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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

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12 CV13-00086 SJO (PJW)

13
14 10th Avenue Media, LLC.,

15 Plaintiff,

16 v.

17 Lodgenet, Inc.

18 Defendants.
19 _____ /

CASE NO.

COMPLAINT FOR:

Patent Infringement

JURY TRIAL DEMAND

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22 Plaintiff Tenth Avenue Media, LLC (hereinafter "TAM") alleges as follows:
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INTRODUCTION

1. This action seeks damages for patent infringement of at least one claim of U.S. Patent 7,272,842 issued on September 18, 2007.

PARTIES

2. Plaintiff TAM is a limited liability company duly organized and operating under the laws of the State of Oregon with its principal place of business located in the Portland.

3. Defendant Lodgenet Interactive Corporation, Inc. ("LODGENET") is a Delaware Corporation which has its principal place of business in the Sioux Falls, South Dakota. LODGENET is engaged in the business of supply systems and distributing media across those systems in hotels and other establishments.

JURISDICTION

4. This Court has original jurisdiction over Plaintiff's claims.

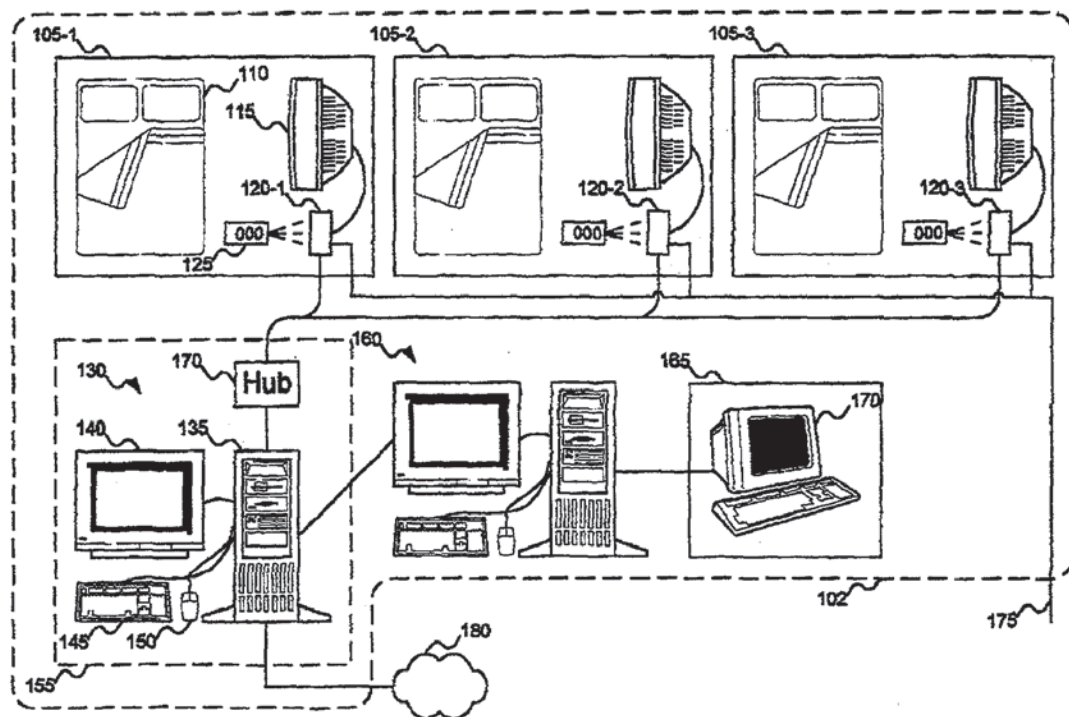
5. Venue is proper under 28 U.S.C. §§ 1391 (b) and (c) because a substantial part of the events giving rise to the claims occurred in this district. Further, Defendants have transacted business in the City and County of Los Angeles. On good faith and belief, LODGENET has organized a corporate entity as "LODGENET INTERACTIVE CORPORATION" (corporate entity no.C1932009) and has designated an agent to receive process in the State of California.

CAUSE OF ACTION – PATENT INFRINGEMENT

35 U.S.C. §§ 271, 283, 284, 285

6. TAM repeats and realleges each of the allegations set forth in paragraphs 1 through 5, inclusive, and the same are incorporated herein by reference.

7. TAM is the owner of the U.S. Patent 7,272,842 (the '842 Patent) for a "Digital Content Delivery System Transaction Engine" issued on September 18, 2007. (Exhibit A). An representative diagram from the '842 patent is illustrated below:



1
2 8. Defendant LODGENET has offered to sell, sold, distributed, and caused to
3 be manufactured a software system that directly infringes at least one claim of the '842
4 patent. See Exhibit B. More specifically, LODGENET has sold or is selling products to
5 hotels and/or motels that allow guests to access a server local multiple unit environment,
6 and establishing a user profile for the guest, where the user profile has custom rates
7 based on metadata within the software system.
8

9 9. Defendant LODGENET has offered to sell, sold, distributed, a software
10 system that operates one or more methods that directly or indirectly induces another to
11 infringe at least one claim of the '842 patent for the delivery of digital content, the digital
12 content being stored in the memory of a server, the digital content having the attributes of
13 a custom rate key.
14
15

16 PLAINTIFF'S PRAYER FOR RELIEF

17 WHEREFORE, Plaintiff prays for judgment as against the Defendants as follows:

- 18 1. With regard to Plaintiff's claim for patent infringement:
- 19 a. Actual damages according to proof;
 - 20 b. Damages according to statute;
 - 21 c. Attorney's fees;
 - 22 d. Costs of Suit;

23
24 Dated: December 31, 2012

25
26 /s/ J. Curtis Edmondson
27 J. Curtis Edmondson
28 Attorney for Plaintiff

JURY TRIAL DEMAND

Plaintiff demands a jury trial on all claims as allowed for under the U.S. Constitution.

Dated: December 31, 2012

/s/ J. Curtis Edmondson

J. Curtis Edmondson

Attorney for Plaintiff

EXHIBIT A

'842 Patent in Full

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US007272842B2

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

(10) **Patent No.:** **US 7,272,842 B2**
 (45) **Date of Patent:** **Sep. 18, 2007**

(54) **DIGITAL CONTENT DELIVERY SYSTEM TRANSACTION ENGINE**

(75) **Inventors:** **Rick Kay**, Troutdale, OR (US);
Gregory B. Temkin, Portland, OR (US);
Matthew L. Olson, Vancouver, WA (US);
David J. Hendrickson, Powell Butte, OR (US)

(73) **Assignee:** **Marger Johnson & McCollom, P.C.**, Portland, OR (US)

(*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1268 days.

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(21) **Appl. No.:** **09/823,218**

(22) **Filed:** **Mar. 29, 2001**

(65) **Prior Publication Data**
 US 2002/0144275 A1 Oct. 3, 2002

(51) **Int. Cl.**
H04N 7/16 (2006.01)

(52) **U.S. CL** **725/1; 725/78; 725/82; 705/27; 705/34**

(58) **Field of Classification Search** **725/1, 725/28, 34-35, 42, 46, 86, 87, 91-93, 100-103, 725/4, 74, 78, 82; 705/1, 34, 400, 402, 20, 705/27, 40**
 See application file for complete search history.

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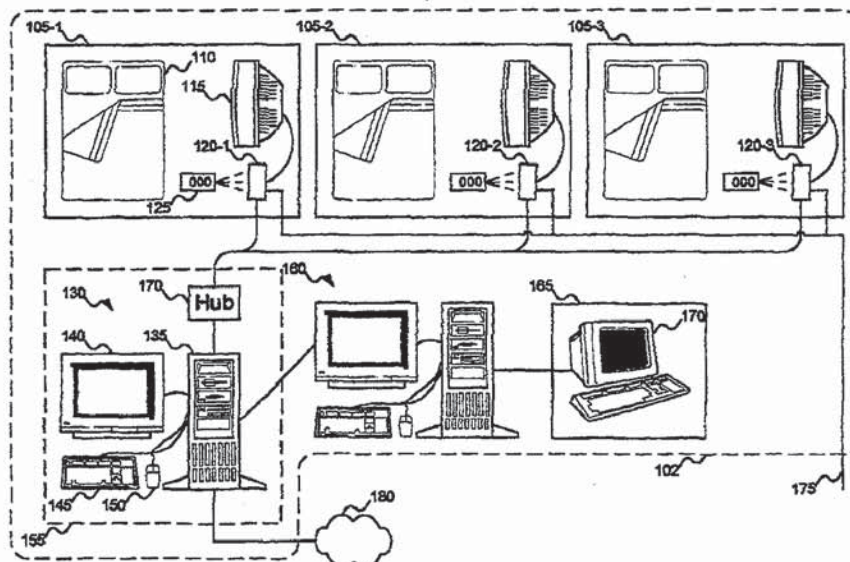
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Primary Examiner—Ngoc Vu

(57) **ABSTRACT**

A system for delivering digital content on demand in a multiple unit environment includes a server local to the multiple unit environment. The server stores, in its memory, the digital content, and is capable of supporting multiple simultaneous asynchronous accesses to the digital content. A billing system tracks the bill for each unit in the multiple unit environment, based on the accessed digital content. Within each unit that supports access to the digital content, an access system (preferably a set-top box) allows a user to access the digital content.

