

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

<b>TQ Beta LLC,</b>	§	
	§	
<b>Plaintiff,</b>	§	<b>C.A. No. 14-cv-00848-LPS</b>
<b>v.</b>	§	
	§	<b>Jury Trial Demanded</b>
<b>DISH Network Corporation;</b>	§	
<b>DISH DBS Corporation;</b>	§	<b><u>FILED UNDER SEAL</u></b>
<b>DISH Network L.L.C.;</b>	§	
<b>EchoStar Corporation;</b>	§	
<b>EchoStar Technologies, L.L.C.;</b>	§	
<b>Hughes Satellite Systems Corporation;</b>	§	
<b>Sling Media, Inc.;</b>	§	
	§	
<b>Defendants.</b>	§	

**PLAINTIFF’S FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff TQ Beta, LLC (“TQ Beta”), files this First Amended Complaint against Sling Media, Inc.; DISH Network Corporation, DISH DBS Corporation, and DISH Network L.L.C. (“DISH”); and EchoStar Corporation, EchoStar Technologies, L.L.C., and Hughes Satellite Systems Corporation (“EchoStar”). These entities are collectively referred to as “the Defendants.”

**NATURE OF THE SUIT**

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

**THE PARTIES**

2. Plaintiff TQ Beta is a corporation organized and existing under the laws of the State of Delaware. It has a principal place of business in Austin, Texas. The Delaware Secretary of State has certified that TQ Beta is authorized to transact business in Delaware.

3. On information and belief, Defendant EchoStar Corporation is a corporation organized and existing under the laws of the State of Nevada, with its principal place of business at 100 Inverness Terrace East, Englewood, Colorado 80112. EchoStar Corporation may be served through its registered agent CSC Services Of Nevada, Inc., located at 2215-B Renaissance Drive, Las Vegas, NV 89119.

4. On information and belief, Defendant EchoStar Technologies L.L.C. is a limited liability company organized and existing under the laws of the State of Texas, with its principal place of business at 100 Inverness Circle East, Englewood, Colorado 80112. EchoStar Technologies, LLC is a wholly-owned subsidiary of EchoStar Corporation. EchoStar Technologies L.L.C. is may be served through its registered agent Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company located at 211 E. 7th Street, Suite 620 Austin, TX 78701.

5. On information and belief, Hughes Satellite Systems Corporation is a corporation organized and existing under the laws of the State of Colorado, with its principal place of business at 100 Inverness Terrace East, Englewood, Colorado 80112. Hughes Satellite Systems Corporation is a wholly-owned subsidiary of EchoStar Corporation. Hughes Satellite Systems Corporation may be served through its registered agent Corporation Service Company located at 1560 Broadway, Suite 2090, Denver, CO 80202.

6. On information and belief, Defendant Sling Media, Inc. (“Sling”) is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 1051 East Hillside Blvd, Suite 500, Foster City, California 94404. Sling is a wholly-owned subsidiary of EchoStar Technologies, LLC, which is a wholly-owned subsidiary of

EchoStar Corporation. Sling may be served through its registered agent Corporation Service Company located at 2711 Centerville Road, Suite 400, Wilmington, DE 19808.

7. Defendants EchoStar Corporation, EchoStar Technologies L.L.C., Hughes Satellite Systems Corporation, and Sling are collectively referred to as “EchoStar.”

8. EchoStar has and continues to import, design, market, make, use, lease, sell, and/or offer for sale products and services that enable the time and place shifting of content transmitted over an Internet connection, including but not limited to SlingBox, SlingPlayer, the Hopper, Sling® adapter, the Hopper with Sling®, ViP 722, ViP 722k HD DVR, Dish Anywhere™, Dish Anywhere™ Mobile Application collectively referred to hereafter as the “EchoStar Infringing Products”). EchoStar does business in the United States and, more particularly, in the State of Delaware, by importing, designing, marketing, making, using, leasing, selling, and/or offering for sale products and services that infringe one or more claims of the asserted patent or by transacting other business in this District. EchoStar has purposefully and voluntarily placed one or more of the EchoStar Infringing Products into the stream of commerce with the expectation that they will be purchased, used, and/or placed into service by consumers in the District of Delaware. EchoStar has committed the tort of patent infringement within the District of Delaware.

9. On information and belief, Defendant Dish Network Corporation is a corporation organized and existing under the laws of the State of Nevada, with its principal place of business at 9601 South Meridian Boulevard, Englewood, Colorado 80112. Dish Network Corporation may be served through its registered agent CSC Services Of Nevada, Inc., located at 2215-B Renaissance Drive, Las Vegas, NV 89119.

10. On information and belief, Defendant Dish DBS Corporation is a corporation organized and existing under the laws of the State of Colorado, with its principal place of business at 9601 South Meridian Boulevard, Englewood, Colorado 80112. Dish DBS is a wholly-owned subsidiary of Dish Network Corporation. Dish DBS Corporation may be served through its registered agent R. Stanton Dodge located at P.O. Box 6663, Englewood, CO 80155 or at Mr. Stanton's place of business at 9601 South Meridian Boulevard, Englewood, Colorado 80112.

11. On information and belief, Defendant Dish Network L.L.C. is a limited liability company organized and existing under the laws of the State of Colorado, with its principal place of business at 9601 South Meridian Boulevard, Englewood, Colorado 80112. Dish Network L.L.C. is a wholly-owned subsidiary of Dish Network Corporation. Dish Network L.L.C. may be served through its registered agent R. Stanton Dodge located at P.O. Box 6663, Englewood, CO 80155 or at Mr. Stanton's place of business at 9601 South Meridian Boulevard, Englewood, Colorado 80112.

12. Defendants Dish Network Corporation, Dish DBS Corporation, and Dish Network L.L.C. are collectively referred to as "DISH." Further, DISH and EchoStar are collectively referred to as "Defendants."

13. DISH has and continues to import, design, market, make, use, lease, sell, and/or offer for sale products and services that enable the time and place shifting of content transmitted over an Internet connection, including but not limited to the Hopper, Sling® adapter, the Hopper with Sling®, ViP 722, ViP 722k HD DVR, Dish Anywhere™, Dish Anywhere™ Mobile Application (collectively referred to hereafter as the "DISH Infringing Products"). DISH is doing business in the United States and, more particularly, in the State of Delaware, by

importing, designing, marketing, making, using, leasing, selling, and/or offering for sale products and services that infringe one or more claims of the asserted patent or by transacting other business in this District.

14. The EchoStar Infringing Products and the DISH Infringing Products are collectively referred to hereafter as the “Accused Instrumentalities.”

15. DISH purports to depend upon EchoStar Corporation and its subsidiaries, or EchoStar, to import, design, develop, and manufacture its set-top boxes and certain related components.<sup>1</sup> EchoStar purports to supply DISH with technologically advanced set-top boxes, including advanced hybrid satellite and internet protocol over-the-top delivery solutions, Slingbox placeshifting technology, and whole-home DVR functionality.<sup>2</sup> EchoStar purports that DISH is its primary customer for set-top boxes.<sup>3</sup> In addition, EchoStar provides certain devices directly to consumers via retail outlets and online.

16. DISH provides satellite subscription television services and products to 14 million customers. In order to receive such services, customers must purchase or lease from DISH satellite reception equipment. DISH provides video on demand products and services to its customers by pushing content onto their customers’ digital video recorders (“DVRs”).

