

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, DC**

**Before the Honorable MaryJoan McNamara
Administrative Law Judge**

In the Matter of

CERTAIN DIGITAL VIDEO
RECEIVERS, BROADBAND
GATEWAYS, AND RELATED
HARDWARE AND SOFTWARE
COMPONENTS

Investigation No. 337-TA-1158

JOINT CLAIM CONSTRUCTION CHART

**CERTAIN DIGITAL VIDEO RECEIVERS,
BROADBAND GATEWAYS, AND
RELATED HARDWARE AND
SOFTWARE COMPONENTS**

Inv. No. 337-TA-1158

I. U.S. Patent No. 7,779,445

A. Agreed Terms

	Claim(s)	Term (Party Proposing)	Agreed Construction
1	1, 4, 5, 7, 9, 15, 21, 23	“broadcast [television] program[s]” (Comcast)	Program[s] distributed to multiple users at scheduled start-times and end-times
2	1, 15	Preambles	Preambles are limiting.

B. Disputed Terms

	Claim(s)	Term (Party Proposing)	Rovi’s Proposed Construction	Comcast’s Proposed Construction
1	1, 15	“retention criteria” (Rovi and Comcast)	specific programs, series, channels, program categories, content rights, and popularity selected or used by an operator or service provider and used to determine which programs to retain	information related to a program
2	1, 7, 9, 15, 23	“retention-period” (Rovi)	length of time an operator or service provider determines a program is to be retained	the period of time in which programs are stored on the server remote to the users

JOINT CLAIM CONSTRUCTION CHART
[INV. NO. 337-TA-1158]

**CERTAIN DIGITAL VIDEO RECEIVERS,
BROADBAND GATEWAYS, AND
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SOFTWARE COMPONENTS**

Inv. No. 337-TA-1158

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Comcast's Proposed Construction
3	1, 15	“during [a/the] retention- period” (Comcast)	during the ‘length of time an operator or service provider determines a program is to be retained.’	throughout the period of time in which the programs are stored on the server remote to the users

JOINT CLAIM CONSTRUCTION CHART
[INV. NO. 337-TA-1158]

**CERTAIN DIGITAL VIDEO RECEIVERS,
BROADBAND GATEWAYS, AND
RELATED HARDWARE AND
SOFTWARE COMPONENTS**

Inv. No. 337-TA-1158

II. U.S. Patent No. 8,156,528

A. Agreed Terms

	Claim(s)	Term (Party Proposing)	Agreed Construction
1	27	“application programming interfaces” (Comcast)	a set of protocols or routines that provide an interface between two program modules, such as two software modules

B. Disputed Terms

	Claim(s)	Term (Party Proposing)	Rovi’s Proposed Construction	Comcast’s Proposed Construction
1	1, 27	“personal video recorder compliant device” (Rovi and Comcast)	a device without a personal video recorder, designed to operate with a personal video recorder device, and used to interact with an interactive television system	a device that provides recording functionality only when coupled to a personal video recorder
2	1, 27	“personal video recorder device” (Comcast)	a device used to interact with an interactive television system and that is capable of recording programs to local digital storage including the automatic recording of programs that users are watching in real-time	a device that records personal videos on internal storage

JOINT CLAIM CONSTRUCTION CHART
[INV. NO. 337-TA-1158]

**CERTAIN DIGITAL VIDEO RECEIVERS,
BROADBAND GATEWAYS, AND
RELATED HARDWARE AND
SOFTWARE COMPONENTS**

Inv. No. 337-TA-1158

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Comcast's Proposed Construction
3	1, 13, 27, 30	“interactive television program guide” (Comcast)	an application that generates a display of television program listings on user television equipment and that allows users to navigate through and interact with television program listings based on user commands	the components of a system that can manipulate guide data and user inputs to provide an interactive, visual display of media listings and other guidance functions
4	1, 27	“same functions” (Comcast)	a plurality of common interactive television program guide functions	all of the same functions
5	1, 27	“distinctly implemented” (Comcast)	separately implemented	each device separately contains all the components of a system that can manipulate guide data and user inputs to provide an interactive, visual display of media listings and other guidance functions
6	1, 27, 30	“personal video recorder extensions” (Comcast)	any suitable hardware, software, or both used in conjunction with the interactive television program guide which adds personal video recorder functionality to a device	hardware or software that enables seamless integration of interactive program guide and personal video recorder functionality

