

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

ERICSSON AB,
Patent Owner.

Case IPR2025-00003
Patent No. 9,313,178

PATENT OWNER'S CONTINGENT MOTION TO AMEND

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EXHIBIT LIST

Exhibit No.	Description
Ex. 2001	Declaration of Kayvan B. Noroozi in Support of Motion for Admission <i>Pro Hac Vice</i>
Ex. 2002	“Check.” Cambridge Dictionary, Cambridge University Press, (https://dictionary.cambridge.org/us/dictionary/english/check), accessed Jan. 16, 2025
Ex. 2003	“Detect.” Cambridge Dictionary, Cambridge University Press, (https://dictionary.cambridge.org/us/dictionary/english/detect#google_vignette), accessed Jan. 16, 2025
Ex. 2004	U.S. Pat. No. 10,136,452, titled “Enhanced PRACH for standalone contention based communications including unlicensed spectrum”
Ex. 2005	Confidential Settlement Agreement
Ex. 2006	Confidential Arbitration Agreement
Ex. 2007	U.S. Patent Application Publ. No. 2014/0237243 (publication of U.S. Application No. 14/266,368 filed April 30, 2014)
Ex. 2008	U.S. provisional application Ser. No. 61/500,316, filed Jun. 23, 2011
Ex. 2009	U.S. Patent Application Publ. No 2012/0331293(Publication of U.S. patent application Ser. No.: 13/530,997, filed on Jun. 22, 2012)

I. Introduction

Ericsson AB (“Ericsson” or “Patent Owner”) respectfully moves under 35 U.S.C. § 316(d) and 37 C.F.R. § 42.121 to conditionally amend challenged claims 1-10, 12-20 of the ’178 patent. In the event the Board finds the challenged claims unpatentable, Ericsson respectfully requests that the Board grant this motion to amend with respect to the corresponding proposed substitute claims.

“Before considering the patentability of any substitute claims, the Board first must determine whether the motion to amend meets the statutory and regulatory requirement set forth in 35 U.S.C. § 316(d) and 37 C.F.R. §42.121.” *Lectrosonics, Inc. v. Zaxcom, Inc.*, IPR2018-01129, -01130, Paper 15 at 4 (PTAB Feb. 25, 2019). The substitute claims must be i) presented in a claim listing; ii) reasonable in number; iii) responsive to a ground of unpatentability involved in the trial; iv) non-broadening; and v) supported by the written description. *Id.* at 4-8. As shown below, this motion and the substitute claims meet all requirements of 37 C.F.R. § 42.121. Moreover, the motion confirms Patent Owner’s belief that the proposed substitute claims are patentable over all known prior art, whether alone or in combination.

Having met its burdens, Patent Owner is entitled to the contingent substitute claim unless Petitioner “prove[s] all propositions of unpatentability.” *Aqua*

Products v. Matal, 872 F.3d 1290, 1310 (Fed. Cir. 2017).

II. Statement of Relief Requested

Pursuant to the Board's Pilot Program, Patent Owner requests the Board's Preliminary Guidance as to this Motion to Amend.

To the extent the Board finds any of original claims 1-8, 10, 12-14 and 16-20 unpatentable, Ericsson respectfully requests that the Board grant this motion to amend with respect to the corresponding proposed substitute claim(s) presented herein.

III. The Substitute Claims Satisfy 37 C.F.R. § 42.121(a)

A. The substitute claims are non-broadening.

As shown in the attached claims appendix, the proposed substitute claims retain all features of the corresponding original claims, and only add clarifying or narrowing limitations. The proposed claims thus do not enlarge the scope of the corresponding original claims in any way. The following table specifies how each proposed substitute claim clarifies and/or narrows the original claim.

