of command conversion because a POSITA would have understood that Aldrey's end terminal, which may be a portable device such as a cell phone, would likely employ different applications than Aldrey's television. Ex. 1115, [0023]-[0026]; Ex. 1102, ¶ 292.

Pet., 67-68.

Similarly, with regard to Aldrey-Mahajan, the Petition states that Mahajan's teachings regarding the generation of genericized/universal playback commands are implemented in Aldrey's *end terminal*, not Aldrey's *server*. Pet., 67-68 ("A POSITA would have understood that Mahajan's server-command teachings could be implemented on Aldrey's end terminal remote control"). Thus, when Mahajan's teachings are implemented in Aldrey's end terminal, the end terminal sends universal playback commands to Aldrey's server, thus disclosing the step of "receiving, in the server system, one or more signals ... further including a universal playback control command." When the generic commands are received by Aldrey's server, the Petition describes how the media abstraction modules taught by Mahajan would operate at Aldrey's server to translate the generic interface commands to commands specific to the interface of a media player (Pet., 71-72), thus showing that the step of "converting, by the server system, the universal playback control command into corresponding programming code" occurs at Aldrey's server. The

Reply, 9-10.

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PO Mischaracterizes the Petition

■ The Petition:

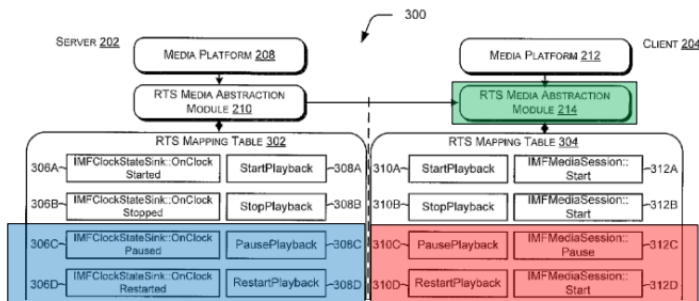
Based on the teachings of Mahajan, a POSITA would have been motivated to implement Danciu's system, comprising a remote control sending commands to a controlled device via a server, using known techniques for sending commands for media playback between a server and a client, such as is taught by Mahajan.

...

A POSITA would have understood that Mahajan's server-command teachings could be implemented on Danciu's remote control, particularly because both disclosures reference those respective devices being a mobile phone.

...

The RTS Media Abstraction module of the client (an API converter, green) converts the commands received by the client (red) from the server (blue).



■ PO:

1. Mahajan does not teach converting, by the server system, the universal playback control command

The process identified by Petitioner as being the *converting* step is performed by Mahajan's client, not by the server. Ex.2025 ¶¶ 49–51. Mahajan teaches that the RTS abstraction modules work together to translate commands specific to a first media platform into commands specific to a second specific platform, using generic commands as a kind of shared language. Ex. 1114, [0013]–[0014]. The server's RTS abstraction module in Mahajan only converts specific commands into generic commands (alleged by Petitioner to be “universal commands”). *Id.*; see also [0063]. The only conversion of the alleged *universal commands* is performed by the *client's* RTS abstraction module, not by the server. *Id.*

Mahajan's Teachings – Mr. Lett

4 Q. So you did not rely on the
5 architecture disclosed in Figure 1 for any of
6 your opinions regarding the combination of
7 Mahajan with the other prior art?