94 Claims, 17 Drawing Sheets

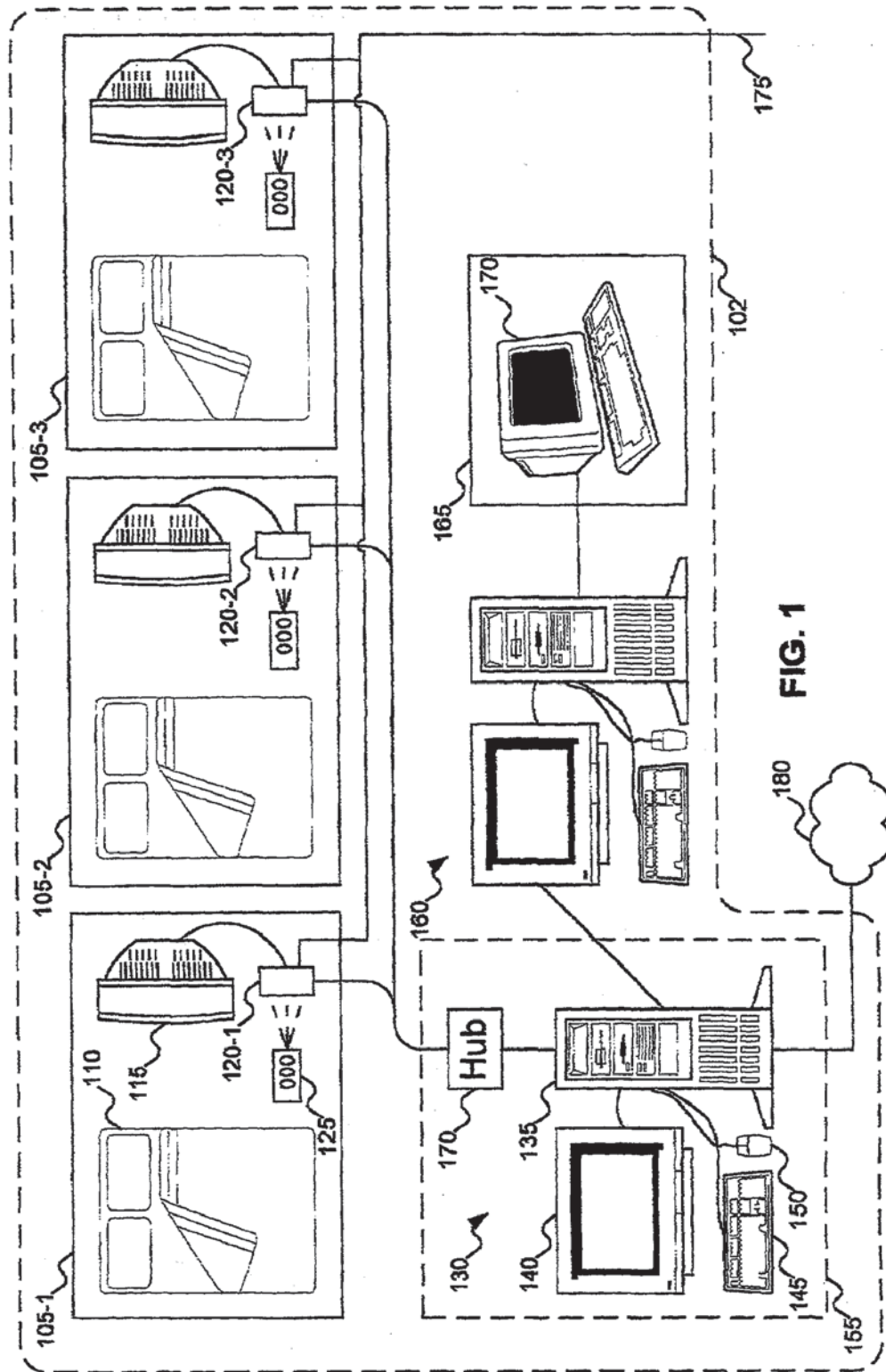


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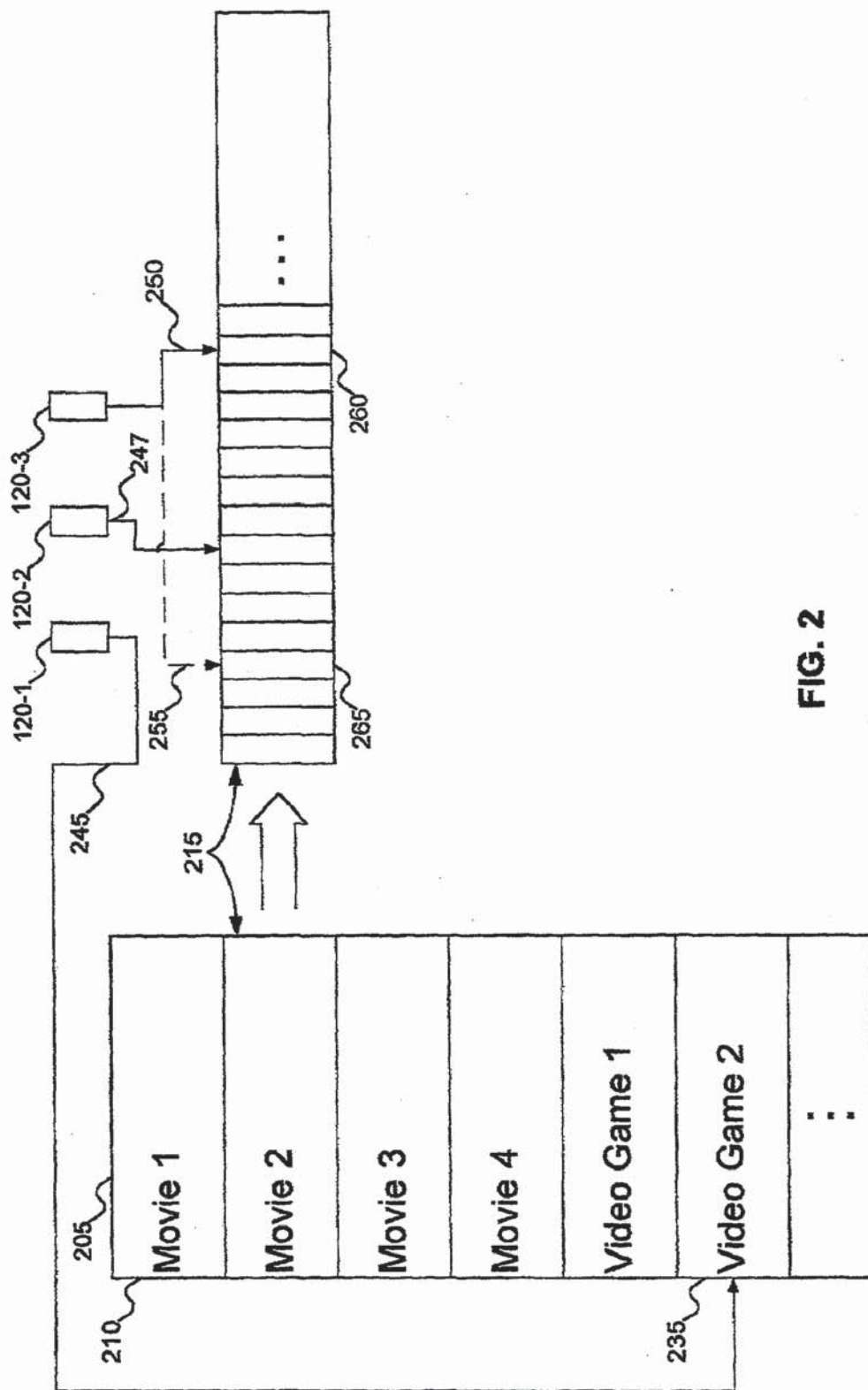


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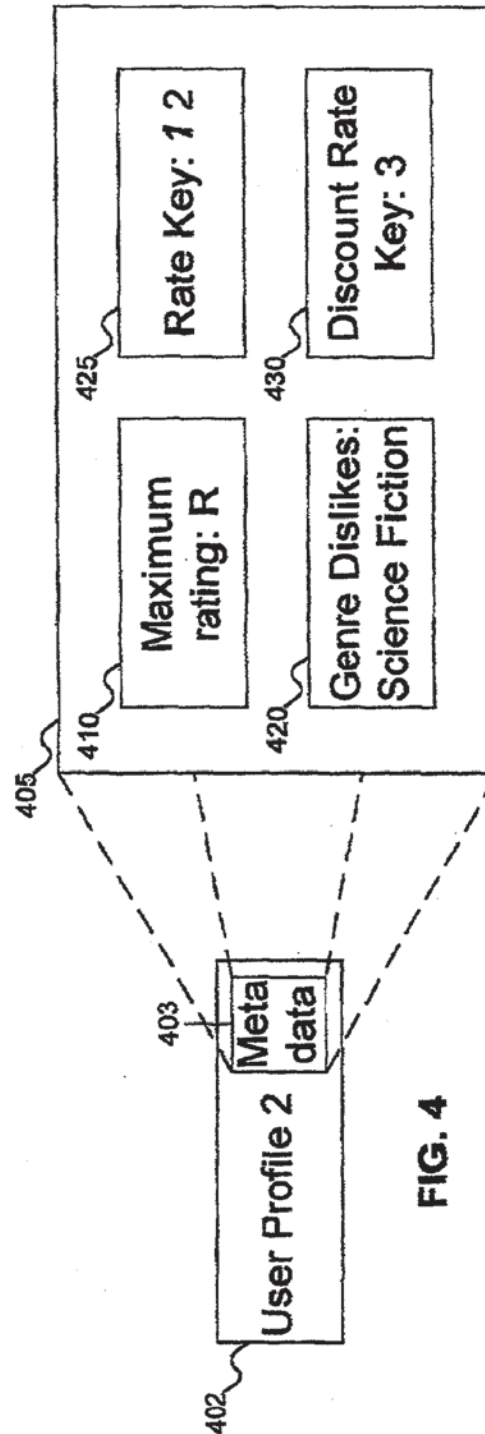
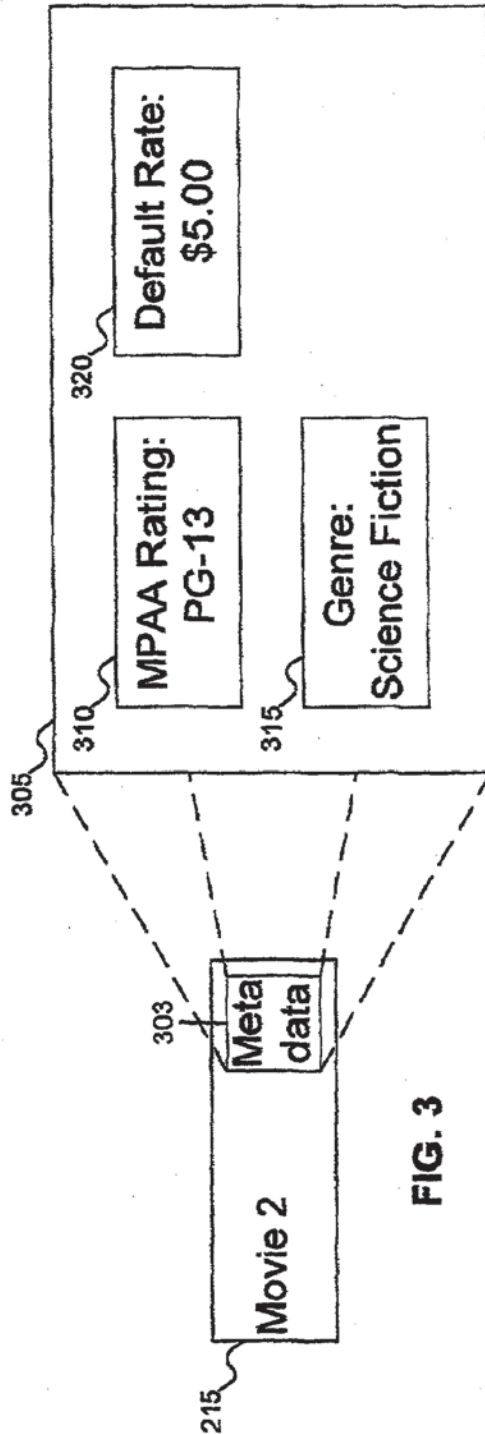


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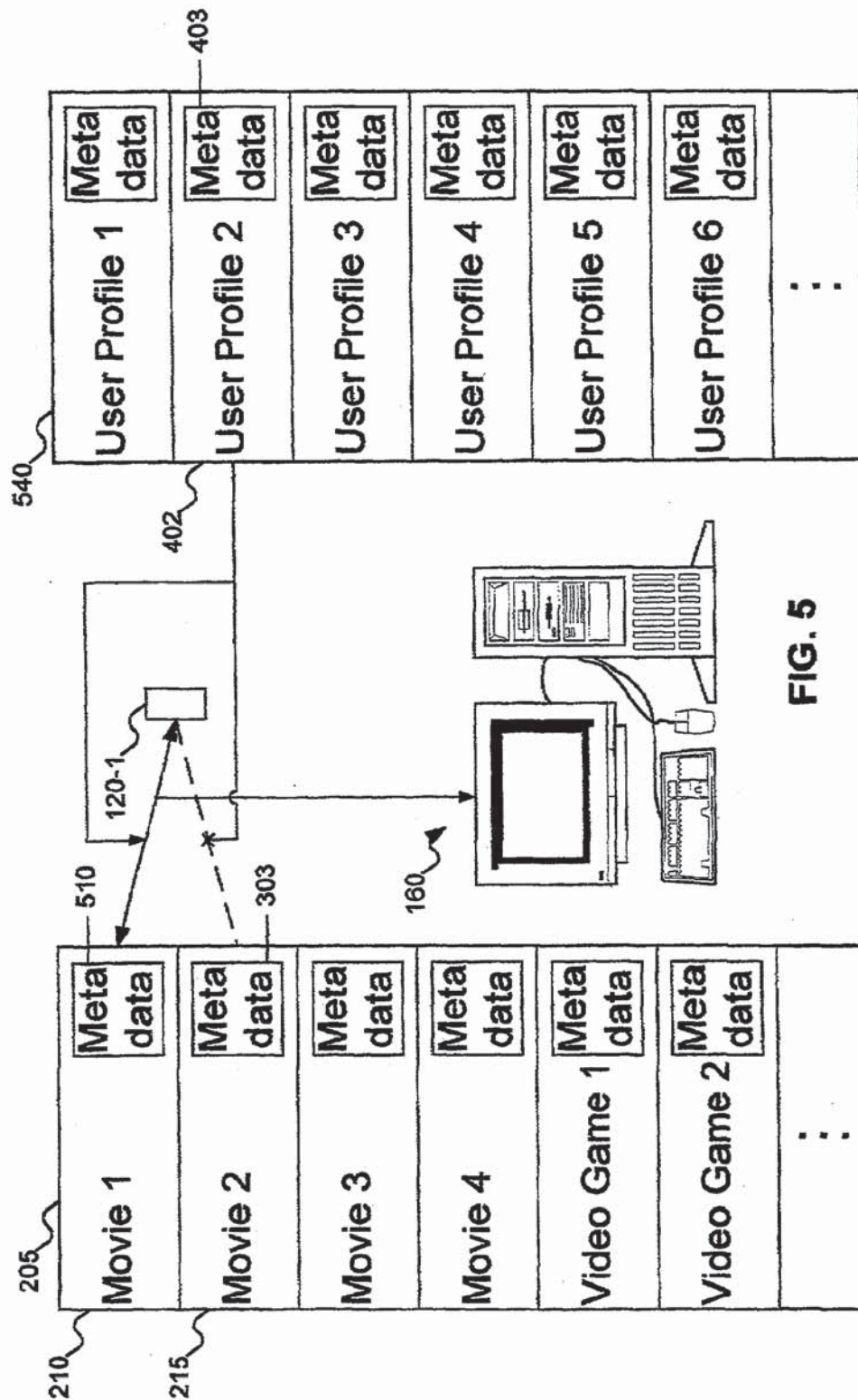