### **JURISDICTION AND VENUE**

17. This is a civil action for patent infringement arising under the patent laws of the United States, Title 35, United States Code, including 35 U.S.C. §§ 271 and 281-285. Jurisdiction is conferred on this Court pursuant to 28 U.S.C. §§ 1331 and 1338(a).

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<sup>1</sup> Dish Network Corporation 2013 Form 10-K (Annual Report) at i.

<sup>2</sup> EchoStar Corporation 2013 Form 10-K (Annual Report) at i.

<sup>3</sup> EchoStar Corporation 2013 Form 10-K (Annual Report) at 47.

18. Venue is proper in this District pursuant to 28 U.S.C. §1391 and 28 U.S.C. § 1400(b). Furthermore, venue is proper because Defendants conduct business within this District and/or solicit and establish relationships with entities within this District, which include the selling and/or offering for sale of Accused Instrumentalities as discussed below. Each act of Defendants' directly or indirectly infringing conduct in this District gives rise to proper venue.

19. This Court has personal jurisdiction over Defendants. Defendants have conducted and do conduct business within the State of Delaware. Defendants, directly or through intermediaries (including distributors, retailers, and others), ship, distribute, sell, offer for sale, and advertise products and services that infringe one or more claims of the asserted patent in the United States, the State of Delaware, and the District of Delaware. Defendants have purposefully and voluntarily placed one or more of their Infringing Products into the stream of commerce with the expectation that it will be purchased by consumers in the United States, the State of Delaware, and the District of Delaware. The Infringing Products have been and continue to be purchased by consumers in the District of Delaware. Defendants have committed acts of patent infringement and/or have induced acts of patent infringement by others within the United States, the State of Delaware and, more particularly, within the District of Delaware.

20. Sling is incorporated in the State of Delaware.

21. TQ Beta is incorporated in the State of Delaware.

### **PATENT INFRINGEMENT**

22. The allegations of paragraphs 1-21 above are incorporated by reference as if fully set forth herein.

23. On April 10, 2007, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 7,203,456 ("the '456 Patent"), entitled "Method and Apparatus for

Time and Space Domain Shifting of Broadcast Signals,” to inventors Paul Beard and Enrique Alfaro. A true and correct copy of the ’456 Patent is attached hereto as Exhibit A.

24. Plaintiff is the owner by assignment of the ’456 Patent and owns all rights, title, and interest in and to the ’456 Patent, including all rights to sue and recover for past and future infringement.

25. Defendants have infringed and continue to infringe, directly, contributorily, and/or through the inducement of others, one or more claims of the ’456 Patent by making, using, leasing, selling, offering for sale, and or/importing in the United States the Accused Instrumentalities. The Defendants have not obtained permission from TQ Beta to make, use, lease, sell, offer for sale, and/or import products, including but not limited to the Accused Instrumentalities, that use the apparatuses and methods claimed in the ’456 Patent.

26. Plaintiff has been damaged as a result of Defendants’ infringing conduct. Defendants are therefore liable to Plaintiff in an amount that adequately compensates Plaintiff for Defendants’ infringement, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

#### **EchoStar’s Infringement of the ’456 Patent**

27. The allegations contained in paragraphs 1-26 are incorporated by reference as if fully set forth herein.

28. EchoStar has directly infringed and continues to infringe at least claim 11 of the ’456 Patent in violation of 35 U.S.C. § 271(a) by, without TQ Beta’s permission, making, using, leasing, selling, offering to sell, and/or importing in the United States products and services that

enable the time and place shifting of content transmitted over an Internet connection, including the Accused Instrumentalities.

29. At least since the time of this filing, EchoStar knew of the '456 Patent.

30. At least since the filing of this Complaint, EchoStar has been and now is actively inducing infringement (literally and/or under the doctrine of equivalents) of at least claim 11 of the '456 Patent in violation of 35 U.S.C. § 271(b). EchoStar has been and now is inducing others, such as manufacturers, service providers, and end users of the Accused Instrumentalities, to directly infringe one or more claims of the '456 Patent by making, using, leasing, selling, offering for sale, and/or importing products and services that enable the time and place shifting of content transmitted over an Internet connection, including the Accused Instrumentalities. EchoStar's inducements include, but are not limited to, actively marketing to, encouraging use by, and instructing consumers, service providers, businesses, distributors, resellers, sales representatives, to use, promote, market, distribute, and/or sell the Accused Instrumentalities. EchoStar aided, instructed, or otherwise acted with the intent to cause acts by consumers, service providers, businesses, distributors, resellers, and sales representatives that would cause direct infringement of the '456 Patent. EchoStar knows, or at least should know, that its actions would result in infringement of the '456 Patent. These actions, individually and collectively, have induced and continue to induce the direct infringement of the '456 Patent by consumers, service providers, businesses, distributors, resellers, and sales representatives.

31. At least since the filing of this Complaint, EchoStar has been and now is contributing to the infringement of at least claim 11 of the '456 Patent in violation of 35 U.S.C. § 271(c). EchoStar has and continues to contributorily infringe one or more claims of the '456 Patent by providing, leasing, selling, offering to sell, and/or importing components of methods



and apparatuses that enable the time and place shifting of content transmitted over an Internet connection, such as by way of example the EchoStar Infringing Products. These components have no substantial non-infringing uses, and they constitute a material part of the invention. EchoStar's actions contribute to direct infringement (literally and/or under the doctrine of equivalents) of the '456 Patent by consumers, businesses, distributors, resellers, sales representatives, agents, channel partners, and DISH, that use systems such as the Accused Instrumentalities. Since at least the time of the filing of this Complaint, EchoStar was aware that the components of methods and apparatuses that enable the time and place shifting of content transmitted over an Internet connection satisfy at least one element of one claim, such as by way of example, claim 11 of the '456 Patent. EchoStar further knows that use of the components as part of the system and methods directly infringe at least one claim, such as by way of example, claim 11 of the '456 Patent. These components include, without limitation, the EchoStar Infringing Products.

#### **DISH's Infringement of the '456 Patent**

32. The allegations contained in paragraphs 1-31 are incorporated by reference as if fully set forth herein.

33. DISH has directly infringed and continues to infringe at least claim 11 of the '456 Patent in violation of 35 U.S.C. § 271(a) by, without TQ Beta's permission, making, using, selling, offering to sell, leasing, and/or importing in the United States products and services that enable the time and place shifting of content transmitted over an Internet connection, including the DISH Infringing Products.

34. At least as to the time of this filing, DISH knew of the '456 Patent.

35. At least since the filing of this Complaint, DISH has been and now is actively inducing infringement (literally and/or under the doctrine of equivalents) of at least claim 11 of the '456 Patent in violation of 35 U.S.C. § 271(b). DISH has been and now is inducing others, such as manufacturers, service providers, and end users of the DISH Infringing Products, to directly infringe one or more claims of the '456 Patent by making, using, leasing, selling, offering for sale, and/or importing products and services that enable the time and place shifting of content transmitted over an Internet connection, including the DISH Infringing Products. DISH's inducements include, but are not limited to, actively marketing to, encouraging use by, and instructing consumers, service providers, businesses, distributors, resellers, sales representatives, to use, promote, market, distribute, and/or sell the DISH Infringing Products. DISH aided, instructed, or otherwise acted with the intent to cause acts by consumers, service providers, businesses, distributors, resellers, and sales representatives that would cause direct infringement of the '456 Patent. DISH knows, or at least should know, that its actions would result in infringement of the '456 Patent. These actions, individually and collectively, have induced and continue to induce the direct infringement of the '456 Patent by consumers, service providers, businesses, distributors, resellers, and sales representatives.

