

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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VIZIO, INC.,  
Petitioner,

v.

MULTIMEDIA TECHNOLOGIES PTE. LTD.,  
Patent Owner.

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Case IPR2024-00723  
Patent 9,578,384

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**EXHIBIT 2002**

**DECLARATION OF RAJEEV SURATI**

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## I. INTRODUCTION

1. My name is Dr. Rajeev Surati. I have been retained as an expert witness to provide my independent opinion in regards with matters at issue in the *inter partes* review IPR2024-00723 concerning U.S. Pat. No. 9,578,384 (“the ’384 Patent”). I have been retained by Multimedia Technologies Pte. Ltd. (“Multimedia”), the Patent Owner, in this proceeding. I have been informed that the Petitioner is Vizio, Inc. (“Vizio”).

2. Unless otherwise noted, the statements made herein are based on my personal knowledge, and if called to testify about this declaration, I could and would do so competently and truthfully.

3. A detailed record of my professional qualifications including cases in which I was an expert is being submitted herewith as Exhibit 2003 and is summarized in Section II, *infra*.

4. I am being compensated for my work in this matter at the rate of \$665/hour. I am also being reimbursed for reasonable and customary expenses associated with my work and testimony in this investigation. My compensation is not contingent on the outcome of this matter or the specifics of my testimony.

5. I am not a legal expert and offer no opinions on the law. However, I have been informed by counsel of the various legal standards that apply, and I have applied those standards in arriving at my conclusions.

6. In this declaration, I have been asked to address certain invalidity opinions relating to the '384 Patent, specifically those provided by Vizio in its Petition, Paper 1 ("Petition") challenging the '384 Patent and the accompanying declaration of Dr. Henry Houh, Ex. 1003 ("Houh declaration"), regarding the alleged invalidity of the '384 Patent. The Petition and Dr. Houh argue that claims 1-12 ("Challenged Claims") are unpatentable.

7. In this expert declaration, I provide my opinions in response to the Grounds in the Petition and the Houh declaration, as well as the basis for my opinions. As I explain in detail later in this expert report, based on my study of the '384 Patent, the Houh declaration, and various references cited by Petitioner and Dr. Houh, it is my opinion that the cited references have deficiencies that do not render the Challenged Claims unpatentable, either alone or in combination.

8. I have found limitations in the Challenged Claims that are not disclosed by any reference or proposed combination of references. I identify these undisclosed limitations below. My decision not to address a limitation of a Challenged Claim should not be interpreted as an admission that such a limitation is found in the art in the Ground cited by Petitioner and Dr. Houh, or that a POSITA would have an apparent reason to combine or modify references in a manner meeting the limitation.

9. I submit this declaration having reviewed the '384 Patent, the Challenged Claims, the Institution Decision in this IPR, and the prior art cited by

Petitioner in its Petition. The material I have considered includes but is not limited to the items set forth below:

| PETITIONER MATERIALS CONSIDERED |                                                   |
|---------------------------------|---------------------------------------------------|
| Paper 1                         | Petition                                          |
| Paper 12                        | Institution Decision                              |
| Ex. 1001                        | '384 Patent                                       |
| Ex. 1003                        | Declaration of Dr. Houh                           |
| Ex. 1005-1017                   | TechnoBuffalo and TechnoBuffalo2 videos           |
| Ex. 1018                        | MissingRemote video                               |
| Ex. 1019                        | U.S. Pat. Pub. No. US 2012/0054794 to Kim ("Kim") |
| Ex. 1020                        | U.S. Pat. No. 8,365,235 to Hunt ("Hunt")          |
| Ex. 1021                        | U.S. Pat. No. 7,634,793 to Hunleth ("Hunleth")    |
| Ex. 1022                        | U.S. Pat. Pub. No. 2012/0054679 to Ma ("Ma")      |

10. My opinions as set forth in this expert declaration are based on these sources of information, together with my education, training, and experience, including my work in the field of the '384 Patent.

## **II. QUALIFICATIONS AND PROFESSIONAL EXPERIENCE**

11. My complete qualifications and professional experience are described in my Curriculum Vitae, a copy of which is submitted as Ex. 2003. The following is a brief summary of my relevant qualifications and professional experience.

12. I have provided my full background in the curriculum vitae included here as Exhibit 2003. My CV details my experience in electrical engineering and computer science and also includes a list of publications I have authored or co-authored.

13. I attended the Massachusetts Institute of Technology (MIT) from 1988 to 1999, during which, I earned a Bachelor of Science (1992), Master of Science (1995) and a Doctor of Philosophy (1999) in Electrical Engineering and Computer Science. My Ph.D. thesis was entitled “Scalable Self-Calibrating Technology for Large Scale Displays.”

14. Between 1989-1999 I was employed as a researcher/programmer at the MIT Artificial Intelligence Lab. At the lab I worked for Thomas F. Knight Jr. Ph.D., one of the noted inventors of the first bit mapped displays for computers as well as many other notable accomplishments. The lab is also noted for its excellence in machine vision.

15. In 1996 I began working on a Ph.D. thesis related to display of multimedia. My Ph.D. thesis system was a special kind of display allowing one to

create ultra-high resolution displays composed of multiple projectors tiled with a slight overlap so that a camera-based feedback system could create an inverse map to drive the system such that a person would only see a continuous seamless display with no bezel or overlap. The camera-based system required imaging and decoding of 2d fiducials, and thus I became an expert at machine vision for the purpose of decoding and encoding 2d fiducials such as bar codes – the optical systems involved, the systems programming, etc. Today, this technology is better known as automatic calibration for projection mapping or structured light. My experience, along with a patent I developed and licensed based on my Ph.D. thesis, were used to create a new startup company named Scalable Display Technologies that works with a variety of Pro AV display companies' products.

16. I am a named inventor on U.S. Pat. No. 6,456,339, "Super-resolution Display," which reflects my Ph.D. work.

17. In 2004, I founded Scalable Display Technologies (SDT), and I have been the President and Chairman of the company since the founding. Among its operations, SDT operates in the Audio Video domain and has licensed software and firmware to various companies including Hitachi and NEC. I also wrote a network-synchronized media playback system involving encoding and decoding of video and audio content as well as real time recording and video capture, a product known as "ScalablePlayer." This product was written on top of the DirectShow system from

Microsoft. In conjunction with this, for some show demonstration systems, I wrote a desktop application in C# that allowed one to preview and select different inputs and outputs.

18. As part of this system I worked on several home theater systems that involved integrating and enabling the kind of functionality that the patents in this case address. These were computer systems and hardware systems that managed the input and display of content on 110 inch plus often curved screens. Things being interfaced and displayed on the system included a multitude of input and output from tv tuners, to cablebox input etc, to dvd and xbox360s.

19. Additionally, at SDT I have worked with most of the major video wall control manufacturers on customizing their displays. These include Jupiter Systems, RGB Spectrum Matrox, and Datapath. In addition, I helped architect and specify some special video wall GPU functions for both AMD and NVIDIA.

20. I have received additional patents, including: U.S. Pat. No. 8,817,111, "System and method of calibrating a display system free of variation in system input resolution"; U.S. Pat. No. 8,994,757, "System and method for providing improved display quality by display adjustment and image processing using optical feedback"; U.S. Pat. No. 9,215,455, "System and method of calibrating a display system free of variation in system input resolution"; U.S. Pat. No. 9,369,683, "System and method for calibrating a display system using manual and semi-manual techniques"; and

U.S. Pat. No. 9,497,447, “System and method for color and intensity calibrating of a display system for practical usage.”

21. As part of the work described above, I am familiar with UIs for television display and digital video systems as of August 2012.

22. In 2000, I started a company known as “photo.net” which was a large online photography community where I worked with many consumer electronics manufacturers in the digital camera business. There, I implemented a photo sharing system involving the delivery of multimedia content. Additionally, I worked on e-commerce capabilities that involved some product configuration options. In running photo.net I became intimately familiar with implementing file systems for use with multimedia and super high performance image encoding/decoding systems as well as real time delivery of high bandwidth content.

23. In 1996, I founded Flash Communications, which was focused on technology related to U.S. Pat. No. 5,943,478 and associated technology that I had developed related to pop-up two-way messaging over the Internet. I am one of the named co-inventors of U.S. Pat. No. 5,943,478, which is entitled “System for Popup Messaging over the Internet,” which describes a two-way messaging system like AOL Instant Messenger and MIT’s Zephyr service built at Internet scale.

24. In 1998, Flash Communications was sold to Microsoft Corporation, and Flash Communications' messaging technology was incorporated into Microsoft's Messenger service and Microsoft Exchange 2000 Instant Messaging Server.

25. While working at Microsoft between 1999 and 2000, I implemented an XML-based protocol that formed a basis for the Extensible Messaging and Presence Protocol (XMPP), which is now an IETF standard for the Exchange Instant Messaging Server. I participated internally with the program management team on helping specify this protocol for the IETF standardization process.

