

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

STINGRAY INC.,
Petitioner

v.

EDWIN A. HERNANDEZ-MONDRAGON,
Patent Owner

Case IPR2025-00350
Patent No. 10,524,002

PATENT OWNER SUR REPLY

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I. PATENT OWNER EXPERT OPINION

Petitioner asserts that “web pages” are converted into “video compressed files” but fails to disclose how. Petitioner does not cite any other reference to a Avellan mechanism to convert web pages into images or video images and therefore is not enabled.

In summary, Petitioner fails to show:

1. Broadcasting of “live streaming television feeds” other than by screen captures,
2. how a web page is converted to a “compressed media stream” (nonexistent “Web to HD Video Protocol”).
3. How in Avellan a “compressed video files (EX1003,8:50-54) that are associated with tag files” s are equivalent to MPEG encoding. (EX2039¶108, 112)
4. Obtaining a plurality of multimedia items without being part of screen captures of a web page (EX2029¶¶57-59)

For Claim 7, Petitioner fails to show how Wannamaker has a multicast unit (Ex2039¶239) and how “MMS” uses the OM1000 Motorola device where the OM1000’s manual (EX2044, Ex2029¶¶204-207) show that such MMS unit only supports intake from a multicast or a client, and cannot generate a multicast as a multicast server. Additionally, Wannamaker transcodes HTML and images to

MML instead, which teaches away from “rendering a web page” and “generating a temporal sequence of screen captures”

II. DR. HERNANDEZ AS A PERSON ORDINARILY SKILLED IN THE ART

Dr. Hernandez is a person ordinarily skilled in the art (POSITA) (EX2051). Dr. Hernandez’ report and testimony are grounded in facts and technical reasoning and are delineated in his report (EX2039) and referenced within Patent Owner’s Response, Paper 32 (“POR”).

Dr. Hernandez provides technical input from a POSITA perspective and points to specific detailed evidence within the Patent Specification addressing claim sub elements key words of art which builds claim meaning from the intrinsic record (EX2039) and is reflected and explained in POR why Petitioner’s cited prior art, singularly or in combination, fails to teach, suggest, or disclose such claim meaning (Paper 32).

Petitioner’s mischaracterizations and intentionally misleading statements in this proceeding continues. On April 20, 2021, Dr. Hernandez sent written correspondence to Petitioner detailing with explicit evidence, that Petitioner had misappropriated Patent Owner’s Trade Secrets and were infringing Dr. Hernandez’ patents and proposed a settlement and business negotiation in order to cure petitioner’s prior actions (EX1028). However, at the time of that correspondence, the patent rights of U.S. Patent 11,140,441 (issued October 5, 2021) and European Patent 3238457 (granted July 26, 2023) were not being asserted (EX1028) and not

reflected in the present litigation (EX2052). Further, not all of Dr. Hernandez' Trade Secrets being asserted in the present litigation are referenced in the April 20, 2025, correspondence (EX2052). Additionally, the settlement amount offered was 51.6 M USD (EX1028, at 9), (not 25 M USD) (Paper 39).

Petitioner attacks one of Dr. Hernandez' observations as a POSITA that the Avellan reference does not teach, suggest, or disclose "rendering a webpage by the browser using the content" as cited in sub element 1c of independent claim 1 (Petitioner's Reply to POR, Paper 39, at 3). Petitioner blatantly mischaracterizes Avellans' disclosure and ingenuously and erroneously asserts that the Avellan reference explicitly states that it can broadcast live streaming television feeds (*Id.*). As discussed in detail in POR, Paper 32, Avellan fails to teach, suggest, or disclose broadcasting live streaming television feeds (*See* EX1003).

Avellan teaches that a virtual browser as a remote client of the gateway server resides at the gateway server (EX1003, 4:55-67, 5:1-15) Avellan can only broadcast images of webpages; there is no live streaming broadcasting in Avellan (*Id.*), (only if those live stream feeds are within a web page , images from that live feed are captured, but not the live feed by itself).

