

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROVI GUIDES, INC.; ROVI TECHNOLOGIES
CORP.; and VEVEO, INC.,

Plaintiffs,

v.

COMCAST CORPORATION; COMCAST
CABLE COMMUNICATIONS, LLC;
COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC; COMCAST OF
HOUSTON, LLC; COMCAST BUSINESS
COMMUNICATIONS, LLC; COMCAST
HOLDINGS CORPORATION; COMCAST
SHARED SERVICES, LLC; ARRIS
INTERNATIONAL PLC; ARRIS GROUP INC.;
ARRIS TECHNOLOGY, INC.; ARRIS
ENTERPRISES LLC.; ARRIS SOLUTIONS,
INC.; PACE LTD.; PACE AMERICAS
HOLDINGS, INC.; PACE AMERICAS
INVESTMENTS, LLC; PACE AMERICAS,
LLC; TECHNICOLOR SA; TECHNICOLOR
USA, INC.; and TECHNICOLOR
CONNECTED HOME USA LLC,

Defendants.

Civil Action No. 1:16-cv-09278-JPO

JOINT CLAIM TERMS CHART

I. U.S. PATENT NO. 8,713,595

A. Disputed Terms

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
1	1, 9, 13, 14, 17, 21, 22	tuner (Defendants)	no construction is necessary, plain and ordinary meaning	an electronic circuit used to selectively receive RF signals in a desired frequency channel
2	1, 9-17, 21, 23, 24	interactive television program guide (All parties)	guide that allows user navigation through and interaction with television program listings and causes display of program information on user television equipment based on user commands	an application that causes the display of a set of screen displays, at least one of them presenting schedule information for television programs, and at least one screen display being responsive to user input.
3	1, 9, 17	receiv[ing] . . . program schedule information (Defendants)	no construction is necessary, plain and ordinary meaning	receiv[ing] program schedule information in the set-top box
4	1, 9, 13, 14, 17, 21, 22	video recorder (Defendants)	no construction is necessary, plain and ordinary meaning	video cassette recorder
5	1, 17	wherein a set-top box includes two tuners/wherein said set-top box includes two tuners (Defendants)	no construction is necessary, plain and ordinary meaning	This term is indefinite.
6	1, 9, 17	set-top box (Defendants)	no construction is necessary, plain and ordinary meaning	a device that receives and outputs TV signals and that is capable of being connected to and physically located in the same vicinity as a TV or VCR

Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
7	user equipment having an interactive television program guide implemented thereon (Defendants)	no construction is necessary, plain and ordinary meaning	equipment at a user site that stores and runs the interactive television program guide
8	user equipment having an interactive television program guide implemented thereon, . . . said interactive television program guide configured to: receive . . . ; store . . . ; cause . . . ; receive . . . ; receive . . . ; direct . . . (Defendants)	no construction is necessary, plain and ordinary meaning	This is a means plus-function limitation. Function: receive television programs and program schedule information; store the program schedule information in said memory; cause said display device to display a program guide display; receive a user selection to record, with said video recorder, a first television program indicated on said program guide display; receive a user selection to view a second television program indicated on said program guide display; and direct an output of said first tuner of said first television program selected to be recorded to said video recorder and an output of said second tuner of said second television program selected to be viewed to said display device, such that said first television program selected to be recorded is recorded by said video recorder at the same time that said second television program selected to be viewed is displayed by said display device, and wherein said set-top box includes two

Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
			tuners, one each for said video recorder and said display device, said two tuners comprising said first tuner and said second tuner. Structure: Indefinite under § 112(f) No construction necessary (plain and ordinary meaning).
9	13, 21 [a] start of said [first/future] television program (Rovi)	a time at or near the beginning of said television program	
10	17 non-transitory machine- readable medium . . . having machine program logic recorded thereon for: receiving . . . ; storing . . . ; causing . . . ; receiving . . . ; receiving . . . ; directing (Defendants)	no construction is necessary, plain and ordinary meaning	This is a means-plus-function limitation Function: "receiving television programs and program schedule information; storing the program schedule information in a memory; causing a display device to display a program guide display with said interactive television program guide; receiving a user selection to record, with a video recorder, a first television program indicated on said program guide display with said interactive television program guide; receiving a user selection to view a second television program indicated on said program guide display with said interactive television program guide; and directing an output of said first tuner of said first television program selected to be recorded to said video recorder and an output of said second tuner of said second

Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
			television program selected to be viewed to said display device with said interactive television program guide, such that said first television program selected to be recorded is recorded by said video recorder at the same time that said television second program selected to be viewed is displayed by said display device, and wherein a set-top box includes two tuners, one each for said video recorder and said display device, said two tuners comprising said first tuner and said second tuner.”
Structure: Indefinite under § 112(f).			