26. Also while at Microsoft, I invented and was named as an inventor on other patents related to instant messaging, including: U.S. Pat. No. 6,415,318, "Inter-enterprise messaging system using bridgehead servers"; U.S. Pat. No. 6,604,133, "Inter-enterprise messaging system using bridgehead servers"; and U.S. Pat. No. 6,260,148, "Methods and systems for message forwarding and property notifications using electronic subscriptions."

27. Between 2000 and 2004, I worked as a consultant and investor at Nexaweb Corporation, where I helped implement several two-way messaging features over HTTP.

28. I am on the advisory boards of several technology companies, including UnifySquare, which is a unified communications/real time collaboration consultancy; Paneve, which develops general purpose ASICs coupled with compiler

technology; Nexaweb, which develops real time web application frameworks using HTTPS; Antix Labs, which develops compiler technology for universal gaming platform; and Permabit, which develops content addressable storage.

29. For my contributions as an inventor and entrepreneur, I have received several awards, including the Global Indus Technovator Award 2009 and Laureate of 2009 Computer World Honors Program.

### **III. RELEVANT LEGAL STANDARDS**

#### **A. Burden of Proof**

30. I understand that Petitioner has the burden of proving unpatentability by a preponderance of the evidence. 35 U.S.C. § 316(e). Preponderance of the evidence “means the greater weight of evidence, evidence which is more convincing than the evidence which is offered in opposition to it.” *Hale v. Dep't of Transp.*, 772 F.2d 882, 885 (Fed. Cir. 1985).

#### **B. Obviousness (35 U.S.C. § 103)**

31. I also understand that a patent may be rendered “obvious” based on an alleged prior art reference or a combination of such references in view of what a person of ordinary skill in the art would understand based on his or her knowledge and the references. I understand that a patent cannot be properly granted for subject matter that would have been obvious to a person of ordinary skill in the art at the time of the alleged invention, and that a patent claim directed to such obvious subject

matter is invalid under 35 U.S.C. § 103. It is also my understanding that in assessing the obviousness of claimed subject matter one should evaluate obviousness over the prior art from the perspective of one of ordinary skill in the art at the time the invention was made (and not from the perspective of either a layman or a genius in that art).

32. I have been informed that the following factors must be evaluated to determine whether the Petitioner has met its burden of proof that a claimed invention is obvious:

1. The scope and content of the prior art relied upon by Petitioner;
2. The difference or differences, if any, between each claim of the patent and the prior art;
3. The level of ordinary skill in the art at the time the invention of the patent was made; and
4. Any objective indicia of non-obviousness, such as: (1) commercial success of an embodiment; (2) a long-felt need; (3) skepticism; (4) failure by others to find the solution provided by the claimed invention; (5) copying by others of the subject matter of the claim invention; (6) unexpected results of the claimed invention; (7) acceptance of others and industry praise; and (8) licensing of the patents.

33. I have been informed that to prevail on obviousness the Petitioner must establish that (1) the prior art teaches or suggests each of the limitations of the claim; (2) there exists an apparent reason to combine and/or modify the prior art as proposed; and (3) 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.

34. I have been informed that a claim is not proved obvious merely by demonstrating that each of the elements was independently known in the prior art. I have been informed that many, if not all, inventions rely on building blocks already known, and claimed inventions almost of necessity will likely be combinations of what is already known.

35. I have been informed that it is important in the obviousness inquiry to identify whether a POSITA at the time of the invention would have motivation to combine or modify the prior art references in the manner proposed by the Petitioner so as to arrive at the claimed invention. Put another way, a finding of obviousness should be supported by an apparent reason to combine or modify the prior art references as proposed by the Petitioner.

36. I have been informed that it is important in the obviousness inquiry that it is understood how the references are combined, including how the combination of references is supposed to work. An explanation of the operation of the combined

references is often a prerequisite to determining whether a POSITA would have been motivated or had a reason to make the proposed combination/modification and would have had a reasonable expectation of success.

37. In assessing obviousness, I have been instructed to consider both the ordinary creativity and common sense of the person of ordinary skill in the art. I also understand that it is normally impermissible for common sense or common knowledge to be applied to fill gaps in prior art that fails to teach or suggest a limitation of the claim. I also understand that the obviousness inquiry should guard against hindsight bias or hindsight reconstruction where after-the-fact reasoning is applied to combine prior art elements using the claim as a template, without establishing that, as of the date of the invention, there exists a motivation to combine or apparent reason to combine or modify the prior art as proposed.

38. In assessing obviousness, I have been instructed that, in order to qualify as proper prior art for an obviousness analysis, a reference must qualify as analogous art. I have been informed that a reference qualifies as analogous art with respect to the claims if it is either: (1) from the same field or endeavor as the patent; or (2) the reference is reasonably pertinent to the particular problem addressed by the invention. I have also been informed that for a reference to be reasonably pertinent, it must logically have commended itself during the ordinary course of development to an inventor's attention in considering the problem.

39. In assessing obviousness, I have also been instructed that, as noted above, secondary considerations can often be probative evidence of non-obviousness and can serve to avoid hindsight bias. I have been instructed that secondary considerations can be sufficient to overcome a prima facie case of obviousness.

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

40. My opinions in this declaration are based on the understandings of a person of ordinary skill in the art, which I understand is sometimes referred to as an “ordinary artisan” or by the acronym “POSITA” (Person of Ordinary Skill in the Art), as of the time of the invention. For purposes of this Declaration, I have been instructed to use August 17, 2012, as the time of invention (priority date), which I understand is the date that the Petitioner is using. *See* Pet., 2.

41. I understand that the person of ordinary skill in the art is a hypothetical person who is presumed to have known the relevant art at the time of the invention. By “relevant,” I mean relevant to the Challenged Claims of the ’384 Patent.

42. I understand that, in assessing the level of skill of a person of ordinary skill in the art, one should consider the type of problems encountered in the art, the prior solutions to those problems found in the prior art, the rapidity with which innovations are made, the sophistication of the technology, the level of education of active workers in the field, and my own experience working with those of skill in the art at the time of the invention.

43. In this case, Petitioner asserts that a person of ordinary skill in the art as of the time of the '384 Patent “would have been knowledgeable and familiar with UIs in consumer products that are pertinent to the '384 Patent. A POSITA would have had a bachelor’s degree in Electrical, Software, or Computer Engineering, or equivalent training, and approximately two years of experience working in the field of television and/or digital video systems, human-computer interaction, or related technologies. Lack of professional experience can be remedied by additional education, and vice versa.” Pet., 15.

44. I have applied this definition in my analysis for the purposes of this declaration. I was at the time of invention, and am currently, one of more than ordinary skill in the art through my education, research, and work experience. As of the date of the invention, I was very familiar with the types of problems encountered in the field. Indeed, I am very familiar with people having this level of skill in the area of user interfaces and human-computer interaction in the field of television and digital video systems.

## **V. THE '384 PATENT**

45. The Petition challenges claims 1-12 of the '384 Patent as obvious under two grounds:

- Ground 1: Claims 1-12 as obvious over Kim, TechnoBuffalo, MissingRemote, Hunt, and Hunleth;

- Ground 2: Claims 1-12 as obvious over Kim, Ma, Hunt, and Hunleth.

*See* Pet., 1-2.

#### **A. Overview of the '384 Patent and Invention**

46. The '384 Patent broadly relates to interfaces for an intelligent television to provide video-on-demand (VOD). Ex.1001, abstract. “The user interfaces include unique visual representations and organizations that allow the user to utilize the intelligent television more easily and more effectively.” *Id.* “Further, the user interfaces provide unique process of transitioning between the VOD content.” *Id.*

47. The improved interface uses “views for the VOD content [that] are broken down into a series of hierarchical steps [to] allow the user to easily navigate through VOD content.” *Id.*, 14:4-8. “A master view [is] a top tier user interface that allows the user to select a type of collection[]. A collection view[] uses a list of media based on a target or sort criteria. The user may then select some type of content from the collection view[] to be provided in either a digest view[] or a detail view[].” *Id.*, 14:9-25.

48. The specification describes a detail view as a user interface for presenting information about a single show, movie, or episode: “In the detail view provided by the user interface application 468, in step 1644, the user interface application 468 provides information specific about a single show, movie, or episode.” *Id.*, 45:21-24. The specification similarly describes a digest view as a user

interface for presenting information about a television series or series of episodes as a whole: “A digest view 1724 shows a view of a television series or series of episodes, where a description of the series and a set of episodes is provided. If there is no series with the content selected, the detail view 1728 may be provided, which gives information for the content which was selected.” *Id.*, 44:16-18.

