

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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LG ELECTRONICS, INC., LG ELECTRONICS U.S.A., INC., and VIZIO, INC.  
Petitioners,<sup>1</sup>

v.

MULTIMEDIA TECHNOLOGIES PTE. LTD.,  
Patent Owner.

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Case IPR2024-00352  
U.S. Patent No. 9,247,174

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**PATENT OWNER'S RESPONSE PURSUANT TO 37 C.F.R. § 42.120**

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<sup>1</sup> VIZIO, Inc. filed a petition in IPR2024-00696 and was joined as petitioner in this proceeding.

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| Ex. 2002                           | Petition for Inter Partes Review Under 35 U.S.C. § 312 and 37 C.F.R. § 42.104, Vizio, Inc. v. Multimedia Techs. Pte. Ltd., IPR2024-00696 (PTAB) (filed Mar. 14, 2024) |
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## I. INTRODUCTION

U.S. Patent No. 9,247,174 (“the ’174 Patent”) is assigned to Multimedia Technologies Pte., Ltd. (“Multimedia” or “Patent Owner”). The ’174 Patent is generally directed to user interfaces for accessing functions and content on television devices.

Petitioner LG Electronics, Inc. and LG Electronics U.S.A., Inc. (“LG” or “Petitioner”) filed a Petition<sup>2</sup> asserting four grounds of unpatentability against Claims 1-14 (the “Challenged Claims”). Pet., 12.

Each of Petitioner’s Grounds 1-4 fails to meet multiple limitations of the Challenged Claims. The Patent Owner demonstrates herein that the combination of

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<sup>2</sup> Based on the Patent Owner’s count, the 108-page Petition exceeds the word limit, having a total of 14,301 words including 340 words added to various figures. See 37 C.F.R. § 42.24(a); Consolidated Trial Guide (Nov. 2019), 40. *See Ericsson Inc. v. Elect. and Telecom. Research Inst.*, Paper 8, IPR2020-00239 (PTAB Jan. 31, 2020), at \*4 (“Based on our review of the Petitions, it appears that the Petitions circumvent the word count limits ... by including numerous images with excessive wording.”).

references in each ground fails to teach the limitations, and that there was no reason for a POSITA to combine the references as proposed by the Petitioner.

For the reasons set forth below, the Board should confirm each of the Challenged Claims as patentable.

## **II. THE GROUNDS AT ISSUE (GROUNDS 1-4)**

The Petition challenges Claims 1-14 of the '174 Patent as obvious under these grounds:

- Ground 1 challenging Claims 1-14 over Woods,
- Ground 2 challenging Claims 6, 8, and 14 over Woods and Istvan,
- Ground 3 challenging Claims 1-14 over Woods and Machida, and
- Ground 4 challenging Claims 6, 8, and 14 over Woods, Machida, and Istvan.

See Pet., 12.

## **III. THE '174 PATENT**

### **A. Overview of the '174 Patent**

The '174 Patent addresses the need for improved user interfaces for complex computer-implemented television devices, such as Smart TVs and Intelligent TVs, which provide access to various functions and multiple different sources of content. '174 Patent, 1:51-2:2; Ex. 2011 [Dr. R. Surati Decl.], ¶¶ 46-47 (“Surati declaration” or “Surati Decl.”). The '174 Patent describes the use of multi-panel user interfaces having a plurality of panels enabling, for example, a user to view content being

played in one panel and view other related content and/or information and/or functions in other panels. '174 Patent, 3:55-4:2 (“information may be displayed in one content area that specifically depends on or [is] contextually dependent on the primary program or active content area.”). Surati Decl., ¶ 48.

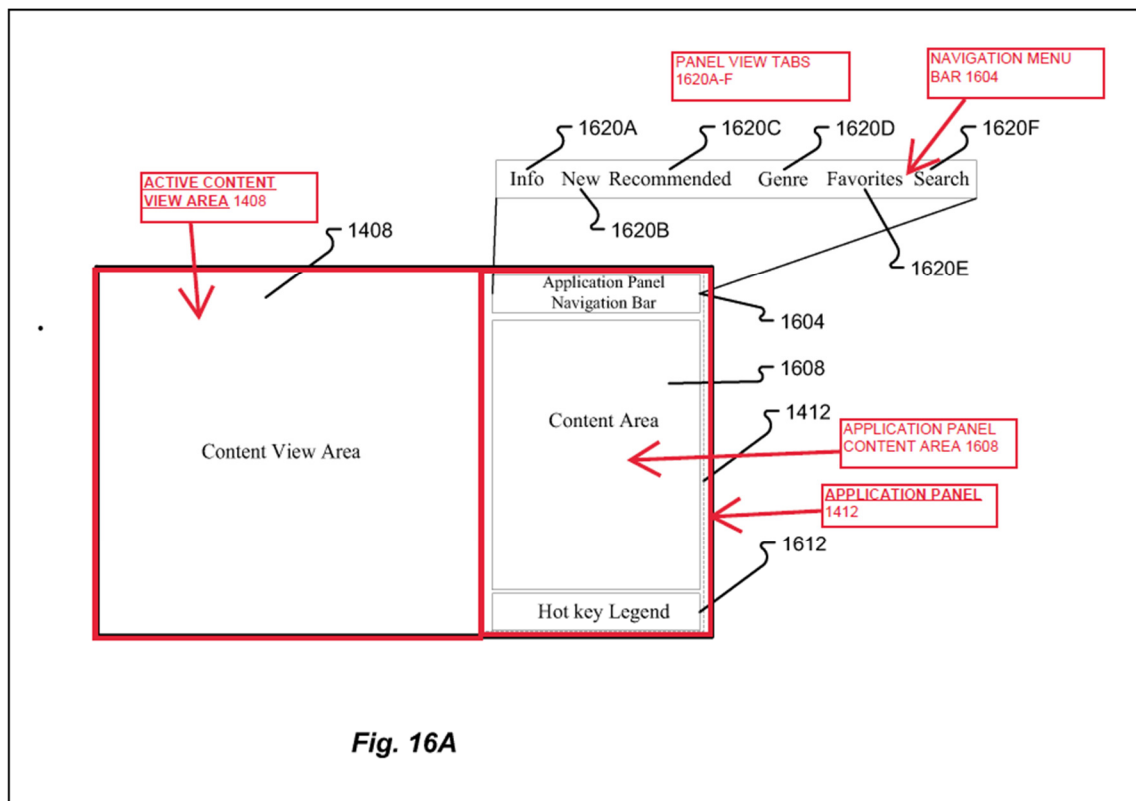
The disclosure and claims of the '174 Patent relate to an application panel interface providing an (1) application panel content area that displays information content that is dependent on or based on (2) content that is currently displayed in an active content area on the display. '174 Patent, Figs. 16A-C, Cl. 1. Surati Decl., ¶ 49. For example, the '174 Patent discloses that a currently-viewed program is displayed in active content area 1408 and a separate application panel interface 1412 presents, for example, an Info panel 1412A or Recommended panel 1412C displaying information based on or dependent on the currently-viewed program. See Figs. 16B, 19B, 21A-B; Surati Decl., ¶¶ 49-51, 74.

The '174 Patent repeatedly and consistently describes the application panel interface 1412 as providing content and functionality that is based on or dependent on the currently-viewed program in the active content area 1408 (all emph. added):

The content displayed in the application panel 1412 depends on the content displayed in content view area 1408. Stated another way, **application panel 1412 is contextually dependent upon the source of content and the content itself** in content view area 1408.

'174 Patent, 32:16-20 (emph. added), 33:1-3, 33:61-63, 37:31-32, 37:50-54, 37:59-61, 38:5-1. Surati Decl., ¶ 52. For example, the application panel interface 1412 may provide content that is based on the active content area displaying Episode 5 of a TV series, a VOD program, or a LiveTV broadcast program. '174 Patent, 37:41-67, 40:37-59. Surati Decl., ¶¶ 68, 74.

Figure 16A of the '174 Patent depicts an embodiment of the application panel interface 1412 on the right hand side and the active content view area 1408 on the left hand side of the television display:

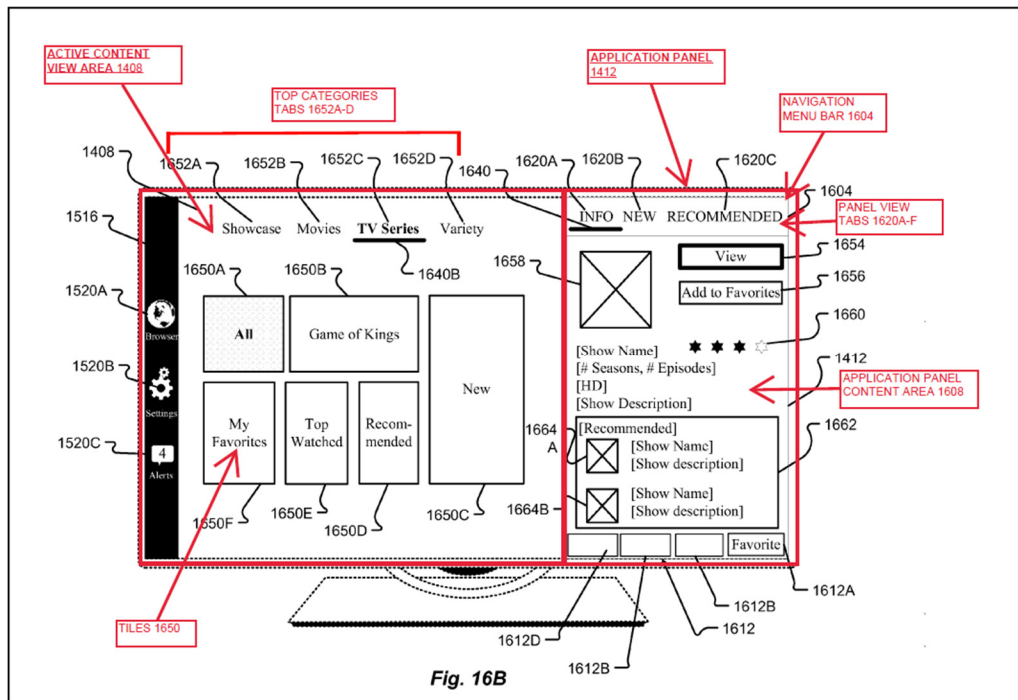


'174 Patent, Fig. 16A (annotated). Surati Decl., ¶ 56.

In Figure 16A the application panel interface 1412 includes the application panel content area 1608 and the navigation bar 1604. The navigation bar 1604 has multiple panel view options 1620A-F for displaying the application panel in multiple panel views in the application panel, including (1) Information 1620A, (2) New 1620B, (3) Recommended 1620C, (4) Genre 1620D, (5) Favorites 1620E, and (6) Search 1620F. '174 Patent, Fig. 16A, 4:7-9 (“The application panel in on demand includes six views (info, new, recommended, genre, favorites, and search).”). Surati Decl., ¶¶ 57-58, 62.

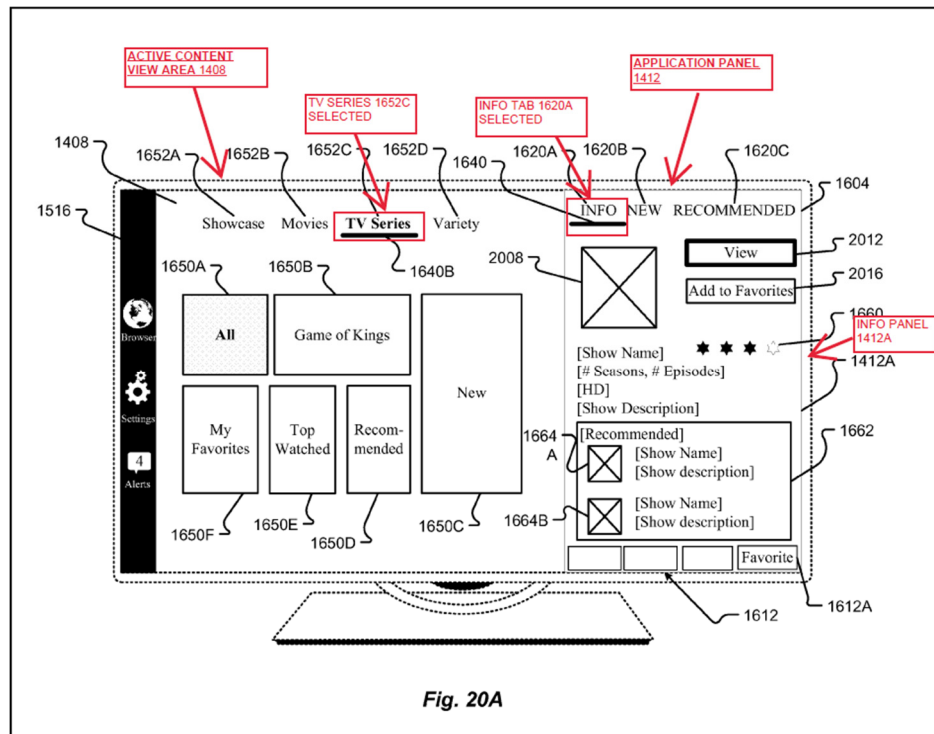
The '174 Patent explains the relationship between the application panel and the active content area as follows: “The content displayed in the application panel 1412 depends on the content displayed in content view area 1408 [and] [s]tated another way, application panel 1412 is contextually dependent upon the source of content and the content itself in content view area 1408.” '174 Patent, 32:14-37, Fig. 16A. Surati Decl., ¶¶ 59-61.

Figure 16B of the '174 Patent depicts the application panel 1412 on the right hand side and the active content area 1408 on the left hand side with panel view tabs 1620A-F (only tabs 1620A-C are shown) for different panel views:



'174 Patent, Fig. 16B (annotated). The Top Categories tabs 1652 can be selected for different content to be displayed in active content area 1408. Surati Decl., ¶¶ 63-65.

The '174 Patent describes that a user may select one of the panel view tabs 1620A-F to have a specific panel displayed in the application panel area 1608. For example, the user may select Info tab 1620A (reflected by the indicator 1640), which causes the display of Info panel 1412A that is based on the content displayed in the active content area 1408 on the left:



'174 Patent, Fig. 20A, 33:57-34:8. Surati Decl., ¶¶ 65-68. The '174 Patent describes that the content presented in application panel interface 1412 as Info panel 1412A is based on the content displayed in the active content area 1408, such as a VOD program or a LiveTV broadcast program. '174 Patent, 37:31-67. Surati Decl., ¶¶ 67-68, 72-74. See '174 Patent, 38:44-64, 39:18-37, 39:61-40:11, Figs. 20A-C.

The Info panel 1412A may be presented using different **types** of content panels, such as the series info panel type 1704A. '174 Patent, Figs. 17A, 20B, 35:29-33 ("The categories of panels may include, but are not limited to, 'Info Views' 1704 having panel types corresponding to 1704A-1704J"), 39:21-23 ("When the info panel view 1620A has a focus, an **info panel type**, such as series info 1704A, may be presented in a detailed information region"). Surati Decl., ¶ 68.

## **B. The Claimed Invention**

According to independent Claim 1, the invention provides [1.0] a method for displaying content on a television, including [1.1] receiving a first input via an input device; [1.2] in response to the first input, displaying via the television an application panel interface; [1.3] determining content currently displayed on the television; [1.4] identifying at least one of a [a] content source and [b] content information associated with the currently displayed content; [1.5.1] based on the [determined] content and the at least one of the [identified] [a] content source and [b] content information, providing a first content panel in the application panel interface; [1.5.2] wherein the first content panel is a first type of application panel; [1.6] receiving a first directional input via the input device; [1.7.1] determining, based on the first directional input, a second content panel to display in the application panel interface; [1.7.2] wherein the second content panel is a second type of application panel; [1.8] retrieving second content information based on the second type of content panel; and [1.9] displaying the second content information in the second content panel. '174 Patent, Cl. 1.<sup>3</sup>

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<sup>3</sup> Patent Owner has numbered the limitations consistent with the numbering provided in the Petition.