JOINT CLAIM CONSTRUCTION CHART
[INV. NO. 337-TA-1158]

**CERTAIN DIGITAL VIDEO RECEIVERS,
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SOFTWARE COMPONENTS**

Inv. No. 337-TA-1158

III. U.S. Patent No. 7,200,855

A. Agreed Terms

	Claim(s)	Term (Party Proposing)	Agreed Construction
1	1, 53	“channel selection request”	data that identifies a particular channel and at least one of the clients

B. Disputed Terms

	Claim(s)	Term (Party Proposing)	Rovi’s Proposed Construction	Comcast’s Proposed Construction
1	1	<p>“A method for multiplexing a plurality of channels in a multimedia system”</p> <p>(Comcast)</p>	The preamble is limiting, but only to the environment in which the invention operates, and the preamble does not add steps or components to the recited claim.	<p>The preamble is limiting.</p> <p>The steps of the claim are performed within a home as part of an in-home communication network.</p> <p>Further, the steps of the claim are performed by a multimedia server within a user’s home, e.g., a stand-alone device or a device that may be incorporated in a satellite receiver, set-top box, cable box, HDTV tuner, home entertainment receiver, et cetera.</p>

JOINT CLAIM CONSTRUCTION CHART
[INV. NO. 337-TA-1158]

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SOFTWARE COMPONENTS**

Inv. No. 337-TA-1158

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Comcast's Proposed Construction
2	28	<p>“A tuning module for using in multimedia system the tuning module comprises: plurality of selectors . . . encoding module . . . and bus interface module”</p> <p>(Comcast)</p>	The preamble is limiting but only to the environment in which the invention operates, and the preamble does not add steps or components to the recited claim.	<p>The preamble is limiting.</p> <p>The claimed apparatus is in a home as part of an in-home communication network.</p> <p>Further, the elements of the claim are performed by a tuning module within a multimedia server within a user's home, e.g., a stand-alone device or a device that may be incorporated in a satellite receiver, set-top box, cable box, HDTV tuner, home entertainment receiver, et cetera.</p>
3	53	<p>“An apparatus for multiplexing channels in a multimedia system”</p> <p>(Comcast)</p>	The preamble is limiting but only to the environment in which the invention operates, and the preamble does not add steps or components to the recited claim.	<p>The preamble is limiting.</p> <p>The claimed apparatus is in a home as part of an in-home communication network.</p> <p>Further, the elements of the claim are in a multimedia server within a user's home, e.g., a stand-alone device or a device that may be incorporated in a satellite receiver, set-top box, cable box, HDTV tuner, home entertainment receiver, et cetera.</p>
4	1, 28, 29,	“channel selection	command related to selection of a	command that is derived from a channel

JOINT CLAIM CONSTRUCTION CHART
[INV. NO. 337-TA-1158]

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SOFTWARE COMPONENTS**

Inv. No. 337-TA-1158

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Comcast's Proposed Construction
	53	command” (Comcast)	channel	selection request and that identifies a particular channel of a plurality of channels
5	1, 28, 53	“shared bus” (Comcast)	bus within a multimedia server	bus within a multimedia server used for data transfer between components of the multimedia server
6	1, 53	“identify[ing] a data [frame / packet] at one of the specific time intervals that contains at least a portion of one of the plurality of channel selection [commands/requests]” (Comcast)	Plain and ordinary meaning, which is “determin[e/ing] that a data [frame / packet] at one of the specific time intervals contains at least a portion of one of the plurality of channel selection [commands/requests]”	determining, without decoding a frame based on a data conveyance protocol of the multimedia system to recapture its contents, that the frame contains at least a portion of a channel selection [command/request]
7	28	“to identi[f]y at least one of the packets at one of the specific time intervals, that contains at least a portion of one of the plurality of channel selection commands to produce an identified packet”	Plain and ordinary meaning, which is “determine that a data packet at one of the specific time intervals contains at least a portion of one of the plurality of channel selection commands”	determining, without decoding a packet based on a data conveyance protocol of the multimedia system to recapture its contents, that the packet contains at least a portion of a channel selection command to produce an identified packet