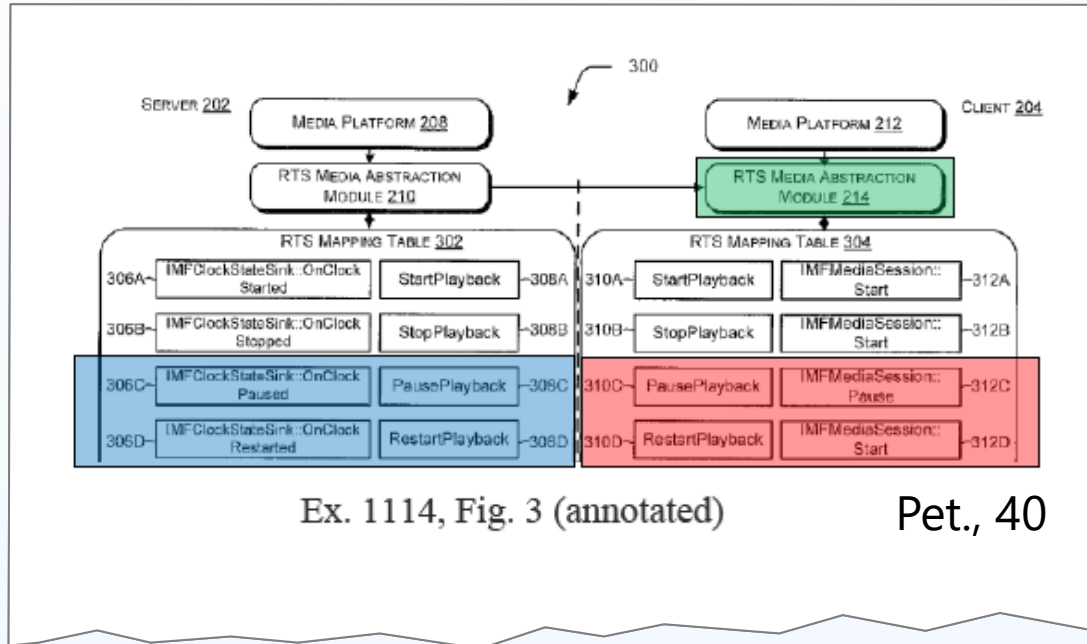
8 A. I did not rely on Mahajan for the
9 architecture. I relied on Mahajan's teaching
10 of conversion from generic commands to
11 specific media commands and vice versa.

Ex. 2027, 42:4-11

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- Motion to Strike

Mahajan Discloses “Selecting”



Ex. 1114, Fig. 3 (annotated)

Pet., 40

A POSITA would have understood that the RTS Media Abstraction Module is a software intermediary that converts commands from one interface (e.g., a genericized interface) into another (e.g., the interface of the first type of media playback application). Ex. 1102, ¶ 181.

Pet., 41

While the RTS mapping table 304 of Mahajan Figure 3 shows a mapping of a universal command (e.g., “StartPlayback”) to a single platform specific command (e.g., “IMFMediaSession::Start”), Mahajan also describes how “other mapping tables can include multiple translations.” Ex. 1114, [0041]; Pet., 40-42, 66-67. In particular, Mahajan provides an example of the client having two media players, QuickTime and Ogg, which would be supported in the mapping tables and a POSITA would have known how to implement such a translation routine. *Id.*; Ex. 1197, 53:13-54:19, 14:10-15:9. Mahajan teaches that in converting a generic command to a client-specific command, the mapping table would choose between a command corresponding to the QuickTime player or a command corresponding to the Ogg player, thus “selecting from among a plurality of specific commands, each of which represents a corresponding playback control command for a respective media player.”

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- Motion to Strike

Claim 22 of the '251 Patent

[22A] 22. An automated machine-implemented method of presenting video content on a display device that loads any one of a plurality of different media player, the method comprising:

[22B] displaying, by the display device, a synchronization code that was assigned to the display device by a server system, the server system subsequently storing, based on a message from a personal computing device that is separate from the server system and the display device, an association between the display device and the personal computing device, the message from the personal computing device including the synchronization code;

[22C] retrieving, by the display device from a server system, first information that specifies a first video file to be acted upon, that identifies a first media player for playing the first video file, and that indicates corresponding programming code to control playing of the first video file on the display device by the first media player in accordance with a first playback control command, wherein the server system previously received, from the personal computing device, one or more signals specifying the first video file identifying the first media player and including the first playback control command;

[22D] obtaining, by the display device, over the Internet the first media player for playing the first video file;

[22E] loading the first media player in the display device;

[22F] executing the first playback control command with respect to the first video file using the first media player;

[22G] subsequently retrieving, by the display device from the server system, second information that specifies a second video file to be acted upon, that identifies a second media player different from the first media player for playing the second video file, and that indicates corresponding programming code to control playing of the second video file on the display device by the second media player in accordance with a second playback control command, wherein the server system previously received, from the personal computing device, one or more signals specifying the second video file, identifying the second media player and including the second playback control command;

[22H] obtaining, by the display device, over the Internet the second media player for playing the second video file;

[22I] loading the second media player in the display device; and

[22J] executing the second playback control command with respect to the second video file using the second media player.