#### **IV. RELEVANT LEGAL STANDARDS**

The objective standard for determining obviousness under 35 U.S.C. § 103, as set forth in *Graham v. John Deere Co.*, 383 U.S. 1 (1966), requires a factual determination to ascertain: (1) the scope and content of the prior art; (2) the level of ordinary skill in the art; and (3) the differences between the claimed subject matter and the prior art, and (4) any objective indicia of nonobviousness. Based on these factual inquiries, it must then be determined, as a matter of law, whether or not the claimed subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the alleged invention was made. *Id.* at 17.

A finding of obviousness requires a showing that as of the date of the invention (a) the prior art teaches or suggests each of the limitations of the claim; (b) there exists an apparent reason to combine and/or modify the prior art as proposed; and (c) a person of ordinary skill would have a reasonable expectation of success that the proposed combination and/or modification of the prior art would operate for its intended purpose. See *KSR Int’l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007); *Pfizer, Inc. v. Apotex, Inc.*, 480 F.3d 1348, 1361 (Fed. Cir. 2007); *Regents of Univ. of California v. Broad Institute, Inc.*, 903 F.3d 1286, 1291 (Fed. Cir. 2018).

#### **V. LEVEL OF ORDINARY SKILL IN THE ART AND PRIORITY DATE**

For purposes of this response, the Patent Owner accepts the Petitioner’s definition of the POSITA as one who “would have had a bachelor’s degree in

Electrical Engineering, Software Engineering, or Computer Engineering, or equivalent training, and approximately two years of experience working in the field of television systems and networking, human-computer interaction, or related technologies.” Pet, 10; Ex. 1003 [Lippman Decl.], ¶ 19. The Patent Owner and its expert Dr. Surati find that definition to be reasonable. Ex. 2011 [Surati Decl.], ¶¶ 43-44.

The parties agree that the priority date for the ’174 Patent is August 17, 2012. Pet., 10; Lippman Decl., ¶ 19; Ex. 2011 [Surati Decl.], ¶ 40.

## **VI. CLAIM CONSTRUCTION**

In accordance with 37 C.F.R. § 42.100(b), the PTAB construes the claims according to the same claim construction standard that would be used to construe the claims in district court. The claims should be construed starting with the ordinary and customary meaning as understood by the person of ordinary skill in the art and considering the intrinsic evidence consisting of (1) the claim language, (2) the specification, and (3) the prosecution history. *David Netzer Consulting Eng’r LLC v. Shell Oil Co.*, 824 F.3d 989, 993-94 (Fed. Cir. 2016); *Phillips v. AWH Corp.*, 415 F.3d 1303, 1312-15 (Fed. Cir. 2005).

For purposes of the institution stage, the Board found that there was no need to provide express constructions of any claim terms. Instn. Dec., Paper 9, 16-17.

The Patent Owner and its expert, Dr. Rajeev Surati, have applied the ordinary and customary meaning of the claim terms as understood in the context of the '174 Patent. This includes the meaning of “application panel interface” in limitation 1.2, discussed in Section VIII.B, *infra*.

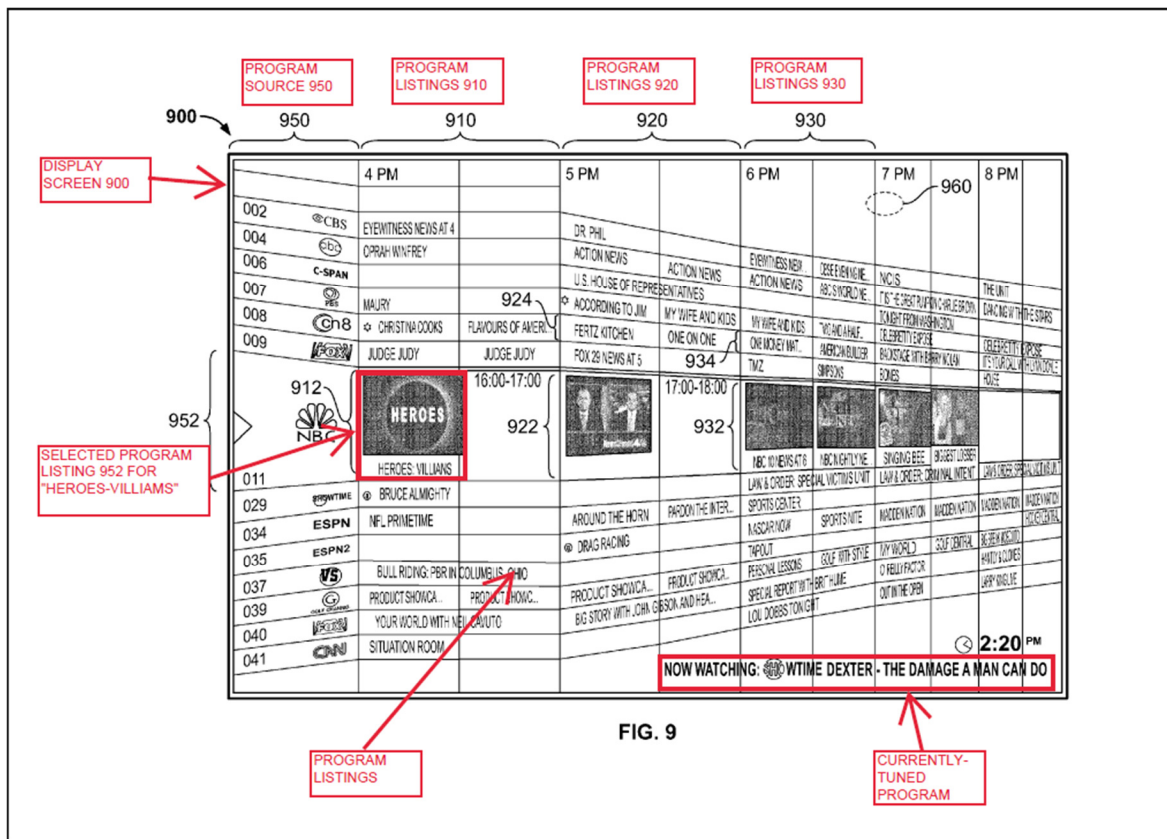
## **VII. SUMMARY OF THE PRINCIPAL APPLIED REFERENCES**

### **A. Woods (Ex. 1005)**

Woods is generally directed to a media guidance application (e.g., a program guide or interactive program guide) that provides media guidance objects (e.g., program listings) that are displayed in multiple perspectives on the screen. Ex. 1005 [Woods], Abstract, [0002]-[0005], Figs. 5D, 9. Surati Decl., ¶¶ 82-88.

Figure 4 of Woods depicts a media guidance system 400, including user devices 402-406 that interface with media content source 416 (connected to content distributors like cable head ends, broadcast facilities, etc.) and media guidance data source 418 (providing program guide information). Wood, [0048]-[0053], Fig. 3; [0059]-[0072], Fig. 4. Surati Decl., ¶¶ 82-94.

Figure 9 of Woods depicts an “interactive program guide” 900 with “program listing[s].” Ex. 1003 [Lippman Decl.], ¶ 48; Woods, Fig. 9. The program guide includes media guidance objects, also referred to as “program scheduling information” or “program listings.” Woods, [0152]. The display has multiple perspective views:



Woods, Fig. 9 (annotated). Surati Decl., ¶¶ 95.

The program guide of Figure 9 includes a program source region 950 and program listings arranged by time and channel which can be selected (e.g., selected Heroes listing 912) to receive further information in the program-specific display of Figure 10. Woods, [0152]-[0153], [0155], Fig. 10. A POSITA would understand Woods' Figure 9 as providing a program guide where the currently-tuned program is Showtime-Dexter, and the selected program listing is Heroes-Villains 912. Woods, Fig. 9. See Surati Decl., ¶¶ 96-99.

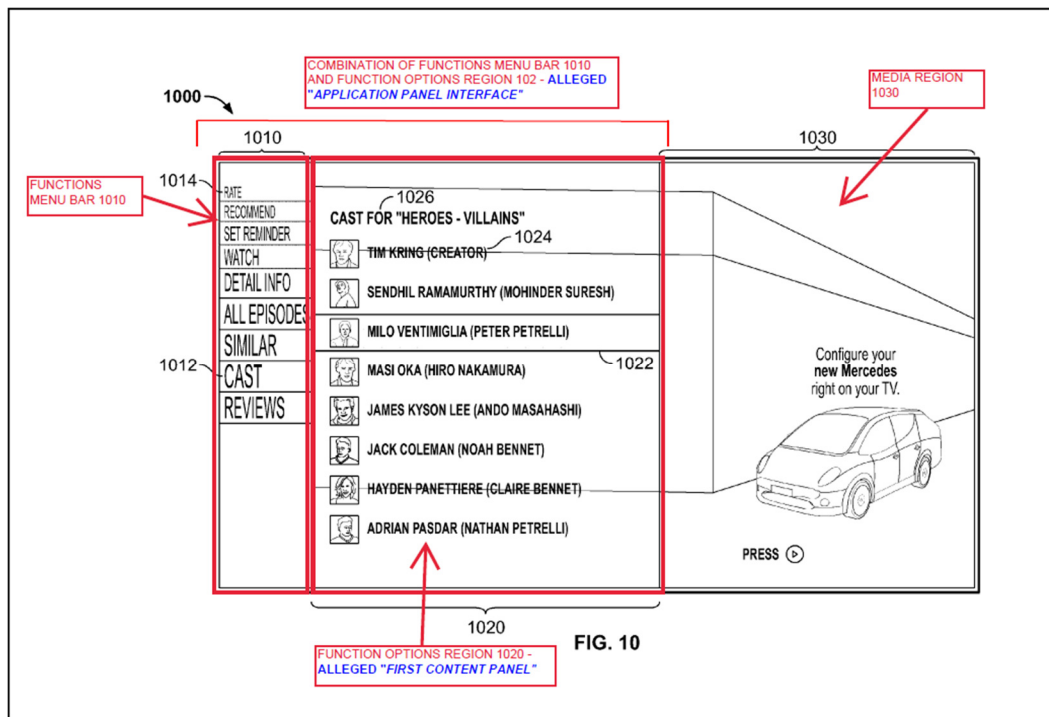
Woods discloses that a user can navigate among the various program listings in Figure 9 to select a particular program listing (bring it "into-focus"):

The user may navigate within portions of the media guidance objects to **select a desired program listing** corresponding to a media asset. For example, the user may navigate up/down within program source information region 950 to select a desired program source.

Woods, [0156] (emph. added), [0164]-[0166], Fig. 9. Surati Decl., ¶¶ 100-102.

A POSITA would understand Woods to be disclosing that the user can select different program listings to seek further information. A POSITA would understand Figures 9-10 as illustrating that the user selects the program listing for Heroes-Villains 912 in Figure 9 to receive a new display with further information about Heroes-Villains as depicted in Figure 10 of Woods. Woods, [0165]-[166], Figs. 9-10. Surati Decl., ¶ 103.

Figure 10 of Woods is a program-specific display (e.g., specific to Heroes) that provides information and options when a user selects a specific program listing such as Heroes 912 on the program guide of Figure 9:



Woods, Fig. 10 (annotated). Surati Decl., ¶ 104.

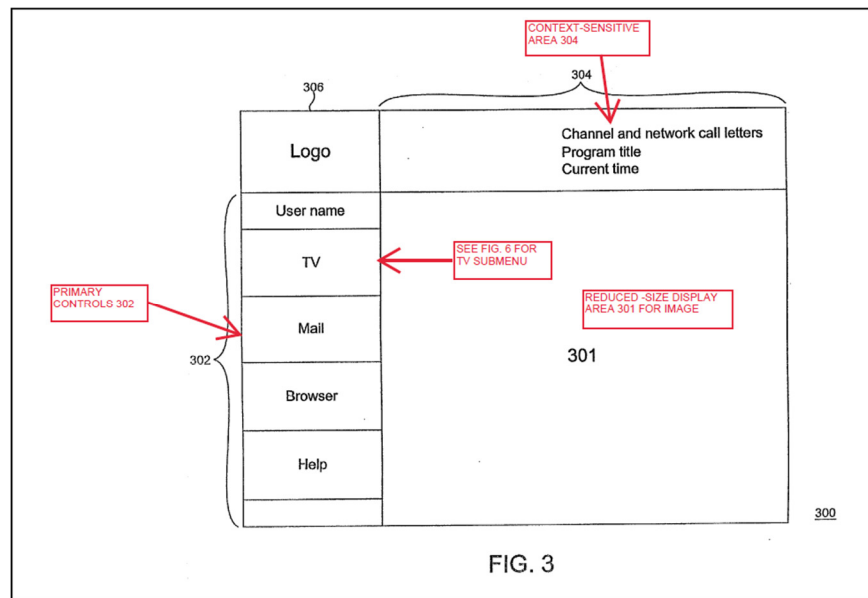
Woods describes the program-specific display of Figure 10 as having “a functions menu bar 1010, function options region 1020 and a media region 1030.” Woods, [0170]. The functions menu bar 1010 displays a “list of indicators of functions associated with the media asset corresponding to the **program listing selected** from screen 900 (FIG. 9).” Woods, [0171] (emph. added). Woods discloses that the function options region 1020 may display a list of “options or items” based on the selected function (e.g., Cast) in the functions menu bar 1010. [0175]-[0178], [0180]. The media region 1030 may display an advertisement, a video, or a clip or description of the currently-selected program listing. Woods, [0174]. Surati Decl., ¶¶ 105-108.

In summary, Figure 9 of Woods provides a program guide with program listings for multiple programs and multiple sources. If a user selects a program listing in Figure 9 (e.g., Heroes), then the program-specific display of Figure 10 is presented. Figure 10 provides information and options specific to the selected program (e.g., Heroes). The content presented in options region 1020 is for a selected function (e.g., Cast) based on the program listing Heroes selected in Figure 9. A POSITA would readily understand that the content presented in region 1020 is not based on the currently-displayed content (e.g., Mercedes ad) in media region 1030 or the currently-tuned content Showtime-Dexter from Figure 9. Woods, Figs. 9-10. Surati Decl., ¶¶ 108-110.

**B. Istvan (Ex. 1006)**

Istvan is generally directed to the display of television content in a display area and a synthetic channel page having selectable system-level functions and submenus. Ex. 1006 [Istvan], Abstract, Figs. 3, 6. Surati Decl., ¶ 113.

Figure 3 of Istvan depicts a user interface 300 including a reduced-area 301 for displaying the program, primary controls 302 which provide system-level functions, and a context-sensitive area 304:



Istvan, Fig. 3 (annotated), [0040]-[0044]. Surati Decl., ¶¶ 114-115.

If a user selects a system-level function in primary controls 302 such as “TV”, a new user interface is presented in Figure 6 that includes a TV submenu 602 with its own system-level functions that can be selected for more information. Istvan, [0054], [0057], Fig. 6. Surati Decl., ¶¶ 116-117.

### C. Machida (Ex. 1008)

Machida is generally directed to a digital content reproducing apparatus having a plurality of user operation interfaces, including a “linear content operation panel” and an “interactive content operation panel.” The apparatus monitors incoming content and automatically switches between the linear content operation panel and the interactive content operation panel. The linear content panel is used for playback of content such as video. The interactive content panel is used to

navigate interactive content. Ex. 1008 [Machida], Abstract, Figs. 2-4. Surati Decl., ¶¶ 118-123.