**JOINT CLAIM CONSTRUCTION CHART
[INV. NO. 337-TA-1158]**

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BROADBAND GATEWAYS, AND
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Inv. No. 337-TA-1158

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Comcast's Proposed Construction
		(Comcast)		
8	1	“contains at least a portion of one or the plurality” (Comcast)	contains at least a portion of one of the plurality	Indefinite.
9	1	“user define list” (Comcast)	user defined list	Indefinite.
10	28	“bus interface module operably coupled transmit the encoded channel data” (Comcast)	bus interface module operably coupled to transmit the encoded channel data	Indefinite.
11	28	“to identity at least one of the packets . . . that contains at least a portion of one of the plurality of channel selection requests” (Comcast)	to identify at least one of the packets	Indefinite.
12	28	“wherein the receiving module comprising	wherein the receiving module comprises a decoding module to decode the	Indefinite.

JOINT CLAIM CONSTRUCTION CHART
[INV. NO. 337-TA-1158]

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BROADBAND GATEWAYS, AND
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SOFTWARE COMPONENTS**

Inv. No. 337-TA-1158

	Claim(s)	Term (Party Proposing)	Rovi's Proposed Construction	Comcast's Proposed Construction
		decoding module to decode the identified packet, based on the data conveyance protocol, to recapture at least a portion of the one of the plurality of channel selection commands” (Comcast)	identified packet, based on the data conveyance protocol, to recapture at least a portion of the one of the plurality of channel selection commands	
13	1	“wherein the each of the plurality of channel selection commands includes” (Comcast)	wherein each of the plurality of channel selection commands includes	Indefinite.
14	53	“memory operably coupled to the processing module, wherein the memory includes operational instructions that cause the processing module to: receiving . . . receiving . . . processing . . . selecting . . . encoding”	memory operably coupled to the processing module, wherein the memory includes operational instructions that cause the processing module to: receive . . . receive . . . process . . . select . . . encode	Indefinite.

JOINT CLAIM CONSTRUCTION CHART
[INV. NO. 337-TA-1158]

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SOFTWARE COMPONENTS**

Inv. No. 337-TA-1158

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		(Comcast)		
15	53	“monitoring shared bus” (Comcast)	monitoring a shared bus	Indefinite.
16	53	“processing the plurality of channel selection requests to determine whether the request can supported” (Comcast)	process the plurality of channel selection requests to determine whether the request can be supported	Indefinite.
17	53	“encoding each of the selected channels based on the data conveyance protocol” (Comcast)	encode each of the selected channels based on the data conveyance protocol	Indefinite.
18	59	“operational instructions that cause the processing module to encoding each of the selected channels” (Comcast)	operational instructions that cause the processing module to encode each of the selected channels	Indefinite.

JOINT CLAIM CONSTRUCTION CHART
[INV. NO. 337-TA-1158]

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SOFTWARE COMPONENTS**

Inv. No. 337-TA-1158

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19	59	“identity the selected channel” (Comcast)	identity of the selected channel	Indefinite
20	63	“encrypt tho selected channels” (Comcast)	encrypt the selected channels	Indefinite.

JOINT CLAIM CONSTRUCTION CHART
[INV. NO. 337-TA-1158]

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Inv. No. 337-TA-1158

Dated: October 21, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **JOINT CLAIM CONSTRUCTION**

CHART was served to the parties, in the manner indicated below, on October 21, 2019:

The Honorable Lisa R. Barton Secretary to the Commission U.S. International Trade Commission 500 E Street S.W., Room 112 Washington, D.C. 20436	<input checked="" type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Overnight Delivery <input checked="" type="checkbox"/> Via Electronic Filing
The Honorable MaryJoan McNamara Administrative Law Judge U.S. International Trade Commission 500 E Street, S.W., Room 317 Washington, DC 20436 Jae Lee, Esq. Attorney Advisor U.S. International Trade Commission 500 E Street, S.W., Room 317 Washington, DC 20436	<input checked="" type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Overnight Delivery <input checked="" type="checkbox"/> Via Electronic Service: jae.lee@usitc.gov michael.buckler@usitc.gov
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Date: October 21, 2019

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