Disputed Limitations – Claim 22

[22A] 22. An automated machine-implemented method of presenting video content on a display device that loads any one of a plurality of different media player, the method comprising:

[22B] displaying, by the display device, a synchronization code that was assigned to the display device by a server system, the server system subsequently storing, based on a message from a personal computing device that is separate from the server system and the display device, an association between the display device and the personal computing device, the message from the personal computing device including the synchronization code;

[22C] retrieving, by the display device from a server system, first information that specifies a first video file to be acted upon, that identifies a first media player for playing the first video file, and that indicates corresponding programming code to control playing of the first video file on the display device by the first media player in accordance with a first playback control command, wherein the server system previously received, from the personal computing device, one or more signals specifying the first video file identifying the first media player and including the first playback control command;

[22D] obtaining, by the display device, over the Internet the first media player for playing the first video file;

[22E] loading the first media player in the display device;

[22F] executing the first playback control command with respect to the first video file using the first media player;

[22G] subsequently retrieving, by the display device from the server system, second information that specifies a second video file to be acted upon, that identifies a second media player different from the first media player for playing the second video file, and that indicates corresponding programming code to control playing of the second video file on the display device by the second media player in accordance with a second playback control command, wherein the server system previously received, from the personal computing device, one or more signals specifying the second video file, identifying the second media player and including the second playback control command;

[22H] obtaining, by the display device, over the Internet the second media player for playing the second video file;

[22I] loading the second media player in the display device; and

[22J] executing the second playback control command with respect to the second video file using the second media player.

Danciu's Control Information Identifies Media Players

PO further argues that Danciu's control information does not teach identification of media players "because control commands are not media player identifications." POR, 46-47. But Danciu's control information is not limited to playback control commands (e.g., play, pause, etc.) that are untethered from other information as PO assumes. In particular, Danciu describes that the storage device 92 inside its remote control "may store application instructions associated with a video application or web browser for displaying video content from the World Wide Web (e.g., YouTube content, Hulu content, Netflix content, etc.)." Ex. 1112, 13:7-11; Pet., 56-57. There would be no point to storing information specific to these particular media players if information identifying them weren't conveyed to the server and subsequently to the controlled device via Danciu's control information. Ex. 1198, ¶ 29. Danciu also states that "control information may include data intended to alter the operation of controlled device 18 (e.g., stop playback of content, move to other content, etc.)." Ex. 1112, 16:52-54 (emphasis added); Pet., 28. In order to instruct the controlled device to "move to other content," information identifying the content and associated media player must be included in the control information. Ex. 1198, ¶ 29.

Controlled device 118 may be used, in some examples, in conjunction with a remote control, such as remote control 14 shown in FIG. 1, remote controls 62 shown in FIG. 2, or remote control 75 shown in FIG. 3. For example, storage device 92 may store application instructions associated with a video application or web browser for displaying video content from the World Wide Web (e.g., YouTube® content, Hulu® content, Netflix® content, etc.). A user may interact with user interface 120 to execute the video or web browser application. Processor 120 then executes the video or web browser application and causes display 124 to display content to the user.

Remote control 14 also transmits a message to server 24 that includes a remote control identifier and control information. For example, the remote control identifier may include the SID issued by servers 24 that identifies remote control 14 as being part of a session maintained by servers 24 (204). The control information may include data intended to alter the operation of controlled device 18 (e.g., stop playback of content, move to other content, etc.).