49. Figure 17 shows example master views, collection views, digest views (highlighted in red), and detail views (highlight in blue):

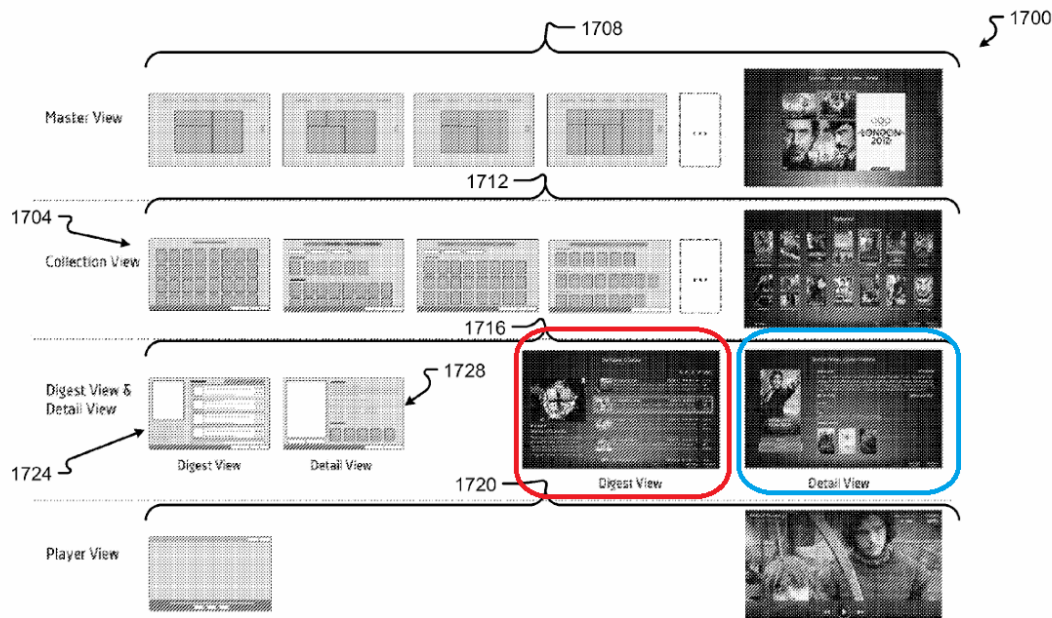


**Fig. 17**

*Id.*, Fig. 17.

50. If “the selection is associated with a series with two or more episodes,” then the digest view is provided, but “if a single show, movie, or a series with only a single episode is selected,” then the detail view is provided. *Id.*, 44:62-66.

51. Claim 2 recites a specific order of steps for presenting the views in order from the master view at the top level to the player at the bottom level:

2. An intelligent television system comprising: a memory operable to store video-on-demand (VOD) content;

a processor in communication with the memory, the processor operable to:

execute a user interface application operable to: receive a first selection for a VOD content; in response to the first selection, provide a master view of the VOD content, wherein the master view presents two or more collections of the VOD content organized by a characteristic of the VOD content;

receive a second selection for a VOD content;

in response to the second selection, provide a collection view of the VOD content, wherein the collection view presents two or more items of the VOD content having the characteristic;

receive a third selection for a VOD content; in response to the third selection, provide either a detail view or a digest view of VOD content, wherein the detail view presents information about a selected item of the VOD content, and wherein the digest view presents information about a set of the VOD content that are associated with a series; wherein providing either a detail view or a digest view of the VOD content comprises determine if the selection in the collection view is for a series or one of a movie or single show;

if the selection in the collection view is for a series, provide the digest view, wherein the digest view provides a listing of two or more episodes associated with the series;

if the selection in the collection view is for one of a movie or single show, provide a detail view; receiving a fourth selection of an episode in the digest view; and in response to the fourth selection, providing a player to present the episode to the user; receiving a fifth selection of a user interface device to play the movie or single show; and in response to the fifth selection, providing a player to present the movie or single show to the user; wherein a navigation to view VOD content is an

ordered set of user interfaces, and wherein the order includes a master view at a top level, a collection view at a second level, either a digest view or detail view at a third level, and a player view at a fourth and bottom level.

Ex. 1001 at Claim 2.

## **VI. CLAIM CONSTRUCTION**

52. I understand that claims of the patent-at-issue in this IPR are generally interpreted according to their ordinary and customary meaning in the art taking into consideration the so-called “intrinsic evidence” of the patent consisting of (1) the claim language; (2) the specification; and (3) the prosecution history.

53. I understand that claim terms may be explicitly defined in the patent specification, or they may be implicitly defined through consistent usage in the specification. I also understand that the scope of claim terms may be limited by statements in the specification or prosecution history where the applicant clearly disavows or disclaims subject matter, acts as his/her own lexicographer or otherwise indicates the meaning of claim terms through statements made by the applicant.

54. I understand that for purposes of the institution stage the Board found there was no need to provide express constructions of any claim terms. Instn. Dec., 11. However, I also understand that the Board preliminarily determined that a “detail view” “presents information about a selected item of the VOD content” and a “digest view” “presents information about a set of the VOD content that are associated with a series.” *Id.*, 27. My analysis is consistent with these determinations.

55. For the purposes of my analysis, I have applied the constructions discussed below: [1] the claims recite an order of steps that must be performed in the cited order and [2] the term “providing either a detail view or a digest view” means “providing either [1] a view of information about a single episode without information that is associated with a series or [2] a view of information about a set of the VOD content that are associated with a series without information only about a single episode.” Except for the terms discussed below, I have applied the plain and ordinary meaning of the claim terms in establishing the patentability of the claims of the ’384 Patent.

**A. Claimed Order of Steps**

56. I have been informed that a claim requires the steps to be performed in the order written if the claim language, as a matter of logic or grammar, requires that the steps be performed in the order written, or the specification directly or implicitly requires an order of steps.

57. In my opinion, a POSITA would have understood that logic explicitly and the specification implicitly require the Claim 2 to be performed in the following order:

[1] receive a first selection for a VOD content;

[2] in response to the first selection, provide a master view of the VOD content, wherein the master view presents two or more collections of the VOD content organized by a characteristic of the VOD content;

- [3] receive a second selection for a VOD content;
- [4] in response to the second selection, provide a collection view of the VOD content, wherein the collection view presents two or more items of the VOD content having the characteristic;
- [5] receive a third selection for a VOD content;
- [6] in response to the third selection, provide either a detail view or a digest view of VOD content...
- [7] receiving a fourth selection of an episode in the digest view;
- [8] and in response to the fourth selection, providing a player to present the episode to the user;
- [9] receiving a fifth selection of a user interface device to play the movie or single show;
- [10] and in response to the fifth selection, providing a player to present the movie or single show to the user...

58. Claim 5 requires substantially the same order.

59. First, as a matter of logic, the claim language requires the steps be performed in this order because each claim step cannot be performed without performing the preceding step. The second step states “in response to the first selection, provide a master view of the VOD content”; therefore, providing a master view must be performed after receiving the first selection. The fourth step states “in response to the second selection, provide a collection view of the VOD content”; therefore, providing a collection view must be performed after receiving the second selection. The sixth step states “in response to the third selection, provide either a detail view or a digest view of VOD content”; therefore, providing either a detail

view or a digest view must be performed after receiving the third selection. The eighth step states “in response to the fourth selection, providing a player to present the episode to the user”; therefore, providing a player to present the episode must be performed after receiving the fourth selection. Finally, the tenth step states “in response to the fifth selection, providing a player to present the movie or single show to the user”; therefore, providing a player to present the movie or single show must be performed after receiving the fifth selection.

60. Furthermore, the last limitation of the claim states “the order includes a master view at a top level, a collection view at a second level, either a digest view or detail view at a third level, and a player view at a fourth and bottom level.” A POSITA would understand from this limitation that steps one through eight must be performed in that order because this limitation specifies that the user navigates the views in order, starting at the top level master view to browse collections, and proceeds through the views in the claimed order to select a particular VOD content to view at the player at the bottom level. This claim limitation requires the user to be presented with the master view, the collection view, the detail or digest view, and the player in that order. Therefore, the claims must also be performed in that order.

61. Finally, steps nine and ten must be performed last because the '384 Patent specification teaches that the user uses the “user interface device” to change between (or navigate) different VOD content. For example, column 47 of the '384

Patent teaches that the user uses the “user interface device” to select VOD content as shown in Figures 21 through 25:

“The user may select a thumbnail within one of the user interface devices shown in FIGS. 21 through 25. The selection may be made using a directional pad **760** to change the focus onto one of the thumbnails and, using the OK button **764**, select that thumbnail. The remote control signal may then be sent to the Intelligent TV **100** through the IR/RF module **354** to the processor **364**. A driver **420** interprets the signal and provides the translation to the user interface application **468**. In one non-limiting example, an input event dispatcher **508** may then send that information to the panel manager **536** to indicate that a selection has been made. A panel manager **536** thus can receive the selection, in step **2612**.”

Ex.1001, 47:57-63.

62. Figures 21 through 25 show that the VOD content navigated by the user interface device includes categories such as movies, TV series, and variety:



**Fig. 21**

63. The '384 Patent provides additional examples of using the “user interface device” to select or switch between series, episodes, movies, or single shows:

“For example, user interface device 2504 may sequence through a series of thumbnails representing different types of series. For example, the user interface device 2504 shows a “Game of Thrones” thumbnail. However, the next sequenced thumbnail may apply to the TV series “Homeland.” Thus, the user may view more types of content within one area of user interface 2500 than that shown in any instant of time. These types of sequenced or moving thumbnails may be used in any of the user interfaces described hereinabove.”