B. Agreed Terms

No.	Claim(s)	Term	Construction
11	11, 19	highlighted by a cursor	highlighted in response to a location of a cursor

II. U.S. PATENT NO. 8,755,666

A. Disputed Terms

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
1	All	All asserted claims in their entirety. (Defendants)		The claims are written in such confusing and obfuscatory language that their meaning cannot be reasonably understood and the claims are therefore indefinite.
2	1, 10, 18	information corresponding to a first plurality of sequences of video frames (Defendants)	no construction is necessary, plain and ordinary meaning	program listing information describing a first set of programs
3	1, 8, 10, 16, 18	sequences of video frames (Defendants)	no construction is necessary, plain and ordinary meaning	program
4	1, 10, 18	content of the first plurality of sequences of video frames (Defendants)	no construction is necessary, plain and ordinary meaning	program listings describing the first set of programs
5	1, 10, 18	first plurality of identifiers of content (Defendants)	no construction is necessary, plain and ordinary meaning	program listing information describing a second set of programs
6	1, 3, 10, 18	identifiers of content (Defendants)	information sufficient to select content	program listings describing programs

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
7	1, 10, 18	each of the first plurality of identifiers of content corresponding to respective ones of a second plurality of sequences of video frames of the first plurality of sequences of video frames (Defendants)	no construction is necessary, plain and ordinary meaning	program listing information describing each of the fourth set of programs
8	1, 10, 18	the mobile device being capable of displaying the first plurality of identifiers of content concurrently with a local interactive program guide equipment displaying a second plurality of identifiers of content (Defendants)	no construction is necessary, plain and ordinary meaning	the mobile device being capable of displaying the program listing information describing the second set of programs concurrently with the local interactive program guide equipment displaying program listing information for another set of programs
9	1, 10, 18	local interactive program guide equipment (Defendants)	equipment on which a local interactive television program guide is implemented	equipment at a user location on which a local interactive program guide is implemented
10	1, 8, 10, 16, 18	local interactive program guide (All parties)	guide that allows user navigation through and interaction with television program listings and causes display of program information on user television equipment based on user commands	application at a user location that allows user navigation through and interaction with program listings and causes display of program information on user television equipment based on user commands
11	1, 3, 10,	second plurality of	no construction is necessary, plain and	program listing information describing the

Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
18	identifiers of content (Defendants)	ordinary meaning	fourth set of television programs
12	information corresponding to a third plurality of sequences of video frames (Defendants)	no construction is necessary, plain and ordinary meaning	program listing information describing a third set of programs
13	content of the third plurality of sequences of video frames (Defendants)	no construction is necessary, plain and ordinary meaning	program listings describing the third set of programs
14	each of the second plurality of identifiers of content corresponding to respective ones of a fourth plurality of sequences of video frames of the third plurality of sequences of video frames (Defendants)	no construction is necessary, plain and ordinary meaning	program listing information describing each of the fourth set of programs
15	content source (Defendants)	no construction is necessary, plain and ordinary meaning as this term is proposed as part of other terms already being construed; alternatively “transmission link for a plurality of content providers”	any source of content, such as a website, a satellite transmission, a DVD, or a television channel

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
16	1, 10, 18	over a plurality of content sources (Rovi)	transmitted over a plurality of transmission links for a plurality of content providers	over a plurality of sources of content, such as a website, a satellite transmission, a DVD, or a television channel” and
17	1, 10, 18	while the second plurality of identifiers of content is being presented using the second graphical user interface (Defendants)	no construction is necessary, plain and ordinary meaning	at the same time that the program listing information describing the fourth set of programs is being presented using the second graphical user interface
18	1, 10, 18	over a first of the plurality of content sources (Rovi)	over a first of the plurality of transmission links for a plurality of content providers [from the source]	over a first of the plurality of sources of content, such as a website, a satellite transmission, a DVD, or a television channel
19	1, 10, 18	first sequence of video frames of the second plurality of sequences of video frames corresponding to the identifier of content selected by the user based on the input (Defendants)	no construction is necessary, plain and ordinary meaning	first program selected by the user
20	3, 10	formatted based on a characteristic of the display device (Defendants)	arranged for display based on a property of the display device	This term is indefinite.

Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
21	9, 17 user profile (Defendants)	user specific data at least defining preferences	user specific data at least defining a preference

B. Agreed Terms

No.	Claim(s)	Term	Construction
22	1, 10, 18	the electrical signal	the electrical signal corresponding to the first sequence of video frames

III. U.S. PATENT NO. 9,172,987

A. Disputed Terms

No.	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
1	1, 2, 9, 10	set-top box (Defendants)	no construction is necessary, plain and ordinary meaning	a device that receives and outputs TV signals and that is capable of being connected to and physically located in the same vicinity as a TV or VCR
2	1, 3, 9, 11	program function (Defendants)	a function of a program guide	program guide functionality (i.e., not screen layouts)
3	1, 9	based on a non-markup language (Rovi)	programmed in a non-markup language	based on a programming language that is not a markup language, e.g. Visual BASIC and C++
4	1, 9	non-markup language (Defendants)	computer language other than a markup language	programming language that is not a markup language, e.g. Visual BASIC and C++
5	1, 9	preprogrammed on the set-top box (All parties)	programmed on the set top box prior to receipt of a markup language document	written in the code on the set-top box prior to performing any of the claimed steps
6	1, 8, 9, 16	markup language document (Defendants)	No construction necessary, plain and ordinary meaning	self-contained file tagged using markup language code
7	1, 8, 9, 16	markup language (Defendants)	computer language for specifying the format of a file for printing or display	system for marking or tagging a document so that the document arranges user display screen layout and styling and indicates functionality

No.	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
8	8, 16	Dynamic Hyper Text Markup Language document (Rovi)	computer file containing Dynamic Hypertext Markup Language	self-contained file tagged using Dynamic Hyper Text Markup Language code
9	9	set-top box with control circuitry configured to (Defendants)	no construction is necessary, plain and ordinary meaning	§ 112 ¶6 Function: “generate for display a display item having a first program function, wherein the first program function is based on a non-markup language, and the first program function is preprogrammed on the set-top box; receive a markup language document from a remote source; interpret the markup language document to determine that the markup language document assigns a second program function to the display item; update the set-top box based on the markup language document such that the display item has the second program function; and generate for display, the display item having the second program function. Structure: Indefinite under § 112(f).

B. Agreed Terms

No.	Claim(s)	Term	Construction
10	1, 9	remote source	source other than the set-top box
11	1, 9	update [updating] the set-top box based on the markup language document	modify [modifying] the functionality of the set-top box as specified in the markup language document

IV. U.S. PATENT NO. 7,895,218

A. Disputed Terms

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
1	1, 19	television content item (Defendants)	no construction is necessary, plain and ordinary meaning	video/audio content that can be selected by a television viewer
2	1, 19	relatively large set of selectable television content items / relatively large set of television content items (All parties)	at least 1,500 selectable television content items	This term is indefinite.
3	1, 19	ordering criteria (Rovi)	criteria used to order and associate	No construction necessary (plain and ordinary meaning)
4	1, 19	descriptor prefix string / descriptor prefix (Defendants)	no construction is necessary, plain and ordinary meaning	a variable length string containing characters of a descriptive term running from the first character of a word of the descriptive term
5	1, 19	a first descriptor prefix of a word (Rovi)	a character or characters entered by the user which contain the leading character(s) of a word	No construction necessary (plain and ordinary meaning)
6	1, 19	a second descriptor prefix of a word entered by the user (Rovi)	a character or characters entered by the user which contain the leading characters of a word, where the word of the second descriptor prefix is not the word of the first descriptor prefix	A descriptor prefix containing characters of a word different from the word of the first descriptor prefix

Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
7	1, 19 descriptive terms (Defendants)	no construction is necessary, plain and ordinary meaning	terms that specify information about the television content items, such as, titles, cast, directors, descriptions, and key words