Petitioner asserts that the Patent Owner's conduct during his Deposition should be noted (Paper 39, 4). Patent Owner respectfully suggests that Dr. Hernandez' testimony always remained tethered to his observations as a POSITA, and that his

Declaration, POR, Papers, Testimony, and exhibits filed herein this present proceeding, speak for themselves.

III. CLAIM CONSTRUCTION IN LIGHT OF THE SPECIFICATION

Petitioner suggests that the Board give claim terms their ordinary meaning as understood by a POSITA (Paper 39, 4). However, that statement is incomplete and misleading. In an *inter partes review*, claim terms are construed under 37 C.F.R. § 42.100(b) according to their ordinary and customary meaning to a person of ordinary skill in the art in view of the specification and prosecution history. The specification is therefore the primary guide to claim meaning, particularly where, as here, the claims recite industry-specific terms of art and functional sub-elements.

The Board has repeatedly emphasized—both in IPR proceedings and in recent patent application appeal decisions—that even where claims are given their ordinary meaning, that meaning must be derived from how the patent itself uses and explains the term, not from abstract generalities divorced from the disclosure. Petitioner’s Reply improperly advocates an untethered “ordinary meaning” that ignores the specification’s consistent description of the claimed functionality. Such an approach is inconsistent with the governing claim-construction standard and should be rejected.

Petitioner has consistently mischaracterized the disclosures, often taking excerpts from the Avellan and Wannamaker Specifications and suggesting a

POSITA interpretation of missing key words of art and phrases to justify
Petitioner's positions (*See* Paper 39, 4-28)

Even under the broadest reasonable interpretation, the Board's construction cannot be divorced from the specification and the record evidence and must be consistent with the one that those skilled in the art would reach. A construction that is unreasonably broad . . . will not pass muster." *Microsoft Corp. v. Proxyconn, Inc.*, 789 F.3d 1292, 1298 (Fed. Cir. 2015) 2025 Pat. App. LEXIS 6215, *9, 2025 Pat. App. LEXIS 6215

The correct inquiry in giving a claim term its interpretation in light of the specification is not whether the specification proscribes or precludes some broad reading of the claim term adopted by the examiner. And it is not simply an interpretation that is not inconsistent with the specification. It is an interpretation that corresponds with what and how the inventor describes his invention in the specification, *i.e.*, an interpretation that is "consistent with the specification." *In re Morris*, 127 F.3d 1048, 1054 (Fed. Cir. 1997) (citation and internal quotation marks omitted); *see also In re Suitco Surface*, 603 F.3d 1255, 1259-60 (Fed. Cir. 2010). 2025 Pat. App. LEXIS 5679, *9, 2025 Pat. App. LEXIS 5679.

In this present assessment Petitioner erroneously and intentionally conflates POSITA possible interpretations of missing key words of art and phrases. For example, “content provider”, “media stream”, “obtaining multimedia content”, and

“assembling a media stream”, are terms of art known in the industry, however, they do not appear, at all, within the Avellan disclosure.

Patent Owner will focus only on key claim construction sub elements necessary in order to advance Patent Owner’s positions. *See Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999); *Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co.*, 868 F.3d 1013, 1017 (Fed. Cir. 2017) (citing *Vivid Techs.* in the context of an *inter partes* review). 2022 Pat. App. LEXIS 413, *4, 2022 Pat. App. LEXIS 413

IV. PETITIONER MISCHARACTERIZES AND APPLIES INCORRECT CLAIM CONSTRUCTION

A. ‘002 Claim 1, and Independent Claims 4 and 13 all recite similar sub elements

1. Sub element 1a

Claim construction of sub element 1a is informed by the ‘002 Specification, such as

“An example computer-implemented method can receive, from a content provider such as a cable or satellite operator, a request for at least one media stream for playback on a broadcast media channel.

