

Conducted on January 14, 2020

<p style="text-align: right;">61</p> <p>1 them set up a little differently.</p> <p>2 I'm going to move to U.S. patent number</p> <p>3 7,200,855. I'm going to reference that as the</p> <p>4 '855 patent. We're adopting the parties' agreed</p> <p>5 upon constructions as of the October 28th joint</p> <p>6 claim construction chart. Okay. Under the '855</p> <p>7 patent the first term on construing is a shared</p> <p>8 box, and what we are actually adopting is</p> <p>9 something of a hybrid between what Rovi's proposed</p> <p>10 construction was and what Comcast's proposed</p> <p>11 construction was.</p> <p>12 And this is the definition, and I'll</p> <p>13 state it fairly slowly. A box, located within a</p> <p>14 multi media server, that is shared by components</p> <p>15 of that multi media service. So we're not</p> <p>16 adopting either party's construction, but are</p> <p>17 giving you a slightly different construction which</p> <p>18 limits or narrows Rovi's proposed construction to</p> <p>19 just a -- from a plurality of devices and that</p> <p>20 narrows essentially also or explains more clearly</p> <p>21 Comcast's and adds to Comcast's construction.</p> <p>22 So again let me repeat that. A box</p>	<p style="text-align: right;">63</p> <p>1 JUDGE MCNAMARA: Sure, of course.</p> <p>2 Determining -- and you'll see the exact</p> <p>3 grammatical change or the grammar in how it's used</p> <p>4 here and the punctuation. Determining that a data</p> <p>5 {frame/packet} at one of the specific time</p> <p>6 intervals contains at least a portion of one of</p> <p>7 the plurality of channel selection</p> <p>8 {commands/requests} without recapturing be at</p> <p>9 least a portion of one of the plurality of channel</p> <p>10 selection {commands/requests} via decoding.</p> <p>11 MR. RAMANI: Thank you, Your Honor.</p> <p>12 JUDGE MCNAMARA: Okay. And I think the</p> <p>13 Markman order should be up on EDIS probably by</p> <p>14 Friday and if not certainly by Monday. Going back</p> <p>15 to the patent, the '528 patent, the interactive</p> <p>16 television program guide is the next claim</p> <p>17 construction.</p> <p>18 The construction that we are adopting</p> <p>19 is an application that generates a display of</p> <p>20 television program listings or user television</p> <p>21 equipment and that allows users to navigate</p> <p>22 through and interact with television program</p>
<p style="text-align: right;">62</p> <p>1 located within a multi media server, that is</p> <p>2 shared by components of that multi media server.</p> <p>3 The next term that I am construing is identifying</p> <p>4 a data {frame/packet}, and frame/packet are in</p> <p>5 brackets, and there's a forward slash between</p> <p>6 frame and packet, at one of the specific time</p> <p>7 intervals that contains at least a portion of one</p> <p>8 of the plurality of channel selection</p> <p>9 {commands/requests}, and again the words commands</p> <p>10 and requests are in brackets.</p> <p>11 The -- what we are adopting here is the</p> <p>12 definition as follows: Quote, determining</p> <p>13 {E/ING}, that a data {frame/packet} at one of the</p> <p>14 specific time intervals contains at least a</p> <p>15 portion of one of the plurality of channel</p> <p>16 selection {commands/requests} without recapturing</p> <p>17 be at least a portion of one of the plurality of</p> <p>18 channel selection {commands/requests} via</p> <p>19 decoding. Does anybody need me to repeat that?</p> <p>20 MR. RAMANI: Yes, Your Honor. This is</p> <p>21 Ashok Ramani. Would you mind repeating it,</p> <p>22 please?</p>	<p style="text-align: right;">64</p> <p>1 listings based on user commands. So essentially</p> <p>2 that is Rovi's proposed construction, and this is</p> <p>3 similar to the 1103 so there should not be --</p> <p>4 there should not be any confusion about this.</p> <p>5 The next claim construction is personal</p> <p>6 video recorder compliant device, and the</p> <p>7 construction that's being adopted here is a device</p> <p>8 that provides personal video recorder, and then in</p> <p>9 quotes PVR -- of course that's the acronym for</p> <p>10 personal video recorder -- functionality only when</p> <p>11 coupled to a PVR, and that's the definition.</p> <p>12 Let me repeat that. Device that</p> <p>13 provides personal video recorder -- its acronym is</p> <p>14 PVR -- functionality only when coupled to a PVR,</p> <p>15 so that is the definition of that. So I think</p> <p>16 other than distinctly -- I think we've covered all</p> <p>17 of the 10 terms that were construed for Markman.</p> <p>18 Did I miss anything? I think I got</p> <p>19 them all.</p> <p>20 MR. KAMPRATH: Your Honor, I think</p> <p>21 there's one other for the '528. It's the personal</p> <p>22 video recorder extensions term.</p>