36. At least since the filing of this Complaint, DISH has been and now is contributing to the infringement of at least claim 11 of the '456 Patent in violation of 35 U.S.C. § 271(c). DISH has and continues to contributorily infringe one or more claims of the '456 Patent by providing, leasing, selling, offering to sell, and/or importing components of methods and apparatuses that enable the time and place shifting of content transmitted over an Internet connection, such as by way of example the DISH Infringing Products. These components have no substantial non-infringing uses, and they constitute a material part of the invention. DISH's

actions contribute to direct infringement (literally and/or under the doctrine of equivalents) of the '456 Patent by consumers, businesses, distributors, resellers, sales representatives, agents, and channel partners that use systems such as the DISH Infringing Products. Since at least the time of the filing of this Complaint, DISH was aware that the components of the methods and apparatuses that enable the time and place shifting of content transmitted over an Internet connection satisfy at least one element of one claim, such as by way of example, claim 11 of the '456 Patent. DISH further knows that use of the components as part of the system and methods directly infringe at least one claim, such as by way of example, claim 11 of the '456 Patent. These components include, without limitation, the DISH Infringing Products.

#### **Joint Infringement of the '456 Patent**

37. The allegations contained in paragraphs 1-36 are incorporated by reference as if fully set forth herein.

38. Further, TQ Beta contends, on information and belief, that Defendants have committed the above-described acts of direct infringement, contributory infringement, and/or inducement of infringement jointly. TQ Beta contends that as a result of such joint infringement, Defendants are jointly and severally liable for the infringing acts engaged in by each other.

39. TQ Beta contends that EchoStar is responsible for joint infringement because, on information and belief, through its contractual obligations and directions to DISH, it directed and controlled DISH's infringing conduct.

40. Further, TQ Beta contends that DISH is responsible for joint infringement because, on information and belief, through its contractual obligations and directions to EchoStar, DISH directed and controlled EchoStar's infringing conduct.

#### **VICARIOUS LIABILITY**

41. The allegations contained in paragraphs 1-40 are incorporated by reference as if fully set forth herein.

42. In addition to liability for their own independent conduct, Defendants are also liable for the conduct of their subsidiaries, affiliates, and related entities under the doctrine of alter ego and single business enterprise, under applicable state and federal statutes and regulations. Specifically, each parent company or holding company entity identified herein is the alter ego of its operating entity Defendant identified herein. For example, upon information and belief, they have common stock ownership (*i.e.*, parent company owning all stock of the operating subsidiaries), common directors and officers, common business departments and headquarters; the parent or holding company finances and pays the expenses of the subsidiary; and the daily operations, board meetings, books and/or records of the two companies are not kept separate.

#### **NOTICE**

43. The allegations contained in paragraphs 1-42 are incorporated by reference as if fully set forth herein.

44. At least by the filing and serving the Original Complaint for Patent Infringement, TQ Beta has given Defendants written notice of their infringement.

45. The Defendants admitted in their November 18, 2015 interrogatory responses that they had notice of the '456 Patent as of February 4, 2011.

#### **WILLFULNESS**

46. The allegations contained in paragraphs 1-45 are incorporated by reference as if fully set forth herein.

47. The Defendants' infringement of the '456 Patent has been and is willful. The Defendants had notice and knowledge of the '456 Patent and their infringement of the Patent.

On or around February 4, 2011, the Defendants [REDACTED]

[REDACTED], the Defendants continued to make, use, sell, offer for sale and/or import products that infringed the '456 Patent's claims, including the Accused Instrumentalities. At least some of the Accused Instrumentalities, such as the Hopper with Sling, were launched after the Defendants received the notice.

48. The Defendants engaged in the above described conduct despite a high likelihood that their actions infringed the '456 Patent. Further, the Defendants knew or should have known that their actions constituted a high risk of infringement of the '456 Patent.

49. Additionally, the Defendants' infringement of the '456 Patent is willful to the extent that the filing and service of the Original Complaint gives the Defendants actual notice of their infringement, and they continue to design, market, make, use, make available for others' use, offer to license or license, sell and/or offer to sell in the United States the Accused Instrumentalities.

#### **DAMAGES**

50. The allegations contained in paragraphs 1-49 are incorporated by reference as if fully set forth herein.

51. For the above-described infringement, TQ Beta has been injured and seeks damages adequate to compensate it for Defendants' infringement of the '456 Patent. Such damages should be no less than the amount of a reasonable royalty under 35 U.S.C. § 284.

52. TQ Beta contends that Defendants have willfully infringed the '456 Patent. TQ Beta requests that the Court enter a finding of willful infringement and enhanced damages under 35 U.S.C. § 284 up to three times the amount found by the trier of fact.

**DEMAND FOR A JURY TRIAL**

53. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury on all issues triable of right by a jury.

**PRAYER FOR RELIEF**

54. WHEREFORE, Plaintiff requests the following relief:

a. A judgment that Defendants have directly infringed the patent-in-suit, contributorily infringed the patent-in-suit, and/or induced the infringement of the patent-in-suit;

b. A preliminary and permanent injunction preventing Defendants and their officers, directors, agents, servants, employees, attorneys, licensees, successors, and assigns, and those in active concert or participation with any of them, from directly infringing, contributorily infringing, and/or inducing the infringement of the patent-in-suit;

c. A ruling that this case be found to be exceptional under 35 U.S.C. § 285, and a judgment awarding to Plaintiff its attorneys' fees incurred in prosecuting this action;

d. A judgment and order requiring Defendants to pay Plaintiff damages under 35 U.S.C. § 284, including supplemental damages for any continuing post-verdict infringement up until entry of the final judgment, with an accounting, as needed.

- e. A judgment and order requiring Defendants to pay Plaintiff the costs of this action (including all disbursements);
- f. A judgment and order requiring Defendants to pay Plaintiff pre-judgment and post-judgment interest on the damages award;
- g. A judgment and order requiring that in the event a permanent injunction preventing future acts of infringement is not granted, that Plaintiff be awarded a compulsory ongoing licensing fee; and
- h. Such other and further relief as the Court may deem just and proper.

Dated: February 12, 2016

Respectfully submitted,

FARNAN LLP

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*Attorneys for Plaintiff TQ Beta LLC*



# EXHIBIT A

(12) **United States Patent**  
**Beard et al.**

(10) **Patent No.:** **US 7,203,456 B1**  
(45) **Date of Patent:** **Apr. 10, 2007**

(54) **METHOD AND APPARATUS FOR TIME AND SPACE DOMAIN SHIFTING OF BROADCAST SIGNALS**

6,477,579 B1 *	11/2002	Kunkel et al.	709/229
6,532,593 B1 *	3/2003	Moroney	725/142
6,553,535 B1 *	4/2003	Asada et al.	714/777
6,598,228 B2 *	7/2003	Hejna, Jr.	725/91
6,614,470 B1 *	9/2003	Manowitz et al.	348/211.2
6,658,663 B1 *	12/2003	Bruynsteen	725/134

(75) Inventors: **Paul Beard**, Milpitas, CA (US);  
**Enrique Alfaro**, Palo Alto, CA (US)

(73) Assignee: **Cypress Semiconductor Corporation**,  
San Jose, CA (US)

(Continued)

*Primary Examiner*—Edward F. Urban

*Assistant Examiner*—John J. Lee

(\*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 498 days.

(74) *Attorney, Agent, or Firm*—Marger Johnson & McCollom P.C.