## **VIII. CLAIMS 1-14 ARE PATENTABLE OVER WOODS (GROUND 1)**

### **A. Independent Claims 1 and 10 Are Patentable Over Woods**

Woods fails to teach or suggest at least the following limitations of Claim 1:

- Limitation 1.5.1: *“based on the content and the at least one of the content source and the content information, providing a first content panel in the application panel interface,”* where *“the content”* was determined for the currently-displayed content pursuant to limitation 1.3, and the *“content source”* and/or the *“content information”* was identified for the currently-displayed content pursuant to limitation 1.4.
- Limitation 1.2: *“in response to the first input, displaying, via the television, an application panel interface.”*
- Limitations 1.5.2 and 1.7.2: *“wherein the first content panel is a first type of application panel”* and *“wherein the second content panel is a second type of application panel.”*
- Limitations 1.7: *“determining ... a second content panel [that is] a second type of application panel”* based on a second user input.

Independent Claim 10 has limitations similar to Claim 1 and is patentable for at least the same reasons. See Surati Decl., ¶¶ 124-125.

**B. Woods Fails to Teach or Suggest Limitation 1.5.1 That “Based on the Content and the At Least One of the Content Source and the Content Information, Providing a First Content Panel in the Application Panel Interface.”**

Limitation 1.5.1 recites “*providing a first content panel in the application panel interface*” “*based on the [determined] content and the [identified] at least one of the content source and the content information*” for the content “*currently being displayed via the television.*” In other words, limitation 1.5.1 provides that the first content panel is determined based on the content source and/or the content information that is identified for the currently-displayed content in limitation 1.4. Surati Decl., ¶ 126.

**1. Disclosure in ’174 Patent**

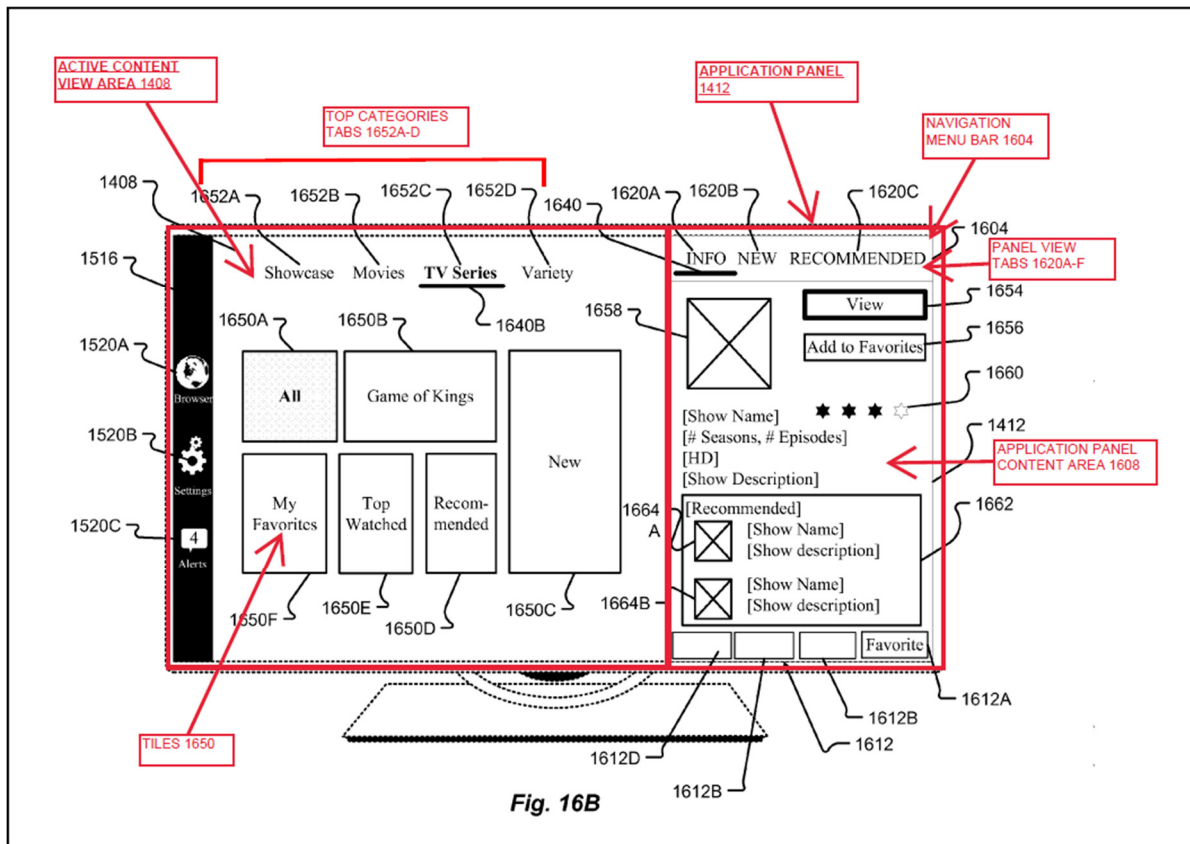
The ’174 Patent discloses that a content panel such as an Information panel 1412A (when Info panel view 1620A is selected) or a Favorites panel 1412E (when Favorites panel view 1620E is selected) can be presented in the application panel interface 1412. ’174 Patent, Figs. 16A-B, 19A-B, 20A-B. The information presented in the content panel (e.g., Info panel 1412A or Favorites panel 1412E) is determined based on the content source and/or content information for the content that is currently-displayed content in the active content area 1408. Surati Decl., ¶ 127.

The '174 Patent consistently describes application panel interface 1412 as providing content that is based on or dependent on the currently-displayed content in the active content area 1408:

The content displayed in the application panel 1412 depends on the content displayed in content view area 1408. Stated another way, application panel 1412 is contextually dependent upon the **source of content and the content itself** in content view area 1408.

'174 Patent, 32:16-20 (emph. added), 33:1-3, 33:61-63, 37:31-32, 37:50-54, 37:59-61, 38:5-16, Fig. 19B, Fig. 20A. See '174 Patent, 2:18-21 (“selecting a panel type based on the identified at least one of content source and second content information currently being displayed via the television”). Surati Decl., ¶ 128.

In Figure 16B, the '174 Patent depicts the application panel interface 1412 on the right hand side and the active content area 1408 on the left hand side:



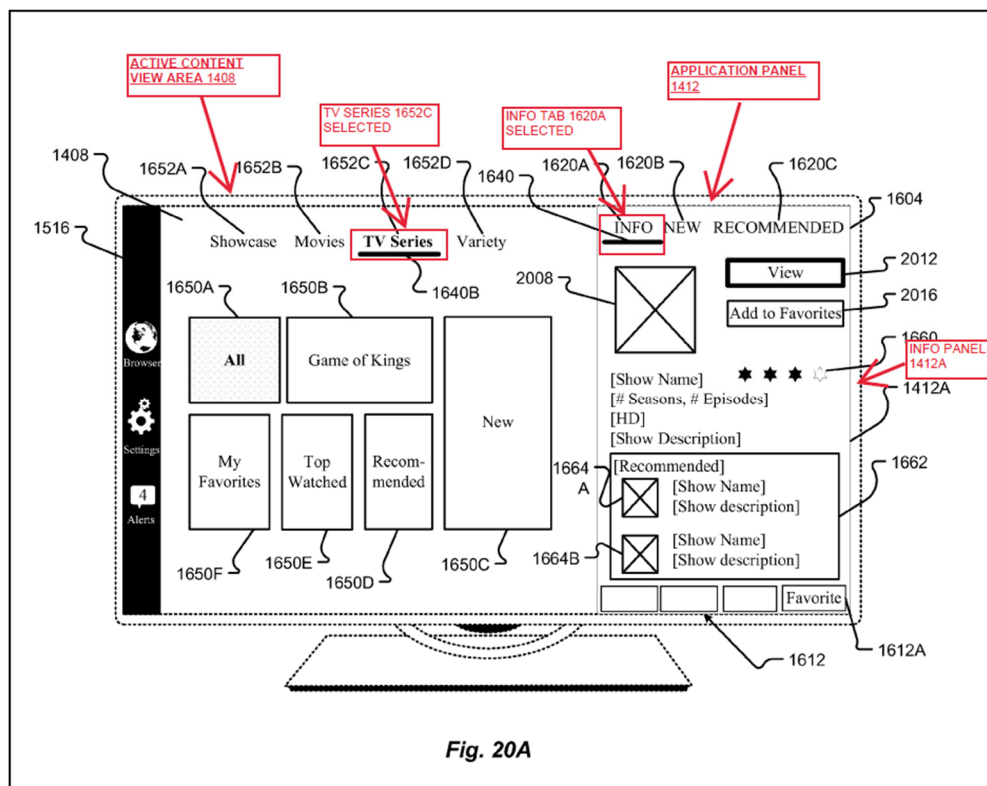
'174 Patent, Fig. 16B (annotated). Surati Decl., ¶¶ 130-131. The user may select one of the panel view tabs 1620A-F to have a specific panel presented in the application panel interface 1412. '174 Patent, 33:26-66; Surati Decl., ¶¶ 132-133.

In a first example corresponding to the “*first content panel*,” the user selects Info tab 1620A which causes the display of information in Info panel 1412A that is based on the content displayed in the active content area 1408. '174 Patent, 33:57-66. Surati Decl., ¶¶ 133-134. By way of example, the Info panel 1412A may display information based on Episode 5 of a VOD program or a LiveTV broadcast program that is displayed in active content area 1408. '174 Patent, 37:31-39. Accordingly, the

Info panel 1412A provides information that is based on the content source and content information for the currently-displayed content in active content area 1408.

Surati Decl., ¶ 134.

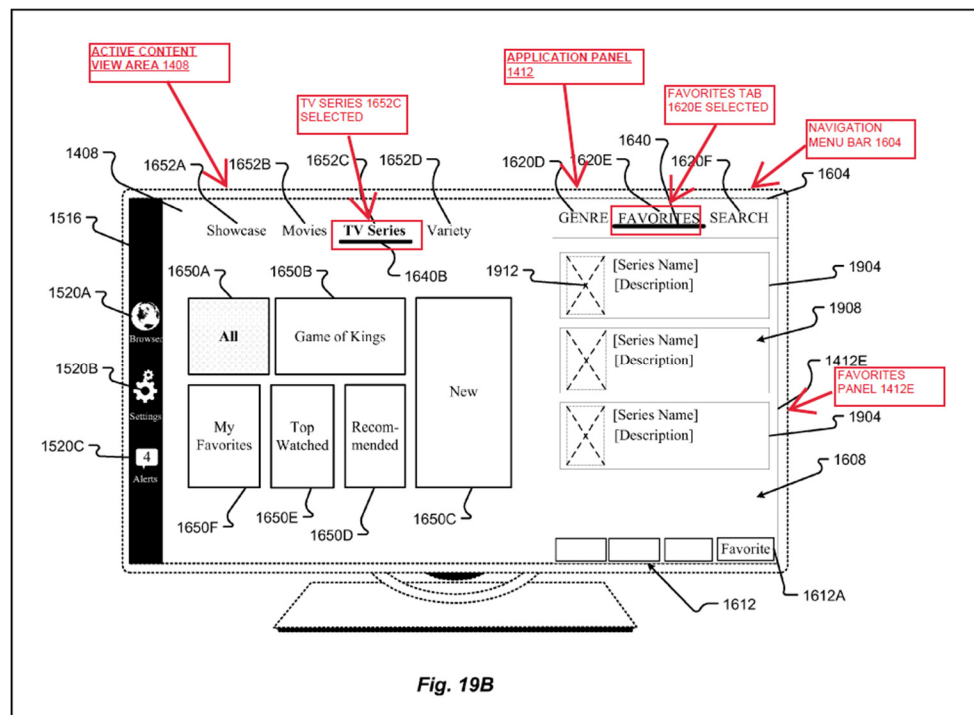
Figure 20A illustrates the application panel 1412 presented as an Info panel 1412A based on Info panel view 1620A being selected and TV Series 1652C selected in the active content area 1408:



'174 Patent, Fig. 20A (annotated). The Info panel 1412A displays information based on the content currently-displayed in active content area 1408. '174 Patent, 37:41-65 ("Application panel 1412 may then display context specific information corresponding to the active content area 1408."); 38:47-64 (Info panel 1412B

displays information based on the Game of Kings TV series in the active content area 1408). Surati Decl., ¶¶ 135-137.

In a second example corresponding to the “*first content panel*,” Figure 19B depicts the application panel 1412 where the Favorites panel view 1620E has been selected so that a Favorites panel 1412E is presented:



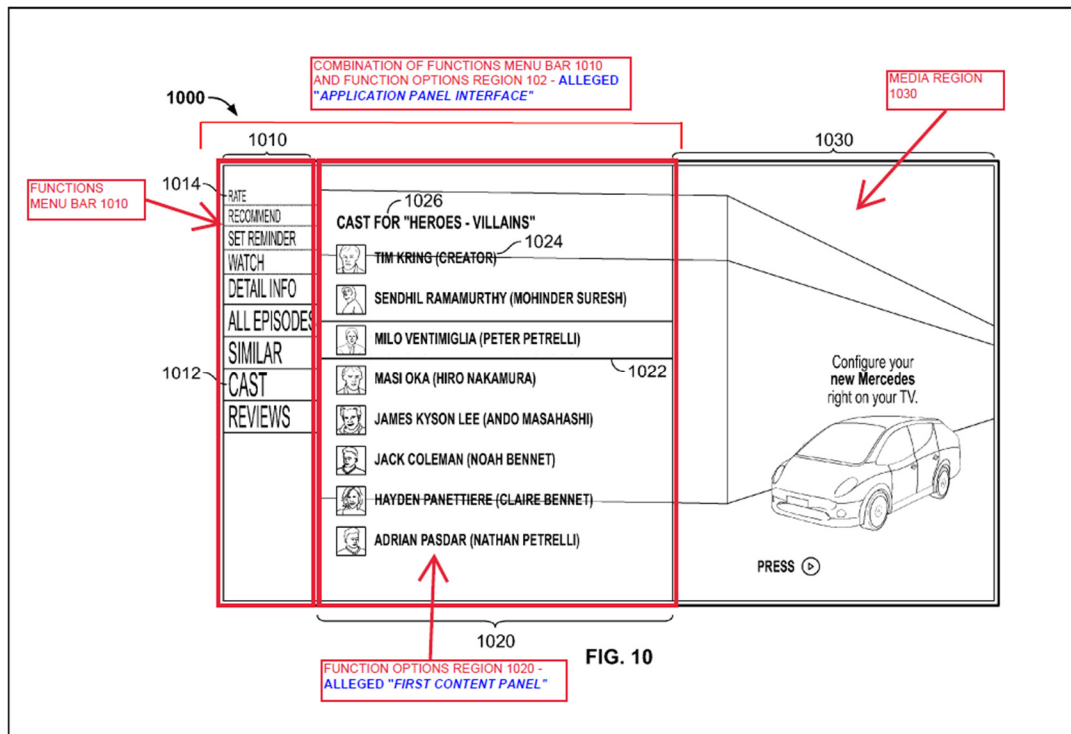
'174 Patent, Fig. 19B (annotated). See '174 Patent, 36:31-37:15, Fig. 19A. The application panel 1412 will be a Favorites panel 1412E that displays favorites information corresponding to the TV series content currently-displayed in active content area 1408. Surati Decl., ¶¶ 138-140.

**2. Woods Does Not Disclose That Regions 1010/1020 in Figure 10 Are Based on the Currently-Displayed Content in Media Region 1030 to Meet Limitation 1.5.1.**

The Petitioner argues that the claimed “*application program interface*” is the combination of function region 1010 and options region 1020 in display 1000 of Figure 10 of Woods, and the claimed “*first content panel*” is options region 1020. Woods, Fig. 10 (annotated). See Pet., 42-44; Surati Decl., ¶ 141.

However, a POSITA would understand that Woods Figure 10 does not meet limitation 1.5.1 because the information in options region 1020 (alleged “*first content panel*”) is not based on the currently-displayed content in media region 1030. Surati Decl., ¶ 142.