Substitute claim #	Original claim #	Amendments	Broadening Amendments
21	1	- for over-the-top media delivery; - content key identifiers that uniquely identify each content encryption key from every other content encryption key for the duration of the media playback;	None

		• detecting notification-based content encryption key rotation boundaries • notification requires expiration of a current content encryption key earlier than the content key expiration time previously provided for that key; • issuing requests to a license server in response to detecting said notification-based content encryption key rotation boundary ahead of the expiration time-based key rotation boundary previously provided for the content encryption key currently being used to retrieve a second content encryption key to be used before said expiration time-based content encryption key rotation boundary for the content encryption key currently being used is reached; • applying the second key for content decryption before said expiration time-based key rotation boundary for the content encryption key currently being used is reached.	
22	2	• Claim depends from amended claim 21 instead of claim 1; • the content key expiration time for said second content encryption key is equal to the time remaining for the expiration previously set for the prior content encryption key.	None
23	3	• Claim depends from amended claim 21 instead of claim 1; • the content key expiration time for said second content encryption key is equal to the time remaining for the expiration	None

		previously set for the prior content encryption key plus the fixed expiration period duration originally assigned for the prior content encryption key.	
24	4	Claim depends from amended claim 23 instead of claim 3.	None
25	5	Claim depends from amended claim 24 instead of claim 4.	None
26	6	Claim depends from amended claim 24 instead of claim 4.	None
27	7	Claim depends from amended claim 21 instead of claim 1.	None
28	8	Claim depends from amended claim 27 instead of claim 7.	None
29	10	Claim depends from amended claim 21 instead of claim 1.	None
30	12	- Claim depends from amended claim 21 instead of claim 1; - the retrieved content is divided into content segments, and the second key is applied to decrypt the same content segment for which the previous content encryption key was used; - the early expiration of the content encryption key currently being used is for security reasons.	None
31	13	Claim depends from amended claim 30 instead of claim 12.	None

32	14	● Claim depends from amended claim 30 instead of claim 12.	None
33	16	● for over-the-top media delivery; ● content key identifiers that uniquely identify each content encryption key from every other content encryption key for the duration of the media playback; ● detect notification-based content encryption key rotation boundaries; ● notification requires expiration of a current content encryption key earlier than the content key expiration time previously provided for that key; ● issue requests to a license server in response to detecting said notification-based content encryption key rotation boundary ahead of the expiration time-based key rotation boundary previously provided for the content encryption key currently being used to retrieve a second content encryption key to be used before said expiration time-based content encryption key rotation boundary for the content encryption key currently being used is reached; ● apply the second key for content decryption before said expiration time-based key rotation boundary for the content encryption key currently being used is reached.	None
34	17	● Claim depends from amended claim 33 instead of claim 16; ● the content key expiration time for said second content encryption key is equal	None

		to the time remaining for the expiration previously set for the prior content encryption key.	
35	18	• Claim depends from amended claim 33 instead of claim 16; • the content key expiration time for said second content encryption key is equal to the time remaining for the expiration previously set for the prior content encryption key plus the fixed expiration period duration originally assigned for the prior content encryption key.	None
36	19	• Claim depends from amended claim 33 instead of claim 16.	None
37	20	• Claim depends from amended claim 33 1 instead of claim 1; • the retrieved content is divided into content segments, and the second key is applied to decrypt the same content segment for which the previous content encryption key was used; • the early expiration of the content encryption key currently being used is for security reasons.	None

B. The substitute claims are responsive to a ground of unpatentability involved in the trial.

The proposed substitute claims are also responsive to at least one ground of unpatentability in the trial. *See* 37 C.F.R. § 42.121(a)(2)(i). Petitioner has alleged that U.S. Pat. Pub. No. 2002/0172368 to Peterka, Ex. 1005 (“Peterka”), teaches a method for handling secure distribution of content that comprises initiating a media