The request for the at least one media stream can include a request for a plurality of multimedia items. Content corresponding to the plurality of multimedia items can be obtained from at least one website or cloud service . . . the plurality of multimedia files can be generated

in a second format that is *compatible with the content provider*. The *media stream can assembled* using each of the multimedia items generated in the second format. The media stream can be *provided to the content provider* for broadcast on the broadcast media channel.” (EX1001, 2:50-64) and “The various *multimedia items can be used 608 to assemble the media stream* in a format *corresponding with the request* (e.g. HLS, HTTP/RTSP, RTSP stream). The media stream can be *provided 610 to the content provider* for broadcast on the broadcast media channel.” (EX1001, 8:13-17). (*emphasis added*)

Content Provider and Plurality of Multimedia Items of Different Kinds

Petitioner alleges that “receiving, from a content provider, a request for at least one media stream for playback . . .” is disclosed by Avellan and cites the Board’s preliminary statement that Claim 1 does not limit the request’s origin and that Claim 1 does not exclude additional, unrecited steps because of the use of “comprising” in the preamble (Paper 19 at 12-13).

The broadest-construction rubric coupled with the term 'comprising' does not give the PTO an unfettered license to interpret claims to embrace anything remotely related to the claimed invention. 2024 Pat. App. LEXIS 1033, *10, 2024 Pat. App. LEXIS 1033. Additionally, the broadest *reasonable* interpretation differs

from the broadest *possible* interpretation. *In re Smith Int'l, Inc.*, 871 F.3d 1375, 1383 (Fed. Cir. 2017); *see also* MPEP § 2111 ("The broadest reasonable interpretation does not mean the broadest possible interpretation. Rather, the meaning given to a claim term must be consistent with the ordinary and customary meaning of the term and must be consistent with the use of the claim term in the specification and drawings."). 2024 Pat. App. LEXIS 1033, *10, 2024 Pat. App. LEXIS 1033. A POSITA would understand that the use of term "content provider" as used intrinsically in the Specification refers to entities such as cable or satellite operators, and that the inventor describes his invention in the specification as requiring that a content provider initiate a request for at least one media stream. Moreover, a POSITA would also understand that "the plurality of multimedia items of different kinds" refers of making a request of multimedia items directly, not as part of a web page. Additionally, a POSITA would understand that a multimedia item that is referenced from a web page will necessarily require the use of an Adobe Flash or Javascript to be processed. A POSITA would understand that a content provider teaches away from using a web page, as it will be widely inefficient for the content provider to add "HTML" as in Avellan and proceed to capture images of a rendered web page. A POSITA would understand that a content provider needs the plurality of multimedia items without any image capturing methodology.

As previously detailed in POR, Paper 32 at 48-52, Avellan does not teach, suggest, or disclose a “content provider” or “a plurality of multimedia items of different kinds”. (*Id.*) Further, Avellan is silent with respect to “receiving, from a content provider, a request for at least one media stream for playback . . .” (*See* EX1003). A POSITA would understand that a webpage is not and cannot be a “media stream” for playback.

Petitioner glosses over the Avellan disclosure to provide excerpts and to claim that a typical browser functionality is disclosed (Paper 39, at 5) However, Avellan discloses remote server-side browser execution with image capturing. Avellan teaches:

“the browser software 106 resides at the gateway 134, and is configured to run as a *virtual browser as a remote client* of the gateway server 134. Because the browser 106 functions as a virtual browser, . . . the remote browser 106 may rely upon the computing power and very high-speed connection of the gateway server 134 to resolve and render pages, images, . . . The gateway server 134 then *images those web pages* (which are typically in an HTTP format) to a video or image frame format. This is preferably *done by taking an image of the entire web page from top to bottom*” (EX1003, 4:56-67, 5:1). Further, “Once the page is imaged (including any audio on the

web page), the gateway server 134 compresses the image or video frame format and sends it to the browser 106 via the satellite 102.” (EX1003, 5:12-15).