The Petitioner alleges that the information displayed in region 1020 (alleged “*first content panel*”) is based on the program content “that is currently displayed in region 1030.” Pet., 40-41; Lippman Decl., ¶ 104. However, a POSITA would readily understand that the information displayed in region 1020 is based on the **selected program listing** (e.g., Heroes 912) made by the user in Figure 9, not the currently-displayed content in media region 1030 of Figure 10. Indeed, Woods clearly discloses that region 1020 of Figure 10 presents information based on the selected program listing for Heroes from the program guide of Figure 9, not the Mercedes advertisement displayed in media region 1030 of Figure 10:



Woods, Fig. 10 (annotated). Surati Decl., ¶ 143.

Woods describes Figure 10 as follows:

[0170] FIG. 10 shows an illustrative display screen 1000 of functions corresponding to a **selected program listing** displayed accordance with an embodiment of the invention. Screen 1000 may include a functions menu bar 1010, function options region 1020 and a media region 1030.

Woods, [0170] (emph. added). Surati Decl., ¶ 144.

The functions menu bar 1010 displays “functions ... corresponding to the **program listing selected** from screen 900 (FIG. 9).” Woods, [0171] (emph. added). The function options region 1020 displays a list of “options or items” for the selected function (e.g., Cast) based on the **selected program listing** 912 (Heroes). Woods, [0178] (“a selectable list of ... cast members that are present in the media asset

**corresponding to the selected program listing.** For example, when the media asset corresponding to the program listing is ‘Heroes,’ **a list of the cast members in Heroes** may be displayed.”). See Woods, [0175] (emph. added); Surati Decl., ¶¶ 144-145.

The Petitioner admits that region 1020 displays information “corresponding to the program listing selected from screen 900.” Pet., 41. The Petitioner’s expert admitted in deposition that options region 1020 displays information based on the selected program listing from the program guide 900 of Figure 9. Ex. 2013 [Dep. Tr. Lippman], 71:2-5 (Q: “So when you select a program listing in Figure 9, the system brings up the display shown in Figure 10. Correct?” A: “Yes.”), 71:25-72:10 (Q: “And Figure 10 which is brought up from Figure 9, is it fair to say that this is describing information pertaining to Heroes, the program Heroes, not the program Dexter?” A: “That’s correct.” Q: “Is it your understanding that what Figure 10 reflects is the user has selected the Heroes tile in Figure 9 and that has taken the user to the display in Figure 10 showing information related to the program Heroes?” A. “Yes.”), 138:17-24.

In deposition, the Petitioner’s expert agreed that media region 1030 displayed an advertisement for Mercedes, which is unrelated to the content presented for Heroes in region 1020 in Figure 10. Ex. 2013 [Dep. Tr. Lippman], 72:14-17 (Q: “What does that appear to be displaying? A: “In that illustration?” Q: “Yes.” A:

“Something like a Mercedes ad.”), 151:1-4 (A. “Well, in the scenario that Woods demonstrates, he actually shows you a Mercedes commercial. So he doesn’t show you the content that you are currently watching on live television.”).

Accordingly, Woods teaches that options region 1020 (alleged “*first content panel*”) displays information based on the “selected program listing” (Heroes) from the program guide of Figure 9, not the currently-viewed content (e.g., Mercedes advertisement) in media region 1030 in Figure 10. Woods, Fig. 10. Surati Decl., ¶ 146.

Woods’ disclosure in paragraph [0174] does not alter the conclusion. Woods describes that media region 1030 can display an advertisement (like the Mercedes ad), a currently-tuned program, or other video content:

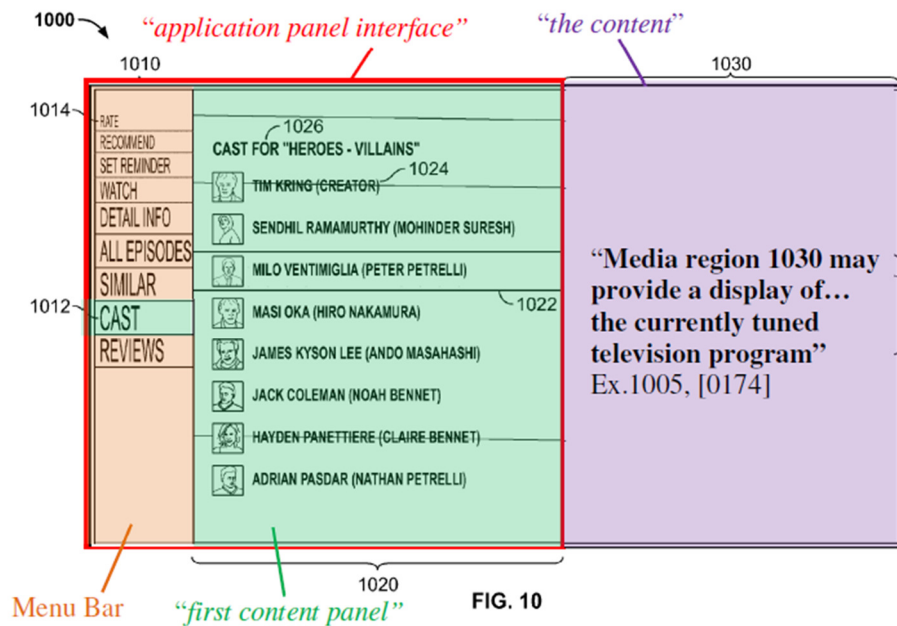
Media region 1030 may provide a display of an advertisement, a video, a clip, the currently tuned television program, icon, image, text or any other suitable media. For example, media region 1030 may provide a video clip or textual description of the media asset corresponding to the program listing selected from screen 900 (FIG. 9) or a media asset selected in accordance with other embodiments of the invention.

Woods, [0174]. A POSITA would readily understand that Woods does not teach or suggest that the content presented in region 1020 is determined based on the content displayed in media region 1030. Media region 1030 could display content related to the selected program listing (e.g., a video clip from Heroes), but the content

presented in region 1020 is still based on the selected program listing 912 for Heroes from Fig. 9, not the video clip. Surati Decl., ¶ 148.

As explained by Dr. Surati, Woods teaches that the information displayed in options region 1020 is **determined independently** of the currently-viewed content in media region 1030. The media region 1030 may display an advertisement, a clip from Heroes, or some other content. Regardless, the content presented in options region 1020 is based on the selected program listing from Figure 9. Nowhere does Woods disclose that the content in region 1020 is determined based on the currently-displayed content in region 1030. Accordingly, region 1020 is not a “*first content panel*” that is based on the currently-displayed content in media region 1030, and thus does not meet limitation 1.5.1. Surati Decl., ¶ 149.

The Petitioner contrives a modified Figure 10 (Pet., 42, 44; Lippman Decl., ¶¶ 105, 111) depicting a “currently tuned television program” in media region 1030:



Ex.1005, Fig. 10 (modified/annotated); Ex.1003, ¶111.

Woods, Fig. 10 (modified and annotated by Petitioner).

The Petitioner’s modified Figure 10 does not alter the analysis. As explained previously, the information in region 1020 (alleged “*first content panel*”) is based on the **selected program listing** (Heroes) in Figure 9, not the currently-viewed program. Pet., 44; Lippman Decl., ¶¶ 111-112. See Woods, Figs. 9-10. Nowhere does Woods teach or suggest that the content displayed in region 1020 is determined based on the content displayed in media region 1030. Surati Decl., ¶¶ 150-151.

Accordingly, limitation 1.5.1 is not satisfied by Woods. Surati Decl., ¶ 152.

**3. The Alleged Background Knowledge from the Extraneous References Istvan and CurioView Does Not Cure the Deficiencies of Woods Regarding Limitation 1.5.1.**

The Petitioner and its expert realize that Woods does not teach that the information in options region 1020 is based on the currently-displayed content in media region 1030. They present a back-up argument based on the extraneous references of Istvan and CurioView, which allegedly reflect background knowledge in the art. Pet., 45 (referencing Ex. 1006 [Istvan] and Ex. 1007 [CurioView]); Lippman Decl., ¶ 114. However, the alleged background knowledge fails to fill the gap in Woods regarding limitation 1.5.1. Surati Decl., ¶ 153.

These extraneous references allegedly represent the background knowledge of “displaying information about the content currently being viewed by a user.” Pet., 45; Lippman Decl., ¶ 114. The purported background knowledge does not correspond to the claim language and does not fill the gap in Woods for limitation 1.5.1. The claim does not generically provide for “displaying information about the content currently viewed.” Rather, it provides for providing a “*first content panel*” in an “*application panel interface*” based on “*identifying ... a content source [and/or] content information*” for currently-displayed content, pursuant to limitations 1.4 and 1.5.1. The alleged background knowledge is not tied to the claim language and does not fill the gap. Surati Decl., ¶¶ 154-155.

Furthermore, the Petitioner and its expert have not provided any argument or evidence that a POSITA would have an apparent reason to combine the alleged background knowledge of “displaying information about the content currently being viewed by a user” with Figure 10 of Woods. *Koninklijke Philips N.V. v. Google LLC*, 948 F.3d 1330, 1337-38 (Fed. Cir. 2020) (a showing of motivation to combine is required for combining general knowledge on pipelining with SMIL 1.0). See Pet., 45; Lippman Decl., ¶ 114. Surati Decl., ¶ 156.

Indeed, a POSITA would not have reason to combine the alleged background knowledge of “displaying information about the content currently being viewed by a user” with display 1000 in Figure 10 of Woods. As discussed previously, the purpose of Woods’ regions 1010 and 1020 is to present information based on a **program listing** selected from a **program guide**, not information based on “content currently being viewed by a user.” See Section VIII.B.2, *supra*. Accordingly, there is no reason to modify the program listing based regions 1010/1020 to instead be based on currently-viewed programming in media region 1030. Surati Decl., ¶ 157.

Furthermore, a POSITA would not make the proposed modification because the result would run counter to the objective of Woods of providing information based on the selected program listing. *In re Gordon*, 733 F.2d 900, 902 (Fed. Cir. 1984); *Ex Parte Derek J. Webb*, 2012 WL 417450 at \*3-4 (BPAI: Feb. 7, 2012) (there is no motivation to combine “[i]f a proposed modification would render the

prior art invention being modified unsatisfactory for its intended purpose”). A POSITA would not have made the proposed modification. Surati Decl., ¶ 158.

Additionally, the Petitioner makes no showing that the proposed modification to Woods based on the alleged background knowledge would have a reasonable expectation of success. See Pet., 45; Lippman Decl., ¶ 114. Surati Decl., ¶ 159. The demonstration of a reasonable expectation of success is not a formality—it is a fundamental requirement of the obviousness case. *Endo Pharm., Inc. v. Actavis LLC*, 922 F.3d 1365, 1373 (Fed. Cir. 2019); *Pfizer, Inc. v. Apotex, Inc.*, 480 F.3d 1348, 1361 (Fed. Cir. 2007); *Juniper Networks, Inc. v Correct Transmission, LLC*, Paper 26, IPR2021-00682 (PTAB Oct. 3, 2022), at \*23 (“Petitioner leaps silently over the requirement to evidence a reasonable expectation of success to establish obviousness”). In this case, there would not be a reasonable expectation of success for the reasons explained above on why a POSITA would not make the combination.

Accordingly, the alleged background knowledge does not fill the gap in Woods regarding limitation 1.5.1, and thus Claim 1 is patentable. Surati Decl., ¶ 160.

**C. Woods Does Not Teach or Suggest the “Application Panel Interface” of Limitation 1.2**

Limitation 1.2 provides for “*displaying ... an application panel interface*” in response to a user input. A POSITA would understand the ordinary and customary meaning of “*application panel interface*” as referring to a panel interface providing

information that is determined based on currently-displayed program content. Surati Decl., ¶ 161.

**1. The '174 Patent Consistently Describe the Application Panel Interface As a Panel Interface That Provides Information Determined Based on Currently-Displayed Program Content.**

The '174 Patent specification repeatedly and consistently describes an “application panel interface” as a panel interface that provides information that is determined based on currently-displayed program content. See '174 Patent, Figs. 16A-16C. For example, the '174 Patent discloses (all emph. added):

The content displayed in the application panel 1412 **depends on the content displayed in content view area 1408**. Stated another way, application panel 1412 is contextually dependent upon the **source of content and the content itself** in content view area 1408.

'174 Patent, 32:16-20.

The [application] panel content area [1608] is also **active content area specific** ...

'174 Patent, 33:1-3.

Application panel 1412 may then display context specific information **corresponding to the active content area 1408**.

'174 Patent, 33:61-63.

The information panel [1412A] provides the user with information **related to the current active review**.

'174 Patent, 37:31-32.

Application panel 1412 may then display context specific information **corresponding to the active content area 1408.**

'174 Patent, 37:59-61.

For example, an additional information region 1662 may display a mini-list of recommended shows displaying the show name and show description and **pertaining to the active content area 1408.** For example, a mini-list of recommended shows 1662 displaying the show name and show description and **pertaining to the active content area 1408** may be displayed in the application panel 1412. ... Moreover, additional information **pertaining to the active content area 1408** may be presented to a user in the additional information region 1662.

'174 Patent, 38:5-16, Fig. 20A. See Surati Decl., ¶ 162.

As a further example, Figure 20A depicts the application panel interface 1412 providing information based on the Game of Kings program in active content area 1408:

Thus, if top category TV Series 1652C is selected and the Game of Kings tile 1650B is selected, the info panel 1412A content area 1408 may show information about that specific TV series.

'174 Patent, 38:61-64, Fig. 20A. See Surati Decl., ¶ 163.

Accordingly, the repeated and consistent characterization in the specification confirms that “*application panel interface*” refers to a panel interface providing information that is determined based on currently-displayed program content. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1315, 1321 (Fed. Cir. 2005) (*en banc*) (the

specification “acts as a dictionary when it expressly defines terms used in the claims or when it defines terms by implication.”); *GPNE Corp. v. Apple Inc.*, 830 F.3d 1365, 1370 (Fed. Cir. 2016) (quoting *VirnetX, Inc. v. Cisco Sys., Inc.*, 767 F.3d 1308, 1318 (Fed. Cir. 2014)) (“When a patent ‘repeatedly and consistently’ characterizes a claim term in particular way, it is proper to construe the claim term in accordance with that characterization.”); *Irdeto Access, Inc. v. Echostar Satellite Corp.*, 383 F.3d 1295, 1300 (Fed. Cir. 2004) (“Even when guidance is not provided in explicit definitional format, the ‘specification may define claim terms by implication’ such that the meaning may be ‘found in or ascertained by a reading of the patent documents.’”). See Surati Decl., ¶¶ 162-164.

**2. Woods Does Not Teach or Suggest the Claimed  
“Application Panel Interface.”**

The Petitioner and its expert assert that the claimed “*application panel interface*” of limitation 1.2 is the combination of functions region 1010 and options region 1020 in Figure 10 of Woods. Pet., 22-26; Lippman Decl., ¶¶ 70-74. The Petitioner identifies the alleged “*application panel interface*” as follows:

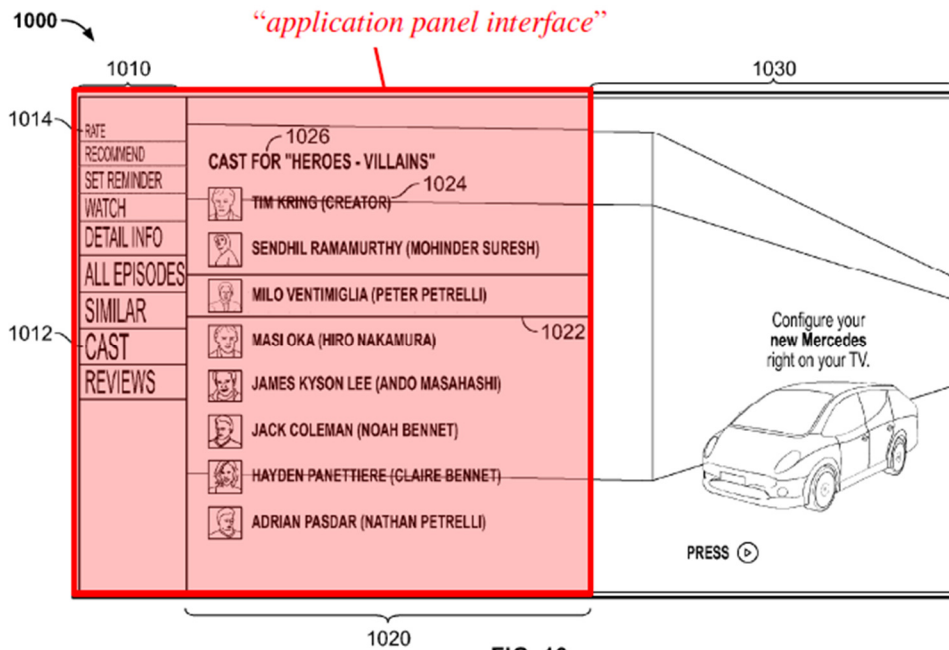


FIG. 10

Ex.1005, Fig. 10 (annotated); Ex.1003, ¶71.