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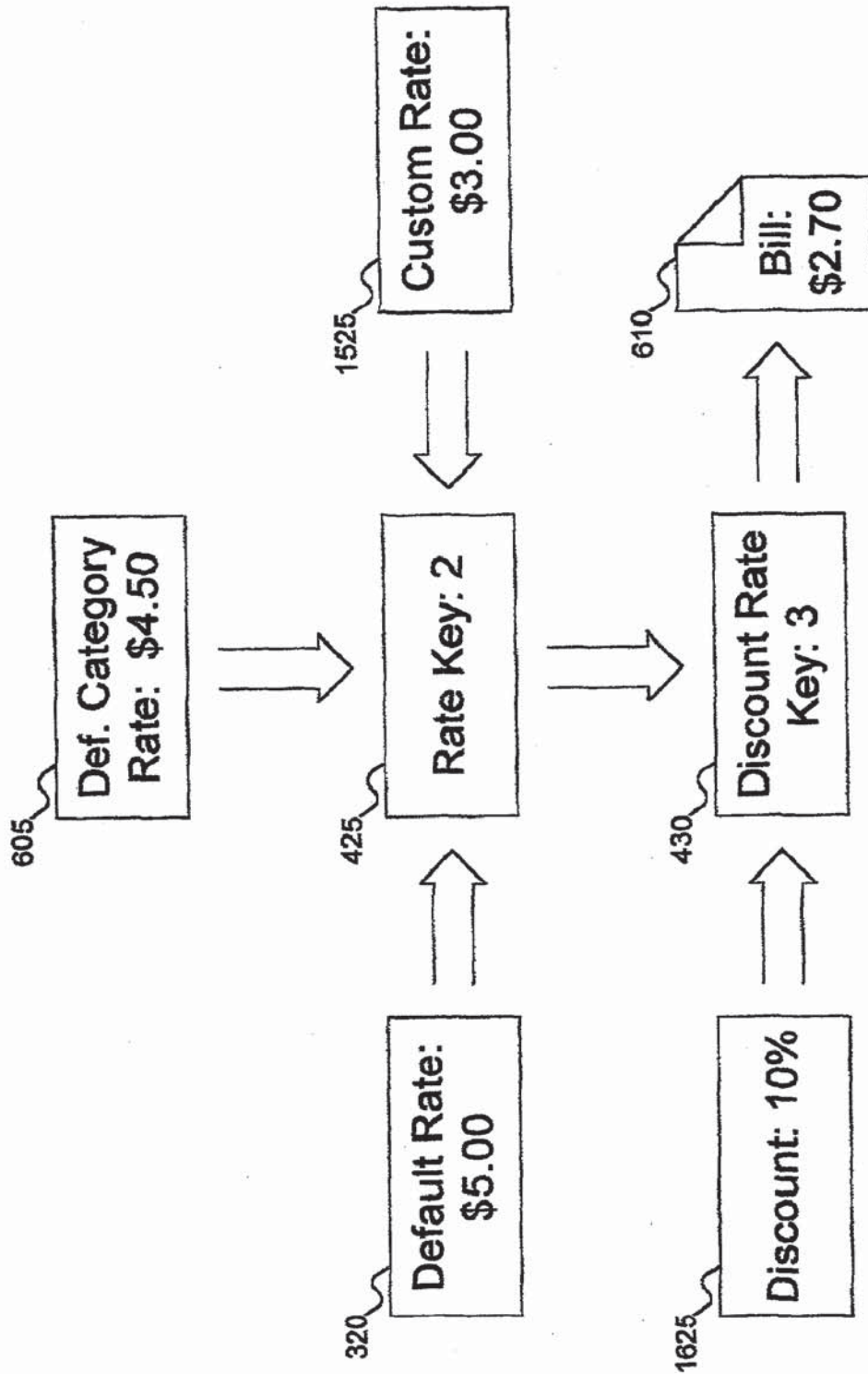


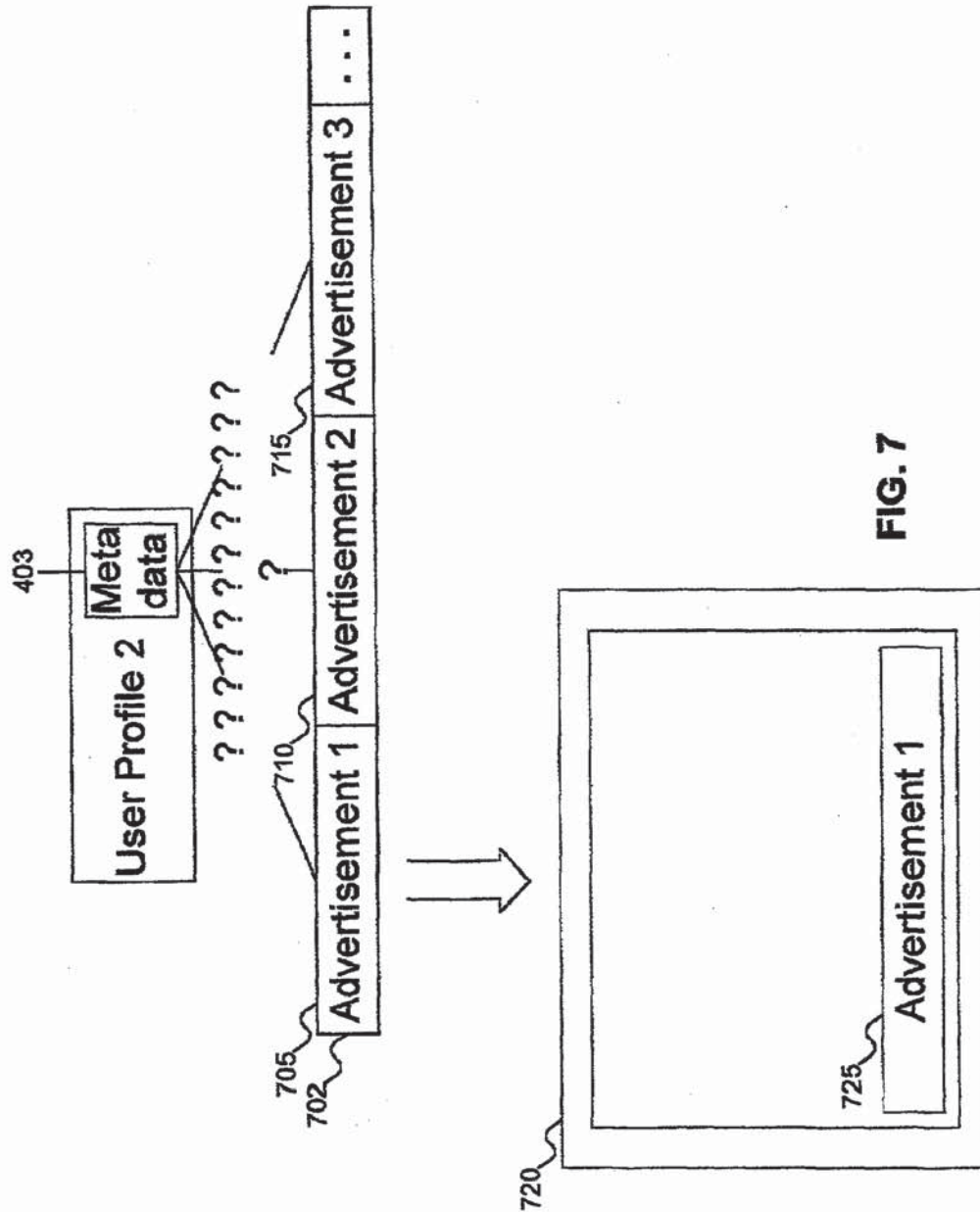
FIG. 6

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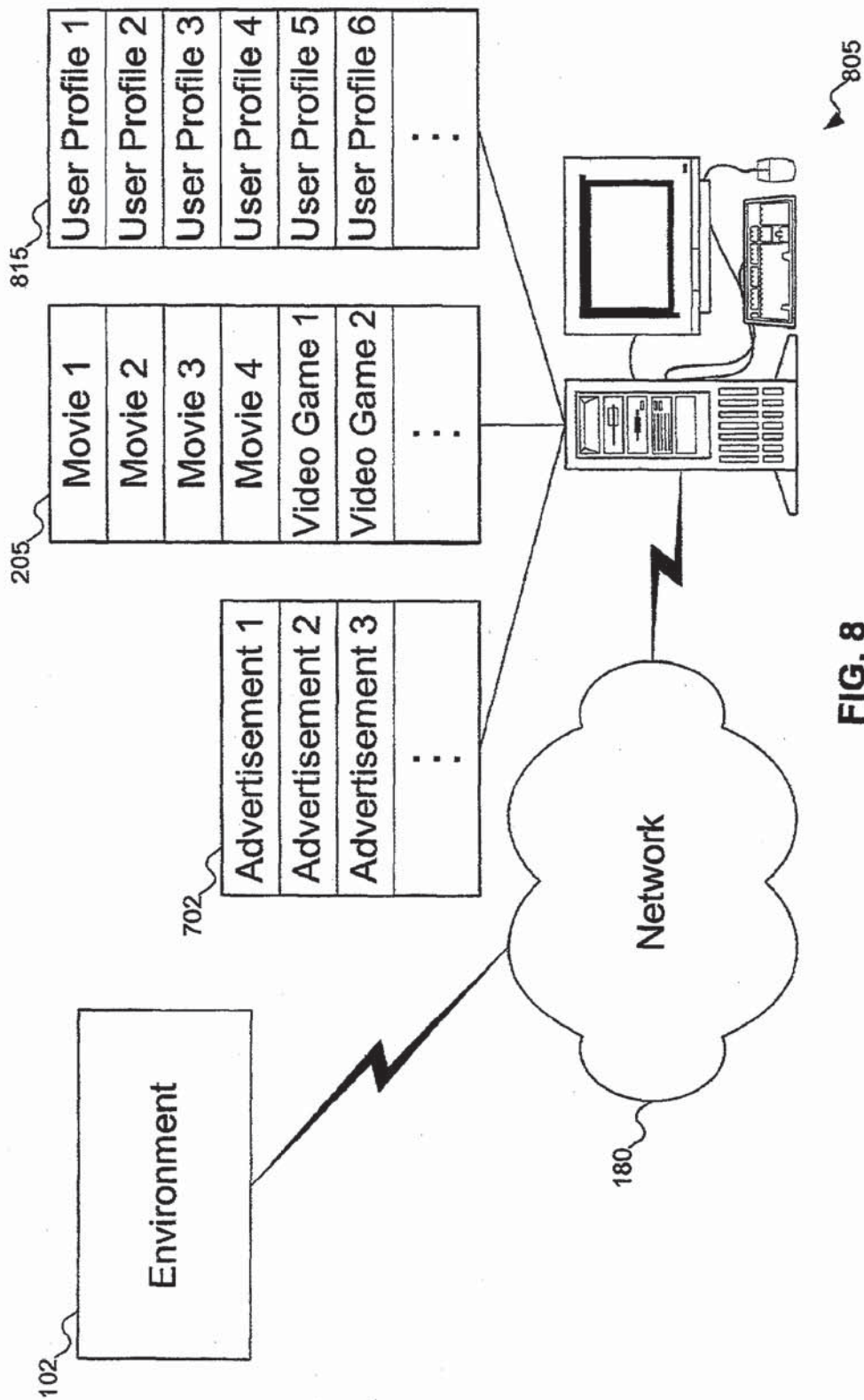


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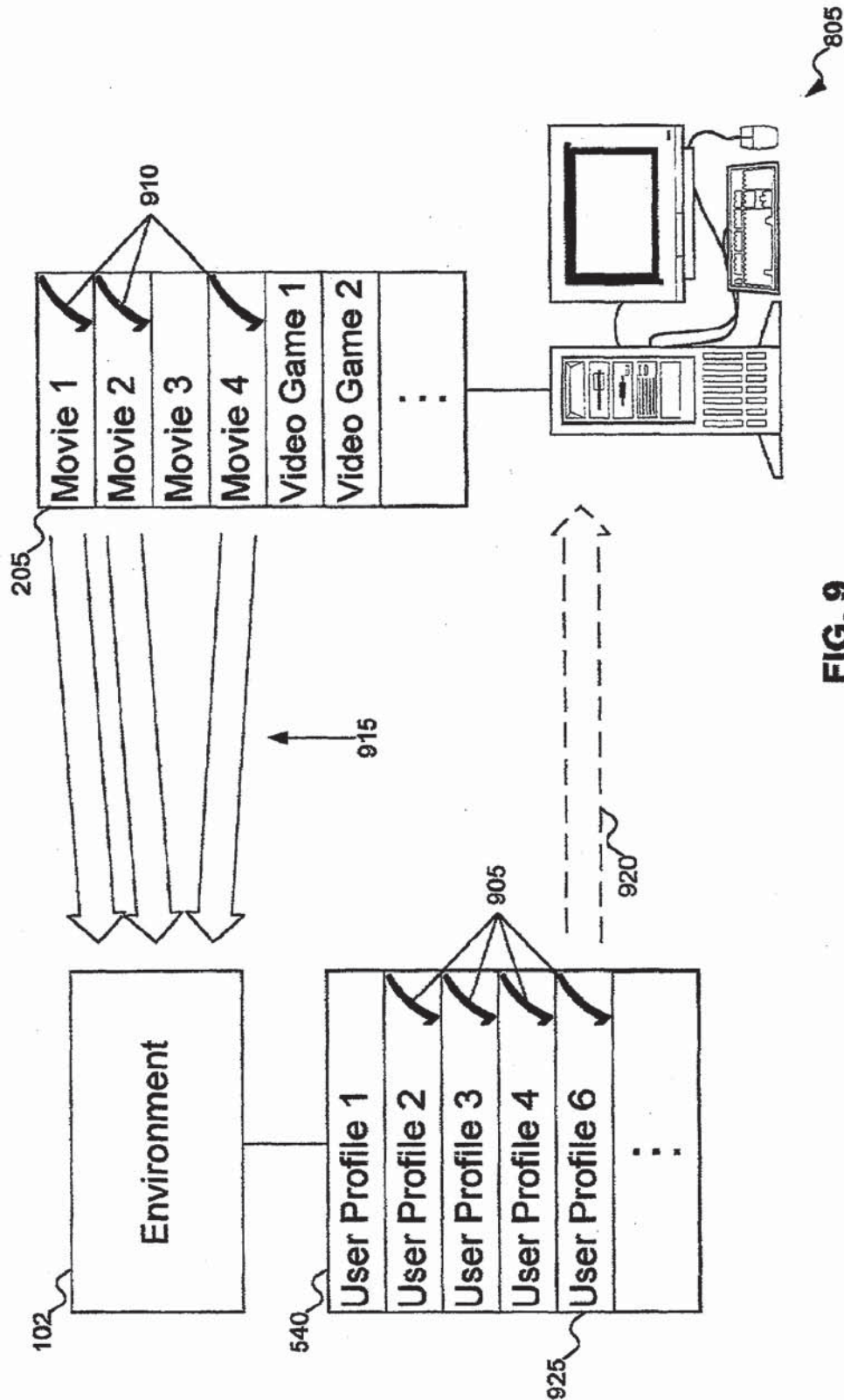