Avellan teaches away from a typical browser and suggests a virtual browser residing at a gateway, capturing images of a website, and then transmitting those images to a remote client (*See* EX1003) (emphasis added)

A POSITA would understand that Avellan uses two browsers, a browser at the gateway and a remote browser at the client and teaches away from the challenged patent where only one browser is needed.

Petitioner also suggests that Avellan teaches a media stream that includes a plurality of multimedia items of different types (Paper 39, at 6). However, as detailed in POR, Paper 32, Avellan is silent with respect to media streams. Avellan only discloses that captured images from webpages can be transmitted to remote users, and that those captured images may be from websites including “news sites like CNN, BBC, newspaper, live streaming television feeds, movies, music downloads, or ESPN” (EX1003, 8:19-21).

When reading claim 1 language in light of the Specification, and in constructing claim 1 language, it is clear that Avellan does not disclose sub element 1a. To hold otherwise is contrary to how the inventor describes his invention in the patent Specification. The appropriate claim construction in light

of the specification is an interpretation that corresponds with what and how the inventor describes his invention in the specification, i.e., an interpretation that is "consistent with the specification." *In re Morris*, 127 F.3d 1048, 1054 (Fed. Cir. 1997) (citation and internal quotation marks omitted); *see also In re Suitco Surface*, 603 F.3d 1255, 1259-60 (Fed. Cir. 2010). 2025 Pat. App. LEXIS 5679, *9, 2025 Pat. App. LEXIS 5679. (*emphasis added*)

2. Sub element 1b

Claim construction of sub element 1b is informed by the '002 Specification, such as:

“obtaining the content can include retrieving at least one audio file corresponding to an audio component of the multimedia item **and** retrieving a plurality of images as screen captures that can correspond to a video component of the multimedia item. . . t can include combining the plurality of images and the at least one audio file to create each of the multimedia items.” (EX1001, 2:65-67, 3:1-5) (*emphasis added*) and “In FIG. 4, an example method is shown for obtaining the list of files to playback or broadcast to the MSO system, which indicates that the audio (a multimedia item) is separate from the plurality of images as screen captures. The file type or format requested by the multicasting embodiment, e.g. multicast-01 or multicast-02, can include Transport Stream (e.g. TS) and/or MPEG-4

Part 14 (e.g. MP4) values 405. This request is executed from any of the multicasting embodiments, usually making use of the HTTP GET Request. The multicasting unit can connect to an HTTP Server and retrieve the list of files based on the type identified by the request. As the caching unit may handle multiple channels of different types and name, each channel can have a unique identifier corresponding to the name of the playlist. . . the caching server can generate a “playlist file” of mime type “audio/x-mpegurl” which will be interpreted as a multimedia playlist file when requested. Finally, as the playlist usually may not vary for a period of time until a new request is received, the playlist can be kept in the local memory caching service 425.” (EX1001, 6:6-27) (*emphasis added*)

Avellan fails to teach, suggest, or disclose “obtaining content corresponding to . . . multimedia items”. Petitioner erroneously asserts that Avellan explicitly discloses this sub element and cites an Excerpt from the Avellan Specification as support. (Paper 39, at 9). However, Avellan only suggests the use of a rendered web page and transmitting images captured from the web page, hence teaching away from “obtaining content corresponding to... multimedia items,” as Avellan must render the web page first before making screen captures to work for satellite low-speed systems, hence obtaining a full-sized multimedia item cannot be

implied. A POSITA would interpret the cited Avellan Specification as teaching a server-side rendering of web pages, capturing images of those web pages, and then producing an output of compressed images or video frames into a file, which in Avellan is tied to a “Tag File”. A POSITA would understand that this expressly teaches content-agnostic imaging of web pages and does not teach, suggest, or disclose obtaining, streaming, or delivering multimedia items or media streams, at all.