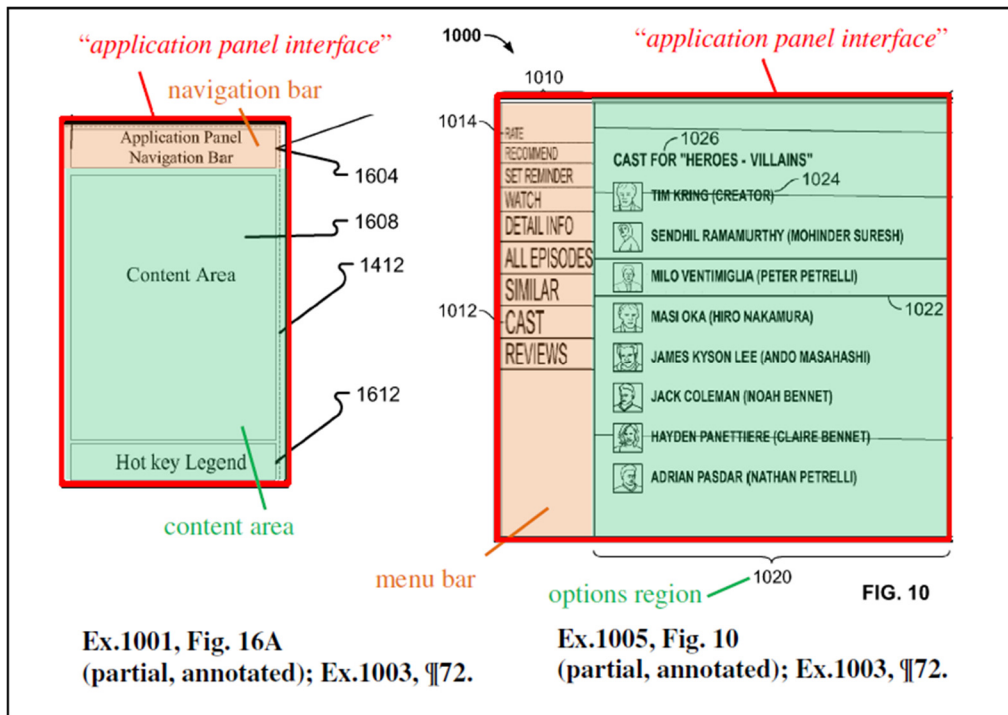
Pet., 24 (Woods, Fig. 10, annotated by Petitioner); Lippman Decl., ¶ 71. Surati Decl., ¶ 165.

However, functions region 1010 and options region 1020 of Figure 10 are determined based on the program listing selected by the user from the program guide of Figure 9, as admitted multiple times by the Petitioner and its expert. Pet., 23 (“As shown below in Fig. 10, in response to the **user selecting the program listing** corresponding to ‘Heroes’ ... the television displays screen 1000 with functions menu bar 1010 and function options region 1020.”); Lippman Decl., ¶ 71 (same); Pet., 26 (“Thus, Woods discloses that in response to the **user’s input command to select a program listing** ... displaying, via the television, a functions menu bar 1010

and a function options region 1020 ...”); Lippman Decl., ¶ 74 (same) (all emph. added). Surati Decl., ¶ 166.

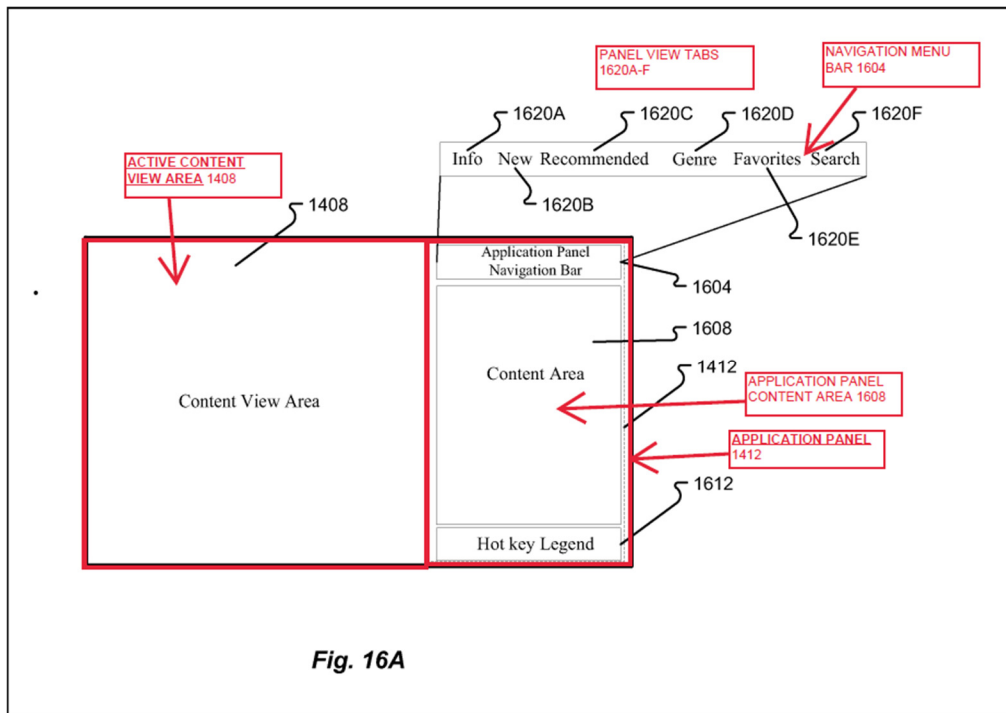
The function region 1010 and options region 1020 are not determined based on the currently-displayed content in media region 1030 (e.g., Mercedes advertisement). Woods, Fig. 10. Woods instead teaches that the information in function region 1010 and options region 1020 is **determined independently** of any currently-displayed content in media region 1030. For this reason and the reasons set forth in Section VIII.B.2, *supra*, Woods does not teach or suggest an “*application panel interface*” providing information that is determined based on currently-displayed program content in media region 1030 pursuant to limitation 1.2. Surati Decl., ¶ 167.

The Petitioner and its expert fail to establish that region 1010 and region 1020 in Woods meet limitation 1.2 for the claimed “*application panel interface*.” See Pet., 22-26; Lippman Decl., ¶¶ 70-74. The Petitioner presents a comparison of excerpts from Figure 16A of the ’174 Patent and Figure 10 of Woods:



Pet., 26 (Petitioner’s excerpted and annotated Fig. 16A of ’174 Patent and Fig. 10 of Woods). The Petitioner presents the figures as excerpts to obscure that Woods teaches that the alleged “*application panel interface*” is **not** based on currently-displayed content in media region 1030.

The full Figure 16A of the ’174 Patent is depicted as below:



'174 Patent, Fig. 16A (annotated). Surati Decl., ¶¶ 168-169.

Figure 16A includes active content area 1408 with currently-displayed content. As described throughout the '174 Patent, the application panel interface 1412 is based on the currently-displayed content in active content area 1408. See Section VIII.B.1. On the other hand, the information in functions region 1010 and options region 1020 in Figure 10 of Woods is based on the selected program listing from the program guide, not the currently-displayed content in media region 1030. See Section VIII.B.2.

Accordingly, limitation 1.2 for displaying an “*application panel interface*” is not met by Woods. Surati Decl., ¶¶ 170-171. Thus, Claim 1 is patentable over Woods.

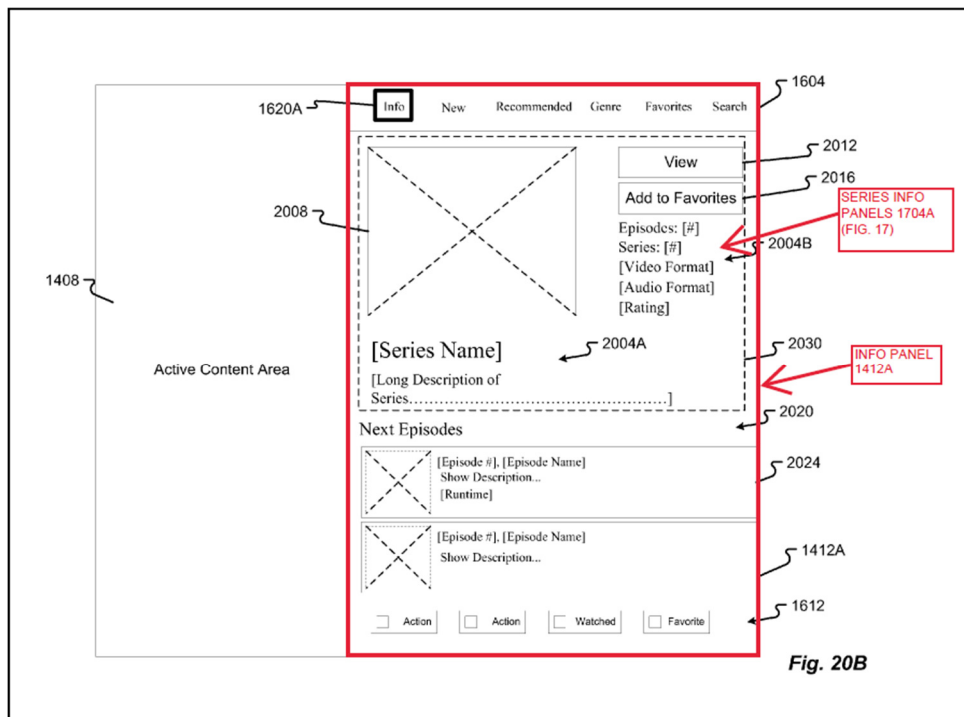
**D. Woods Fails to Teach or Suggest Limitations 1.5 and 1.7 for Providing a “First Content Panel [that] Is a First Type of Application Panel” and Providing a “Second Content Panel [that] Is a Second Type of Application Panel.”**

Limitations 1.5 and 1.7 provide for “*a first content panel in the application panel interface [that] is a first type of application panel*” and “*a second content panel ... in the application panel interface [that] is a second type of application panel.*”

**1. Disclosure in '174 Patent**

The '174 Patent discloses a user interface including an application panel interface 1412 with panel view tabs 1620A-F that can be selected to provide different panel views, such as an Info panel 1412A when the Info panel view 1620A is selected. '174 Patent, Figs. 16A-B, 20A-B, 32:46-62. The Info panel 1412A may be presented using a **specific panel type** such as the series panel 1704A from Figure 17A. See '174 Patent, Fig. 20B. See Figs. 17A, 20B, 35:38-40 (“The categories of panels may include, but are not **specific panel type** limited to, ‘Info Views’ 1704 having **panel types corresponding to 1704A-1704J**”), 39:21-23 (“When the info panel view 1620A has a focus, an **info panel type, such as series info 1704A**, may be presented in a detailed information region”). Surati Decl., ¶ 173.

For example, Figure 20B depicts an Info panel 1412A presented when the Info panel view 1620A is selected:



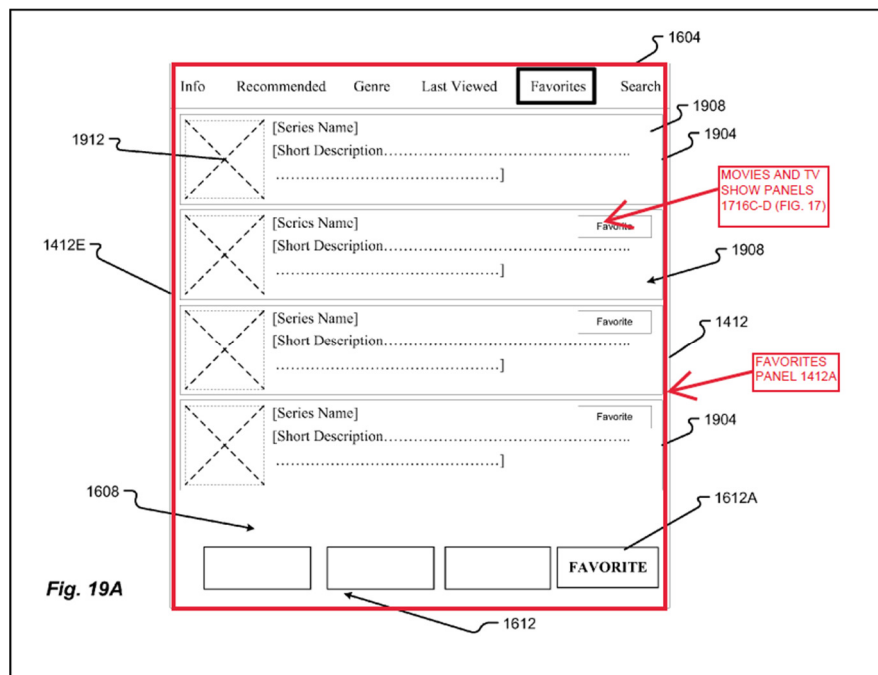
'174 Patent, Fig. 20B (annotated). The Info panel 1412A may use **info panel type series info 1704A** to display the information based on the currently-displayed content in active area 1408. '174 Patent, 39:18-32, Fig. 20B, Fig. 17A. Surati Decl., ¶¶ 174-175.

Thus, the '174 Patent discloses that selecting Info panel view 1620A results in the display of “a first content panel [that is] a first type of application panel” per limitation 1.5. Surati Decl., ¶ 176.

In another example, a Favorites panel 1412E can be provided when the Favorites panel view 1620E is selected. '174 Patent, Figs. 16A-B, 19A-B. The Favorites panel 1412E may be presented using a specific panel type **such as the panel types 1716C-D** from Figure 17B. '174 Patent, Figs. 17B, 19A, 36:17-19 (for

the Favorites panel 1412E “the panel type will correspond to one of 1716C and 1716D depending on whether the user has selected movies on demand or TV series”). Surati Decl., ¶ 177.

Figure 19A depicts a Favorites panel 1412E presented when the Favorites panel view 1620E is selected:



'174 Patent, Fig. 19A (annotated). The Favorites panel 1412E may use info panel type 1716C to display information based on the currently-displayed content in active area 1408. '174 Patent, 36:31-39, Fig. 19A. Thus, the Favorites panel 1412E corresponds to a “a second content panel [that is] a second type of application panel” per limitation 1.7. See Surati Decl., ¶¶ 177-178.

In summary, the '174 Patent discloses an Info panel 1412A and a Favorites panel 1412F that correspond to the “*first content panel [that] is a first type of application panel*” and a “*second content panel [that] is a second type of application panel*.” Surati Decl., ¶¶ 179.

**2. The Options Region 1020 in Woods is a Single Type of Content Panel Presenting Two Sets of Information, Not A First Content Panel of a First Type of Application Panel and a Second Content Panel of a Second Type of Application Panel.**

The Petitioner argues that Woods options region 1020 is the claimed “*first content panel*” and it is a “*first type of application panel*” when it presents “cast” information as depicted in Figure 10 when Cast is selected in menu 1010. Pet., 45-46; Lippman Decl., ¶¶ 116-118. See Woods, Fig. 10. Surati Decl., ¶ 180.