Ex. 1112, 13:4-15, 16:47-54

Pet., 27-28; Reply, 22

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

Ex. 1200
IPR2024-00322

Danciu-Mahajan Teaches “Identif[ying] a First Media Player”

We also find no support in Danciu for Patent Owner’s assertion that “Danciu [is] focused on a single media player: YouTube.” Prelim. Resp. 43. Danciu mentions YouTube twice, both times with Hulu and Netflix. Ex. 1112, 11:31–35, 13:7–11. Furthermore, Danciu discloses that its remote control is meant to be used to control any available controlled device, as reflected in the following passage:

A user may use the remote control application of remote control 75, for example, to initiate contact with a server, such as server 24, for pairing remote control 75 to one or more controlled devices, such as controlled device 18 shown in FIG. 1. In some examples, the user may also utilize the remote control application of remote control 75 to select one or more previously paired controlled devices, and to send control messages to one or more paired controlled devices. For example, the user may interact with user interface 84 and/or display 88 to interact with and control any available controlled devices.

ID, 24.

Danciu-Mahajan Teaches “Retrieving”

Further, Danciu teaches using the session identification numbers to “route the messages to other members of the session. For example, a user may actuate one of controls 30 of remote control 14 to alter the content displayed on display 38 of controlled device 18.” Ex. 1112, 7:17-20. Danciu contemplates that there may be separate messages from the remote control to the server, and from the server to the controlled device. Ex. 1112, 16:24-17:12, 17:21-43; Ex. 1102, ¶ 153.

. . .

- c. [22C]: “retrieving ... first information that specifies a first video file ..., ... identifies a first media player ..., and ... indicates corresponding programming code to control playing of the first video file ... in accordance with a first playback control command, wherein the server system previously received... one or more signals specifying the first video file, identifying the first media player and including the first playback control command;”

As described above in Sections VI.B.1.e-VI.B.1.f, Aldrey-Mahajan teaches the features of limitation [22C]. In the instance where multiple commands are sent for the same video file, this meets the limitation regarding “wherein the server system previously received... one or more signals specifying the first video file...” Ex. 1102, ¶ 358.

Pet., 26-27, 83-84.

Second, claim 22 has more specific requirements than claim 1 for how information gets from the server system to the display device. Claim 1 only requires that information be stored “for transmission to or retrieval by the display device.” Ex. 1101, 11:52–54. Claim 22, however, requires “*retrieving*, by the display device from a server system, first information.” Ex. 1101, 14:5–6. Thus claim 22 imposes a requirement of the display device taking an active step to retrieve the information from the server, as opposed to the server initiating the communication. Ex.2025 ¶ 62. Petitioner ignores this requirement, and the Danciu-Mahajan combination, with or without Calvert, do not teach such an active step on the part of the display device. Pet., 83–84; Ex.2025 ¶ 63–65; Lett Tr. 43:22–45:17.

POR, 45.

Danciu-Mahajan Teaches “Retrieving”

Danciu similarly discloses that applications 130 executing on processor 132 of controlled device 118 (*i.e.*, Danciu’s display device) may require data from the servers 24 and “[n]etwork module 136 is configured to transmit data/requests to and receive data/responses from one or more servers via network.” Ex. 1112, 12:50-13:3, 11:7-13, Fig. 4; Ex. 1102, ¶ 97; Pet., 7. Danciu further describes that network module 136 may communicate with the servers using hypertext transfer protocol (HTTP), which a POSITA would have known to implement a “get” command for retrieving data by a client from a server, and then providing the received data to the processor/application. Ex. 1112, 12:50-13:3; Ex. 1197, 33:17-35:11; Ex. 1198, ¶ 25.

To the extent that PO is arguing that a request from the display device is an active step required to initiate the retrieving step, Danciu discloses it at least as much as it is disclosed in the ’251 Patent.

Reply, 19

50 In some examples, any application of applications 130 executed by processor 132 may require data from one or more of servers, such as servers 24 shown in FIG. 1. Network module 136 is configured to transmit data/requests to and receive data/responses from one or more servers via
55 network. Network module 136 may provide received data to processor 132 for further processing. Network module 136 may support wireless or wired communication, and includes appropriate hardware and software to provide wireless or wired communication. For example, network module 136
60 may include an antenna, modulators, demodulators, amplifiers, and other circuitry to effectuate communication between controlled device 118 and one or more servers associated with a network. Network module may 100 may communicate with one or more servers associated with the
65 network according to a network communication protocol, such as, for example, hypertext transfer protocol (HTTP), HTTP secured by transport layer security or secure sockets layer (HTTPS), simple mail transfer protocol (SMTP), simple object access protocol (SOAP), or other communication protocols.