Petitioner’s cited Avellan Specification section actually states:

“... a web-to-HD video protocol may be used to capture and transmit images/audio of a web page, including a full multimedia web page, . . .
The protocol may be configured to compress the data into a compressed digital video format that can be sent to the user computer 104 for display in the browser 106. Since HTTP is inefficient and slow, the web to HD video capture protocol improves the performance of satellite channels to be equal or better than 50 msec terrestrial high-capacity channels not accessed via HD Internet using the present invention. Though the web pages are preferably imaged, any suitable technique can be used to place the web pages in a format suitable for broadcasting to a large number of user computers 104, such as converting the HTTP code to an image frame format or the like.

Preferably, however, the technique is independent of the HTTP content, as in imaging.” (EX1003, 5:5-32).

A POSITA would understand that Avellan captures a rendered image, not any underlying media files, and not a multimedia stream as an object. Avellan fails to disclose sub element 1b, but as shown by their reply, Petitioner has abandoned all arguments to the “Web to HD video protocol,” simply as such protocol is nonexistent and its interpretation does not enable Avellan.

3. Sub element 1c

Claim construction of sub element 1c is informed by the ‘002 Specification, such as:

“obtaining the content can include retrieving at least one audio file corresponding to an audio component of the multimedia item and retrieving a plurality of images as screen captures that can correspond to a video component of the multimedia item.” (EX1001, 2:65-67, 3:1-2) and “provide multimedia content, e.g., video and audio, to an MPEG multiplexer at the headend 120. The content can be pre-formatted in MPEG Transport Streams that the multiplexer 120 (e.g. Arris TMX-2010) will then be able to capture, reformat in any way the operator requires, and deliver to the cable operator's subscribers . . . for a multicast or unicast delivery to its customers with “Set Top boxes” . . . via a signal received by its HDMI or analog input, the

contents of the TV programming the cable operator offers.” (EX1001, 4:23-35) and “contents corresponding to the multimedia items can be retrieved, downloaded, or otherwise obtained from one or more websites or cloud based servers. The contents can include data corresponding to either or both of the audio and video components of the multimedia items. For example, the data corresponding to the audio portion can include a music file in an MP3 format. Similarly, the data corresponding to the video portion can include a video that is obtained directly from the cloud. Alternatively, the video component can be assembled by using one or more screen captures from a website. The screen captures can include captures of still images presented by the website as well as captures of images from videos that are available on the website.” (EX1001, 7:55-65, 8:1).

A POSITA would understand that sub element 1c discloses browser software that runs on a device wherein the browser fetches in some cases XML and in others HTML/CSS/JS media over the network and lays out and renders the page locally and what crosses the network is web content, not just images of a rendered page. As previously discussed, Avellan solely teaches a virtual browser as a remote client of the gateway server resides at the gateway server (EX1003, 4:55-67, 5:1-15) Avellan can only broadcast images created from webpages; and although a

web page may point to a “live stream” via a “web player” object, there is no live streaming broadcasting in Avellan directly, as images captured from such a live stream no longer constitutes a live stream (*Id.*)

Therefore, a POSITA would understand that Avellan does not teach, suggest or disclose “rendering a web page by a browser using the content”, at least because there is only a virtual browser residing at the gateway server in Avellan, and Avellan does not at least obtain content, as previously discussed for sub element 1b.

4. Sub element 1e

Claim construction of sub element 1e is informed by the ‘002 specification, such as:

“ At **604**, contents corresponding to the multimedia items can be retrieved, downloaded, or otherwise obtained from one or more websites or cloud based servers. The contents can include data corresponding to either or both of the audio and video components of the multimedia items. For example, the data corresponding to the audio portion can include a music file in an MP3 format. Similarly, the data corresponding to the video portion can include a video that is obtained directly from the cloud. Alternatively, *the video component can be assembled* by using one or more screen captures from a website. The screen captures can include captures of still images

presented by the website as well as captures of images from videos that are available on the website.” (EX1001, 7:55-67, 8:1) and “The Mediaplug can then generate 606 multimedia items in a second format based on the content obtained from the web server or cloud. That is, the Mediaplug can convert/encode the audio file into a format that is suitable for the cable operator and it can also assemble the various screen captures to generate the video component of the media item.