(21) Appl. No.: **09/791,029**

(57) **ABSTRACT**

(22) Filed: **Feb. 20, 2001**

A method and apparatus for time and space domain shifting of broadcast signals is disclosed. A broadcast station in a first geographic location transmits in a first time frame a broadcast signal to a local receiver also located in the first geographic location. The local receiver encodes the broadcast signal into an encoded signal capable of being transmitted via a world wide network, and then transmits the encoded signal via the world wide network. The transmitted encoded signal is received by a media player located within a second geographic location outside the first geographic location and coupled to the world wide network, and the encoded signal is decoded by the media player such that information contained within the signal is capable of being reproduced. The information may be reproduced by the media player as the signal is received via the world wide network, or the reproduction of the information may be delayed to a predetermined time such that the time frame of the broadcast signal may be shifted from the first time frame to a second time frame. It is emphasized that this abstract is provided to comply with the rules requiring an abstract that will allow a searcher or other researcher to quickly ascertain the subject matter of the technical disclosure. It is submitted with the understanding that it will not be used to interpret or limit the scope or meaning of the claims.

**Related U.S. Application Data**

(60) Provisional application No. 60/184,849, filed on Feb. 25, 2000.

(51) **Int. Cl.**  
**H04H 1/00** (2006.01)

(52) **U.S. Cl.** ..... **455/3.01**; 455/421; 455/456.2

(58) **Field of Classification Search** ..... 455/404.2, 455/414.1, 414.3, 414.4, 414.2-4, 421, 432.1, 455/432.2, 454, 456.1, 456.2, 456.5, 517, 455/435.1, 445, 12.1, 412.1, 440, 3.02, 3.03, 455/431.1, 432.3, 18, 20, 21, 550.1, 74, 41.2, 455/427, 3.01, 422.1; 709/218, 231; 725/14, 725/142, 92, 115; 370/487, 389

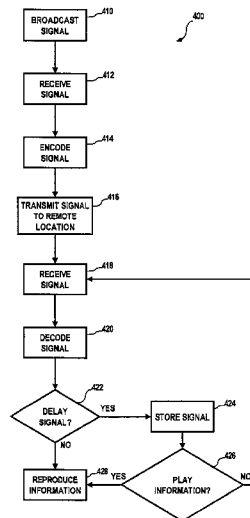
See application file for complete search history.

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6,198,927 B1 *	3/2001	Wright et al.	455/435.1
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**20 Claims, 4 Drawing Sheets**



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2001/0029186 A1*	10/2001 Canyon et al. ....	455/462			
					* cited by examiner