The Petitioner argues that the very same options region 1020 is a “*second content panel*” that is a “*second type of application panel*” when it presents other information such as “detailed information” when Detail Info is selected in menu 1010. Pet., 48-50; Lippman Decl., ¶¶ 127-129. Surati Decl., ¶ 181.

Woods does not even discuss types of content panels. Surati Decl., ¶ 181.

In both of Petitioner’s scenarios, the same options region panel 1020 is used. Woods, Fig. 10. In the first case, the options region panel 1020 is displayed with “cast” information such as the cast members of Heroes. In the second case, the options region panel 1020 is displayed with “detailed information” about Heroes.

Woods is merely inserting two different sets of information into a single content panel type—options region panel 1020—not using two different types of content panels as claimed. Surati Decl., ¶ 182.

Woods explains that options region 1020 first displays cast information and then replaces that information with detailed information:

[0175] Function options region 1020 may display a list of options or items relating to the indicator of the function in focus in functions menu bar 1010. As the user brings different indicators into focus, the **list of options or items displayed in function options region 1020 may change** to correspond to the indicator of the function in focus. In particular, the list of options or items displayed **in function options region 1020 may change or be updated** as each indicator of the function is brought into focus.

[0176] For example, when the “cast” function indicator is in focus and the user desires to bring the “detailed description” function indicator into focus which may be, for example, three indicators away from the “cast” function indicator, the **list of options or items displayed in function options region 1020 may change** three times. In particular, to bring the “detailed description” function into focus, the user may press an up arrow key three times. As each of the function indicators between the “cast” function and “detailed description function” is brought into focus, the list of options or items displayed **in function options region 1020 may change**.

Woods, [0175]-[0176] (emph. added). Surati Decl., ¶ 183.

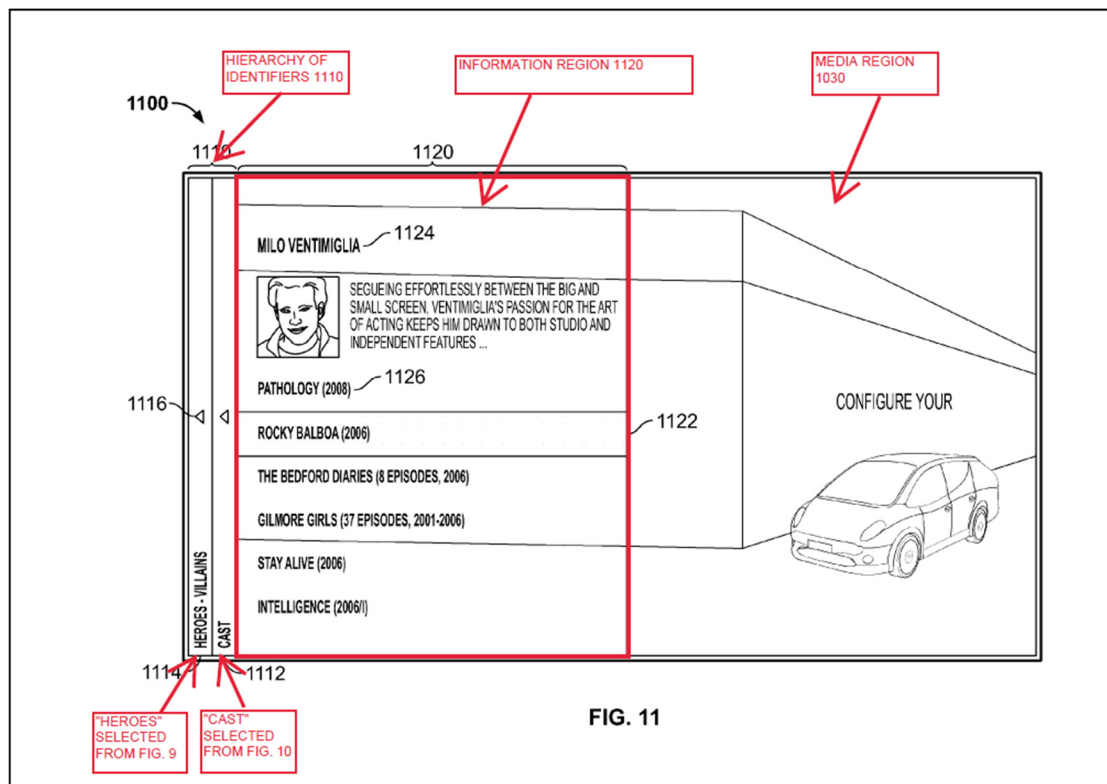
Those passages demonstrate that Woods’ options region 1020 is a single type of content panel displaying different sets of information; options region 1020 is not multiple types of content panels, as required by limitations 1.5 and 1.7 of Claim 1. Surati Decl., ¶¶ 183-185. Woods’ statement that the information in options region 1020 “may change or be updated” means there is a single panel type that can change the information presented. Woods, [0175]. The Petitioner’s expert admitted in deposition that Woods’ options region is merely displaying different sets of information. Ex. 2013 [Dep. Tr. Lippman], 75:1-5 (Q: “So as the user moves from one tab to another in functions bar 1010, the region 1020 is going to display different information. Is that correct?” A: “It is going to display different information.”), 127:22-128:2.

This argument was raised in the Patent Owner Preliminary Response. The Decision on Institution (DI) did not reach the issue regarding Woods’ use of a single content panel type (options region panel 1020) presenting different sets of information, not using two different types of content panels. See POPR, Paper 6, at 33-35; Instn. Dec., 32-33. The DI focused on the argument that the term “panel” is broadly described in the ’174 Patent. Instn. Dec., 33. However, the claim recites a “*first content panel [that] is a **first type** of application panel*” and a separate “*second content panel [that] is a **second type** of application panel.*” Woods does not meet limitations 1.5 and 1.7. Surati Decl., ¶ 186.

**3. The Petitioner’s Alternative Argument that Information Region 1120 in Figure 11 of Woods is the Second Content Panel of a Second Type Is Without Merit.**

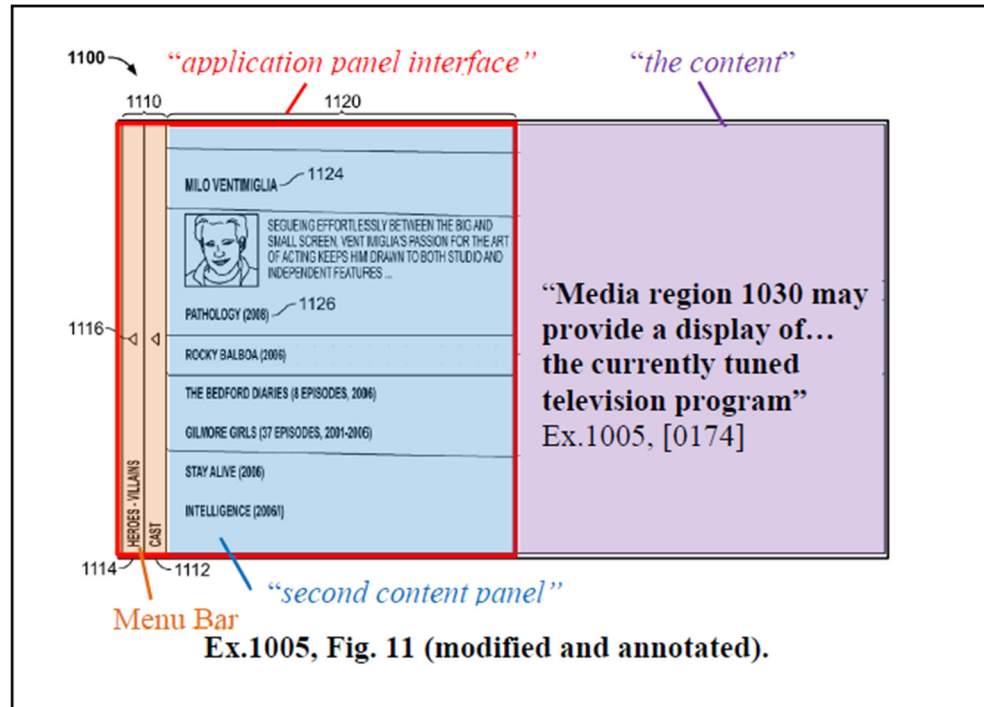
The Petitioner provides an alternative argument that the information region 1120 in display 1100 of Figure 11 is the claimed “*second content panel*” of a “*second type of application panel*.” Figure 11. Pet., 51-52; Lippman Decl., ¶¶ 133-136.

Figure 11 illustrates that if a user selects an item from the program-specific display of Figure 10 (e.g., “Milo Ventimiglia” from the list of cast members), a third-level display providing information on the selected item is presented:



Woods, Fig. 11 (annotated), [0183]-[0187]. See Woods, Figs. 9-10. Surati Decl., ¶¶ 187-189.

According to the Petitioner, the claimed “*second content panel [that] is a second type of application panel*” is the information region 1120 in Figure 11:



Pet., 51 (Fig. 11 annotated by Petitioner). Surati Decl., ¶ 190.

However, the claim requires that the first content panel of a first type and the second content panel of a second type are each presented in the same application panel interface (“in **the** application panel interface”), as set forth in limitations 1.5 and 1.7. Surati Decl., ¶ 191.

According to the Petitioner, the “*application panel interface*” for the “*first content panel*” for limitation 1.5 corresponds to regions 1010 and 1020 in Figure 10:

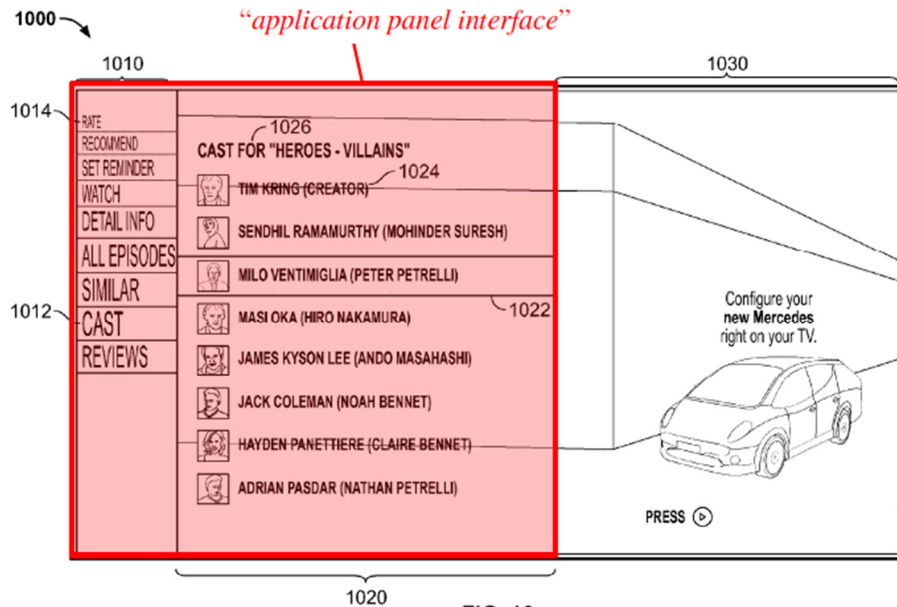


FIG. 10

**Ex.1005, Fig. 10 (annotated); Ex.1003, ¶71.**

Pet., 24 (Woods, Fig. 10, annotated by Petitioner); Lippman Decl., ¶ 71. Surati Decl., ¶ 191.

Thus, the alleged “*application panel interface*” in Petitioner’s annotated Figure 11 (regions 1110 and 1120) for the “*second content panel*” in limitation 1.7 is different from the alleged “*application panel interface*” in Petitioner’s annotated Figure 10 (regions 1010 and 1020) for the “*first content panel*” of limitation 1.5. Accordingly, under Petitioner’s expressed definition of the “*application panel interface*,” Petitioner’s alternative argument does not meet the requirement that the first content panel of a first panel type and the second content panel of a second panel type are presented in the same “*application panel interface*.” Surati Decl., ¶¶ 192-193.

Woods thus fails to teach or suggest limitations 1.5 and 1.7, and accordingly, Claim 1 is patentable.

**E. Woods Does Not Teach “Determining ... a Second Content Panel [that] is a Second Type of Application Panel” in Response to a User Input According to Limitation 1.7.**

Limitation 1.7 provides for “*determining ... a second content panel [that is] a second type of application panel*” based on a user input. Surati Decl., ¶ 194.

As discussed above in Section VIII.D for limitations 1.5 and 1.7 regarding the “*first content panel*” and the “*second content panel*,” Woods discloses the display of an options region panel 1020 in Figure 10. As explained by the Petitioner, options region panel 1020 first displays “cast” information. Then the focus on the menu bar changes from Cast to Detail Info so that the options region panel 1020 instead displays “detailed description” information. Woods, Fig. 10. Surati Decl., ¶ 195.

The Petitioner states:

For example, in the context of [1.5.1], functions options region 1020 had first list of options or items (“*first content panel*”) that facilitated the presentation of “cast” type of information. In the context of the present [1.7.1], a POSITA would have understood that the functions options region 1020 **changes** to a second list of options or items (“*second content panel*”) displayed within region 1020 that facilitate the presentation of “detailed description” type of information.

Pet., 49 (original emph.).

Accordingly, Woods discloses that options region panel 1020 (1) first displays “cast” information,” and (2) upon user input to select a different function, options region 1020 instead displays “detailed information.” When the user makes the input for (2), the options region panel 1020 (alleged “*second content panel [that] is a second type of application panel*”) is **not determined in response to the user’s input** because the options region panel 1020 is **already present** and on display from (1). Surati Decl., ¶¶ 196-197.

Woods thus does not teach or suggest that a new type of content panel is determined in response to the user input of selecting a new function per limitation 1.7. In contrast, the ’174 Patent describes (in an exemplary embodiment) how a panel type is determined in response to a user input:

The method 2400 starts 2401 when a user sends a request to activate a panel. ... **An input event manager 508 is operable to receive the request 2402 and is operable to determine the type of panel requested 2404.** After determining the type of panel requested 2404, the input event manager 508 can send the request to the panel manager 536. The panel manager is operable to retrieve metadata from memory 308 associated with the media item that had focus when the user requested activation of the panel and based on **the type of panel requested.** ... After the personal metadata is retrieved, the panel manager can **display the requested application panel type 2406.**

After the user has activated a panel, **the user may request a new panel type** by navigating left or right using various commands. **The input event manager 508 is operable to determine if a user requests a new panel type.** If a user requests a new panel type 2408, the input event manager receives the request 2402, **determines the type of panel requested** 2404, and sends the request to the panel manager 536 which can **display the requested panel type** 2406.

'174 Patent, 42:37-67 (emph. added).

The Petitioner points out that in Woods the information in the options region 1020 “change[s] or [is] updated” when the user makes the new input. Pet., 49-50. But the mere change of information in the already-displayed options region 1020 is not “*determining ... a second content panel ... [that] is a second type*” **in response to the new user input.** The options region 1020 is **already present** when the user makes the new input, so it is not determined in response to the user input, as required by limitation 1.7. Surati Decl., ¶ 198.

The Petitioner makes a back-up argument that the information region 1120 in Figure 11 is the claimed second content panel of a second type. Pet., 51. But the information region 1120 is not the claimed second content panel in the same “*application panel interface*” as the first content panel, as required by Claim 1, as explained above in Section VIII.D.3. Surati Decl., ¶ 198.

Woods does not meet limitation 1.7, and Claim 1 is thus patentable over Woods.