Once the audio and video files are created, they can be combined, multiplexed, or encoded to a format that can be utilized by the multimedia stream. . . The various multimedia items can be used 608 to assemble the media stream in a format corresponding with the request (e.g. HLS, HTTP/RTSP, RTSP stream). The media stream can be provided 610 to the content provider for broadcast on the broadcast media channel.” (EX1001, 8:3-17) (*emphasis added*).

Therefore, a POSITA would understand that sub element 1e recites more than transmitting or displaying individual media items. A POSITA when referencing the Specification and Figures, would understand that “assembling” to mean organizing, synchronizing, and packetizing media content into a continuous stream suitable for playback. Avellan fails to meet this limitation. As in Avellan, assembling would indicate that a video file is created in combination with any

particular audio, however there is no referencing on how the audio is mapped to the screen captures, or whether synchronization is available. As shown by Sub element 1e, assembling does not require any multimedia. In Avellan, if multimedia audio is present as part of the web page, the resulting screen captures includes the multimedia. In Element 1-e, this process is not needed as the obtaining is separate from the rendering.

5. Sub element 1f

In other concurrent method steps, the screen captures are turned into a multimedia stream, and within that context, the plain and ordinary meaning of sub element 1f “providing the at least one media stream to the content provider for broadcast on the broadcast media channel” as recited in independent claims 1, 4, and 13 is informed by the ‘002 Specification, such as:

“A media stream can be formatted according to HTTP Live Streaming (HLS), an HTTP/RTSP playlist, or an RTSP stream. The media stream can include any number of multimedia items such as audio/video multimedia items.” (EX1001, 7:47-51) and “Once the audio and video files are created, they can be *combined, multiplexed, or encoded to a format that can be utilized by the multimedia stream*. For example, the audio can be multiplexed and added to one of the encoding channels of the video output. *The various multimedia items can be used 608 to assemble the media stream in a format*

corresponding with the request (e.g. HLS, HTTP/RTSP, RTSP stream). The media stream can be provided 610 to the content provider for broadcast on the broadcast media channel.” (EX1001, 8:8-17) (*emphasis added*).

A POSITA referencing the Specification would understand that providing a media stream to the content provider requires that there exists a media stream and that such media stream be furnished in a form suitable for playback. Avellan fails to teach, suggest, or disclose this sub element 1f.

A POSITA would understand that at least sub elements 1a, 1b, 1c, 1e, and 1f are not met by the Avellan disclosure. The broadest reasonable interpretation must take into account "the context of the entire patent." *Realtime Data, LLC v. Iancu*, 912 F.3d 1368, 1374 (Fed. Cir. 2019) (quoting *Phillips*, 415 F.3d at 1312-13); *see also In re Translogic Tech., Inc.*, 504 F.3d 1249, 1256-58 (Fed. Cir. 2007) *Polaris Innovs. Ltd. v. Brent*, 48 F.4th 1365, 1373 (Fed. Cir. 2022). A POSITA taking into account the entirety of the Specification of the ‘002 patent would understand that all Claims of the ‘002 Patent are not anticipated by, or rendered obvious over, the prior art cited by Petitioner.

6. Sub Element 1h

Petitioner assumes that a browser is written in Java, and that using JavaScript to generate HTML is equivalent to “rendering web page” which disagrees with Ex2039¶¶123-125, as Avellan refers to “Java Applets” not to a

browser using Java directly. Therefore, Avellan discloses that a browser can be implemented in Java. In fact, a POSITA will know that browsers are written in C/C++ not Java, and that C/C++ programming is not compatible with Java.