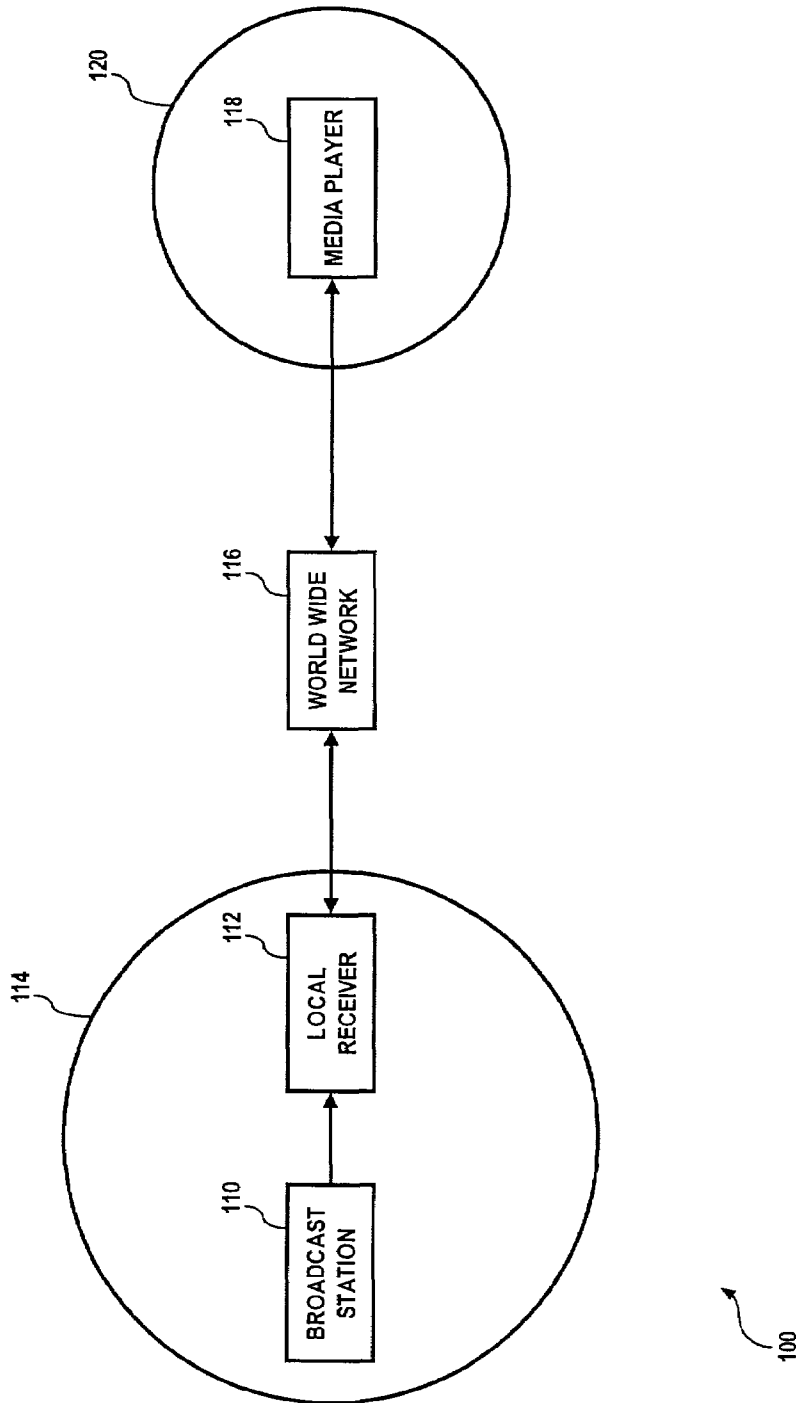


FIG. 1

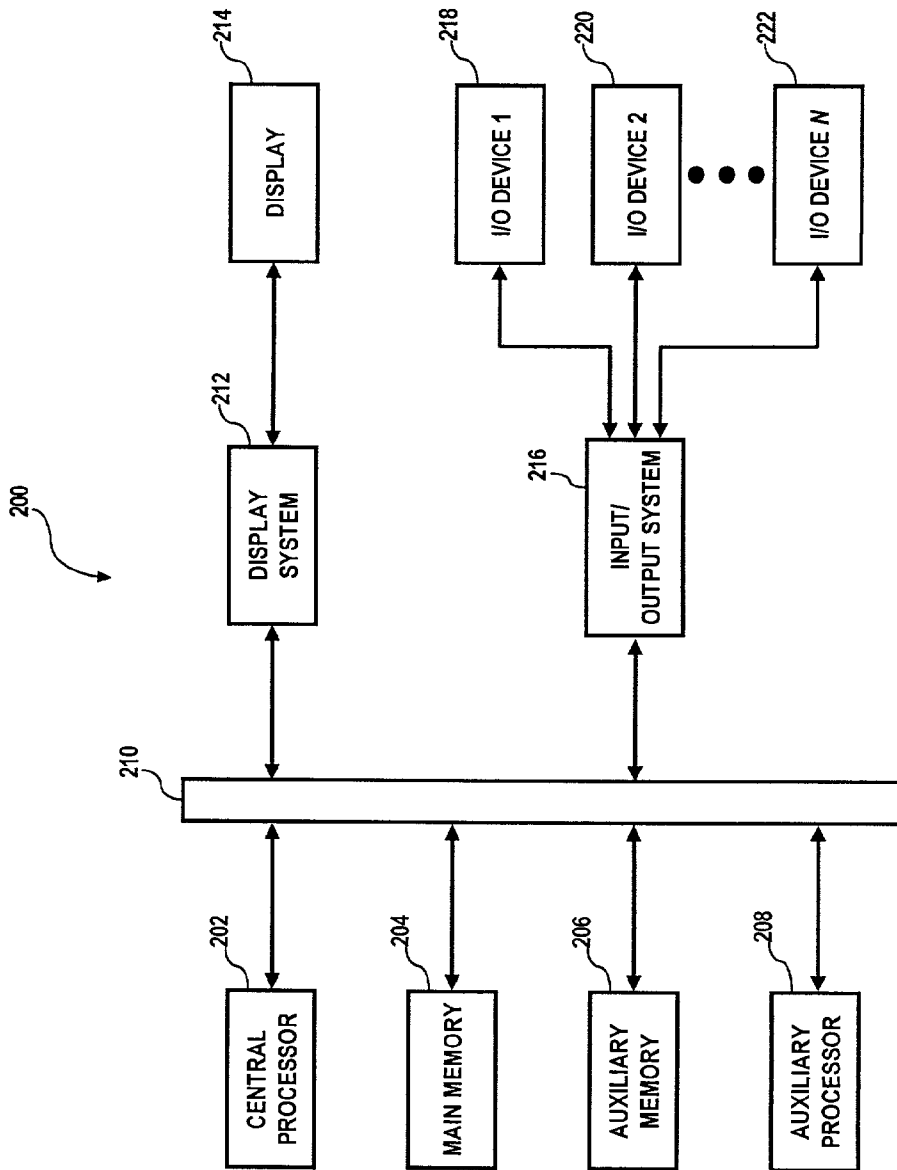


FIG. 2

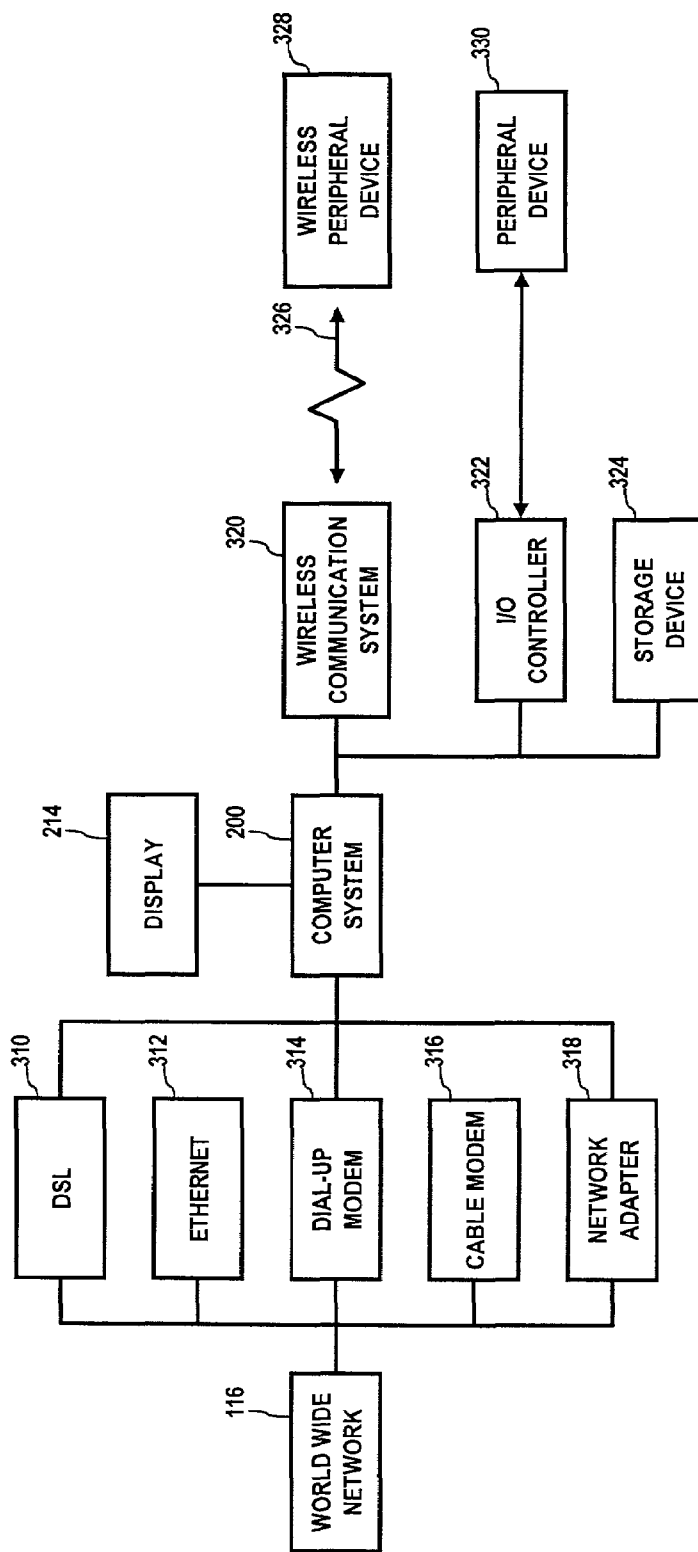


FIG. 3

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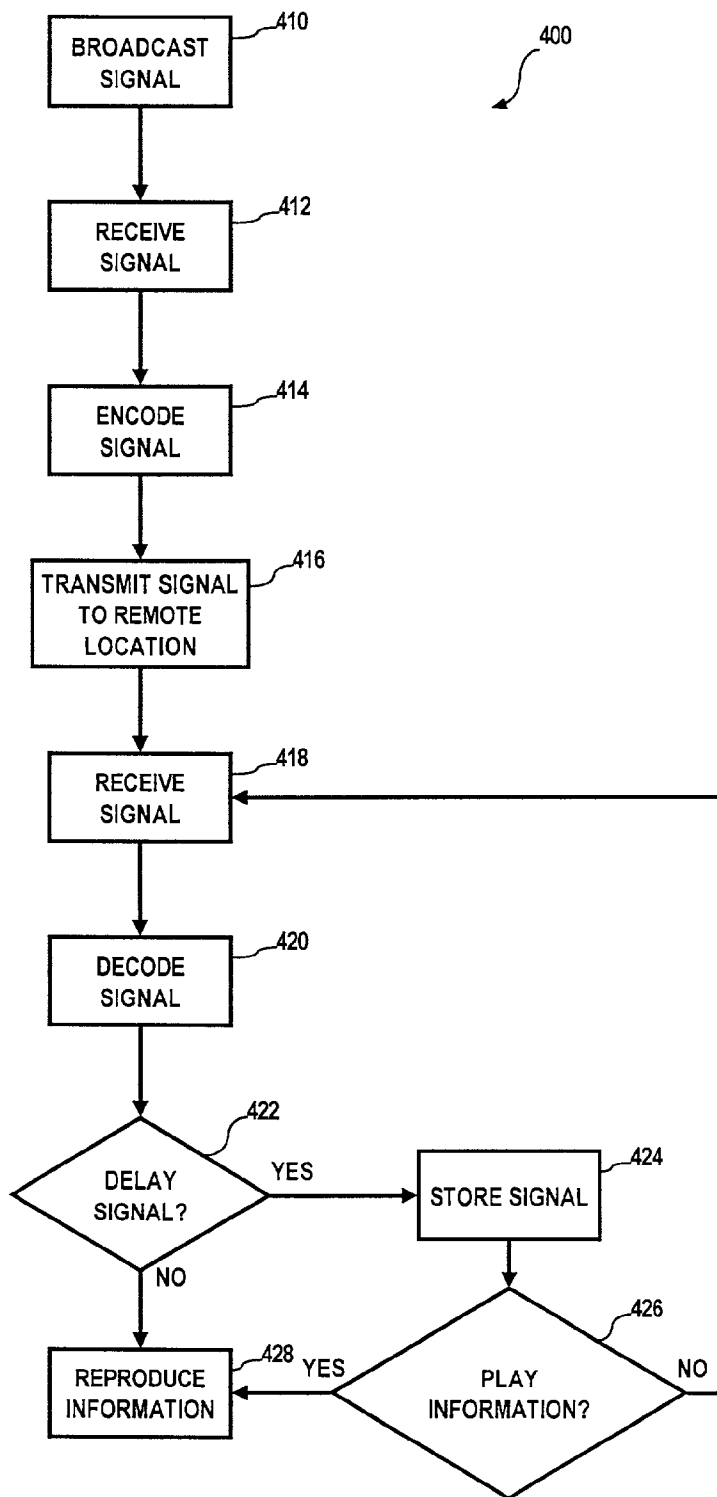