Ex. 1112, 12:50-67

Roadmap

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 - Claims 1, 11
 - The Petition Relies on the Hardware Architecture of Danciu / Aldrey and the Teachings of Mahajan for "Converting"
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 - Claim 22
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 - Aldrey-Mahajan Teaches "Obtaining" and "Loading"
- Motion to Strike

Aldrey-Mahajan Discloses “Obtaining” and “Loading”

d. [22D]: “obtaining ... over the Internet the first media player ...;”

Aldrey teaches retrieving media content from online (e.g., Internet) sources. Ex. 1115, [0060]. Further, Aldrey teaches that the remote application, which can be connected via the Internet, may be loaded as an overlay on the media content in order to control the media being displayed. Ex. 1115, [0019], [0023]-[0025], [0030]-[0031], [0044]-[0047], [0052]-[0053], [0062]-[0066]. In such instances, the remote application functions as the first media player. Ex. 1102, ¶ 360. Further, Mahajan teaches that the display device may display a webpage obtained and loaded over the Internet from a server for displaying content. Ex. 1114, [0019]-[0020]. Ex. 1102, ¶ 360.

e. [22E]: “loading the first media player ...;”

As described above in Section VI.B.13.d, Aldrey-Mahajan teaches obtaining a media player over the Internet in order to load (e.g., install) it on the controlled device (“the display device”). It would have been obvious to a POSITA that for a media player to execute and display content, it should be loaded on the device, even if temporarily in RAM. Ex. 1102, ¶ 362.

Pet., 84.

Aldrey does not envision any programmatic obtaining or loading of media players. Ex.2025 ¶ 83. Petitioner attempts to conjure such functionality in Aldrey by pointing to the “remote application” of Aldrey. Pet., 84. But the remote application of Aldrey is central to its remote configuration methods and not to the obtaining or loading of a media player. Ex.2025 ¶¶ 84–86. Instead, Aldrey’s remote application is a user interface by which a user can adjust configurations for an STB remotely. Ex.2025 ¶ 85. Instances of the remote application running on an STB allow a user to configure the STB or other STBs, such as by updating user profile information or authenticating an account. *Id.* The remote application is also described as transmitting control commands to other parts of the STB or to other STBs to control media. *Id.* Petitioner’s expert, Mr. Lett, also asserts that a POSITA would have POR, 51.

Aldrey-Mahajan Discloses “Obtaining” and “Loading”

First, while titled a “remote application,” Aldrey explains that this software is resident on both Aldrey’s remote terminal (*i.e.*, the personal computing device) and Aldrey’s STB (*i.e.*, the display device). E.g., Ex. 1115, [0044], [0047], [0050] (remote application 209c is resident on STB 201). Ex. 1198, ¶¶ 32-33. Dr. Wicker acknowledges this (Ex. 2025, ¶ 85) but argues that the remote application is not a media player (Ex. 2025, ¶ 86). However, Aldrey describes that remote application 209c can be overlaid on the display of STB 201, thus functioning as the media player. and that software can be loaded based on instructions from the remote application. Ex. 1115, [0044], [0052]-[0053], [0014], [0020], [0054], [0055], [0093].

Aldrey also describes that one of the types of media content displayed on the display may be “Internet services content (streamed audio, video, or pictographic media)” (Ex. 1115, [0020]-[0021], [0025]) which, as explained by Mr. Lett, would include plugin media players which would be downloaded as part of the web page or separately. Ex. 1102, ¶ 360; Ex. 1197, 11:22-14:9; Ex. 1198, ¶ 34.