Ex.1001, 47:27-35.

For example, the user may put the focus (e.g., the focus is currently on the “Showcase” selection **2104** in FIG. 21) on one of the text displays in navigation bar **2120** in user interface **2100**, and then select an OK button **764** to select the material for that user interface device **2104-2116**.

Ex.1001, 46:15-23.

“If the user selects the variety user interface device 2212, the panel manager 536 can provide a panel manager user interface 2300 as shown in FIG. 23. Variety programming can be any programming not necessarily associated with a movie or TV series. For example, variety programming can include documentaries, special interest shows, or other types of content. The variety programs can have one or more thumbnails, which organize the content and allow the user to select a collection to define content. These thumbnails may represent certain topics, for example, thumbnail 2304 represents specials topics contents, thumbnail 2308 represents recommended content, thumbnail 2312 represents user selected favorites content, thumbnail 2304 represents new content, thumbnail 2320 represents top watched or most viewed content, and thumbnail 2316 can represent all types of variety content. These thumbnails 2304-2324 may be selected by the user to be provided with a collection view that is organized based on the associated category that was chosen by the user. Thumbnails may be provided from the thumbnail database 632.

If the user selects the movie device 2108, the panel manager 536 can provide user interface 2400 shown in FIG. 24. The panel manager, in step 2028, provides this user interface 2400 with thumbnails 2404-2424, similar to those described in conjunction with the variety user interface in FIG. 23. Thus, the user may, again, select one or more movies, or collections of movies, based on the top categories or the categories listed by the thumbnails in user interface 2400.

If the user selects the TV series device 2112, the panel manager 536 can provide a TV user interface 2500 shown in FIG. 25, in step 2032. In one non-limiting example, the panel manager 536, again, provides a series of thumbnails 2504-2524, which may be the same or similar to those described in conjunction with the variety user interface in FIG. 23. Further, one or more of the thumbnails may provide several views of different content. For example, user interface device 2504 may

sequence through a series of thumbnails representing different types of series. For example, the user interface device 2504 shows a “Game of Thrones” thumbnail. However, the next sequenced thumbnail may apply to the TV series “Homeland.” Thus, the user may view more types of content within one area of user interface 2500 than that shown in any instant of time. These types of sequenced or moving thumbnails may be used in any of the user interfaces described hereinabove.”

Ex.1001, 46:56-47:35.

64. These examples again inform the POSITA that the user interface device navigates between different types of content, for example, selecting movie content or TV series content. Therefore, the final claim steps require that the system receive a selection for an episode, provide a player for the episode, receive a selection to change the VOD content through the user interface device, and in response provide a player for the movie or single show, in that order.

65. It is therefore my opinion that the claims require an ordering of steps that must be performed in the order written.

**B. “Providing Either a Detail View or a Digest View of VOD Content”**

66. In my opinion, a POSITA would understand that “providing either a detail view or a digest view of VOD content” as it appears in the claims means “providing either [1] a view of information about a single episode without information that is associated with a series or [2] a view of information about a set of the VOD content that are associated with a series without information only about a single episode.”

67. A POSITA would form this understanding from both the claim language and the specification. First, the claim language is “providing *either* a detail view or a digest view of the VOD content.” The word “either” implies that either the detail view or the digest view – not both the detail view and the digest view – is presented. Second, the claims further require “*wherein providing either a detail view or a digest view of the VOD content comprises determine if the selection in the collection view is for a series or one of a movie or single show; if the selection in the collection view is for a series, provide the digest view...; if the selection in the collection view is for one of a movie or single show, provide a detail view.*” This limitation presents the third selection as a binary choice: either the third selection is a series (in which case the digest view is presented), or the third selection is a movie or single show (in which case the detail view is presented). Because one option of the third selection results in the digest view being presented and the other option of the third selection results in the detail view being presented, as a matter of logic the detail view and the digest view must be distinct. It makes no sense to present the same view in response to either selection. A POSITA would understand that doing so would negate the purpose of the third selection having two choices.

68. The specification also supports this interpretation. The '384 Patent teaches that the digest view presented in response to a selection for a series is “in

contrast” to the detail view presented in response to a selection for a movie or single show:

“The VOD subservice 620 may then determine if the received selection is a movie, a single show, a series, or other types of content. In this way, the VOD subservice 620 can determine if a digest view or a detail view should be provided. If the selection is associated with a series with two or more episodes, a digest view 1724 should be provided. In contrast, if a single show, movie, or a series with only a single episode is selected, a detail view 1728 should be provided.”

Ex.1001, 44:58-66.

69. Because the detail view and the digest view are “in contrast,” the POSITA would further understand that the detail view and the digest view are distinct.

70. Based on these disclosures, a POSITA would understand that “providing either a detail view or a digest view of VOD content” means “providing either [1] a view of information about a single episode without information that is associated with a series or [2] a view of information about a set of the VOD content that are associated with a series without information only about a single episode.”

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

### **C. The TechnoBuffalo Videos (Ex. 1005-1017)**

71. TechnoBuffalo are two YouTube videos demonstrating aspects of Netflix’s streaming user interface.

**D. The MissingRemote Video (Ex. 1018)**

72. Similar to TechnoBuffalo, MissingRemote is also a YouTube video demonstrating aspects of Netflix’s streaming user interface.

**E. Kim (Ex. 1019)**

73. Kim, entitled “Image Display Apparatus System and Method for Operating the Same,” generally discloses an image display apparatus (e.g., television) having a user interface in the form of a “home screen” having a series of graphical “card objects” (windows) representing different “source[s] or type[s]” of content. Kim, [0193], [0194] (“card object may be a window having a predetermined configuration”). The home screen may be displayed as a default user interface or upon the user selecting a home key or providing a “go-to-home” input on the remote control device. Kim, [0192], [0094].

Home Screen and Card Objects

74. As illustrated in Figure 19, the home screen 1300 includes the:

- (1) Broadcast card object 1310 for broadcast content including a broadcast image display area 1315 depicting broadcast content that is currently-tuned and an information object 1321 about the currently-tuned broadcast content;
- (2) Netcast card object 1320 with thumbnails for various internet sources of content (“content providers” or “CPs”);

(3) App Store card object 1330 including text and thumbnails for a list of software applications available for downloading;

(4) Channel Browser card object 1340 with thumbnails representing different broadcast channels;

(5) TV Guide card object 1350 with descriptive text for a program list of available programs;

(6) Reservations/recording card object 1360 with text and thumbnails for a program list of programs recorded or to be recorded;

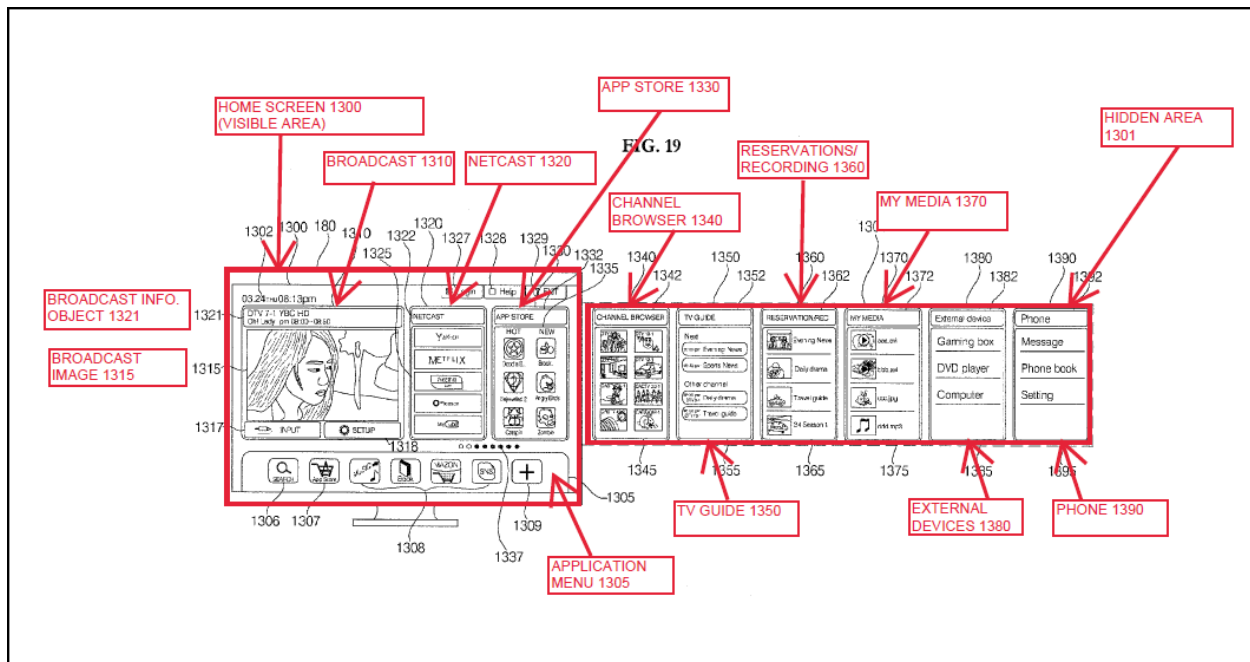
(7) My Media card object 1370 with text and thumbnails for available multimedia files such as videos, photographs, and the like;

(8) External Device card object 1380 with text identifying external devices connected to the television; and a

(9) Phone card object 1390 with text identifying information associated with a phone device such as a mobile phone.