playback request and receiving a playback request response; parsing content information from the playback request response, the content information including content encryption keys, content encryption key identifiers, and content encryption key expiration times; retrieving content and manifest files from a content delivery server; detecting content encryption key rotation boundaries between periods of use of different content encryption keys in decrypting retrieved content; issuing requests to a license server ahead of a key rotation boundary to retrieve a second content encryption key to be used after a content encryption key rotation boundary is reached; and applying the second key for content decryption after the key rotation boundary is reached, as recited in the original claims. Each proposed substitute claim: (1) clarifies that the method and system for handling secure distribution of content is for over-the-top media delivery; (2) notes that the content key identifiers uniquely identify each content encryption key from every other content encryption key for the duration of the media playback; (3) clarifies that notification-based content encryption key rotation boundaries are detected that are earlier than the content key expiration time previously provided for the key and the notification requires expiration of a current content encryption key earlier than the content key expiration time previously provided for that key; (4) clarifies that requests for a second key are issued in response to detecting the notification-based

content encryption key rotation boundary ahead of the expiration time-based key rotation boundary previously provided for the current key to retrieve a second content encryption key to be used before said expiration time-based content encryption key rotation boundary for the current key is reached; and (5) notes that the second key for content decryption is applied before said expiration time-based key rotation boundary for the current key is reached. Neither Peterka nor the other cited references teach or suggest a system or method with those limitations.

At the same time, it is not necessary “that every word added to or removed from a claim in a motion to amend must be solely for the purpose of overcoming an instituted ground.” *Veeam Software Corp. v. Veritas Techs., LLC*, IPR2014-00090, Paper 48 at 28 (Jul. 17, 2017). Rather, the question is whether “the proposed claim as a whole is ‘responsive to a ground of unpatentability involved in the trial.’” *Id.* at 29. Beyond that threshold, Patent Owner may add other amendments that “serve[] the public interest by ensuring issuance of valid and clear patents,” including “additional limitations to address potential § 101 or § 112 issues.” *Id.* To the extent the Board finds that any other proposed amendments in a given substitute claim are not directly responsive to a ground of unpatentability here, those amendments are appropriate in view of the legal principles above.

C. The substitute claims are reasonable in number.

For each original challenged claim, Ericsson proposes only one substitute claim, fitting the “presumption . . . that only one substitute claim would be needed to replace each challenged claim.” 37 C.F.R. § 42.121(a)(3).

IV. The Substitute Claim Satisfies 37 C.F.R. § 42.121(b)

A. The substitute claims are presented in claim listing.

As required by 37 C.F.R. § 42.121(b), this motion is accompanied by an appendix that lists the proposed substitute claim and clearly shows the proposed amendments to the claim in light of the corresponding original claim.

B. The substitute claims are supported by the original and earlier-filed disclosures for each claim.

Pursuant to 37 C.F.R. § 42.121(b)(1) and (b)(2), the below table demonstrates that each substitute claim is supported by each earlier-filed disclosure as to which the benefit of the filing date is sought.¹ In particular, the ‘178 patent issued from Application No. 14/266,368 that was published as Patent Application Publ. No. 2014/0237243 (Application filed April 30, 2014)(Ex. 2007). The ‘178 patent claims priority to U.S. provisional application Ser. No. 61/500,316, filed Jun. 23, 2011 (Ex. 2008), and U.S. patent application Ser. No.: 13/530,997, filed on Jun. 22, 2012, which was published as U.S. Patent Application Publ. No

¹ The support citations herein are not necessarily exhaustive or meant to limit the meaning of the corresponding limitations.

2012/0331293 (Ex. 2009) and issued as U.S. Pat. No. 8,751,807.