Reply, 23-24

[0052] Authentication module 233 may also facilitate the reception of data from single or disparate sources. For instance, STB 201 may receive broadcast video from a first source (e.g., IPTV system 117), signals from a remote application at second source (e.g., server 105), and a media content stream from a third source accessible over a data network (e.g., content repository 121). As such, display 221 may present the broadcast video, remote application, and media content stream to the user, wherein STB 201 (in conjunction with one or more remote application(s) 205a-205c) can permit users to control and configure STB 201, as well as experience various sources of media content available via system 100. This presentation may be experienced separately, concurrently, in a toggled fashion, or with zooming, maximizing, minimizing, or trick capabilities, or equivalent mode. In other exemplary embodiments, authentication module 233 can authenticate a user to allow them to control and configure other STBs (e.g., STB 103a-103n) and/or subscription services.

Ex. 1115, [0052]

Aldrey-Mahajan Discloses “Obtaining” and “Loading”

- Mr. Lett explains that the Internet content displayed on Aldrey’s STB would have included various media players:

34. Aldrey also describes that one of the types of media content displayed on the display may be “Internet services content (streamed audio, video, or pictographic media)”, and/or any other equivalent media form. Ex. 1115, ¶ [0021]; *see also* Ex. 1115, ¶¶ [0020]-[0021], [0025]. As I previously explained (e.g., in Ex. 1102, ¶ 160), it was well known at the time that web pages comprised various embedded applications for viewing video. For example, HTML and Flash players were included in web pages, and were used to play video embedded in web players. *See* Ex. 1102, Section 8; Ex. 1115, [0068], [0075]. Those plugins could be downloaded as part of the web page, or separately (e.g., Flash player might be downloaded in advance or when not detected as part of the webpage). In some

Ex. 1198, ¶ 34; Reply, 24; Ex. 1115, [0068].

[0068] In the illustrated embodiment, user interface 400 may include one or more interactive panes, such as panes 405 and 407. In particular embodiments, as will be described in more detail below, the content of pane 407 may be dynamically updated to display various information related to actions conducted within pane 405, and vice versa. Pane 405 (i.e., a navigation pane) includes a listing of selectable entries corresponding to one or more configurable parameters (or options) that may be associated with a subscription service, such as those parameters previously mentioned. In other embodiments, pane 405 may include a navigation tree, an expandable table of contents, or FlashMedia presentation of selectable entries. Based on a particular selection within pane 405, pane 407 (i.e., a parameter review and modification pane) may be populated with appropriate input fields, selectable elements (e.g., toggle buttons, check boxes, radio buttons, sliders, list boxes, spinners, drop-down lists, menus, toolbars, ribbons, combo boxes, icons, etc.), output fields (e.g., labels, tooltips, balloon helps status bars, progress bars, infobars, etc.) and windows, as well as any other suitable interface widget for inputting (or otherwise perceiving) configurable parameters. In turn, actions within pane 407 may affect selectable parameters within pane 405.

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PO's Motion to Strike

■ PO's Argument:

In one version of the Petition's proposed implementation, "one or more [of Mahajan's] RTS Media Abstraction Modules could operate at a server, such as in Servers 24A-24N" or "Aldrey's Service Provider Network 103." Pet., 41, 72. Notably, the Petition does not specify which of Mahajan's two RTS Media Abstraction Modules (210, 214) would operate at the alleged *server systems* in the circumstances where there is only one. See *id.*, 41, 71-72.

Motion to Strike, 2.

The Petition clearly set forth its reliance on Danciu's architecture in view of Mahajan's teachings on conversion generally (which alone is sufficient to defeat the Motion), while also specifying the locations where Danciu would be modified in view of particular RTS media abstraction modules. The combination was clear:

a POSITA would have been motivated to **implement Danciu's system**, comprising a remote control sending commands to a controlled device via a server, **using known techniques for sending commands for media playback between a server and a client**, such as is taught by Mahajan.

Pet., 31-32 (emphasis added). Petitioner expressly stated that Mahajan's teachings

Response to Motion to Strike, 2.

The Petition was similarly clear as to Aldrey, stating that "A POSITA would have understood that Mahajan's server-command teachings could be implemented on Aldrey's end terminal remote control," and that "it would have been obvious to a POSITA that one or more RTS Media Abstraction Modules could operate at a server, such as Aldrey's Service Provider Network 103." Pet., 67-68, 72.

Response to Motion to Strike, 4.