FIG. 9

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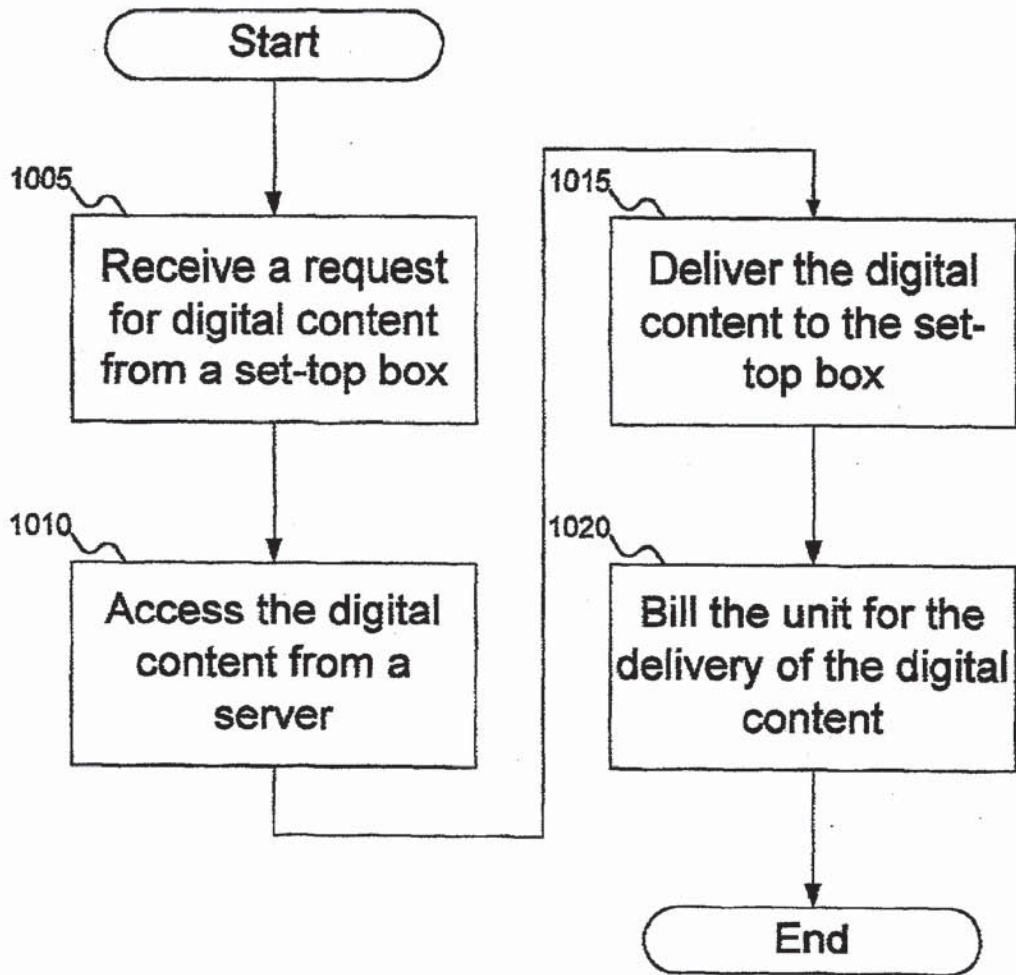


FIG. 10

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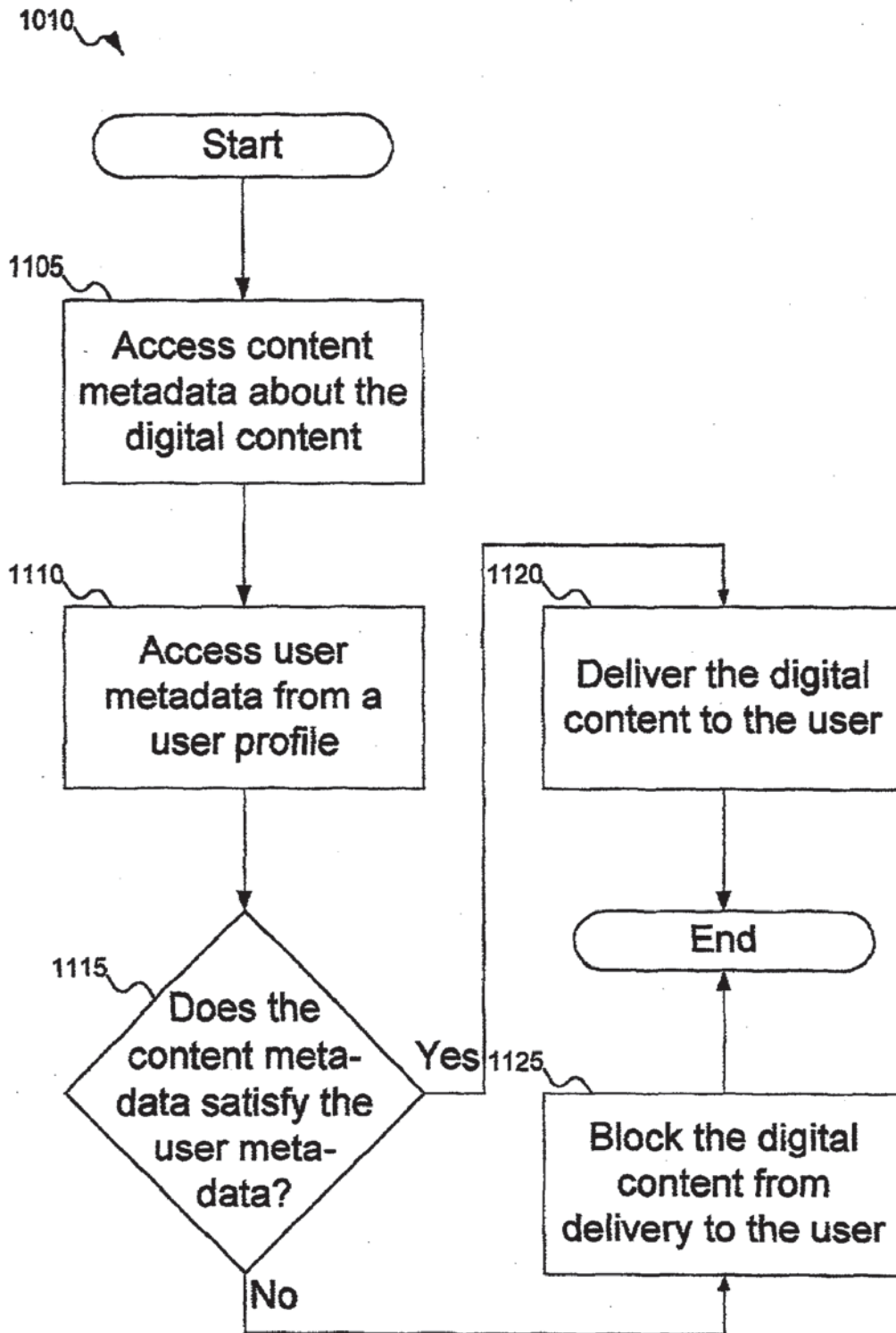


FIG. 11

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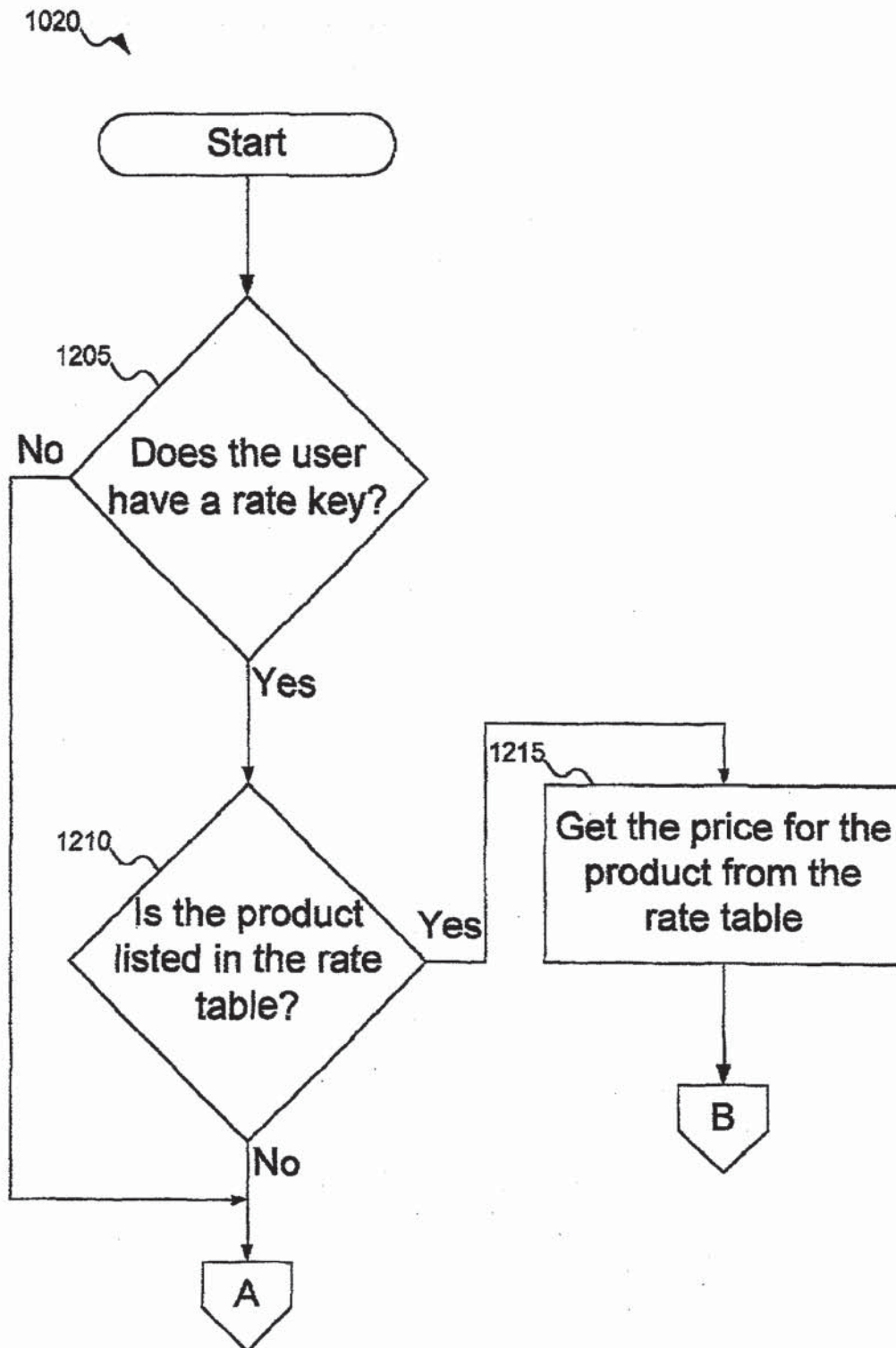


FIG. 12A

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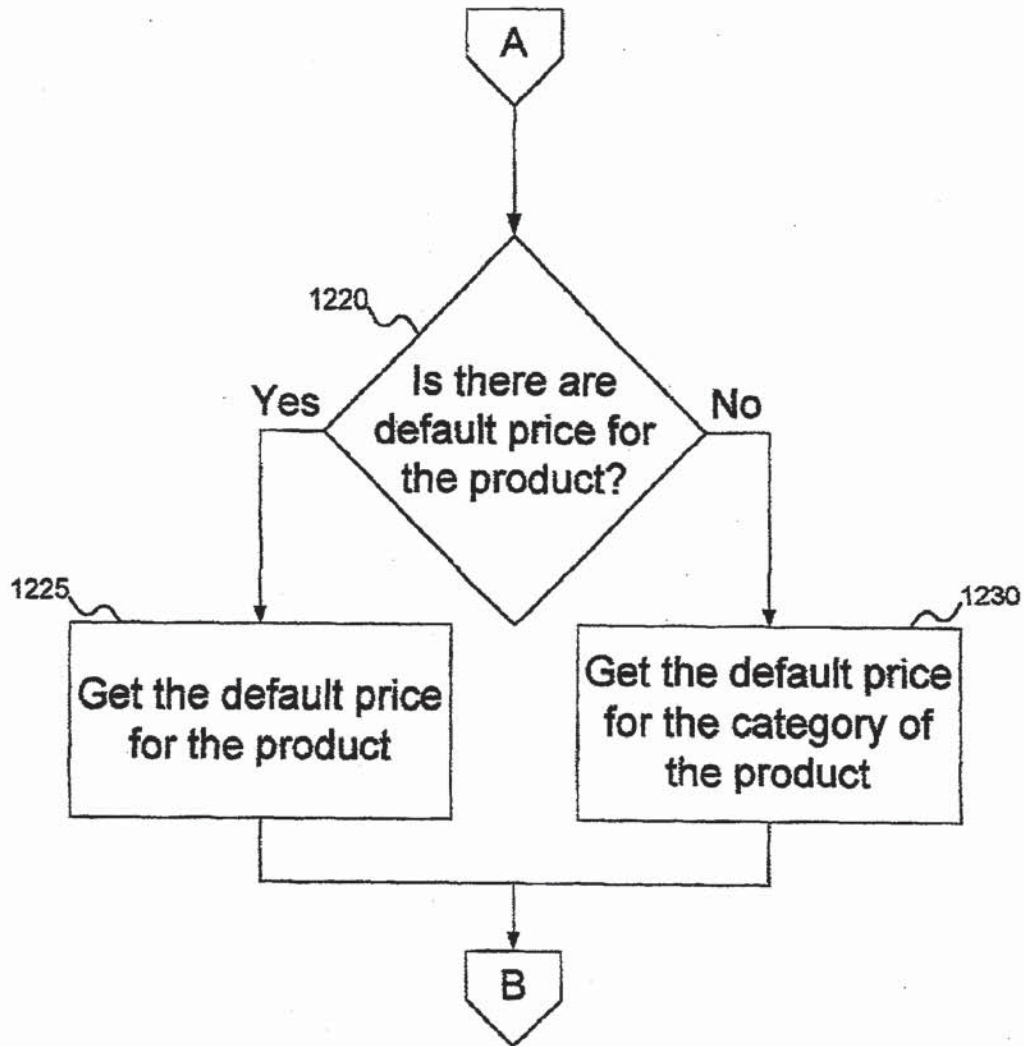