Kim, [0193]-[0215].

75. Figure 19 below depicts the home screen of Kim:



Kim, Fig. 19 (annotated).

76. Kim discloses a plurality of card objects in the home screen, including:

The card objects may include at least one card object representing a thumbnail list of broadcast channels, a card object representing a broadcast program guide, a card object representing a program reservation list or a program recording list, or a card object representing a media list of a device connected to the image display apparatus 100. The card objects may further include at least one of a card object representing a list of connected external devices or a card object representing a call-associated list. The home screen may further include an application menu with at least one application that can be executed.

Kim, [0094].

77. Kim describes that card objects and other objects and icons on the home screen may be selected, meaning that the focus is changed to “focus-on” the selected

object or icon. Kim, [0247]. The user selection of a card object on the home screen results in the card object being displayed full-screen. Kim, [0098] (“Moreover, if one of the card objects displayed on the display 180 is selected, the controller 170 may display the selected card object as a full screen image to cover the entirety of the display 180.”).

78. Kim describes the various card objects as follows:

Referring again to FIG. 19, the card object 1310 may be named BROADCAST and may display a broadcast image. The card object 1320 may be named NETCAST and may provide a list of CPs, e.g., a list of CPs available through NetCast. The card object 1330, which may be named APP STORE, may provide a list of applications.

The hidden card objects, as shown in FIG. 19, may include a CHANNEL BROWSER card object 1340 which may provide a thumbnail list of broadcast channels, a TV GUIDE card object 1350 which may provide a program list, a RESERVATION/REC card object 1360 which may provide a reserved or recorded program list, a MY MEDIA card object 1370 which may provide a list of multimedia files which are available on the image display apparatus 100 or on a device connected to the image display apparatus 100, an EXTERNAL DEVICE card object 1380 which may provide a list of external devices which may be connected to the image display apparatus 100, and a PHONE card object 1390 which may provide a list of call-related items. Kim, [0195]-[0196].

79. Kim describes more specifically that the “BROADCAST card object 1310 may display a broadcast image 1315 received through the tuner 110 or the network interface 130, an information object 1321 that displays information about the broadcast image 1315.” Kim, [0197]. The broadcast image 1315 is fixed insofar “broadcast image 1315 may be viewed while the other displayed card objects ... may be scrolled.” Kim, [0197]. The information object 1321 presents information about the currently-viewed program on broadcast image 1315, such as a channel number, program name, and airtime. Kim, [0199].

80. Kim describes more specifically that “[t]he [Netcast] card object 1320 may contain a card object name 1322 (NETCAST) and a CP list 1325 that displays a list of CPs ... [such as] Yakoo, Metflix, ... and Mytube.” Kim, [0201]. As with the other card objects, Kim discloses that user selection of the Netcast object 1320 will result in it being displayed in full-screen mode. Kim, [0201] (“Upon selection of the card object name 1322, the card object 1320 may be displayed as a full screen image on the display 180.”).

81. Kim describes more specifically that “[t]he [App Store] card object 1330 may include a card object name 1332 [] and an application list 1335 ... [that] may display a plurality of icons representing applications available on a server, for example, for download or purchase.” Kim, [0202]. “Upon selection of an application

icon from the application list 1335, information related to the selected application may be displayed on the display 180.” Kim, [0202].

82. Kim describes more specifically that the “[Channel Browser] card object 1340 may represent a list of broadcast channels [and] may include a card object name 1342 (CHANNEL BROWSER) and a thumbnail list of broadcast channels 1345.” Kim, [0205]. “Upon selection of a thumbnail image from the thumbnail list 1345, a broadcast program from the selected channel may be displayed on the display 180.” Kim, [0206].

83. Kim describes more specifically that the “[TV Guide] card object 1350 ... may contain a card object name 1352 (TV GUIDE) and a program list 1355 ... [that] list[s] broadcast programs for the currently displayed channel or broadcast programs for one or more different channels.” Kim, [0207]. “If a program is selected from the program list 1355, a broadcast image of the selected program (e.g., currently being broadcast) or broadcasting information related to the selected program (e.g., future broadcasts) may be displayed on the display 180.” Kim, [0207].

84. Kim describes more specifically that the “[Reservation/Recording] card object 1360 ... [that] may include scheduled recordings or scheduled programs which have been recorded.” Kim, [0208]. “Upon selection of a scheduled recording or a recorded program from the scheduled or recorded program list 1365, broadcast

information related to the scheduled recording or the recorded broadcast program may be displayed on the display 180.” Kim, [0208].

85. Kim describes more specifically the “[My Media] card object 1370 display[s] a list [1375] of multimedia files” that may include “still images, and audio.” Kim, [0209]. “Upon selection of a file from the media list 1375, the selected file may be opened and a window (e.g., audio/video player or picture viewer window) that corresponds to the selected file may be displayed on the display 180.” Kim, [0209].

86. Kim describes more specifically the “[External devices] card object 1380 may display a list of connected external devices and may contain a card object name 1382 (EXTERNAL DEVICE) and a device list 1385 of external devices connected to the image display apparatus 100.” Kim, [0210]. “Moreover, upon selection of a specific external device from the external device list 1385, a menu related to the selected external device may be displayed.” Kim, [0210].

87. Kim describes more specifically that the “[Phone] card object 1390 may display call-related information and may include a card object name 1392 (PHONE) and a call-related list 1395 ... [that] may be a listing related to calls placed or received from a portable phone.” Kim, [0211]. Kim discloses that when an incoming call is detected, the Phone card object 1390 will be displayed, or if it is already

displayed, it will be highlighted” to draw the user’s attention. Kim, [0211]. Kim describes an incoming call:

Upon receipt of an incoming call at the portable phone ... the call-related card object 1390 may be automatically displayed in the card object area of the display 180. If the card object 1390 is already displayed on the display 180, it may be highlighted or otherwise distinguished from the other card objects.

Therefore, the user may readily identify incoming calls received on a nearby portable phone ... Moreover, upon selection of the card object name 1392, the card object 1390 may be displayed as a full screen image on the display 180.

Kim, [0211]-[0212].

88. Kim discloses that the home screen of Figure 19 may have an application menu 1305 that includes “mandatory application menu items 1306, 1307, and 1309 (Search, App Store, and +) and optional application menu items 1308 (e.g., Music, Book, MAZON, and SNS).” Kim, [0214]. The Search application menu item 1306 provides a search function, and the App Store application menu item 1307 can provide direct access to the App Store card object 1330. Kim, [0214].

89. Figures 21-23 of Kim disclose how visible card objects and hidden card objects in the home screen can be scrolled or moved. Kim, [0223]-[230], Figs. 21-23.

#### User Settings

90. Kim discloses that settings such as video settings, audio settings, and network settings can be set using setup object 1318. Kim, [0200] (“The setup object 1318 may be used to set various settings of the image display apparatus 100, such as video settings, audio settings, screen settings, reservation settings, ... network settings, or another appropriate setting for the image display apparatus 100.”). Kim does not teach or suggest that settings are set for specific users. *Id.*

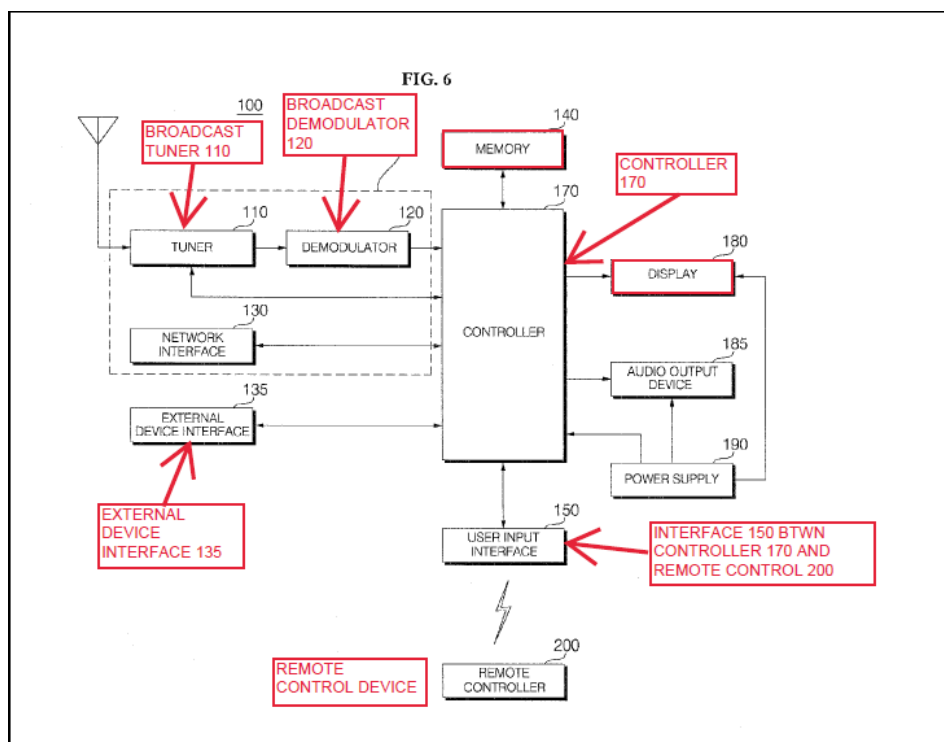
#### User Log-in

91. Kim discloses that a user may access the login menu 1327 on the home screen of Figure 19 to login to the App Store 1330 or to a network connected to the television. Kim, [0203] (“A Login menu item 1327 ... may be displayed above the card objects 1320 and 1330 [and] [t]he user may login to the APP STORE or a network connected to the image display apparatus 100.”).