Claim #	Limitation ²	Ex. 2007	Ex. 2008	Ex. 2009
21	[21P]	Abstract; ¶¶1, 5; cls. 1, 16	Abstract; pp. 1, 3	Abstract; ¶¶1-3, 5; cls. 1, 16
	[21.1]	¶¶5, 8; cls. 1-3, 16	pp. 3-8; 11-12; Fig. 3; cl. 1	¶¶5, 8; cls. 1, 25; Fig. 3
	[21.2]	¶¶3, 5, 8, 10, 20, 36; cls. 1, 16	pp. 5, 11; cl. 1, 4	¶¶3, 5, 7, 8, 10, 20, 36; cls. 1, 25
	[21.3]	¶¶5; 22; cls. 1, 16	pp. 5-6, 7-8, 11-12; Figs. 2-3; cl.1, 16, 17	Abstract; ¶¶3, 5, 15, 19, 32; Figs. 1, 3
	[21.4]	Abstract; ¶¶5, 9, 10, 23, 25, 26, 35, 36, 39; cls. 12, 20; Fig. 3	Abstract; pp. 5, 6, 10-13; cl. 13; Figs 2-3	¶¶8, 34; cls. 14, 15; Fig. 3
	[21.5]	¶¶3, 5, 8, 9, 21, 26, 32, 35, 36, 39; Fig. 3; cls. 1, 12-15, 16 and 20	Abstract; pp. 5, 6, 10-13; cl. 13; Figs 2-3	¶¶3, 5, 7-8, 15, 19-20, 26, 30, 33, 34, 37; Fig. 3
	[21.6]	¶¶5, 36, 39; Fig. 3; cl. 1, 16	Abstract; pp. 5, 6, 10-13; cl. 13; Figs 2-3	¶¶3, 5, 7-8, 15, 19-20, 26, 30, 33, 34, 37; Fig. 3
22		¶¶3, 5, 8, 10, 20, 21, 24, 29, 35; cls. 1, 16	Abstract; pp. 5, 6, 7, 10-13; cl. 13-18; Figs 2-3	¶¶7-8, 33, 35-37; Fig. 3
23		¶¶5, 20, 23, 24, 29, 32; cls. 3	Abstract; pp. 5, 6, 7, 10-13; cl. 13-18; Figs 2-3	¶¶7-8, 33, 35-37; Fig. 3

² Limitation citations correspond to numbering shown in the claims appendix attached hereto.

Claim #	Limitation ²	Ex. 2007	Ex. 2008	Ex. 2009
24		¶¶6, 8-10, 20, 21, 24, 25, 26, 29, 31, 36, 39; cl. 4, 18	Abstract; pp. 5, 6, 7, 10-13; cl. 10; Figs 2-3	¶¶34-37; Fig. 3
25		¶¶20, 21, 23, 31, 36, 39; cl. 4, 5, 7, 19	Abstract; pp. 5, 6, 7, 10-13; cl. 10; Figs 2-3	¶¶34-37; Fig. 3
26		¶¶8, 10, 20, 31, 36, 39; cls. 4, 5, 6, 18	Abstract; pp. 5, 6, 7, 10-13; cl. 10; Figs 2-3	¶¶34-37; Fig. 3
27		¶¶9, 10, 20; cl. 7, 8, 19	pp. 4-5, 7; cls. 21-23	¶¶6, 17; cl. 18, 35
28		¶¶8-10, 20; 34, 31 cl. 7, 19	pp. 4-5, 7; cls. 21-23	¶¶6, 17; cl. 18, 35
29		¶¶22, 33; cl. 10	pp. 4, 6-7, 11; cl. 6, 20, 26	¶¶19, 31; cl. 5, 17, 21
30		¶¶6, 7, 10, 24, 28, 29, 33, 35, 36; cl. 12, 20	Abstract; pp. 3-5, 7, 10-13; cl. 13-18; Figs 2-3	¶¶5, 6, 28-32
31		¶¶10, 24, 35; cl. 13	pp. 6, 9; cl. 13	¶¶8, 22, 33; cl. 14
32		¶¶10, 19, 24, 35; cl. 14	pp. 6, 9, cls. 15-17	¶¶8, 22, 33; cl. 15
33	[33.P]	¶¶1, 5; 16, 17; cls. 16-20	Abstract; pp. 1, 3	Abstract; ¶¶1-3, 5; cls. 1, 16
	[33.1]	¶¶16; cls. 16-20	pp. 1, 7	¶¶14-15; cl. 25, 37; Fig. 1
	[33.2]	¶5, 8; cls. 1-3, 16	pp. 3-8; 11-12; Fig. 3; cl. 1	¶5, 8; cls. 1, 25; Fig. 3
	[33.3]	¶¶3, 5, 8, 10, 20, 36; cls. 1, 16	pp. 5, 11; cl. 1, 4	¶¶3, 5, 7, 8, 10, 20, 36; cls. 1, 25
	[33.4]	¶¶5; 22; cls. 1, 16	pp. 5-6, 7-8, 11-12; Figs.	Abstract; ¶¶3, 5, 15, 19, 32; Figs. 1, 3