Petitioner mischaracterizes Avellan shows a single remote client request that does not need to be rendered in multiple threads.

B. '002 Claim 7

1. Sub element 7a

Claim construction of sub element 7a is informed by the '002 Specification such as:

“The Mediaplug can then generate 606 multimedia items in a second format based on the content obtained from the web server or cloud.

That is, the Mediaplug can convert/encode the audio file into a

format that is suitable for the cable operator and it can also

assemble the various screen captures to generate the video

component of the media item. Once the audio and video files are

created, they can be combined, multiplexed, or encoded to a format

that can be utilized by the multimedia stream. For example, the audio

can be multiplexed and added to one of the encoding channels of the

video output. The various multimedia items can be used **608** to

assemble the media stream in a format corresponding with the request

(e.g. HLS, HTTP/RTSP, RTSP stream). The media stream can be provided **610** to the content provider for broadcast on the broadcast media channel.” (EX1001, 8:5-19) (*emphasis added*) and “Similarly, the “*Mediaplug” components labeled “Multicast-01” and “Multicast-02” can also provide an HTTP interface to access the current song being played or being multicast* via the HTTP Server **770**. For example, the HTTP Server may run a PHP or Python script that will return the current song being played by the streamer. The streamer block **768** *can connect to the caching server* via HTTP or RTSP protocols. The implementation of this block can be done using a combination of FIG. 8 instructions and *using multicasting services available in VLC or FFmpeg (e.g. multicast, or ttools/tsplay)*.” (EX1001, 9:41-51) (*emphasis added*) and “In RTSP service, streaming occurs by *writing the media content* to a named pipe or a FIFO file and allowing the RTSP service *to read from that file and generate* an RTSP stream. As such, in HLS and RTSP Streaming, the *caching server* knows the filename of the file being streamed. When the file is streamed from via playlist, *both the caching and multicast unit* know the name of the file being streamed, as the *multicast server can then request from the caching server* the

metadata associated with the file name being streamed. Accordingly the present technology can accommodate both cases and retrieve the current file name being streamed as a JSON response. The response can identify the content displayed or played back at the end-user's set top box” (EX1001, 11:3-16) (***emphasis added***)

It would be understood by a POSITA that Wannamaker’s MMS_OM1000 fails to function as the ‘002 multicast server configured to generate a multicast because the Wannamaker multicast unit can only receive a multicast, and cannot generate it. Additionally, a POSITA would understand that Wannamaker teaches away from the ‘002 patent because Wannamaker suggests sending over MPEG frames, (with the FBM and CPL content), to the TV Navigator for decoding; Wannamaker does not send MPEG audio and video as a result of rendering HTML or XML , instead Wannamaker sends MPEG Packets with FBM and CPL files, or text files with images, that are a result of the transcoding HTML with images into FBM text files with CPL images (Ex2039¶¶224-225. A POSITA would also understand that in Wannamaker, the FBM and CPL files that are sent over MPEG are rendered again by the TV Navigator. Therefore, a POSITA would understand that Wannamaker fails to teach, suggest, or disclose a multicast server configured to generate parameters and output parameters via MPEG outputs

2. Sub element 7b

Claim construction of sub element 7b is informed by the '002 Specification such as:

“For example channel name “Cool” or “Rock,” **410** are names that can identify the channel to be retrieved from the caching server. The activity log in the request can also be updated keeping track what step of the process is being completed **415**. At **420**, the caching server can generate a “playlist file” of mime type “audio/x-mpegurl” which will be interpreted as a multimedia playlist file when requested. Finally, as the playlist usually may not vary for a period of time until a new request is received, the playlist can be kept in the local memory caching service **425**.

As the requests arrive at the “Caching” unit from the multicasting units, the “Caching” unit can be configured to perform parallel encoding for all the different channels available from the unit. FIG.