FIG. 4

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## METHOD AND APPARATUS FOR TIME AND SPACE DOMAIN SHIFTING OF BROADCAST SIGNALS

### CROSS REFERENCE TO RELATED APPLICATION

The present application claims priority to U.S. Provisional Application Ser. No. 60/184,849 filed Feb. 25, 2000. Said U.S. Provisional Application 60/184,849 is hereby incorporated by reference.

### BACKGROUND

Broadcasts such as from local broadcast stations tend to generate a popular following among listeners or viewers who are in the geographic location of the broadcast station and who are capable of receiving the signal from the broadcast station. However, listeners and viewers may move away from the geographic location yet still desire to listen to the broadcasts. Since local broadcasts only cover a limited broadcast area limited by the transmission power of the broadcast station and by governmental regulations, a typical radio or television receiver is incapable of receiving the broadcast from the broadcast station when the radio or television receiver is outside the geographic location of the broadcast station. For example, a listener or viewer from England cannot receive the broadcast signal from the British Broadcasting Corporation (BBC) with his or her radio or television receiver in California. Thus, such a displaced British citizen would have to forgo listening to or viewing his favorite BBC programs when he or she is in California. Thus, it would be highly desirable to provide a method and apparatus that would allow such a person displaced from the geographic region to receive broadcast signals from a broadcast station even though the person may be located outside of the geographic location of the broadcast station. Furthermore, since a person displaced away from a geographic location may be located several time zones away from the time zone of the broadcast station, the time of the broadcast in the time zone of the displaced person may be inconvenient for listening or viewing the broadcast. For example, a 9 p.m. broadcast of a BBC program in England may be 1 p.m. in the time zone of the displaced person. The displaced person may not be able to listen to or view the broadcast at that time, and would prefer to watch the program at 9 p.m. in the time zone of the displaced person. Thus, it would be further highly desirable to provide a method and apparatus for delaying the listening or viewing of the geographically shifted broadcast such that the broadcast signal could be shifted in both the time domain and the space domain.

### BRIEF DESCRIPTION OF THE DRAWINGS

The numerous advantages of the present invention may be better understood by those skilled in the art by reference to the accompanying figures in which:

FIG. 1 is a block diagram of a system for time and space domain shifting of broadcast signals in accordance with the present invention;

FIG. 2 is a block diagram of a computer system operable to embody the present invention;

FIG. 3 is a block diagram of a media player in accordance with the present invention;

FIG. 4 is a flow diagram of a method for time and space domain shifting of broadcast signals in accordance with the present invention.

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### DETAILED DESCRIPTION

Reference will now be made in detail to the presently preferred embodiment of the invention, an example of which is illustrated in the accompanying drawings. It should be noted that like reference numerals refer to like items throughout the drawing figures.

Referring now to FIG. 1, a block diagram of a system for time and space domain shifting of broadcast signals in accordance with the present invention will be discussed. In system 100, a broadcast station 110 broadcasts a signal to a local receiver 112 in a first geographic location 114. The signal broadcast by broadcast station contains information capable of being reproduced by an appropriate receiving device such as local receiver 112. For example, broadcast station 112 may broadcast a radio or a television signal to local receiver which may be a radio or television receiver, respectively. Typically, broadcast station 112 broadcasts a broadcast signal in a predefined geographic location 114 wherein the area included within geographic region in which an appropriate receiver is capable of receiving and demodulating the signal is determined by the transmission power of broadcast station 112 or governmental agencies (e.g., the Federal Communications Commission (FCC), etc.). In operation of system 100, local receiver 112 receives a signal broadcast by broadcast station 110 and encodes the signal into an encoded signal capable of being transmitted via a world wide network 116. World wide network 116 may be, for example, the Internet. In such an embodiment, local receiver 112 converts the broadcast signal from the broadcast format (e.g., frequency modulation (FM), amplitude modulation (AM), etc.) into an Internet format (e.g., point-to-point protocol (PPP), file transfer protocol (FTP), etc.). The broadcast signal is then capable of being transmitted via world wide network 116 to a media player 118 that is located outside of geographic location 114 in a second geographic location 120. For example, geographic location 114 may be New York, N.Y. and geographic location 120 may be Sunnyvale, Calif. Thus, media player 118 is capable of receiving a broadcast signal from broadcast station 110 even though media player 118 is located outside of geographic location 114, even distantly so, by receiving the signal from local receiver 112 via world wide network 116. When media player 118 receives the encoded broadcast signal via world wide network 116, media player decodes the encoded broadcast signal such that the information contained in the signal is capable of being reproduced by media player 118. Thus, the signal broadcast by broadcast station is thereby capable of being shifted in the space domain from a first position in space, e.g., geographic location 114, to a second position in space, e.g., geographic location 120. Furthermore, although media player 118 is capable of reproducing the information contained in the signal as it is received via world wide network 116 and decoded, media player 118 is also capable of storing the signal received via world wide network for retrieval and playback at a later time as desired by a user. The signal may be stored in an analog format, for example, on a magnetic tape of a videocassette recorder (VCR) coupled to media player 118, or in a digital format such as on a hard disk drive of media player 118. Thus, the signal broadcast by broadcast station 110 is thereby capable of being shifted in the time domain from a first time frame, e.g., the time frame of the broadcast from broadcast station 110, to a second time frame, e.g., the time frame of reproduction by media player 118.