Claim #	Limitation ²	Ex. 2007	Ex. 2008	Ex. 2009
			2-3; cl.1, 16, 17	
	[33.5]	Abstract; ¶¶5, 9, 10, 23, 25, 26, 35, 36, 39; cls. 12, 20; Fig. 3	Abstract; pp. 5, 6, 10-13; cl. 13; Figs 2-3	¶¶8, 34; cls. 14, 15; Fig. 3
	[33.6]	¶¶3, 5, 8, 9, 21, 26, 32, 35, 36, 39; Fig. 3; cls. 1, 12-15, 16 and 20	Abstract; pp. 5, 6, 10-13; cl. 13; Figs 2-3	¶¶3, 5, 7-8, 15, 19-20, 26, 30, 33, 34, 37; Fig. 3
	[33.7]	¶¶5, 36, 39; Fig. 3; cl. 1, 16	Abstract; pp. 5, 6, 10-13; cl. 13; Figs 2-3	¶¶3, 5, 7-8, 15, 19-20, 26, 30, 33, 34, 37; Fig. 3
34		¶¶3, 5, 8, 10, 20, 21, 24, 29, 35; cls. 1, 16	Abstract; pp. 5, 6, 7, 10-13; cl. 13-18; Figs 2-3	¶¶7-8, 33, 35-37; Fig. 3
35		¶¶5, 20, 23, 24, 29, 32; cls. 3	Abstract; pp. 5, 6, 7, 10-13; cl. 13-18; Figs 2-3	¶¶7-8, 33, 35-37; Fig. 3
36		¶¶9, 10, 20; cl. 7, 8, 19	pp. 4-5, 7; cls. 21-23	¶¶6, 17; cl. 18, 35
37		¶¶6, 7, 10, 24, 28, 29, 33, 35, 36; cl. 12, 20	Abstract; pp. 3-5, 7, 10-13; cl. 13-18; Figs 2-3	¶¶5, 6, 28-32

V. Level of Ordinary Skill in the Art

Patent Owner agrees with Petitioner's expert regarding the level of ordinary skill in the art. Ex. 1003, ¶41.

VI. Claim Construction

At this stage, Patent Owner does not propose any specific claim constructions as it is not Patent Owner's burden to demonstrate patentability of the proposed substitute claim over the prior art. While Patent Owner believes the new proposed limitations, plainly understood, establish patentability of the proposed claim, Patent Owner reserves the right to propose claim constructions as needed to respond to any allegations of unpatentability presented by Petitioner.

VII. Patentability Over the Prior Art

In light of the Federal Circuit's *en banc* decision in *Aqua Products v. Matal*, 872 F.3d 1290, 1296, 1310 (Fed. Cir. 2017), Patent Owner need not prove the patentability of the proposed substitute claim. And as the Patent Office has acknowledged before the Federal Circuit, and the Federal Circuit has held, Patent Owner adequately meets its duty of candor by simply confirming—as it does here—its belief that the proposed substitute claim is patentable over all known prior art, alone or combined. *Nike Inc. v. Adidas AG*, 812 F.3d 1326, 1350 (Fed. Cir. 2016) (overruled *en banc* on other grounds). Nonetheless, the proposed amended claims are patentable at least for the reasons set forth in Section III.A.