FIG. 12B

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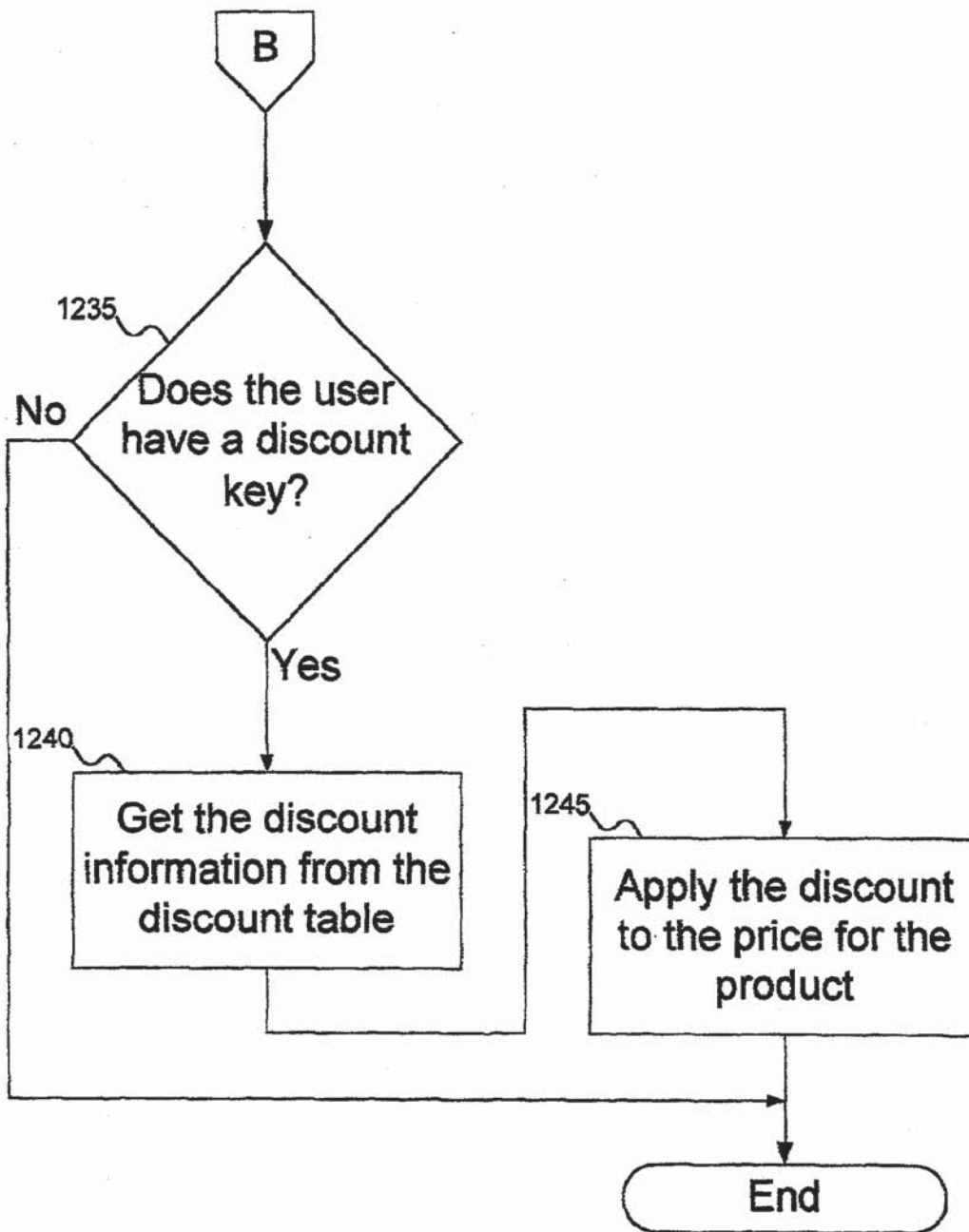


FIG. 12C

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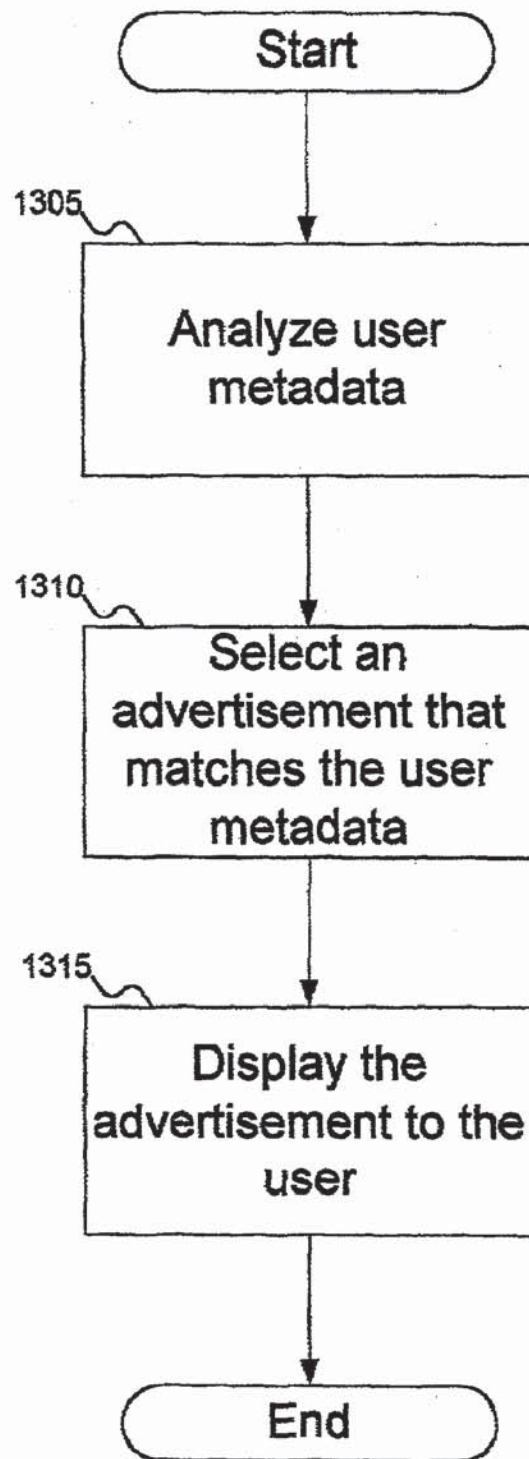


FIG. 13

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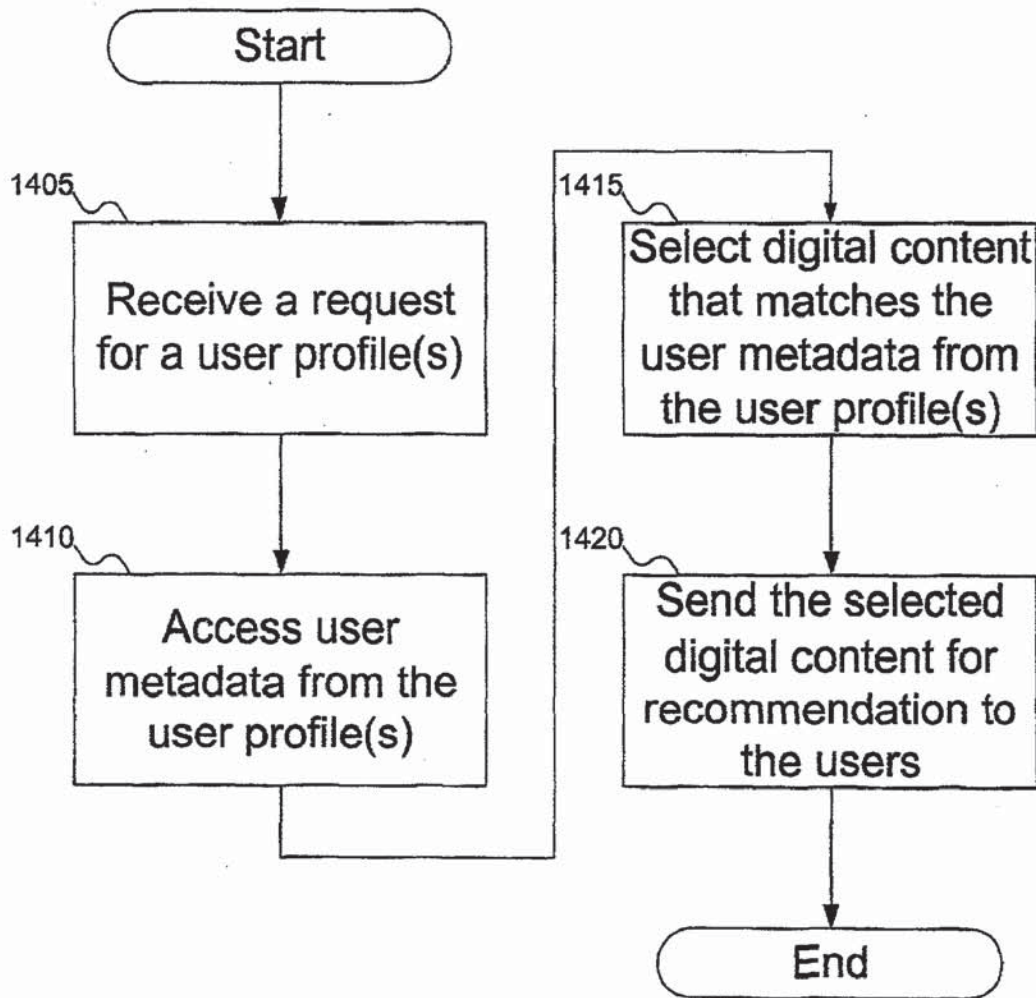


FIG. 14

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Custom Product Billing Rate Table

<div>1505</div> <div>1510</div> <div>Rate Key 2</div> <div>1515</div>	Movie 1	\$5.00
	Movie 2	\$3.00
	Video Game 2	\$1.50
	:	:

1520-1
1520-2
1520-3
1525

FIG. 15

Product Discount Table

Discount Key 3	Movie 1	\$0.50
	Movie 2	10%
	Video Game 2	\$0.25
⋮	⋮	⋮

1605

1610

1620-1

1620-2

1620-3

1615

1625

FIG. 16

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**DIGITAL CONTENT DELIVERY SYSTEM
TRANSACTION ENGINE****FIELD OF THE INVENTION**

This invention pertains to a digital content delivery system and, more particularly, to a system for delivering digital video on demand to users.

BACKGROUND OF THE INVENTION

As technology has progressed, many other industries have seen the advantages of the new technology. The hospitality industry is one of these industries. For example, many hotels now offer their guests recent movies, offered as a pay-per-view service.

But the current form of video-on-demand offered to guests is analog in nature. The movies are stored on videotape. This means that only one guest can watch an individual copy of a movie at a time. For the hotel to offer the same movie to several guests, the hotel needs several copies of the movie. And when all available copies of the movie are "checked out," the next guest has to wait for one of the used copies to become available.

Further, beyond when the movie starts (if a videotape is available), guests currently have no power to control the airing of the movie. For example, a guest might want to pause the movie to answer an important phone call or to run a quick errand. The analog technology used by the hospitality industry does not allow the guest that option. If the guest needs to turn his attention away from the movie and miss some of the show, the guest cannot recover the lost footage without ordering the movie a second time (and paying a second fee).

Accordingly, a need remains for a video-on-demand system that allows unlimited numbers of viewers and allows users individual control over the broadcast that addresses these and other problems associated with the prior art.

SUMMARY OF THE INVENTION

The invention is a system for delivering digital content on demand in a multiple unit environment. A server local to the multiple unit environment stores the digital content in memory and enables multiple simultaneous asynchronous accesses to the digital content. A billing system tracks the usage of the server and bills each individual unit based on the use of the digital content. Within the units, access systems enable the user to access the digital content.

The invention further includes a method for accessing digital content on demand. A request for the digital content is received from a unit in the multiple unit environment. The digital content is accessed from the server, and delivered to the unit. The delivery of the digital content is independent of any asynchronous delivery of other digital content to a second unit in the multiple unit environment.