Referring now to FIG. 2, a hardware system in accordance with the present invention is shown. The hardware system



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shown in FIG. 2 is generally representative of the hardware architecture of a computer system embodiment of the present invention. Computer system 200 may be configured to implement system 100 of FIG. 1, for example, by executing program 112 and program 120. A central processor 202 controls the computer system 200. Central processor 202 includes a central processing unit such as a microprocessor or microcontroller for executing programs, performing data manipulations and controlling the tasks of computer system 200. Communication with central processor 202 is implemented through a system bus 210 for transferring information among the components of computer system 200. Bus 210 may include a data channel for facilitating information transfer between storage and other peripheral components of computer system 200. Bus 210 further provides the set of signals required for communication with central processor 202 including a data bus, address bus, and control bus. Bus 210 may comprise any state of the art bus architecture according to promulgated standards, for example industry standard architecture (ISA), extended industry standard architecture (EISA), Micro Channel Architecture (MCA), peripheral component interconnect (PCI) local bus, standards promulgated by the Institute of Electrical and Electronics Engineers (IEEE) including IEEE 488 general-purpose interface bus (GPIB), IEEE 696/S-100, and so on. Furthermore, bus 210 may be compliant with any promulgated industry standard. For example, bus 210 may be designed in compliance with any of the following bus architectures: Industry Standard Architecture (ISA), Extended Industry Standard Architecture (EISA), Micro Channel Architecture, Peripheral Component Interconnect (PCI), Universal Serial Bus (USB), Access.bus, IEEE P1394, Apple Desktop Bus (ADB), Concentration Highway Interface (CHI), Fire Wire, Geo Port, or Small Computer Systems Interface (SCSI), for example.

Other components of computer system 200 include main memory 204, auxiliary memory 206, and an auxiliary processor 208 as required. Main memory 204 provides storage of instructions and data for programs executing on central processor 202. Main memory 204 is typically semiconductor based memory such as dynamic random access memory (DRAM) and or static random access memory (SRAM). Auxiliary memory 206 provides storage of instructions and data that are loaded into the main memory 204 before execution. Auxiliary memory 206 may include semiconductor based memory such as read-only memory (ROM), programmable read-only memory (PROM) erasable programmable read-only memory (EPROM), electrically erasable read-only memory (EEPROM), or flash memory (block oriented memory similar to EEPROM). Auxiliary memory 206 may also include a variety of non-semiconductor based memories, including but not limited to magnetic tape, drum, floppy disk, hard disk, optical, laser disk, compact disc read-only memory (CD-ROM), digital versatile disk read-only memory (DVD-ROM), digital versatile disk random-access memory (DVD-RAM), etc. Other varieties of memory devices are contemplated as well. Computer system 200 may optionally include an auxiliary processor 208 which may be a digital signal processor (a special-purpose microprocessor having an architecture suitable for fast execution of signal processing algorithms), a back-end processor (a slave processor subordinate to the main processing system), an additional microprocessor or controller for dual or multiple processor systems, or a coprocessor.

Computer system 200 further includes a display system 212 for connecting to a display device 214, and an input/output (I/O) system 216 for connecting to one or more I/O

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devices 218, 220, up to N number of I/O devices 222. Display system 212 may comprise a video display adapter having all of the components for driving the display device, including video random access memory (VRAM), buffer, and graphics engine as desired. Display device 214 may comprise a cathode ray-tube (CRT) type display such as a monitor or television, or may comprise alternative type of display technologies such as a liquid-crystal display (LCD), a light-emitting diode (LED) display, or a gas or plasma display. Input/output system 216 may comprise one or more controllers or adapters for providing interface functions between one or more of I/O devices 218–222. For example, input/output system 216 may comprise a serial port, parallel port, infrared port, network adapter, printer adapter, radio-frequency (RF) communications adapter, universal asynchronous receiver-transmitter (UART) port, etc., for interfacing between corresponding I/O devices such as a mouse, joystick, trackball, track pad, track stick, infrared transducers, printer, modem, RF modem, bar code reader, charge-coupled device (CCD) reader, scanner, compact disc (CD), compact disc read-only memory (CD-ROM), digital versatile disc (DVD), video capture device, touch screen, stylus, electro-acoustic transducer, microphone, speaker, etc. Input/output system 216 and I/O devices 218–222 may provide or receive analog or digital signals for communication between computer system 200 of the present invention and external devices, networks, or information sources. Input/output system 216 and I/O devices 218–222 preferably implement industry promulgated architecture standards, including Recommended Standard 232 (RS-232) promulgated by the Electrical Industries Association, Infrared Data Association (IrDA) standards, Ethernet IEEE 802 standards (e.g., IEEE 802.3 for broadband and baseband networks, IEEE 802.3z for Gigabit Ethernet, IEEE 802.4 for token passing bus networks, IEEE 802.5 for token ring networks, IEEE 802.6 for metropolitan area networks, 802.11 for wireless networks, and so on), Fibre Channel, digital subscriber line (DSL), asymmetric digital subscriber line (ASDL), frame relay, asynchronous transfer mode (ATM), integrated digital services network (ISDN), personal communications services (PCS), transmission control protocol/Internet protocol (TCP/IP), serial line Internet protocol/point to point protocol (SLIP/PPP), and so on. It should be appreciated that modification or reconfiguration of computer system 200 of FIG. 2 by one having ordinary skill in the art would not depart from the scope or the spirit of the present invention.

Referring now to FIG. 3, a media player apparatus for receiving an replaying a broadcast signal in accordance with the present invention will be discussed. Media player 118 may include at least one or more network coupling systems for communicating over world wide network 116. For example, media player 118 may include, for example, a digital subscriber line (DSL) modem 310, an Ethernet adapter 312, a dial-up modem 314, a cable modem 316, or any similar network adapter 318. Local receiver 112 of FIG. 1 may include a receiver for receiving a broadcast signal from broadcast station 110 and a system for converting the received broadcast signal into a format suitable for transmission via world wide network 116, and may include, for example, a computer system such as computer system 200 of FIG. 2. Thus, local receiver 112 is capable of transmitting via world wide network 116 the broadcast signal received from broadcast station 110 to media player 118 such that the signal is received with at least one of network coupling systems 310–318. The one or more network coupling systems are coupled to a computer system 200 of media player 118 which may be, for example, a microcontroller or embed-

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ded computer system such as computer system 200 shown in FIG. 2. Computer system 200 is coupled to a display for displaying status and control information of media player 118 to a user, and further to display a video signal, for example an embodiment in which the signal broadcast by broadcast station 110 is a television signal. In one embodiment of the present invention, computer system 200 may include an MP3 compatible coder/decoder (CODEC).

Computer system 200 of media player 118 is coupled to a storage device 324 for storing information. Storage device 324 may be, for example, semiconductor based memory or magnetic based memory such as a hard disk drive. Storage device 324 may be utilized, for example, to store a program of instructions executable by computer system 200 for controlling media player 118 and causing media player to implement a method for time and space domain shifting of a signal broadcast by broadcast station 110. Furthermore, storage device 324 is capable of storing a signal received by one or more of network coupling systems 310–318 via world wide network 116. In one particular embodiment, for example, computer system 200 is coupled to a wireless communication system 320 for communicating with a wireless peripheral device 328 via a wireless communication link 326. For example, wireless communication system 320 includes a frequency hopping, spread spectrum radio operating a 2.4 GHz for communicating to wireless peripheral device 328 via a radio-frequency signal. In one embodiment, wireless peripheral device 328 is at least one or a pair of amplified speakers having a suitable RF receiver for receiving a signal transmitted by wireless communication system 320. For example, broadcast station 110 broadcasts a radio signal that is received by local receiver 112 and transmitted to media player 118 via world wide network 116. Media player 118 receives the signal and decodes the signal such that the information (e.g., voice or music) is capable of being reproduced. It may be desirable to reproduce the information with one or more speaker and amplifier systems. So that the speaker and amplifier system may receive the signal without being coupled to media player 118 via wires, media player may transmit the signal to an amplifier and speaker system, operating as wireless peripheral device 328, via wireless communication link 326. Thus, media player 118 may be located in a first room while wireless peripheral device may be located in a second room. Furthermore, media player 118 may include an I/O controller 322 for communicating with a peripheral device 330 via a local network. The local network may be compliant with any suitable local network protocol such as Home PNA network, a Home RF network, a Bluetooth network, a HAVi network, etc.