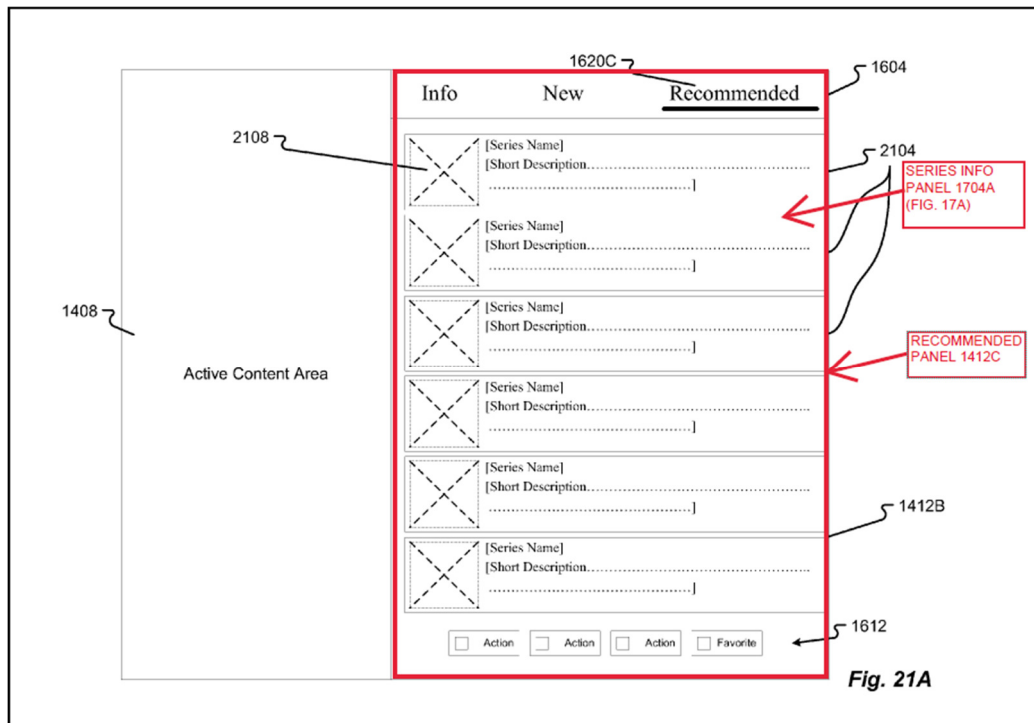
**F. Claims 2-3, 5 and 11-13 Are Patentable Over Woods**

Dependent Claims 2-3, 5 and 11-13 are patentable over Woods for at least the same reasons as Claims 1 and 10.

**G. Claim 4 Is Patentable Over Woods**

Claim 4 provides for “*receiving a second directional input*” and “*determining, based on a second direction associated with the second directional input, a third content panel to display.*”

For example, the '174 Patent discloses that a user can select Recommended panel view 1620C to cause the display of a Recommended panel 1412C that presents a series panel type 1704A or a movies panel type 1708J. '174 Patent, 35:26-45, Figs. 16B, 17A. In Figure 21A, the recommended panel in 1412C presents a series panel type because the content displayed in active content area 1408 is a series program:



'174 Patent, Fig. 21A, 40:37-67. The '174 Patent states that “[i]f the user is watching Episode 5 of a TV series in video on demand, then the recommended panel 1412C provides recommended TV series related to Episode 5.”). Surati Decl., ¶ 201.

The Petitioner asserts that the “*third content panel*” is met by Figure 10 of Woods when “Reviews” are presented in options region 1020. Pet., 65-66. However, Woods is simply using the same content panel (options region 1020) with different information (reviews information). Woods does not teach or suggest “*determining ... a third content panel*” in response to a user input pursuant to Claim 4. Surati Decl., ¶ 202. See Section VIII.D-E.

The Petitioner offers an alternative argument that information region 1220 in Figure 12 of Woods is the claimed “*third content panel*.” Pet., 66-67. This argument

fails because information region 1120 is not presented in regions 1010/1020 of Figure 10 (allegedly, the “*application panel interface*”) and thus it is not the claimed “*third content panel*.” See Section VIII.D.3. Surati Decl., ¶ 203.

Accordingly, Claim 4 is patentable over Woods.

#### **H. Claims 6 and 14 Are Patentable Over Woods**

Claim 6 provides that “*the second content information [displayed in the second content panel] comprises information associated with content information marked as favorite.*” Claim 14 is similar and is patentable for at least the same reasons as Claim 6. Surati Decl., ¶ 204.

As discussed in Section VIII.D, the ’174 Patent discloses that a Favorites panel 1412E with favorites information is displayed if the user selects Favorites panel view 1620E. See ’174 Patent, Figs. 16A, 19A-B. The Favorites panel 1412E in application panel interface 1412 will present favorites information based on the currently-displayed content in active content area 1408. Surati Decl., ¶ 205.

Under the Petitioner’s theory for limitations 1.8-1.9, the “*second content information*” would be “detailed information” presented in options region 1020 for the Detail Info option in functions region 1010 based on the selected program listing (Heroes) from the program guide of Figure 9 of Woods. Pet., 49-50, 57. Surati Decl., ¶ 206.

Woods makes a general comment that a user can set favorite information for channels or programs. Woods, [0043], [0060]. However, Woods does not remotely teach or suggest that the “detailed information” (alleged “*second content information*”) for the Detail Info option for Heroes in Figure 10 includes information indicating favorite channels or programs. Woods, Fig. 10. For this reason, Claim 6 is patentable over Woods. Surati Decl., ¶ 207.

The Petitioner makes a happenstance argument that it would be obvious that there would be occasions when the currently-tuned program happens to be one the user marked as a favorite. Pet., 69-70. However, even in that case the displayed second information content (“detailed information” for Detail Info) would not include favorites information for the reason stated in the paragraph immediately above. See Woods, Figs. 9-10. Surati Decl., ¶ 208.

The Petitioner makes a back-up argument that it would be obvious to modify Woods’ functions bar 1010 to add a tab for favorites. Pet., 70-72. However, this argument fails. The Petitioner’s theory is that the “*application panel interface*” is met by regions 1010/1020 of Figure 10, which is a **program-specific display** for information related to a **selected program listing** (Heroes) from the program guide of Figure 9. Functions bar 1010 provides **program-specific** functions like Rate, Cast, Detail Info, and so forth, for the selected program listing. Woods, Fig. 10. A POSITA would not modify functions bar 1010 to add a favorites function that is a

**system-level** function for all channels/programs, not a program-specific function. Surati Decl., ¶¶ 209-210.

The Petitioner also references options region 126 of Figure 1 of Woods, which is a different program guide. See Pet., 70-71. At most, options region 126 allows for setting favorites. Woods, [0043]. Options region 126 does not disclose displaying favorites information in the program guide. Options region 126 of Figure 1 is not part of options region 1020 (allegedly, the “*second content panel*” with “*second content information*”) of Figure 10. Accordingly, options region 126 does not fill the gap in Figure 10 of Woods. Additionally, the Petitioner does not establish a reason that a POSITA would modify Figure 10 by Figure 1. Surati Decl., ¶ 210.

Accordingly, Claims 6 and 14 are patentable over Woods.

#### **I. Claim 7 Is Patentable Over Woods**

Claim 7 provides that the “*second content information comprises information associated with TV series episode content information.*”

The '174 Patent discloses in Figure 20B an Information panel 1412A in application panel 1412 that presents episode information in 2004B and 2024 based on the currently-displayed program in active content area 1408. '174 Patent, Fig. 20B. Further, Figure 17 illustrates that Info Views can include a panel for episode information 1704G. '174 Patent, Fig. 17A. Surati Decl., ¶ 213.

Woods does not teach or suggest that the alleged “*second content panel*” (Woods region 1020) with “*second content information*” (allegedly, the “detailed information” presented in Woods region 1020) discloses “*TV series episode content information.*” Woods, Fig. 10, [0176]. Surati Decl., ¶ 214.

The Petitioner argues that by happenstance there would be occasions when a currently-tuned program in media region 1030 of Woods is a TV series. Pet., 72-73. However, the alleged “*second content information*” is provided in options region 1020 for limitations 1.7-1.8 (see Section VIII.D-E), and thus any content in media region 1030 is not relevant. Accordingly, Woods does not teach or suggest that the second content information is TV series episode content per Claim 7. Surati Decl., ¶ 215.

The Petitioner presents a back-up argument based on Woods’ functions menu bar 1010 including an All Episodes function. Pet., 73. Woods discloses that the All Episodes function provides “a list of all episodes of the media asset” that “corresponds to the program listing selected from screen 900 (FIG. 9).” Woods, [0171]. But the Petitioner’s theory for limitation 1.7 is that the “*second content panel*” is region 1020 providing “detailed information” when the Detail Info function is selected in functions bar 1010. Pet., 49-50. Accordingly, the Petitioner’s theory for Claim 7 based on selecting All Episodes in functions bar 1010 as the “*second content information*” contradicts its theory for Claim 1, which is that the

“*second content information*” is based on selecting Detail Info in functions bar 1010. Surati Decl., ¶ 216.

Accordingly, Claim 7 is patentable over Woods.

**J. Claim 8 is Patentable Over Woods**

Claim 8 provides that “*the second type of content panel is a search panel.*” The ’174 Patent discloses a Search panel view 1620F that will render a Search panel 1412F as the application panel interface 1412. ’174 Patent, Figs. 16A, 22. Figure 17B depicts several search panel types 1712A-B. Surati Decl., ¶¶ 218-219.

The Petitioner’s theory for Claim 1 is that the “*second type of content panel*” is met by Figure 10 of Woods where the options region 1020 presents “detailed information” when the Detail Info function is selected in region 1010. Pet., 49-50. Options region 1020 is not a search panel and the “detailed information” it provides does not include a search option. Thus, Woods does not teach or suggest that options region 1020 is a search panel. Surati Decl., ¶ 220.

Additionally, the Petitioner refers to a completely different embodiment in Figure 8 of Woods, which is a display having **system-level settings** 820, such as TV Guide, Search, tips, and so forth. Woods, Fig. 8. See Pet., 75. Figure 10 of Woods, on the other hand, provides a **program-specific** options region 1020 relating to a specific program listing (Heroes). Accordingly, a POSITA would not modify the

program-specific options region 1020 of Figure 10 to include system settings from Figure 8. Surati Decl., ¶ 221.

The Petitioner and its expert do not establish that a POSITA would have a reason to modify Figure 10 of Woods to include the system-level functions search menu from Figure 8 or that there would be a reasonable expectation of success. Pet., 75-76. The assertion is conclusory and presented without any analysis:

Accordingly, it would have been obvious for the menu bar 1010 to include a “search” option as shown elsewhere in Woods, as shown below at modified and annotated Figure 10.

Pet., 75; Lippman Decl., ¶ 215 (*verbatim*). Surati Decl., ¶ 222.

Accordingly, Claim 8 is patentable over Woods.

#### **K. Claim 9 is Patentable Over Woods**

Claim 9 is patentable for at least the same reasons as Claim 1.

### **IX. CLAIMS 6, 8, AND 14 ARE PATENTABLE OVER WOODS AND ISTVAN (GROUND 2)**

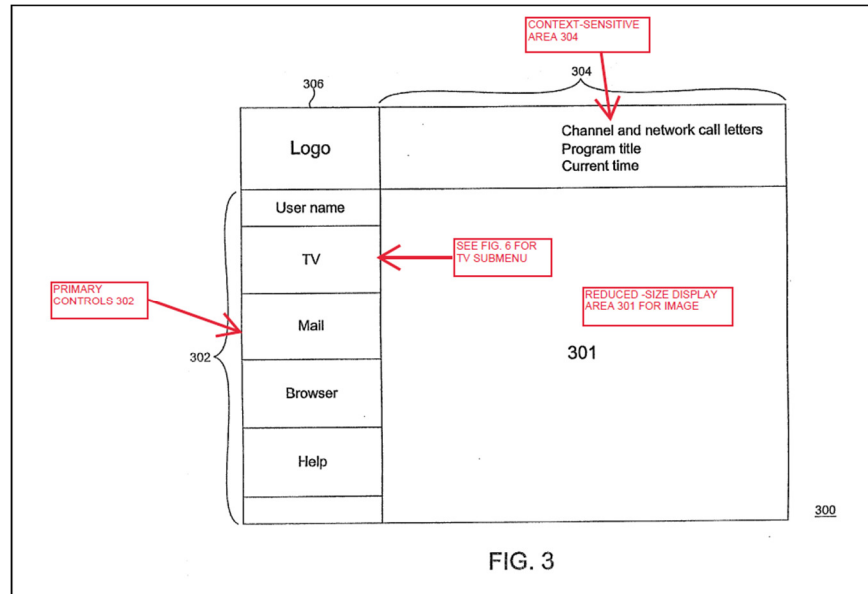
Claims 6 and 14 provide that “*the second content information comprises information associated with content information marked as favorite.*”

Claim 8 provides that “*the second type of content panel is a search panel.*”

#### **A. Istvan**

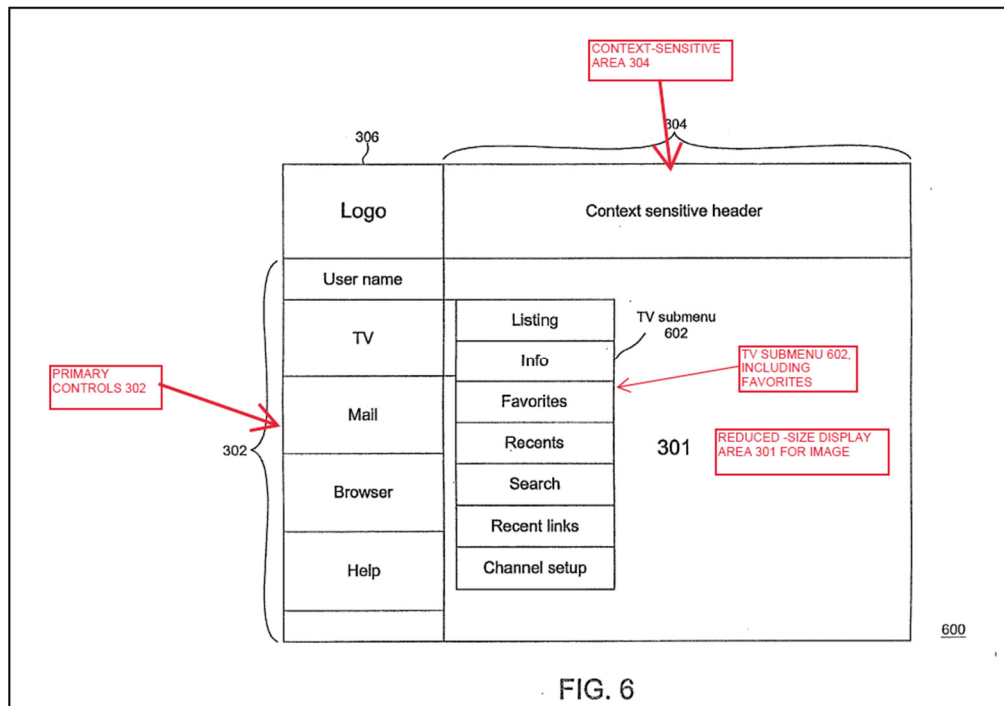
Istvan is generally directed to interactive program guides. Figure 3 of Istvan depicts a user interface 300 including a reduced-area 301 for displaying a program,

primary controls 302 that provide system-level functions, and a context-sensitive area 304 having information related to the program being displayed in area 301:



Istvan, Fig. 3 (annotated), [0040]-[0044]. Surati Decl., ¶¶ 227-228.

If a user selects a system-level function in primary controls 302 such as “TV”, a new user interface is presented that includes a TV submenu 602 with its own system-level functions that can be selected for more information:



Istvan, Fig. 6 (annotated), [0054], [0057]. Surati Decl., ¶¶ 229-230.

## B. Claims 6, 18, and 14 Are Patentable Over Woods and Istvan

The Petitioner’s theory for Claim 1 is that the “*second type of content panel*” is met by the options region 1020 presenting “detailed information” when Detail Info is selected in region 1010 in Figure 10 of Woods. Pet., 49-50. In that mode, options region 1020 does not display favorites information (Claims 6, 14). Pet., 49, 52. Options region 1020 does not present a search panel (Claim 8). Woods alone does not render Claims 6, 8, and 14 unpatentable. Surati Decl., ¶ 231.