92. Kim does not teach or suggest identifying a user based on the selection of a home screen key or go-to-home screen key to invoke the home screen.

#### System Diagram of Image Display Apparatus

93. Figure 6 of Kim is a block diagram of the image display apparatus 100 (e.g., television), which includes blocks for a broadcast tuner 110, demodulator 120, network interface 130, memory 140, controller 170, display 180, and a user input interface 150 that acts as an interface between the controller 170 and remote control 200:



Kim, Fig. 6 (annotated), [0065]-[0095].

94. The user interface 150 receives signals sent from remote control 170 and transmits signals to the controller 170. The user interface 150 may receive various signals from the remote control including “a channel selection signal” or a “channel switch command.” Kim, [0086], [0174].

95. The controller 170 processes incoming signals (e.g., an MPEG transport stream [TS]) and outputs images to be displayed on display 180. Kim, [0087]-[0088]. The controller 170 may provide overall control of the television, including control of the display 180 in its presentation of broadcast or other content. Kim, [0089]-[0093]. The controller 170 may include processors such as a video processor, video decoder, audio processor, data processor. Kim, [0133]-[0136].

## External Devices

96. The external device interface 135 may be connected to various external devices, such as a DVD or Blue-ray player, game console, camera, or a computer. The external device interface may have an I/O interface with a USB port, CVBS port, S-video port, DVI port, or other appropriate port for connecting an external device, as described below:

The external device interface 135 may be connected to an external device such as a Digital Versatile Disk (DVD) player, a Blu-ray player, a game console, a camera, a camcorder, or a computer (e.g., a laptop computer), wirelessly or by wire. Then, the external device interface 135 externally receives video, audio, and/or data signals from the external device and transmits the received input signals to the controller 170. ... In order to receive or transmit audio, video, and data signals from or to the external device, the external device interface 135 may include[] the A/V I/O interface and/or the wireless communication module.

The A/V I/O interface of the external device interface 135 may include a Universal Serial Bus (USB) port, a Composite Video Banking Sync (CVBS) port, a Component port, a Super-video (S-Video) (analog) port, a Digital Visual Interface (DVI) port, a High-Definition Multimedia Interface (HDMI) port, a Red-Green-Blue (RGB) port, a D-sub port, or another appropriate port for connecting to an external device.

Kim, [0076]-[0077].

97. Kim discloses that the External device card object 1380 in Figure 19 may list external devices that are “connected to the image display apparatus 100 ...[that] may include a gaming box, a DVD player, a computer, or another appropriate device.” Kim, [0210], Fig. 19.

#### Other User Interface Displays

98. Separate from the home screen of Figure 19, Kim discloses other user interfaces on the TV display such as a full-screen “application list” depicting applications available for download and/or locally available applications. Kim, [0184]-[0185].

99. Figures 25-32 of Kim disclose how a user can access the App Store card object 1330 using, for example, a “go-to-app store input,” which results in the display of an App Store screen. Kim, [0234]-[0235], Figs. 25-32. The App Store screen includes tabbed menus with categories for sorting applications. Kim, [0236]-[0247], Fig. 25.

100. Figures 38-41 illustrate full-screen user interfaces for a Search window that is displayed upon the user selecting the search option, such as by selecting search option 1306 in Figure 19. Kim, [0266], Figs. 38-41, Fig. 19. The user inputs a search keyword or phrase (e.g., “Shutter Island”) and the Search window displays a series of programs as the search results. Kim, [0266]-[0269], Fig. 38. The search results can be sorted using category tabs.

## F. Hunt (Ex. 1020)

101. Hunt, entitled “Trick Play of Streaming Media,” generally describes discloses interfaces for playing videos. The invention may present a user with “successive still images [that] support the selection of audiovisual programs from among a library or set of available programs,” as in Fig. 6:

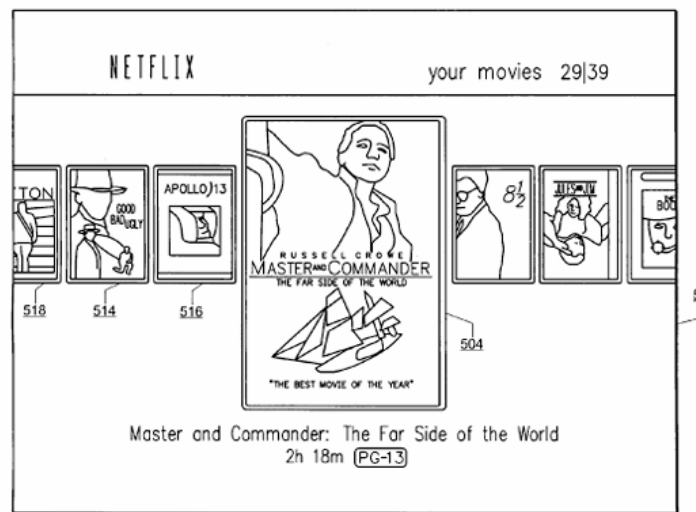


**FIG. 6**

Ex.1020, Fig. 6, 16:19-22.

102. The user is then directed to a “springboard screen” as shown in Fig. 11 that displays information about the user’s selected movie:

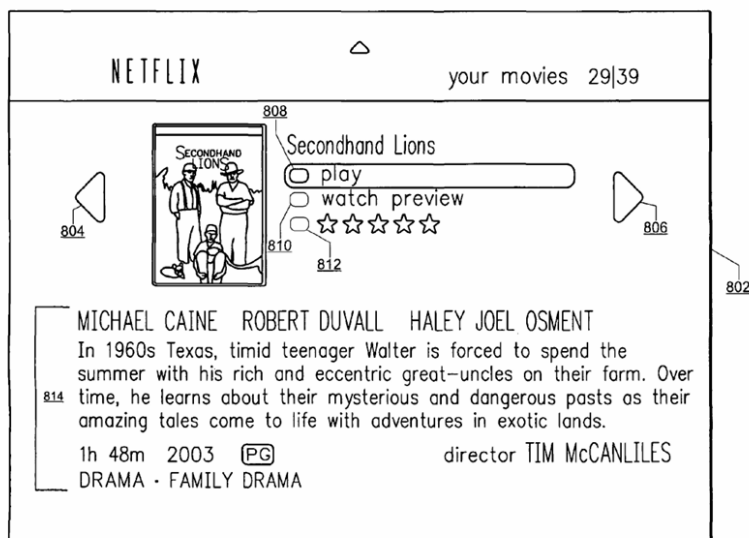


FIG. 8

Ex.1020, Fig. 8, 17:33-43. If the user selects a season among a plurality of seasons, the user is instead directed to the “springboard screen” shown in Fig. 11:

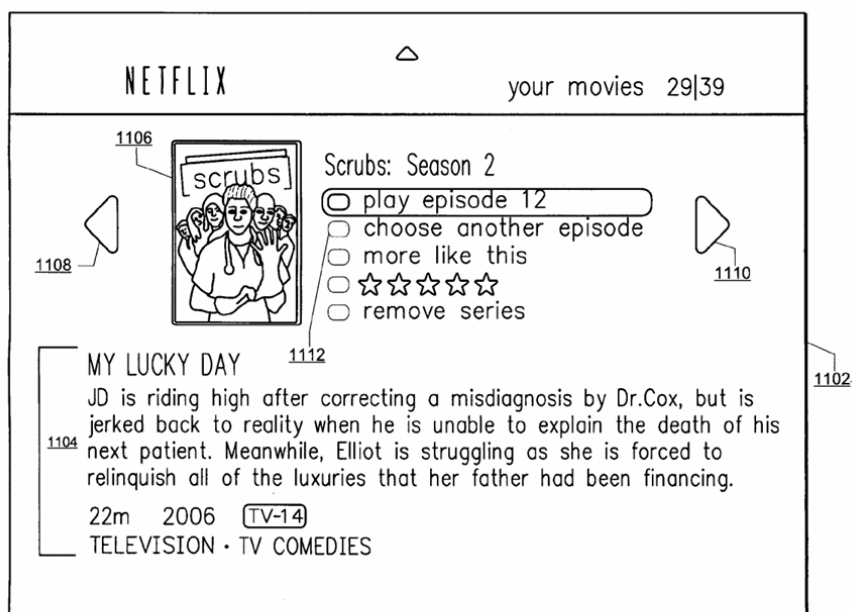
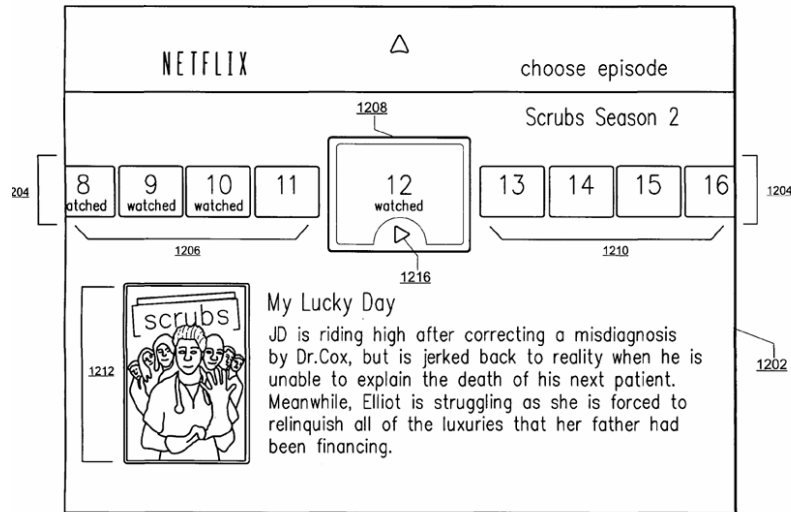


FIG. 11

Ex.1020, Fig. 11, 18:33:52.

103. A “Choose another episode” option may allow the user to proceed from the “springboard screen” of Fig. 11 to display the screen of Fig. 12:



Ex.1020, Fig. 12, 18:65-19:3.

#### G. Hunleth (Ex. 1021)

104. Hunleth, entitled “Client-Server Architectures and Methods for Zoomable User Interfaces,” describes “hover-zooming.” Ex.1021, abstract. Hunleth’s Fig. 1 “shows a user interface having a plurality of media objects available for selection as images, e.g. DVD cover art.” Ex.1021, 4:35-40. Hyperlinks can transition to the detailed view shown in Fig. 2. *Id.*, 8:50-63.

#### H. Ma (Ex. 1022)

105. Ma, entitled “Menuing Structure for Favorite Media Content,” describes “generating a menu of favorite media items for presentation to a user.” Fig. 2 shows an exemplary menu in the form of a shelf having seven different movies:

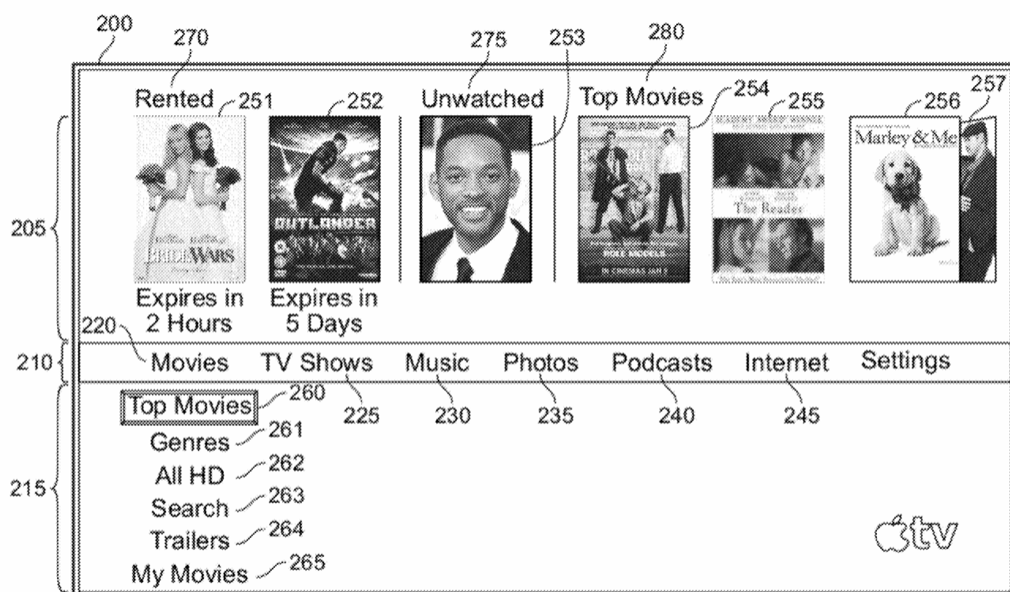


FIG. 2

Ex.1022, [0028].

## VIII. CLAIMS 1-12 ARE PATENTABLE OVER THE PRIOR ART

### A. The Ground 1 and Ground 2 Prior Art Combinations Do Not Suggest “Providing Either a Detail View or a Digest View of VOD Content”

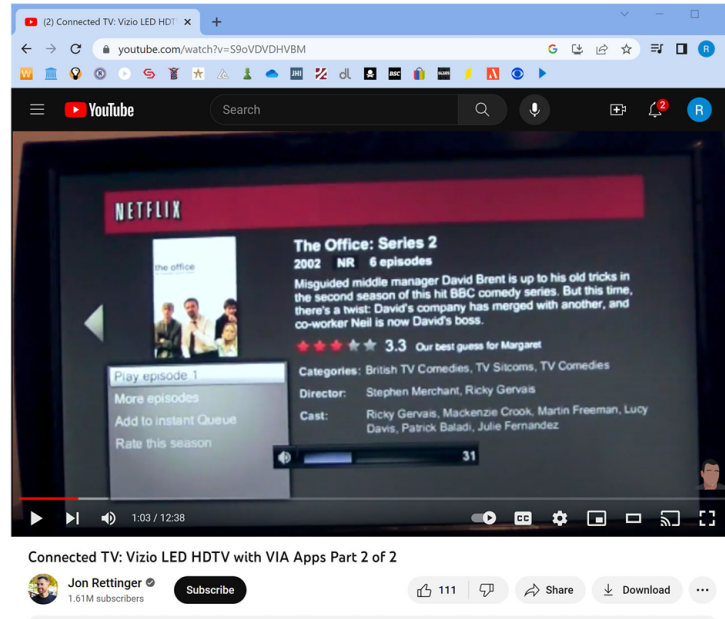
106. As I discussed in Section VI.B above, the claim limitation “providing either a detail view or a digest view of VOD content” requires the detail view to be distinct from the digest view. This means that, if the third selection is for a series, the provided digest view cannot also be a detail view. And if the third selection is for a movie or single show, the provided detail view cannot also be a digest view.

107. I further understand that the Board determined that a “detail view” “presents information about a selected item of the VOD content” and a “digest

view” “presents information about a set of the VOD content that are associated with a series.” Instn. Dec., 27.

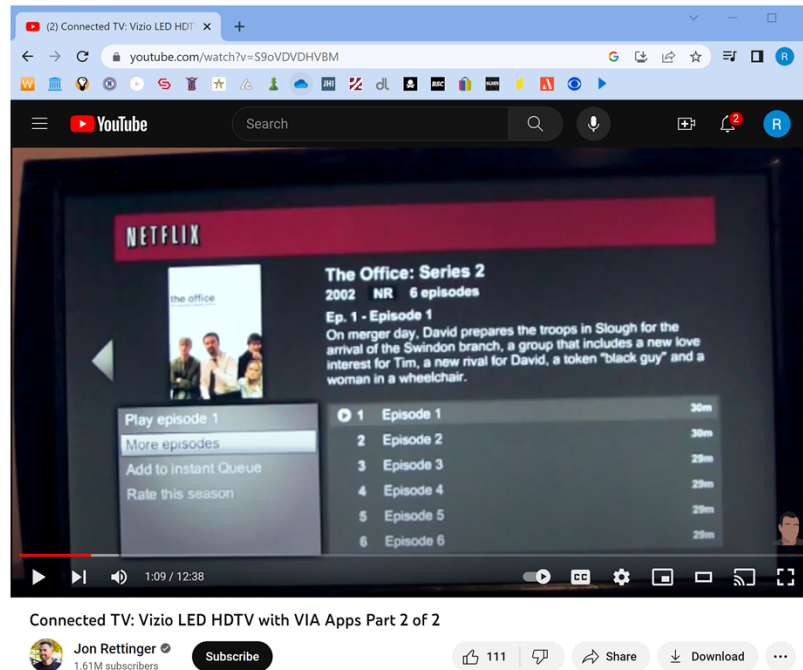
108. In my opinion, no combination of prior art teaches or suggests “providing either a detail view or a digest view of VOD content” where the detail view is distinct from the digest view. In my opinion, all the views taught by the prior art are classified as both a detail view and a digest view, as those terms are defined by the Institution Decision. Thus, providing the prior art views does not provide “*either* a detail view or a digest view” as required by the claims. Instead, providing the prior art views provide both a detail view and a digest view, which is impermissible under the claims.