Another aspect of the invention is provision for storing and using metadata about the content and about the user to aid in, for example, selecting or screening content.

The foregoing and other features, objects, and advantages of the invention will become more readily apparent from the following detailed description, which proceeds with reference to the accompanying drawings.

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BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 shows a multiple unit environment equipped to provide digital content to the units according to the preferred embodiment of the invention.

FIG. 2 shows multiple units accessing digital content in the environment of FIG. 1.

FIG. 3 shows examples of content metadata associated with the digital content.

FIG. 4 shows examples of user metadata associated with a user profile.

FIG. 5 shows the interaction of user profiles and digital content to control conditional access to the digital content and to report access to the billing system in the environment of FIG. 1.

FIG. 6 shows how a bill is generated in the billing system of FIG. 5.

FIG. 7 shows how advertisements are selected for display to a user in the environment of FIG. 1.

FIG. 8 shows the digital content, advertisements, and user profiles stored offsite from the environment of FIG. 1 for delivery to the server local to the environment.

FIG. 9 shows digital content that matches user profiles in the environment of FIG. 1 being delivered to the environment.

FIG. 10 flowcharts the procedure used to retrieve digital content and deliver it to a unit in the environment of FIG. 1.

FIG. 11 flowcharts the procedure used to conditionally access digital content in the flowchart of FIG. 10.

FIGS. 12A-C flowchart the procedure used to bill a user in the environment of FIG. 1.

FIG. 13 flowcharts the procedure used to display advertisements to a user in the environment of FIG. 1.

FIG. 14 flowcharts the procedure used to deliver digital content to the environment of FIG. 1 expected to be desired by users.

FIG. 15 shows examples of a custom product billing rate table, which stores custom billing rates for products in the digital content.

FIG. 16 shows examples of a product discount table, which stores discounts that can be applied to products in the digital content.

DETAILED DESCRIPTION

FIG. 1 shows a multiple unit environment equipped to provide digital content to the units according to the preferred embodiment of the invention. In FIG. 1, environment 102 is a multiple unit environment. Typically, environment 102 will be a hotel, but a person skilled in the art will recognize that other types of environments exist. For example, environment 102 can be a hospital, or a "cyber cafe," or any other place where people gather and might want access to digital content. Throughout this document, for purpose of example, environment 102 is assumed to be a hotel. A person skilled in the art will recognize how the description herein can be modified for other environments.

Within environment 102 are units 105-1, 105-2, and 105-3. (A person skilled in the art will recognize that, although only three units are shown for exemplary purposes, there can be more or fewer units in environment 102.) As environment 102 is assumed to be a hotel room, unit 105-1 includes bed 110, television 115, set-top box 120-1, and remote control unit 125. Units 105-2 and 105-3 and any additional units are similarly equipped. A guest can use remote control unit 125 to select desired content via set-top box 120-1 for display on television 115. (Not shown in FIG.

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1 is a computer terminal in each unit, which can also be used for display of desired content. Such a computer terminal can also be used to control access to the desired content, taking over the duties of set-top boxes 120-1, 120-2, and 120-3.)

Although units 105-1, 105-2, and 105-3 are shown with set-top boxes 120-1, 120-2, and 120-3, respectively, a person skilled in the art will recognize that set-top boxes 120-1, 120-2, and 120-3 can be avoided. For example, the functionality of set-top box 120-1 (to select the desired content) can be handled through television 115. Where television 115 incorporates the functionality of set-top box 120-1, television 115 includes circuitry to transmit information identifying the user's desired content, selected using remote control unit 125. When the desired content is identified and selected, a signal can be sent from television 115 (for example, along a coaxial cable) to the source of the desired content (discussed below). But in the preferred embodiment, set-top box 120-1 is used to select the desired content.

Server 130 stores the digital content. Server 130 typically includes computer 135, monitor 140, keyboard 145, and mouse 150. A person skilled in the art will recognize that server 130 might not include all of the components shown as part of server 130, as needed. Optional equipment for server 130 not shown in FIG. 1 can include a printer and other input/output devices. Also not shown in FIG. 1 are the conventional internal components of server 130: e.g., a central processing unit, memory, file system, etc.

Server 130 stores digital content that is made available to units 105-1, 105-2, and 105-3. The digital content is delivered to set-top box 120-1 (and thence to television 115) through hub 170, which can switch delivery of the digital content to the appropriate destination. Server 130 is preferably kept in secure room 155, to prevent unauthorized access to the digital content. The digital content is accessible to users only through hub 170.

Although most people think of movies when they hear the term digital content-on-demand (and this is the primary form of digital content), other forms of digital content are possible. For example, as discussed below, access to an internet network is a form of digital content. Video games can also be digital content, as can computer software access. The remainder of this document will focus primarily on movies, but a person skilled in the art will recognize how the description herein can be adapted to other forms of digital content.

An additional use for the invention is to enable a user to access his bill. For example, one of the options presented to the user via set-top box 120-1 can be a current summary of the user's charges. The information is accessed from billing system 160 and routed to television 115, enabling the user to view his current bill.

As discussed above, set-top box 120-1 is not a necessary element for controlling the selection of content. If signals are sent from television 115 to server 130 (for example, through a coaxial cable), hub 170 is not needed either, since the content does not need to be switched to its appropriate destination.

Server 130 is also connected to billing system 160. Billing system 160 tracks the access of content by users, so that the users are properly billed for their accesses. Billing system 160 is accessed by terminal 170, used by the hotel management when a guest checks out. That way, any charges incurred by the guest can be presented to the guest on his bill at checkout time.

Server 130 preferably is also connected to internetwork 180, allowing users to access resources over internetwork 180. As with other digital content, access to internetwork

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180 can be permitted for a fee, which is forwarded to billing system 160 to be added to the user's bill.

The digital content stored on server 130 can be updated in several ways. The preferred way to update the digital content stored on server 130 is via internetwork 180. When new content becomes available, it is transferred over internetwork 180 to server 130. This can be accomplished using either "push" technology or "pull" technology. Using "push" technology, the new digital content is sent to server 130 when it becomes available. In "pull" technology, server 130 periodically checks to see if new digital content is available, and retrieves the new digital content to update the digital content stored on server 130. Alternatively, new digital content can be delivered using a physical medium, such as digital video disc (DVD) or compact disc (CD). Once access to secure room 155 is achieved, the contents of the physical medium can be transferred to server 130 and the old digital content erased.

One concern is to protect the digital content. Where the new digital content is delivered on a physical medium, security is relatively easy to achieve. But where the new digital content is retrieved electronically, either by "push" technology or "pull" technology, security is preferably accomplished by encrypting the digital content.

There are several ways to encrypt the new digital content. Two methods are preferred. One method involves encrypting the new digital content as is delivered. In this case, the new digital content is stored offsite from environment 102 in an encrypted state. As the new digital content is delivered to server 130 (either by "push" technology or "pull" technology), the transport stream is encrypted. Upon receipt by server 130, the data stream is decrypted, and the new digital content is stored on server 130 unencrypted. A person skilled in the art will recognize that encryption can similarly be used to secure the delivery of the digital content from server 130 to units 105-1, 105-2, and 105-3, if desired.

The other method involves encrypting the new digital content before it is delivered. The digital content is encrypted, and the encrypted file is stored on a server offsite from environment 102. The encrypted digital content is delivered and stored on server 130 (either "pushed" or "pulled"). The new digital content can be decrypted at this point, storing an unencrypted file on server 130, or it can be left encrypted. If the new digital content file is stored encrypted, it can be delivered encrypted to units 105-1, 105-2, and 105-3, where it can be decrypted. Alternatively, the new digital content can be stored unencrypted, and can be encrypted again for delivery to units 105-1, 105-2, and 105-3, if desired.

Although the primary use of set-top box 120-1 is to provide access to the digital content from server 130, set-top box 120-1 can provide additional functionality. For example, set-top box 120-1 can allow a user to access services normally available to users (such as cable television, for which no charge is generally incurred). Set-top box 120-1 preferably has connections for these other inputs, such as a coaxial-cable connection for coaxial cable 175.

FIG. 2 shows multiple units accessing digital content in the environment of FIG. 1. In FIG. 2, digital content 205 includes, among others, four movies (including movies 210 and 215) and two video games (including video game 235). Each of set-top boxes 120-1, 120-2, and 120-3 can access all the different types of digital content 205. For example, set-top box 120-1 is accessing video game 235 (shown by line 245), whereas set-top boxes 120-2 and 120-3 are accessing movie 215 (shown by lines 247 and 250, respectively). Note that, although set-top boxes 120-2 and 120-3

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are both accessing movie 215, they are currently at different points in movie 215, and have independent control over their viewing of movie 215. Thus, if the user using set-top box 120-3 needs to reverse playback to watch a scene again (shown by dashed line 255), he can accomplish this without affecting playback through set-top box 120-2. Or the user using set-top box 120-3 can elect to reverse playback of movie 215 (i.e., play movie 215 backwards at normal speed), a tool that is useful, for example, in digital editing. In the preferred embodiment, users have limited control to repeat portions of digital content 205, which can be limited to, say, 30 seconds worth of review, or to pause playback. This prevents users from avoiding payment when watching a movie a second time. However, a person skilled in the art will recognize that playback controls do not have to be so limited.

Another way the user using set-top box 120-3 can change position within the file is by selecting a different chapter. If movie 215 includes chapter information, the user can access the chapter information and select a particular chapter, jumping to the location within movie 215 represented by the selected chapter. In the preferred embodiment, users are limited in their ability to select earlier chapters within digital content 205, again to prevent users from repeating a movie without paying for a second viewing.

When a user uses remote control unit 125 (see FIG. 1) to control playback of digital content 205, the effect is to alter the accessing of the file storing the selected digital content. Since each file in digital content 205 is stored as a conventional file on server 130, each file includes a number of blocks. When the blocks are accessed in the correct order, the digital content of the file is accessed serially. For example, when a user pauses playback with remote control unit 125, access to the current block of the digital content file is temporarily suspended. When the user resumes playback, the block where the user suspended playback is once again accessed. When a user rewinds playback, an earlier block in the digital content file is accessed. For example, dashed line 255 shows the user controlling set-top box 120-3 rewinding movie 215. The access point in the file is changed from block 260 to block 265 to rewind the file. Users can move forward through the digital content file in a similar manner.

FIG. 3 shows examples of content metadata associated with the digital content. In FIG. 3, movie 215 is shown with associated content metadata 303. Content metadata 303 includes information about the digital content file (in this case, movie 215). For a movie, such information can include the Motion Picture Association of America (MPAA) rating 310, genre 315 (type of movie), and default billing rate 320. For a video game, content metadata 303 can include a rating of the level of violence, whether the video game is from the first-person perspective, etc. A person skilled in the art will recognize that the examples of content metadata presented in FIG. 3 are only exemplary, and that other types of metadata can be included.

By making default billing rate 320 part of content metadata 303, each type of digital content 205 can be assigned a different default rate. In the preferred embodiment, digital content files are also grouped into categories, and each category is assigned a default billing rate. This combines the fine-tuned control possible when each digital content file is assigned its own default billing rate with the ability to charging a default billing rate for an entire category of digital content files at once. When a digital content file has a default billing rate assigned to it and the category to which the digital content file also has a default billing rate, the billing rate assigned to the digital content file has priority.

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The preferred embodiment of the invention also provides for custom billing rates, which override the default product and category billing rates. For example, a movie studio may request that all of their movies be priced lower for one month, to encourage their movies being viewed. There are two types of custom billings rates: one associated with products and one associated with product categories. The two types operate similarly, so only the custom product billing rate will be described here. (Where there are both custom product billing rates and custom product category billing rates, the custom product billing rate takes priority over the custom product category billing rate.)

FIG. 15 shows an example of custom product billing rate table 1505, which stores the custom product billing rates. Custom product billing rate 1510, as an example, associates rate key 1515 with a number of digital content files, represented by product IDs 1520-1, 1520-2, and 1520-3. For any given rate key, there can be as few as one associated product or as many as all the files in the digital content. Each product associated with the rate key, such as product ID 1520-2, has a price associated with it, such as price 1525. Each product can have a different price. Thus, a single rate key binds together any number of products, each with its own price. The rate keys are used as part of the user metadata (see with reference to FIG. 4, below).

The same key can be used as both a custom product billing rate key and a custom product category billing rate key. But as discussed above, in that case the custom product billing rate key overrides the custom product category billing rate key.

The model described herein as the preferred embodiment is a complicated model, although very versatile. A person skilled in the art will recognize simpler models that can be used for custom pricing, such as including the custom price within content metadata 305.

FIG. 16 shows an example of product discount table 1605, which stores the discounts to be applied to products for customers. Product discount 1610, as an example, associates product discount key 1615 with a number of digital content files, represented by product IDs 1620-1, 1620-2, and 1620-3. For any given product discount key, there can be as few as one associated product or as many as all the files in the digital content. Each product associated with the product discount key, such as product ID 1620-2, has a discount associated with it, such as discount 1625. Discount 1625 is a percentage discount, but as can be seen, discounts can also be specified as a fixed amount. Each product can have a different discount. Thus, a single product discount key binds together any number of products, each with its own discount. The product discount keys are used as part of the user metadata (see with reference to FIG. 4, below).