B. Agreed Terms

No.	Claims	Term	Agreed Construction
8	17, 35	a generally optimal incremental text input	a string that can display a term within the display space of device without scrolling

V. U.S. PATENT NO. 8,122,034

A. Disputed Terms

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
1	1, 4, 6, 9, 11, 12, 14, 16, 19, 21, 24, 26, 27, 28, 29	item(s) (Rovi)	unit(s) of video/audio content	No construction necessary (plain and ordinary meaning).
2	1, 15, 16	relevance value (Rovi)	value relating to the relevance of informational content	No construction necessary (plain and ordinary meaning).
3	1, 16	subspace categories (Defendants)	categories of subspace terms	categories of terms, such as TV channel terms, TV show terms, TV cast terms, movie name terms, and movie cast terms
4	1, 16	relevance bias value (All parties)	value based on the preference of one subspace relative to one or more of the other subspaces	a subspace-specific value that causes certain subspace results to have a higher relevance than other subspaces
5	1, 16	prefixes (Defendants)	no construction is necessary, plain and ordinary meaning	variable length strings containing characters of a word running from the first character of the word
6	10, 25	non-intrusive interface display area of a television (Defendants)	no construction is necessary, plain and ordinary meaning	an interface that occupies a small portion of the television screen
7	16	processor for performing a first incremental find	no construction is necessary, plain and ordinary meaning	This is a means-plus-function limitation

Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
	... for ordering one or more items found in the first incremental find ... for performing a second incremental find ... for ordering one or more items found in the second incremental find (Defendants)		Function: performing a first incremental find, ordering one or more items found in the first incremental find, performing a second incremental find, ordering one or more items found in the second incremental find. Structure: A general purpose CPU processor implementing the algorithm disclosed in 8:36-9:25
8	19 term (Defendants)	no construction is necessary, plain and ordinary meaning	one or more ordered or unordered words that are part of the title, keyword, or any other portion of the meta-content of an item

B. Agreed Terms

No.	Claim(s)	Term	Agreed Construction
9	7, 22	ambiguous text input	text input that has multiple meanings

VI. U.S. PATENT NO. 8,433,696

A. Disputed Terms

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
1	1, 15	content items (All parties)	units of video/audio content	video/audio content that can be selected by a viewer
2	1, 15	the subsets of content items are directly mapped to the corresponding strings of one or more overloaded keys by a direct mapping (Rovi)	one or more alphabetical and/or numerical symbols of the strings of overloaded keys is directly matched with one or more content items	No construction necessary (plain and ordinary meaning).
3	1, 15	based on the direct mapping (Rovi)	such that the selected and presented content items were directly matched to the entered overloaded key(s)	No construction necessary (plain and ordinary meaning).
4	1, 15	the second overloaded key forming a string with the first overloaded key (Defendants)	no construction is necessary, plain and ordinary meaning	the second overloaded key forming with the first overloaded key a prefix substring of each of at least two words
5	3, 17	many-to-many mapping (Rovi)	matching a plurality of items to plurality of other items	No construction necessary (plain and ordinary meaning).
6	11, 25	television content item (Defendants)	no construction is necessary, plain and ordinary meaning	video/audio content that can be selected by a television viewer

Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
7	31 content items comprise information about audio and/or video content (Defendants)	no construction is necessary, plain and ordinary meaning	This term is indefinite.

B. Agreed Terms

No.	Claim(s)	Term	Agreed Construction
8	1, 15	directly mapped	directly matched with
9	1, 15	direct mapping	a direct match
10	2, 16	personal preferences	information regarding a person's choices

VII. U.S. PATENT NO. 7,996,864

A. Disputed Terms

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
1	1, 6, 10	electronic program guide (Defendants)	no construction necessary, plain and ordinary meaning	an application that causes the display of a set of screen displays, at least one of them presenting schedule information for television programs, and at least one screen display being responsive to user input
2	1, 6, 10, 16	tuner (Defendants)	no construction necessary, plain and ordinary meaning	an electronic circuit used to selectively receive RF signals in a desired frequency channel
3	1, 6, 10, 16	Displaying / display of a plurality of television program listings (Defendants)	no construction necessary, plain and ordinary meaning	displaying / display of the plurality of television program listings such that the textual information is arranged on the screen so none of it is covered by the television program
4	1, 4, 5, 6, 10, 16	plurality of television program listings / plurality of program listings (Defendants)	no construction necessary, plain and ordinary meaning	information identifying a plurality of television programs and including schedule information
5	1, 6, 10, 16	Displaying / display of...a detailed program description (Defendants)	See construction of "detailed program description"; otherwise, no construction necessary, plain and ordinary meaning	displaying / display of the detailed program description such that the textual information is arranged on the screen so none of it is covered by the television program
6	1, 6, 9, 10, 16	detailed program description	description of a program including information in addition to the program	This term is indefinite.

Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
	(All parties)	title	
7	1, 6, 10, 16 in response to a user input (Defendants)	no construction necessary, plain and ordinary meaning	in response to a user command received by the set-top box
9	substantially all of a currently broadcast television program (Defendants)	no construction necessary, plain and ordinary meaning	most of the essential information of the television program including the center part of its image
10	16 microprocessor configured to: format; and switch (Defendants)	no construction necessary, plain and ordinary meaning, not governed by 35 U.S.C. § 112, ¶ 6	This is a means-plus-function term. Function: format a screen comprising a simultaneous display of a plurality of television program listings in a first area of the screen, a currently broadcast television program received by the tuner in a second nonoverlapping area of the screen and a detailed program description of the currently broadcast television program displayed in the second area of the screen in a third nonoverlapping area of the screen; switch the detailed program description displayed in the third area of the screen in response to a user input without changing the currently broadcast television program displayed in the second area of the screen. Structure: Indefinite under § 112(f)

Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
11	19, 20 microprocessor is further configured to select ... (Defendants)	no construction necessary, plain and ordinary meaning, not governed by 35 U.S.C. § 112, ¶ 6	This is a means-plus-function term Function (Claim 19): "select one of the plurality of program listings displayed in the first area of the screen without changing the currently broadcast television program displayed in the second area of the screen." (Claim 20): select one of the plurality of program listings displayed in the first area of the screen and switch the display in the third area to a description of the program corresponding to the selected program listing. Structure: Indefinite under § 112(f)

VIII. U.S. PATENT NO. 6,725,281

A. Disputed Terms

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
1	1, 20, 23, 42, 48, 73, 75	controlled computing device (All parties)	a device capable of communicating with and being controlled by a user control point	a computing device that contains the set of modules that enable communication with a User Control Point.
2	1, 20, 23, 42, 48, 73, 75	a state table maintained by the controlled computing device and representing an operational state of the controlled computing device (Defendants)	a table maintained by the controlled computing device and representing a current state in the controlled computing device	a logical table stored on the controlled computing device consisting of rows that represents the current electrical, mechanical and/or logical state of a Service. A "Service" is "the fundamental UPnP controllable entity (but not the finest level of control)
3	1, 20, 23, 42, 48, 73, 75	user controller device (1, 23, 42, 73) / control point computing devices (20, 48, 75) (Rovi)	a device(s) capable of communicating with and controlling a controlled computing device	a device containing a user control point module / devices containing a user control point module
4	1, 20, 23, 42, 48, 73, 75	user control point module (Defendants)	a module involved in facilitating communications with a controlled computing device, not governed by 35 U.S.C. § 112, ¶ 6	one of the set of modules of a User Control Point. A User Control Point is the set of modules that enable communication with a UPnP Controlled Device.
5	1, 20, 23, 42, 48, 73,	event (Defendants)	no construction necessary, plain and ordinary meaning	an unsolicited message generated by a Controlled Device and delivered to one or more User Control Points

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Defendants' Proposed Construction
	75			
6	1, 20, 23, 42, 48, 73, 75	eventing model (Defendants)	no construction necessary, plain and ordinary meaning	a model that provides the ability for a device to initiate a connection at any time to one or more devices that have expressed a desire to receive events from the source device
7	20, 48, 75	device control protocol (Defendants)	no construction necessary, plain and ordinary meaning	a complete set of UPnP protocols and schemas used to interact with a UPnP Controlled Device

B. Agreed Terms

No.	Claim(s)	Term	Agreed Construction
8	1, 20, 23, 42, 48, 73, 75	module	a component of a device, software program, or system that implements specific functionality

DATED: April 17, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all counsel of record via electronic mail on April 17, 2017.

/s/ David J. Lisson

David J. Lisson