VIII. Conclusion

Patent Owner respectfully requests the Board's Preliminary Guidance as to this Motion, and further requests that, to the extent any original claim is deemed

unpatentable, the Board grant the corresponding proposed substitute claim.

Respectfully submitted,

/Kayvan B. Noroozi/

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CLAIMS APPENDIX

Underlining and strikethrough text show the modifications to the original claim being made in the corresponding substitute claim.

1-8 (Canceled)

10 (Canceled)

12-14 (Canceled)

16-20. (canceled)

21. (Substitute for claim 1, if found unpatentable)

[21.1P] A method for handling secure distribution of content for over-the-top media delivery comprising:

[21.1] initiating a media playback request and receiving a playback request response;

[21.2] parsing content information from the playback request response, the content information including content encryption keys, content encryption key identifiers that uniquely identify each content encryption key from every other content encryption key for the duration of the media playback, and content encryption key expiration times;

[21.3] retrieving content and manifest files from a content delivery server;

[21.4] detecting notification-based content encryption key rotation boundaries between periods of use of different content encryption keys in decrypting retrieved content wherein a notification requires expiration of a content encryption key currently being used earlier than the content key expiration time previously provided for that key;

[21.5] issuing requests to a license server in response to detecting said notification-based content encryption key rotation boundary ahead of a the expiration time-based key rotation boundary previously provided for the content encryption key currently being used to retrieve a second content encryption key to be used ~~after a~~ before said expiration time-based content encryption key rotation boundary for the content encryption key currently being used is reached; and

[21.6] applying the second key for content decryption ~~after the~~ before said expiration time-based key rotation boundary for the content encryption key currently being used is reached.

22. (Substitute for claim 2, if found unpatentable)

The method of claim 21~~4~~, wherein the content encryption keys and content encryption key identifiers returned in the playback request response include the content encryption key and associated identifier currently being applied as well as a future content encryption key and associated identifier yet to be applied and wherein the content key expiration time for said second content encryption key is equal to the time remaining for the expiration previously set for the prior content encryption key.

23. (Substitute for claim 3, if found unpatentable)

The method of claim 21~~4~~, wherein the content encryption key expiration returned in the playback request response is expressed as an expected minimum interval between periodic key rotation and wherein the content key expiration time for said second content encryption key is equal to the time remaining for the expiration previously set for the prior content encryption key plus the fixed expiration period duration originally assigned for the prior content encryption key.

24. (Substitute for claim 4, if found unpatentable)

The method of claim 23~~3~~, further comprising: timing the prefetching of a next un-retrieved content encryption key based on an expected expiration of the content encryption key currently being used.

25. (Substitute for claim 5, if found unpatentable)

The method of claim 244, further comprising: prefetching a next un-retrieved key a fixed duration before the expected expiration of the content encryption key currently being used.

26. (Substitute for claim 6, if found unpatentable)

The method of claim 244, further comprising: prefetching a next un-retrieved key within a period of time after the expected expiration of the content encryption key currently being applied, the period of time beginning at the expected expiration of the content encryption key currently being used, and ending at a duration calculated as a fixed percentage of a fixed periodic content encryption key expiration interval.

27. (Substitute for claim 7, if found unpatentable)

The method of claim 214, wherein subsequent content encryption key identifiers are predictable based on a predetermined known progression.

28. (Substitute for claim 8, if found unpatentable)

The method of claim 277, further comprising: the identifier being calculated as monotonically increasing sequential integer values based on the number of segments or video frames generated during a fixed periodic content encryption key expiration interval.

29. (Substitute for claim 10, if found unpatentable)

The method of claim 214, wherein license server communications are secured and authenticated using a selected one of Secure Sockets Layer and a token-based technique using a token encrypted with a symmetric key.