Not shown in FIG. 16 is the product category discount table. The product category discount table operates similarly to product discount rate table 1605, and will not be further described herein, except that entries in product category discount table apply discounts to categories of digital content products, rather than to individual products.

The same key can be used as both a product discount key and a product category discount key. Similarly, there can be both fixed and percentage discounts applied to a product or category. In the preferred embodiments, all discounts are taken from all possible discount keys, although within each key, percentage discounts are calculated before applying a fixed discount. Thus, for example, if a digital content file has a price of \$10.00 and both a 10% discount and a \$1.00 discount, the final price is $\$10.00 - 10\% - \$1.00 = \$8.00$.

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FIG. 4 shows examples of user metadata associated with a user profile. User profile 402 (discussed further with reference to FIG. 5 below) includes user metadata 403. As in FIG. 3, the types of user metadata 403 included exemplary only, and other types of metadata can be included. User metadata 403 includes information such as maximum MPAA rating 410 and disliked movie genres 420.

User profile 402 can also include billing rate key 425. When provided, billing rate key 425 overrides the default price for the product (whether selected from the product or the product category). The entry corresponding to billing rate key 425 is accessed to see if there is a custom billing rate (either product billing rate or product category billing rate) for the product. If the product is listed in the entry for billing rate key 425, the associated price is selected as the price for the product. Otherwise, the default price for the product or product category is applied.

In FIG. 4, billing rate key 425 has been updated from a rate key of "1" to a rate key of "2." This can change the amount the user to whom user profile 402 is assigned is billed for watching a movie. For example, rate key "1" might not have a custom price for the product, in which case the user is billed at the default rate for the digital content. But rate key "2," as shown in FIG. 15, can indicate that the user is to be billed at a custom billing rate.

FIG. 4 also shows discount rate key 430. If present, the appropriate discount rate entry is located within product discount table. If the product selected by the consumer is included in the discount rate entry, the appropriate discount can be applied to the customer's bill. For example, discount rate key 430 specifies rate key 3. Referring to FIG. 16, in rate key 3, movie 2 is discounted by 10%. This discount can then be applied to the price otherwise charged for movie 2.

FIG. 5 shows the interaction of user profiles and digital content to control conditional access to the digital content and to report access to the billing system in the environment of FIG. 1. In FIG. 5, the user of set-top box 120-1 is choosing a movie to watch. Assume for purposes of the discussion of FIG. 5 that movie 210 is an action movie, whereas movie 215 is a science fiction movie. The user's profile is user profile 402, drawn from user profile set 540. User profile 402 includes user metadata 403. Recall from FIG. 4 that user metadata 403 specifies a dislike for science fiction movies. When listing available movies for the user to watch, the content metadata of each movie in digital content 205 interacts with user metadata 403. Because user metadata 403 indicates a dislike of science fiction movies and movie 215 is a science fiction movie, the system can skip presentation of movie 215 to the user, and instead present only movie 210. (Of course, the user can override user metadata 403 to see all available movies, even ones the user generally dislikes.) Although described herein in terms of only two movies, the foregoing process applies, and becomes increasingly advantageous, to large selections of movies of many different types.

Now assume that the user elects to watch movie 210. The system checks user metadata 403 to determine the user's billing rate key. Then, the appropriate billing rate is selected from content metadata 510 (or from the category metadata, if billing rates are determined from the category). This information is then forwarded to billing system 160 as shown, so that the user's bill can be updated to reflect the selection of a movie.

FIG. 6 shows how a bill is generated in the billing system of FIG. 5. First a billing rate is selected. There are four possible sources of billing rates: a default product billing rate (such as default billing rate 320), a default product

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category billing rate (such as default product category rate 605), a custom product billing rate (such as custom product billing rate 1525), and a custom product category billing rate. As discussed above, custom billing rates override default billing rates, and product billing rates are preferred over product category billing rates. Once a billing rate is selected (in FIG. 6, custom product billing rate 1525 is selected based on billing rate key 425), a discount can be applied, if the user metadata includes a discount rate key. Since the user metadata includes discount rate key 430, product discount table 1605 and the product category discount table are accessed to determine the appropriate discount. In FIG. 6, discount 1625 can be applied. As discussed above, taking a discount is preferably an option determined by the user metadata. However, a person skilled in the art will recognize that discounts can be given for other reasons. For example, a discount can be made available by the hotel to "encourage" patrons to select less popular movies in the digital content. Once the discount is applied, if offered, the final amount is added to the user's bill 610.

FIG. 7 shows how advertisements are selected for display to a user in the environment of FIG. 1. User metadata 403 is compared with a variety of advertisements stored in the system. In FIG. 7, advertisement table 702 stores three advertisements 705, 710, and 715 that are compared with user metadata 403. The advertisement that best matches user metadata 403 (in FIG. 7, advertisement 705) is then selected for presentation to the user. In FIG. 7, advertisement 725 is displayed to the user on monitor 720. Although FIG. 7 shows only one advertisement being presented to the user, a person skilled in the art will recognize that multiple advertisements can match user metadata 403, and all can be presented to the user.

That advertisements can be selected based on user metadata allows marketing campaigns to be customized for each user. For example, based on the airline flown by the user, special deals offered by the airline can be selected for display to the user. Or business affiliates (such as a long-distance telephone company) can be advertised, offering frequent flyer miles to the user for signing up. A person skilled in the art will recognize other ways advertising can be used to customize a marketing campaign for each user.

FIG. 8 shows the digital content, advertisements, and user profiles stored offsite from the environment of FIG. 1 for delivery to the server in the environment. As described with reference to FIG. 1, user profiles 815 can be stored within environment 102. But user profiles 815 can also be stored offsite, in remote server 805. Storing the user profiles offsite makes possible a user taking advantage of the system from different environments. Thus, as a user stays at different hotels during different trips, his profile is retrieved from server 805 by each hotel, allowing each hotel to tailor its digital content delivery to the user's preferences.

As discussed above with reference to FIG. 1, digital content 205 can be delivered to server 130 in several ways. In the preferred embodiment, digital content 205 is stored in remote server 805 and delivered to local server 130 within environment 102 electronically, over an internetwork. This obviates the need for physical delivery of digital content 205, saving expense. This also enables environment 102 to update digital content 205 at the most convenient time, rather than when new digital content 205 is delivered.

Similarly, advertisements 702 can be stored in server 805, and retrieved by server 130 at environment 102 when it is time to display an advertisement to a user. Advertisements 702 can still be tailored to services local to environment 102

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by selecting from different advertisements that match the user's profile but are local to environment 102.

FIG. 9 shows digital content that matches user profiles in the environment of FIG. 1 being delivered to the environment. In FIG. 9, a number of user profiles from user profile set 540 are accessed at roughly the same time within environment 102. (How closely in the time the profiles need to be accessed is a customizable feature. A typical interval might be within a single calendar day, which suggests a number of guests registering for an event, such as a convention.) A statistically significant percentage of the accessed user profiles include a particular metadata element, represented in FIG. 9 by check mark 905. For example, the accessed user profiles might include metadata indicating a preference for science fiction movies. A person skilled in the art will recognize that the user profiles can have other metadata in common. The invention can then locate digital content 205 that matches the common metadata element, as shown by check mark 910 in FIG. 9. For example, in FIG. 9, movies 1, 2, and 4 might be science fiction movies, which guests at a science fiction convention would favor. The invention then "pushes" digital content 205 that matches the common metadata element, as shown by arrows 915. Then, when the guests look at the available choices of digital content, environment 102 will show more science fiction choices than might otherwise be available.

What constitutes a "statistically significant" percentage of accessed user profiles depends on environment 102 and is customizable. It is not reasonable to expect that 100% of the access user profiles will have a particular metadata element in common. But at some point the number of accessed user profiles with the common metadata element exceeds coincidence. For example, in a hotel with 300 rooms, having 30 guests with a preference for science fiction movies is probably not significant. But when 240 guests have a preference for science fiction movies, something is out of the ordinary.

When user profiles are stored offsite, as described above with reference to FIG. 8, updated information can be returned to offsite server 805 for later retrieval. This is shown in FIG. 9 by arrow 920. For example, if user profile 925 is updated to reflect that user profile 925 receives a discount on digital content, this information can be transmitted back to offsite server 805. Then, when user profile 925 is next accessed, even if in a different environment, the discount will be available to the user.

FIG. 10 flowcharts the procedure used to retrieve digital content and deliver it to a unit in the environment of FIG. 1. At step 1005, the invention receives a request for digital content. In the preferred embodiment, this request comes from a set-top box, but as discussed above, the set-top box can be eliminated and the signal can come from the television. At step 1010, the digital content is accessed. At step 1015, the digital content is delivered to the set-top box. And at step 1020, the unit is billed for the delivery of the digital content.

FIG. 11 flowcharts the procedure used to conditionally access digital content in the flowchart of FIG. 10. In FIG. 11, at step 1105, content metadata about the digital content is accessed. At step 1110, user metadata is accessed from the user profile. At step 1115, the content metadata is compared with the user metadata to determine if the content metadata satisfies the user metadata. For example, if the user metadata includes a filter that no movies with a rating higher than "PG-13" be presented to the user, then to satisfy the user metadata a movie must have a rating of "PG-13" or less. If the content metadata satisfies the user metadata, then at step

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1120 the digital content is delivered to the user. Otherwise, at step 1125, the digital content is blocked from delivery to the user.

FIGS. 12A-C flowchart the procedure used to bill a user in the environment of FIG. 1. At step 1205 the user metadata is checked to see if the user has a rate key. If he does, then at step 1210 the product is checked to see if it has a rate in the rate table. If it does, then at step 1215 the price is drawn from the rate table for product.

If either the user does not have a rate key or the product does not have a rate in the rate table, then at step 1220 the product is checked to see if it has a default price. If it does, then at step 1225 the price for the product is drawn from the default price. Otherwise, at step 1230, the price for the product is taken from the default price for the category in which the product falls.

Regardless of the source of the price for the product, at step 1235 the user metadata is checked to see if the user a discount key. If the user has a discount key, then at step 1240 the discount information is drawn from the discount table, and at step 1245 the discount is applied to the price for the product.

FIG. 13 flowcharts the procedure used to display advertisements to a user in the environment of FIG. 1. At step 1305, the user metadata is analyzed. At step 1310, an advertisement is selected that best matches the user metadata. As discussed above with reference to FIG. 7, more than one advertisement can be selected. Finally, at step 1315, the selected advertisement is displayed to the user.

FIG. 14 flowcharts the procedure used to deliver digital content to the environment of FIG. 1 expected to be desired by users. At step 1405, user profiles are requested. At step 1410, the user metadata from the user profiles are accessed. At step 1415, digital content that matches the user metadata is selected. At step 1420, the selected digital content is sent to the users as recommendations for digital content.

Having illustrated and described the principles of our invention in an embodiment thereof, it should be readily apparent to those skilled in the art that the invention can be modified in arrangement and detail without departing from such principles. We claim all modifications coming within the spirit and scope of the accompanying claims.

The invention claimed is:

1. A system for delivering digital content on demand in a multiple unit environment, the system comprising:

a server local to the multiple unit environment, the server including a memory storing the digital content and content metadata about the digital content stored in the memory of the server, and capable of supporting multiple simultaneous asynchronous accesses to the digital content;

a billing system for billing each individual unit based on use of the digital content, the billing system coupled to the server and the content metadata including a plurality of default rates for the digital content, a plurality of custom rates for the digital content, and a plurality of rate keys, each rate key associated with at least one of the custom rates;

at least one access system in a plurality of units in the multiple unit environment, the access system designed to access the digital content stored in the memory on the server; and

a user profile including user metadata including at least one of the rate keys;

wherein the billing system is configured to:

access a default product rate of the default rates for the digital content;

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access a default category rate of the default rates for the digital content;
 provide the default product rate or the default category rate as a selected default rate based on an existence of the default product rate; and
 select a rate for the digital content from among the default rates and the custom rates in response to the rate key of the user metadata.

2. A system according to claim 1, wherein the access system includes a set-top box designed to enable access to the digital content, the set-top box coupled to the server and to a display in the unit.

3. A system according to claim 1, the system further comprising:
 user profile including user metadata; and
 means for conditionally accessing the digital content based on an interaction between the content metadata and the user metadata.

4. A system according to claim 1, wherein:
 the system further comprises a user profile including a rate key; and
 the billing system is designed to use the custom rate when the rate key identifies the custom rate.

5. A system according to claim 1, wherein:
 the system further comprises:
 a user profile including user metadata; and
 an advertisement; and
 the server is designed to display the advertisement to the unit when the advertisement matches the user metadata.

6. A system according to claim 5, wherein the user profile is stored in a memory on a second server and is accessible from the server.

7. A system according to claim 1, the system further comprising a digital content selection apparatus, including:
 a profile tracker designed to track an access to a user profile, the user profile including user metadata;
 a profile analyzer designed to analyze the user metadata; and
 a digital content delivery apparatus designed to offer digital content satisfying the user metadata.

8. A system according to claim 1, the system further comprising a second server offsite from the multiple unit environment, the second server coupled to the server to provide digital content to the server.