For Claims 6 and 14, the Petitioner relies on Istvan’s disclosure of a program guide (Figure 3) with a system-level TV control 302 having a system-level TV submenu control 602 (Figure 6) with a favorites function. Istvan, Figs. 3, 6. For

Claim 8, the Petitioner relies on the system level TV control 302 that can be selected to provide a search function. Istvan, Figs. 3, 6. Surati Decl., ¶¶ 232-233.

The Petitioner's proposal is to modify the functions menu 1010 in Figure 10 of Woods to include a favorites function and a search function based on Istvan . Pet., 83-85; Lippman Decl., ¶¶ 250-251. Surati Decl., ¶ 234.

**1. The Proposed Combination Does Not Meet the Limitations of Claims 6, 8, and 14**

Even if the proposed combination was made, it would not meet the limitations of Claims 6, 8, and 14, because the result would be a functions menu 1010 including a favorites function and a search function. This would produce an options region 1020 with different information (different “*second content panel*” with different “*second content information*”) from the options region 1020 with “detailed information” (original “*second content panel*”) that the Petitioner relies upon for limitations 1.7-1.8. See Pet., 49-50. Surati Decl., ¶ 235.

The Petitioner's specific theory for Claim 1 is that the claimed “*second content panel*” is the options region 1020 displaying “detailed information” on the selected program listing (Heroes) when the Detail Info function is selected. Pet., 49 (“a POSITA would have understood that the functions options region 1020 changes to a second list of options or items (‘*second content panel*’) displayed within region 1020 that facilitate the presentation of ‘detailed description’ type of information.”),

52 (“Thus, the second list of options or items of the function options region 1020 (*‘second content panel’*) is a ‘detailed description’ type of application panel (*‘second type of application panel’*).”).

Accordingly, the Petitioner’s proposal for Claims 6, 8, and 14 to modify Woods’ function menu 1010 to include a favorites function and a search function would result in options region 1020 presenting favorites information or a search bar. But the claims require that the favorites/search panel be in the **same** “*second content information*” in the **same** “*second content panel*,” which according to the Petitioner for limitation 1.7 is the display of “detailed information” when the Detail Info function is selected. The Petitioner’s theory for Claims 6, 8, and 14 contradicts and cannot be reconciled with its theory for Claim 1. Surati Decl., ¶¶ 236-237.

Accordingly, Claims 6, 8, and 14 are patentable over Woods and Istvan.

## **2. A POSITA Would Not Modify Woods as Proposed**

A POSITA would not have reason to make the proposed modification of Woods’ function bar to add a favorite function and a search function. Istvan discloses a **system-level** program guide providing information for all channels and programs. Istvan, [0006], [0032]-[0033], [0038], [0054], Figs., 3, 6. The settings in Istvan for favorites and search in TV submenu 602 are **system-level settings**, not program-specific settings. Istvan, Fig. 6. Surati Decl., ¶ 238.

Figure 10 of Woods, on the other hand, is a user interface providing a **program-specific** options region 1020 (alleged “*second content panel*” with “*second content information*”) relating to a selected program listing and based on the selected **program-specific function** from function menu 1010. Woods, Figs. 9-10. The functions menu 1010 provides **program-specific functions** like Detail Info, Cast, and Reviews pertaining to a specific selected program like Heroes. Woods, Fig. 10. A POSITA would not modify the program-specific functions region 1010 of Woods to include system-level functions like favorites and search from Istvan. Surati Decl., ¶ 239.

Regarding region 1020, a POSITA would not have reason to modify options region 1020 so that the “detailed information” about the selected program listing (Heroes) would further include a favorites function and a search function. A favorites function and search function are not program-specific, and accordingly a POSITA would not include them in the program-specific information provided for the selected program listing in options region 1020. Surati Decl., ¶ 240.

There is a fatal flaw in the Petitioner’s theory: The Petitioner and its expert never address whether a POSITA would have an apparent reason to combine the specific option region 1020 display they rely on for limitation 1.7 (“*second content panel*” with “*second content information*”) with Istvan. See Pet., 84-85; Lippman Decl., ¶¶ 245-252. The Petitioner’s theory for Claims 6, 8, and 14 is not linked to

what the Petitioner asserts is the “*second content panel*” in Claim 1, which is options panel 1020 with “detailed information” on a selected program listing. Indeed, the Petitioner contradicts its theory for Claim 1 by asserting that for Claims 6, 8, and 14 the “*second content panel*” can instead be a “favorites option” or a “search option.” Pet., 86, 88. Surati Decl., ¶ 241.

Accordingly, a POSITA would not have reason to make the proposed modification to Woods and thus Claims 6, 8, and 14 are patentable over the proposed combination of Woods and Istvan. Surati Decl., ¶ 242.

**X. CLAIMS 1-14 ARE PATENTABLE OVER WOODS AND MACHIDA (GROUND 3)**

The Petitioner relies on Machida (Ex. 1008) only to preemptively address the argument that the first content panel and the second content panel in Claim 1 (and Claim 10) must be predetermined. Pet., 90. The Petitioner relies on Machida’s alleged teaching of selecting between two predefined panels for presentation in a display area. Pet., 90. Surati Decl., ¶ 243.

The Board determined that Machida was cumulative of Woods. Instn. Dec., 37. The Petitioner acknowledges that the “analysis of claims 1-14 with respect to Ground 3 is nearly identical to that of Ground 1.” Pet., 94-95. Surati Decl., ¶ 243.

The Patent Owner has demonstrated that independent Claim 1 is patentable because limitation 1.2, limitation 1.5, and limitation 1.7 are not met by Woods. See

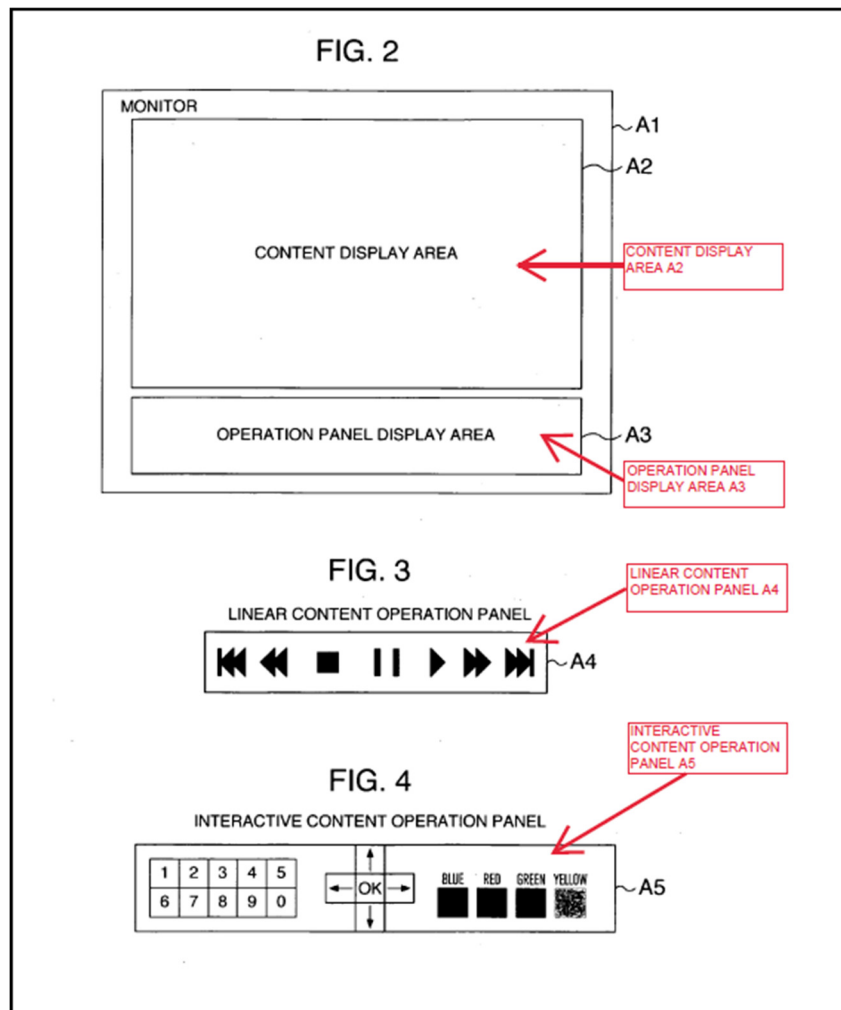
Section VIII, *supra*. Accordingly, the Patent Owner does not (and does not need to) present an argument based on whether the first content panel and second content panel are predetermined. Accordingly, independent Claims 1 and 10 and the various dependent claims are patentable over Woods and Machida for at least the same reasons set forth for Ground 1 in Section VIII. Surati Decl., ¶ 244.

Even though a showing is not required to demonstrate nonobviousness, the Patent Owner will demonstrate that a POSITA would not combine the teachings of Machida with Woods. Surati Decl., ¶ 245.

Machida (Ex. 1008) is generally directed to a digital content reproducing apparatus having a plurality of “user operation interfaces,” including a “linear content operation panel” and an “interactive content operation panel.” Machida, Figs. 2-4. The linear content operation panel and the interactive content operation panel are mutually exclusive. The apparatus monitors incoming content and automatically switches between the linear content operation panel and the interactive content operation panel. Machida, Abstract. Surati Decl., ¶ 246.

Machida discloses that a digital content reproducing apparatus uses different user operation interfaces by monitoring the incoming digital content and selecting an appropriate operational panel for the detected digital content. Machida, [0008]. Surati Decl., ¶ 247.

Figure 2 of Machida depicts a monitor with a content display area 2 and an operation panel display area A3. The operation panel display area A3 will display either a linear content operation panel A4 or an interactive content operation panel A4. Machida, Figs. 2-4. Thus, one of two different operation panels A4 and A5 is selected to be presented in the operation panel display area A3 depending on the nature of the incoming digital data. Figures 2-4 are presented below:



Machida, Figs. 2-4. See Surati Decl., ¶ 248.

Woods describes that the automatic selection between the two operation panels A4 and A5 is based on whether the received content is linear content such as moving video or it is interactive content:

[0031] FIGS. 2 to 4 show image display states during digital broadcast reproduction. A monitor A1 has a content display area A2 and an operation panel display area A3. During reproduction of **linear contents such as moving image contents**, a **linear content operation panel A4 is displayed** in the operation panel display area A3, **the linear content operation panel providing functions of reproduce, stop, temporary stop, fast forward, fast backward, previous skip, next skip and the like.**

[0032] During **reproduction of interactive contents such as data broadcast contents**, an **interactive content operation panel A5 is displayed** in the operation panel display area A3, **the interactive content operation panel providing functions of numerical keys from 0 to 9, up/down/right/left keys, a decide key, blue/red/green/yellow keys and other keys.**

Machida, [0031]-[0032] (emph. added). Surati Decl., ¶ 249.

A POSITA would readily understand that the two user operation panels of Machida are for playback/navigation of content presented in the content display area. The operation panels are very distinct from the function options menu 1020 of Woods' Figure 10 that the Petitioner alleges to be the claimed "*first content panel*" (when displaying "cast information" for a selected program listing like Heroes) and

the claimed “*second content panel*” (when displaying “detailed information” for the same selected program listing). Surati Decl., ¶ 250.

A POSITA would not combine the teachings of the operational panels of Machida with Woods. The options region 1020 in Figure 10 of Woods displays “options or items” based on a **selected program listing** such as Heroes. Woods, [0175], Fig. 10. Options region 1020 **does not provide for the playback or navigation of displayed content in media region 1030**. Woods, [0175]-[0178], [0180], Fig. 10. See Sections VIII.B.2. A POSITA would have no reason to apply Machida’s teachings of operational panels for the playback/navigation of displayed content to Woods, which does not provide for the playback/navigation of displayed content in media region 1030 using options region 1020. Woods, Fig. 10. Surati Decl., ¶ 251.

The Petitioner argues that the teaching of one of Machida’s operational panels would be applied to Woods’ options region 1020 displaying “cast information,” and the other operational panel of Machida would be applied to options region 1020 displaying “detailed information.” Pet., 93-94, 96-97; Lippman Decl., ¶ 272. However, a POSITA would not make the proposed combination of Machida and Woods. A POSITA would not modify Woods’ options region 1020 displaying “cast information” with either of Machida’s operational panels for playback of content. As explained above, Woods options region 1020 displaying “cast information” does

not perform playback of content displayed in media region 1030. Likewise, Woods' options region 1020 displaying "detailed information" about a selected program listing does not perform playback of content displayed in media region 1030. Accordingly, a POSITA would not make the proposed combination. Surati Decl., ¶ 252.

Accordingly, Claims 1-14 are patentable over Woods and Machida. Surati Decl., ¶ 253.

**XI. CLAIMS 6, 8, AND 14 ARE PATENTABLE OVER WOODS, MACHIDA, AND ISTVAN (GROUND 4)**

The Petitioner's entire analysis for Ground 4 consists of the following: "The analysis for claims 6, 8, and 14 is similar to that of Ground 2, but additionally relies on the analysis in Ground 3 with respect to the independent claims." Pet., 98. Surati Decl., ¶ 254.

Accordingly, Claims 6, 8, and 14 are patentable for at least the reasons set forth above for Ground 2 and Ground 3. Surati Decl., ¶ 255.

## **XII. CONCLUSION**

For the foregoing reasons, the Challenged Claims should be confirmed as patentable.

Respectfully submitted,

/Stephen T. Schreiner/  
Stephen T. Schreiner, Reg. No. 43,097  
CARMICHAEL IP, PLLC

Date: August 27, 2024

**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITS**

This Patent Owner Response (the “POR”) consists of 12,759 words, excluding table of contents, table of authorities, certificate of service, this certificate, or table of exhibits. The POR complies with the type-volume limitation of 14,000 words as mandated in 37 C.F.R. § 42.24. In preparing this certificate, counsel has relied on the word count of the word-processing system used to prepare the paper (Microsoft Word).

Respectfully submitted,

/Stephen T. Schreiner/

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Date: August 27, 2024

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the following documents were served  
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**PATENT OWNER'S RESPONSE**

**EXHIBITS 2010-2013**

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| David L. McCombs<br>Gregory P. Huh<br>Calmann J. Clements<br>David O'Dell<br>Jonathan R. Bowser<br>HAYNES AND BOONE, LLP<br>2801 N. Harwood St., Suite 2300<br>Dallas, TX 75201<br><a href="mailto:david.mccombs.ipr@haynesboone.com">david.mccombs.ipr@haynesboone.com</a><br><a href="mailto:gregory.huh.ipr@haynesboone.com">gregory.huh.ipr@haynesboone.com</a><br><a href="mailto:calmann.clements.ipr@haynesboone.com">calmann.clements.ipr@haynesboone.com</a><br><a href="mailto:david.odell.ipr@haynesboone.com">david.odell.ipr@haynesboone.com</a><br><a href="mailto:jon.bowser.ipr@haynesboone.com">jon.bowser.ipr@haynesboone.com</a> | Steven W. Hartsell<br>Rex Hwang<br>Sarah E. Spires<br>Skiermont Derby LLP<br>601 Elm Street, Suite 4400<br>Dallas, Texas 75201<br><a href="mailto:VIZIO_SDTTeam@skiermontderby.com">VIZIO_SDTTeam@skiermontderby.com</a><br><a href="mailto:shartsell@skiermontderby.com">shartsell@skiermontderby.com</a><br><a href="mailto:rhwang@skiermontderby.com">rhwang@skiermontderby.com</a><br><a href="mailto:sspires@skiermontderby.com">sspires@skiermontderby.com</a> |

Respectfully submitted,

/Stephen T. Schreiner/

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Date: August 27, 2024