109. The Petition identifies the TechnoBuffalo2 screen below as a digest view because “it presents information (e.g., number of episodes, synopsis of entire season, ratings for season, menu items for ‘More episodes’) about a set of VOD content (e.g., television episodes in Season 2) that is associated with a series (e.g., ‘The Office’)”:



Pet., 41. This is consistent with the definition in the Institution Decision. But this screen also qualifies as a detail view under the definition of detail view in the Institution Decision because it presents information (“Play episode 1”) about a selected item of the VOD content. This screen is both a detail view and a digest view. Therefore, presenting this screen does not present either a detail view or a digest view.

110. The Petition identifies the TechnoBuffalo2 screen below as a digest view because “it presents information (e.g., year, rating, number of episodes (6), episode lengths) about a set of VOD content (e.g., episodes in Season 2) that are associated with a series (e.g., ‘The Office’)”:



Pet., 42. This is consistent with the definition in the Institution Decision. But this screen also qualifies as a detail view under the definition of detail view in the Institution Decision because it presents information about a selected item of the VOD content (“Play episode 1,” “EP 1 – Episode 1,” and a synopsis of episode 1). This screen is both a detail view and a digest view. Therefore, presenting this screen does not present either a detail view or a digest view.

111. The Petition identifies Hunt’s Figures 11 and 12 as digest views:



FIG. 11

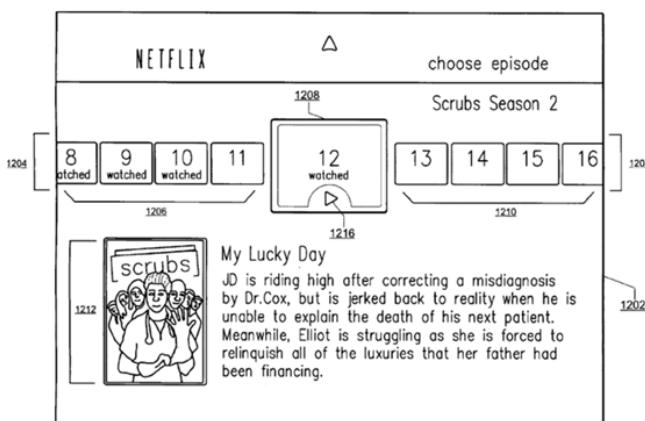
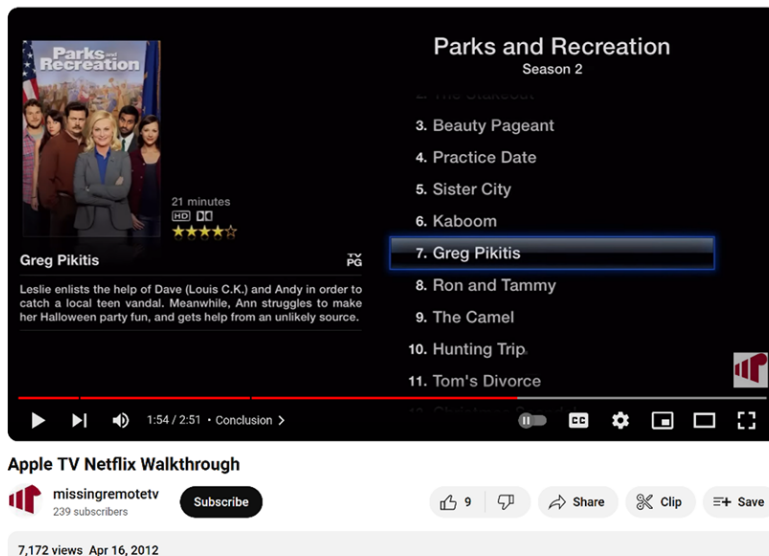


FIG. 12

Pet., 43. To the extent Figures 11 and 12 qualify as digest views, these figures also qualify as details view under the definition of detail view in the Institution Decision because they present information about a selected item of the VOD content (“My Luck Day,” season 2 episode 12, and its synopsis). At best, these figures can be considered both a detail view and a digest view. Therefore, presenting either the screen shown in Fig. 11 or the screen in Fig. 12 does not present either a detail view or a digest view.

112. The Petition identifies the MissingRemote screen below as a digest view because “it presents information (e.g., episode titles) about a set of VOD content (e.g., episodes in Season 2) that are associated with a series (e.g., ‘Parks and Recreation’):”



Pet., 44. This is consistent with the definition in the Institution Decision. But this screen also qualifies as a detail view under the definition of detail view in the Institution Decision because it presents information about a selected item of the VOD content (“Greg Pikitis,” season 2 episode 7, and its synopsis). This screen is both a detail view and a digest view. Therefore, presenting this screen does not present either a detail view or a digest view.

113. The Petition identifies Ma’s Figure 5C below as a digest view because “it presents information about a set of VOD content (e.g., TV episodes) that are associated with a series (e.g., ‘House’)”:

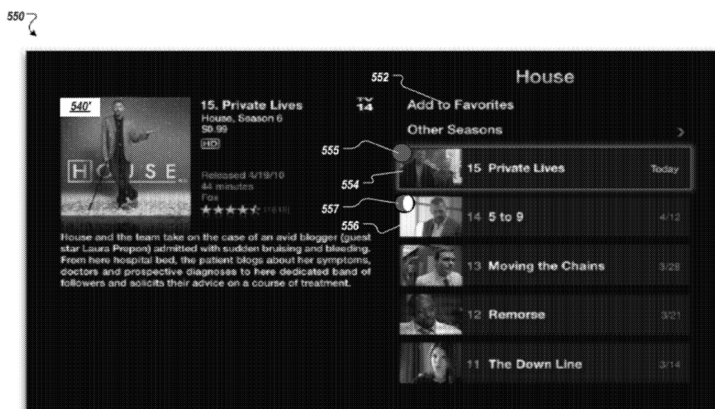


FIG. 5C

Pet., 92. This is consistent with the definition in the Institution Decision. But Figure 5C also qualifies as a detail view under the definition of detail view in the Institution Decision because it presents information about a selected item of the VOD content (“Private Lives,” season 6 episode 15, and its synopsis). This figure is both a detail view and a digest view. Therefore, presenting this figure does not present either a detail view or a digest view.

114. In every case, the screens identified by the Petition are at best both a detail view and a digest view. As explained in Section VI.B, providing a screen that is both a detail view and a digest view does not satisfy the claimed limitation to provide “either a detail view or a digest view.” Therefore, it is my opinion that none of the prior art in combination suggests “providing either a detail view or a digest view of VOD content.”

## **B. The Ground 1 and Ground 2 Prior Art Combinations Do Not Suggest the Claimed Order of Steps**

115. As I discussed in Section VI.A above, the claims require a specific order of steps that must be performed in that order. In my opinion, the Petition has not shown that the prior art combinations teach or suggest this claimed order of steps.

116. The Petition alleges that the prior art disclosure of selecting an episode in the digest view and, in response, presenting a player for the user to watch that episode corresponds to the claimed steps of “receiving a fourth selection of an episode in the digest view; and in response to the fourth selection, providing a player to present the episode to the user.” Pet., 62, 63, 101, 102. The Petition also alleges that selecting play in the detail view and, in response, presenting a player for the user to watch a movie corresponds to the claimed steps of “receiving a fifth selection of a user interface device to play the movie or single show; and in response to the fifth selection, providing a player to present the movie or single show to the user.” Pet., 63-64, 102-103.

117. Even if these steps are performed in the prior art, they are not performed in the order of steps required by the claims. In the prior art, if the third selection is for a series, the prior art presents the digest view, where the fourth selection of an episode in the digest view presents a player. But if the third selection is for a movie or single show, the prior art presents the detail view, where the fifth selection of “play” in the detail view presents a player. This is different

than in the claimed order of steps, where the fourth selection is for an episode, the system presents a player to play the episode, *then* a fifth selection is made for a movie or single show, and the system presents another player to play the movie or single show. There is no teaching in the prior art identified by the Petition where these four steps occur in the claimed sequence.

118. As I discussed in Section VI.B, a POSITA would recognize that these final claim steps permit the user to switch from a player that plays an episode of a series to a player that plays a movie or single show, as taught by the '384 specification. Thus, the claims specify an order of steps for presenting a player for an episode in the digest view, and then selecting (from the digest view) the user interface device to present a player for a movie or single show. But the Petition has not shown that the prior art combinations suggest this claimed order of steps.

## **IX. CONCLUSION**

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

Respectfully submitted,



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Rajeev Surati

Dated: February 21, 2025