30. (Substitute for claim 12, if found unpatentable)

The method of claim ~~21~~¹, wherein said retrieved content is divided into content segments, and said second key is applied to decrypt the same content segment for which the previous content encryption key was used and wherein actual content encryption key rotation boundaries are detected based on real-time in-band notifications and said early expiration of the content encryption key currently being used is for security reasons.

31. (Substitute for claim 13, if found unpatentable)

The method of claim ~~30~~¹~~2~~, wherein content encryption key rotation boundaries are detected based on notifications in an unencrypted header portion of the encrypted content files.

32. (Substitute for claim 14, if found unpatentable)

The method of claim ~~30~~¹~~2~~, wherein content encryption key rotation boundaries are detected based on notifications present in the content manifest file, the content manifest file being selected from an m3u8 file, an IIS Smooth Streaming manifest file, a DASH MPD file and a proprietary manifest file.

33. (Substitute for claim 16, if found unpatentable)

[33.P] A computerized device operable as a client for handling secure distribution of content for over-the-top media delivery, comprising:

[33.1] memory operative to store computer program instructions;

one or more processors;

input/output interface circuitry; and

interconnect circuitry coupling the memory, processors and input/output interface circuitry together,

wherein the processors are operative to execute the computer program instructions from the memory to cause the computerized device to:

[33.2] initiate a media playback request and receive a playback request response;

[33.3] parse content information from the playback request response, the content information including content encryption keys, content encryption key identifiers that uniquely identify each content encryption key from every other content encryption key for the duration of the media playback, and content encryption key expiration times;

[33.4] retrieve content and manifest files from a content delivery server;

[33.5] detect notification-based content encryption key rotation boundaries between periods of use of different content encryption keys in decrypting retrieved content wherein a notification requires expiration of a current content encryption key earlier than the content key expiration time previously provided for that key;

[33.6] issue requests to a license server in response to detecting said notification-based content encryption key rotation boundary ahead of ~~a~~ the expiration time-based key rotation boundary previously provided for the content encryption key currently being used to retrieve a second content encryption key to be used ~~after a~~ before said expiration time-based content encryption key rotation boundary for the content encryption key currently being used is reached; and

[33.7] apply the second key for content decryption ~~after the~~ before said expiration time-based key rotation boundary for the content encryption key currently being used is reached.

34. (Substitute for claim 17, if found unpatentable)

The computerized device of claim ~~33~~46, wherein the content encryption keys and content encryption key identifiers returned in the playback request response include the content encryption key and associated identifier currently being applied as well as a future content encryption key and associated identifier yet to be applied and wherein the content key expiration time for said second content encryption key is equal to the time remaining for the expiration previously set for the prior content encryption key.

35. (Substitute for claim 18, if found unpatentable)

The computerized device of claim ~~34~~7, wherein the computer program instructions further cause the computerized device to time the prefetching of a next

un-retrieved content encryption key based on an expected expiration of the content encryption key currently being used and wherein the content key expiration time for said second content encryption key is equal to the time remaining for the expiration previously set for the prior content encryption key plus the fixed expiration period duration originally assigned for the prior content encryption key.

36. (Substitute for claim 19, if found unpatentable)

The computerized device of claim ~~33~~46, wherein subsequent content encryption key identifiers are predictable based on a predetermined known progression.

37. (Substitute for claim 20, if found unpatentable)

The computerized device of claim ~~33~~46, wherein said retrieved content is divided into content segments, and said second key is applied to decrypt the same content segment for which the previous content encryption key was used and wherein actual content encryption key rotation boundaries are detected based on real-time in-band notifications and said early expiration of the content encryption key currently being used is for security reasons.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **PATENT OWNER'S
CONTINGENT MOTION TO AMEND** was served electronically via e-mail on
June 18, 2025, on the following counsel of record for Petitioner:

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