5 illustrates an example method that can be implemented by the Mediaplug, and in particular, by the “Caching” unit.” (EX1001, 6:20-33) (emphasis added) (emphasis added) and “Similarly, the “Mediaplug” components labeled “Multicast-01” and “Multicast-02” can also provide an HTTP interface to access the current song being played or being multicast via the HTTP Server **770**. For

example, the HTTP Server may run a PHP or Python script that will return the current song being played by the streamer. The streamer block **768** *can connect to the caching server* via HTTP or RTSP protocols. The implementation of this block can be done using a combination of FIG. 8 instructions and *using multicasting services* available in VLC or FFMPEG (e.g. multicast, or ttools/tsplay).” (EX1001, 9:41-51) (*emphasis added*)

A POSITA would understand that as previously discussed for sub element 7a, Wannamaker fails to teach, suggest, or disclose a multicast server configured to generate parameters and output parameters via MPEG outputs. Further, as shown from the ‘002 Specification, a POSITA would understand that the ‘002 patent teaches a caching server communicatively coupled to the multicast server, whereas Wannamaker is silent with respect to a caching server communicatively coupled to the multicast server, as Wannamaker needs to transcode HTML to FBML/MML formats, and caching HTML and Images of the original sources would be non-sensical

3. Sub element 7d

Claim construction of sub element 7d is informed by the ‘002 Specification such as:

“ If a customizable UT is part of the configuration **518**, *rendered images from a web service* can be used to create overlapping video or

replace any video in the video feed file. . . *Therefore one or more screens will be retrieved from the rendering engine as such 522 can be used to retrieve a set of screens* from the web-service being contacted. Capturing screens **526** can be done using a tool similar to PhantomJS. . . or QtCapture, or simply capturing screen frame buffers . . . *the method can capture a video file from another rendering function, which can create a sequence of screens that can be used to generate a video file.* . . the resulting output created can be a video file that then is either replaced or merged (multiplexed) with the original file” (EX1001, 7:6-28)

A POSITA would understand that Wannamaker does not teach, suggest, or disclose “creating a temporal sequence of screen captures of a rendered webpage” and in fact, teaches away from it, as Wannamaker’s transcoder makes the rendering take place at the TV Navigator in FBML/MML and CPL formats.

V. CONCLUSION

For the reasons set forth above, and based on the intrinsic evidence, the testimony of record, and the failure of Petitioner to establish unpatentability by a preponderance of the evidence, Patent Owner respectfully submits that none of the challenged claims are unpatentable under 35 U.S.C. §§ 102 or 103. Petitioner has not shown that the cited prior art references anticipate or render obvious the

challenged claims, either individually or in combination, nor that a person of ordinary skill in the art would have been motivated to combine them with a reasonable expectation of success. Accordingly, Patent Owner respectfully requests that the Board enter a Final Written Decision confirming the patentability of all challenged claims and denying the relief requested by Petitioner.

DATED: January 9, 2026

Respectfully submitted,

/s/ Robert Drolet

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CERTIFICATE OF WORD COUNT

Pursuant to 37 C.F.R. § 42.24(d), the undersigned hereby certifies that the word count for the foregoing PATENT OWNER'S SUR REPLY in IPR2025-0350 totals 5,582 as counted by the Word Count feature of Microsoft Word, which is less than the 5,600 allowed under 37 C.F.R. § 42.24(d), excluding the parts of the paper exempted by 37 C.F.R. § 42.24(a), and complies with the typeface requirements of 37 C.F.R. § 42.6(a)(ii) and the style requirements of 37 C.F.R. §§ 42.6(a)(iii) and (iv).

Dated: January 9, 2026

/s/ Robert Drolet
Robert Drolet, P.E.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served electronically via electronic mail on January 9, 2026 on the following counsel of record for Petitioners:

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