Referring now to FIG. 4, a method for time and space domain shifting of a broadcast signal in accordance with the present invention. Method 400 initiates with the broadcasting of a signal at step 410 by broadcast station 110. The signal is received by local receiver 112 at step 412. The signal is then encoded by local receiver 112 at step 414 into a format suitable for transmission via world wide network 116. The encoded signal is then transmitted at step 416 via world wide network 116 such that the signal is received by media player 118 at step 418. The signal is then decoded by media player 118 at step 420 such that the information contained in the signal is capable of being reproduced by media player 118 at step 428. A determination is made at step 422 whether to delay the signal to a later time frame. In the event it is determined to delay the signal to a later time frame, the signal is stored in storage device 324 at step 424. A determination may then be made at step 426 whether to play the stored information. In the event it is determined to

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play the stored information, the information is produced at step 428. In the event it is determined to not play the stored information, method 400 may continue, for example, by receiving a signal via world wide network 116 at step 418. In one embodiment of the present invention, method 400 may be implemented as a program of instructions executed by computer system 200 for causing media player 118 to implement method 400. The program of instructions may be stored in storage device 324 or stored on a computer program product such as magnetic or optical disk storage medium.

Although the invention has been described with a certain degree of particularity, it should be recognized that elements thereof may be altered by persons skilled in the art without departing from the spirit and scope of the invention. One of the embodiments of the invention can be implemented as sets of instructions resident in the main memory 204 of one or more computer systems configured generally as described in FIG. 2. Until required by the computer system, the set of instructions may be stored in another computer readable memory such as auxiliary memory 206 of FIG. 2, for example in a hard disk drive or in a removable memory such as an optical disk for utilization in a CD-ROM drive, a floppy disk for utilization in a floppy disk drive, a floppy/optical disk for utilization in a floppy/optical drive, or a personal computer memory card for utilization in a personal computer card slot. Further, the set of instructions can be stored in the memory of another computer and transmitted over a local area network or a wide area network, such as the Internet, when desired by the user. Additionally, the instructions may be transmitted over a network in the form of an applet (a program executed from within another application) or a servlet (an applet executed by a server) that is interpreted or compiled after transmission to the computer system rather than prior to transmission. One skilled in the art would appreciate that the physical storage of the sets of instructions or applets physically changes the medium upon which it is stored electrically, magnetically, chemically, physically, optically or holographically so that the medium carries computer readable information.

It is believed that the method and apparatus for time and space domain shifting of broadcast signals of the present invention and many of its attendant advantages will be understood by the foregoing description, and it will be apparent that various changes may be made in the form, construction and arrangement of the components thereof without departing from the scope and spirit of the invention or without sacrificing all of its material advantages, the form herein before described being merely an explanatory embodiment thereof. It is the intention of the following claims to encompass and include such changes.

What is claimed is:

1. A method comprising:

receiving a signal that was broadcast from a broadcast station in a first geographic location using a transmitter during a first time frame, the first geographic location defined as an area where a strength of the signal is sufficient for a receiver to detect the signal, the signal containing information capable of being reproduced;

encoding the signal to produce an encoded signal suitable for transmission via a world wide network;

transmitting the encoded signal via the world wide network;

receiving the encoded signal and converting it into a decoded signal in a second geographic location, the

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second geographic location defined as an area where the strength of the signal is insufficient for the receiver to detect the signal;  
storing the decoded signal; and  
reproducing the information in the decoded signal in the second geographic location at a time chosen by a user of the information in the second geographic location during a second time frame;  
where a delay between the first time frame and the second time frame is greater than a delay caused by receiving the signal, encoding the received signal, transmitting the encoded signal, receiving the encoded signal, and decoding the encoded signal.

2. The method of claim 1, the signal comprising a radio signal.

3. The method of claim 1, the signal comprising a television signal.

4. The method of claim 1, the world wide network comprising the Internet.

5. The method of claim 1, said receiving step, said encoding step, and said transmitting step implemented by a machine readable program of instructions capable of causing a machine to execute the method.

6. A method comprising:

receiving a signal that was broadcast from a transmitter in a first geographic location during a first time frame, the signal containing information capable of being reproduced;

encoding the signal to produce an encoded signal capable of being broadcast via a world wide network;

transmitting the encoded signal via the world wide network;

receiving the encoded signal via the world wide network in a second geographic location that is exclusive of the first geographic location, the second geographic location defined as an area where the strength of the signal is insufficient for the receiver to detect the signal;

decoding the encoded signal to produce a decoded signal;

storing the decoded signal; and

reproducing the information in the decoded signal during a second time frame chosen by a user of the information in the second geographic location, wherein a delay between the first time frame and the second time frame is greater than a delay caused by receiving the signal, encoding the received signal, transmitting the encoded signal, receiving the encoded signal, and decoding the encoded signal.

7. The method of claim 6, the signal comprising a radio signal.

8. The method of claim 6, the signal comprising a television signal.

9. The method of claim 6, the world wide network comprising the Internet.

10. The method of claim 6, said receiving step, said decoding step, and said reproducing step being implemented by a machine readable program of instructions capable of causing a machine to execute the method.

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11. A method comprising:

receiving a signal broadcast in a first geographic location during a first time frame, the signal containing information capable of being reproduced;

encoding the received signal into an encoded signal suitable for transmission via a world wide network;

transmitting the encoded signal via the world wide network;

receiving the encoded signal via the world wide network; and

decoding the encoded signal such that the information is capable of being reproduced; and

reproducing the information during a second time frame, wherein a delay between the first time frame and the second time frame is greater than a delay caused by receiving the signal, encoding the received signal, transmitting the encoded signal, receiving the encoded signal, and decoding the encoded signal.

12. A method as claimed in claim 11, the signal being a radio signal.

13. A method as claimed in claim 11, the signal being a television signal.

14. A method as claimed in claim 11, the world wide network being the Internet.

15. A method as claimed in claim 11, said receiving step, said encoding step, said transmitting step, said receiving step, said decoding step, and said reproducing step being implemented by a machine readable program of instructions capable of causing the machine to execute the method.

16. An apparatus comprising:

means for receiving a second broadcast via a world wide network, the second broadcast including an encoded signal, the encoded signal containing information that was transmitted in a first geographic location in a first time frame using a first broadcast, the first broadcast occurring prior to the second broadcast;

means for decoding the encoded signal into a decoded signal;

means, coupled to said decoding means, for storing the decoded signal; and

means, coupled to said decoding means, for reproducing the information in a second geographic location in a second time frame, the second time frame chosen by a user of the information;

wherein a delay between the first time frame and the second time frame is greater than a delay caused by receiving the second broadcast and decoding the encoded signal.

17. The apparatus of claim 16, said receiving means capable of receiving the encoded signal via the Internet.

18. The apparatus of claim 16, said receiving means comprising a network coupling system.

19. The apparatus of claim 16, said decoding means comprising a computer system.

20. The apparatus of claim 16, said reproducing means comprising a computer system.

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