9. A method for delivering digital content, the method comprising:
 receiving a request for the digital content from a unit in a multiple unit environment at a server;
 accessing the digital content from a memory on the server;
 delivering the digital content to the unit, the delivery of the digital content being independent of an asynchronous delivery of a second digital content to a second unit in the multiple unit environment;
 accessing a default rate for the digital content including:
 accessing a default product rate for the digital content;
 accessing a default category rate for the digital content; and
 providing the default product rate or the default category rate as the default rate based on an existence of the default product rate;
 accessing a custom rate for the digital content;
 accessing a rate key in a user profile;
 selecting the default rate or the custom rate for the digital content, based on the rate key; and
 presenting the digital content in the unit.

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10. A method according to claim 9, wherein delivering the digital content includes enabling the unit to access an internetwork, wherein the digital content is digital video content.

11. A method according to claim 9, wherein delivering the digital content includes delivering video to the unit.

12. A method according to claim 9, wherein receiving a request includes receiving a request for the digital content from a set-top box in the unit.

13. A method according to claim 9, wherein delivering the digital content includes:
 accessing content metadata about the digital content;
 accessing a filter in a user profile; and
 delivering the digital content to the unit if the content metadata satisfies the filter.

14. A method according to claim 13, wherein delivering the digital content further includes denying the digital content if the content metadata does not satisfy the filter.

15. A method according to claim 13, wherein accessing a filter includes accessing the filter in the user profile stored in a memory on a second server.

16. A method according to claim 13, wherein:
 delivering the digital content includes delivering a video to the unit;
 accessing content metadata includes accessing a rating for the video;
 accessing a filter includes accessing a maximum allowable rating in the user profile; and
 delivering the digital content includes delivering the video to the unit if the rating is below the maximum allowable rating.

17. A method according to claim 9, wherein delivering the digital content includes:
 accessing content metadata about the digital content;
 accessing user metadata in a user profile; and
 conditionally delivering the digital content to the unit based on an interaction between the content metadata and the user metadata.

18. A method according to claim 9, wherein accessing a rate key further comprises:
 transferring the user profile to the server from a second server outside of the multiple unit environment.

19. A method according to claim 9, further comprising:
 accessing a discount rate key in the user profile; and
 applying a discount to the selected rate based on the discount rate key;
 wherein the discount rate key indicates a plurality of discounts for the digital content.

20. A method according to claim 9, the method further comprising:
 accessing user metadata in a user profile; and
 selecting an advertisement that matches the user metadata; and
 sending the advertisement to the unit.

21. A method according to claim 20, wherein accessing user metadata includes accessing the user metadata in the user profile stored in a memory on a second server.

22. A method according to claim 9, the method further comprising sending the digital content from a second server to the server for storage until requested by the unit.

23. A method according to claim 9, the method further comprising:
 accessing a bill for the digital content; and
 displaying the bill in the unit.

24. A method according to claim 9, further comprising:
 receiving a signal to pause the delivery of the digital content; and

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pausing the access and delivery of the digital content to the unit.

25. A method according to claim 24, wherein receiving a signal includes receiving the signal to pause the delivery of the digital content from a remote control.

26. A method according to claim 25, wherein receiving the signal to pause the delivery of the digital content from a remote control includes receiving a wireless signal to pause the delivery of the digital content from the remote control.

27. A method according to claim 24, wherein pausing the access and delivery includes suspending the access of the digital content from the memory on the server.

28. A method according to claim 24, further comprising: receiving a signal to resume the delivery of the digital content; and

resuming the access and delivery of the digital content to the unit.

29. A method according to claim 28, wherein receiving a signal includes receiving the signal to resume the delivery of the digital content from a remote control.

30. A method according to claim 29, wherein receiving the signal to resume the delivery of the digital content from a remote control includes receiving a wireless signal to resume the delivery of the digital content from the remote control.

31. A method according to claim 28, wherein resuming the access and delivery includes:

determining a point in the memory on the server the digital content was last accessed; and

accessing the digital content from the memory on the server, starting at the point in the memory on the server.

32. A method according to claim 9, further comprising:

receiving a signal to rewind the digital content;

rewinding a part of the digital content; and

continuing delivery of the digital content to the unit from a start of the rewound part of the digital content.

33. A method according to claim 32, wherein receiving a signal includes receiving the signal to rewind the digital content from a remote control.

34. A method according to claim 33, wherein receiving the signal to rewind the digital content from a remote control includes receiving a wireless signal to rewind the digital content from the remote control.

35. A method according to claim 12, further comprising: receiving at the set-top box a signal to pause the delivery of the digital content; and

pausing the access and delivery of the digital content to the unit.

36. A method according to claim 35, wherein receiving at the set-top box a signal includes receiving at the set-top box the signal to pause the delivery of the digital content from a remote control.

37. A method according to claim 36, wherein receiving at the set-top box the signal to pause the delivery of the digital content from a remote control includes receiving at the set-top box a wireless signal to pause the delivery of the digital content from the remote control.

38. A method according to claim 35, further comprising: receiving at the set-top box a signal to resume the delivery of the digital content; and

resuming the access and delivery of the digital content to the unit.

39. A method according to claim 38, wherein receiving at the set-top box a signal includes receiving at the set-top box the signal to resume the delivery of the digital content from a remote control.

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40. A method according to claim 39, wherein receiving at the set-top box the signal to resume the delivery of the digital content from a remote control includes receiving at the set-top box a wireless signal to resume the delivery of the digital content from the remote control.

41. A method according to claim 12, further comprising: receiving at the set-top box a signal to rewind the digital content; and

rewinding the digital content to the unit.

42. A method according to claim 41, wherein receiving at the set-top box a signal includes receiving at the set-top box the signal to rewind the digital content from a remote control.

43. A method according to claim 42, wherein receiving at the set-top box the signal to rewind the digital content from a remote control includes receiving at the set-top box a wireless signal to rewind the digital content from the remote control.

44. The method of claim 9, wherein accessing the default rate further comprises:

accessing a custom product rate for the digital content; accessing a custom category rate for the digital content; providing the custom product rate or the custom category rate as the custom rate based on an existence of the custom product rate.

45. The method of claim 9, wherein selecting the default rate or the custom rate for the digital content further comprises:

comparing the rate key in the user profile with rate keys in a product billing rate table, the product billing rate table indicating an association of rate keys and custom rates;

selecting the default rate if the rate key in the user profile is not in the product billing rate table; and

selecting the custom rate associated with the rate key in the user profile if the rate key in the user profile is in the product billing rate table.

46. The method of claim 19, wherein applying a discount to the selected rate further comprises:

comparing the discount rate key in the user profile with discount rate keys in a product discount table, the product discount table indicating an association of discount rate keys and discounts; and

applying a discount associated with the discount rate key if the discount rate key is in the product discount table.

47. The method of claim 18, further comprising:

identifying a user of the unit, wherein the user profile is associated with the user;

requesting the user profile from a different multiple unit environment; and

receiving the user profile.

48. The method of claim 9, further comprising:

storing a plurality of user profiles;

monitoring accesses to the user profiles;

identifying common characteristics of accessed user profiles;

adjusting availability of the digitized content in response to the identified common characteristics.

49. The method of claim 48, wherein identifying the common characteristics of accessed user profiles further comprises:

monitoring a percentage of the accessed user profiles that include a particular characteristic; and

identifying the particular characteristic as an identified common characteristic if the percentage is greater than a threshold.

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50. A computer readable medium encoded with computer executable instructions that when executed by a computer cause the computer to perform the method of claim 9.

51. A method for delivering digital content, the method comprising:

receiving a request for the digital content from a unit in a multiple unit environment at a server;

accessing the digital content from a memory on the server;

delivering the digital content to the unit, the delivery of the digital content being independent of an asynchronous delivery of a second digital content to a second unit in the multiple unit environment;

accessing a default rate for the digital content;

accessing a custom product rate for the digital content;

accessing a custom category rate for the digital content; providing the custom product rate or the custom category rate as a custom rate based on an existence of the custom product rate;

accessing a rate key in a user profile;

selecting the default rate or the custom rate for the digital content, based on the rate key; and

presenting the digital content in the unit.

52. A method according to claim 51, wherein delivering the digital content includes:

accessing content metadata about the digital content;

accessing a filter from a user profile; and

delivering the digital content to the unit if the content metadata satisfies the filter.

53. A method according to claim 52, wherein accessing a filter includes accessing the filter from the user profile stored in a memory on a second server.

54. A method according to claim 51, wherein delivering the digital content includes:

accessing content metadata about the digital content;

accessing user metadata in a user profile; and

conditionally delivering the digital content to the unit based on an interaction between the content metadata and the user metadata.

55. A method according to claim 51, wherein accessing a rate key further comprises:

transferring the user profile to the server from a second server outside of the multiple unit environment.

56. A method according to claim 51, further comprising:

accessing a discount rate key in the user profile; and applying a discount to the selected rate based on the discount rate key;

wherein the discount rate key indicates a plurality of discounts for the digital content.

57. A method according to claim 51, the method further comprising:

accessing user metadata about a user profile; and

selecting an advertisement that matches the user metadata; and

sending the advertisement to the unit.

58. A method according to claim 51, further comprising:

receiving a signal to rewind the digital content;

rewinding a part of the digital content; and

continuing delivery of the digital content to the unit from a start of the rewound part of the digital content.

59. The method of claim 51, wherein accessing the default rate further comprises:

accessing a default product rate for the digital content;

accessing a default category rate for the digital content;

providing the default product rate or the default category rate as the default rate based on an existence of the default product rate.

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60. The method of claim 51, wherein selecting the default rate or the custom rate for the digital content further comprises:

comparing the rate key in the user profile with rate keys in a product billing rate table, the product billing rate table indicating an association of rate keys and custom rates;

selecting the default rate if the rate key in the user profile is not in the product billing rate table; and

selecting the custom rate associated with the rate key in the user profile if the rate key in the user profile is in the product billing rate table.

61. The method of claim 56, wherein applying a discount to the selected rate further comprises:

comparing the discount rate key in the user profile with discount rate keys in a product discount table, the product discount table indicating an association of discount rate keys and discounts; and

applying a discount associated with the discount rate key if the discount rate key is in the product discount table.

62. The method of claim 55, further comprising:

identifying a user of the unit, wherein the user profile is associated with the user;

requesting the user profile from a different multiple unit environment; and

receiving the user profile.

63. The method of claim 51, further comprising:

storing a plurality of user profiles;

monitoring accesses to the user profiles;

identifying common characteristics of accessed user profiles;

adjusting availability of the digitized content in response to the identified common characteristics.

64. The method of claim 63, wherein identifying the common characteristics of accessed user profiles further comprises:

monitoring a percentage of the accessed user profiles that include a particular characteristic; and

identifying the particular characteristic as an identified common characteristic if the percentage is greater than a threshold.

65. A computer readable medium encoded with computer executable instructions that when execute by a computer cause the computer to perform the method of claim 51.

66. A method for delivering digital content, the method comprising:

receiving a request for the digital content from a unit in a multiple unit environment at a server;

accessing the digital content from a memory on the server;

delivering the digital content to the unit, the delivery of the digital content being independent of an asynchronous delivery of a second digital content to a second unit in the multiple unit environment;

accessing a default rate for the digital content;

accessing a custom rate for the digital content;

accessing a rate key in a user profile; and

comparing the rate key in the user profile with rate keys in a product billing rate table, the product billing rate table indicating an association of rate keys and custom rates;

selecting the default rate if the rate key in the user profile is not in the product billing rate table;

selecting the custom rate associated with the rate key in the user profile if the rate key in the user profile is in the product billing rate table; and

presenting the digital content in the unit.

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67. A method according to claim 66, wherein delivering the digital content includes:

- accessing content metadata about the digital content;
- accessing a filter in a user profile; and
- delivering the digital content to the unit if the content metadata satisfies the filter.

68. A method according to claim 67, wherein accessing a filter includes accessing a filter in the user profile stored in a memory on a second server.

69. A method according to claim 66, wherein delivering the digital content includes:

- accessing content metadata about the digital content;
- accessing user metadata in a user profile; and
- conditionally delivering the digital content to the unit based on an interaction between the content metadata and the user metadata.

70. A method according to claim 66, wherein accessing a rate key further comprises:

- transferring the user profile to the server from a second server outside of the multiple unit environment.

71. A method according to claim 66, further comprising: accessing a discount rate key in the user profile; and applying a discount to the selected rate based on the discount rate key;

wherein the discount rate key indicates a plurality of discounts for the digital content.

72. A method according to claim 66, the method further comprising:

- accessing user metadata in a user profile; and
- selecting an advertisement that matches the user metadata; and
- sending the advertisement to the unit.

73. A method according to claim 66, further comprising: receiving a signal to rewind the digital content; rewinding a part of the digital content; and continuing delivery of the digital content to the unit from a start of the rewound part of the digital content.

74. The method of claim 66, wherein accessing the default rate further comprises:

- accessing a default product rate for the digital content;
- accessing a default category rate for the digital content;
- providing the default product rate or the default category rate as the default rate based on an existence of the default product rate.

75. The method of claim 66, wherein accessing the default rate further comprises:

- accessing a custom product rate for the digital content;
- accessing a custom category rate for the digital content;
- providing the custom product rate or the custom category rate as the custom rate based on an existence of the custom product rate.

76. The method of claim 71, wherein applying a discount to the selected rate further comprises:

- comparing the discount rate key in the user profile with discount rate keys in a product discount table, the product discount table indicating an association of discount rate keys and discounts; and
- applying a discount associated with the discount rate key if the discount rate key is in the product discount table.

77. The method of claim 70, further comprising: identifying a user of the unit, wherein the user profile is associated with the user; requesting the user profile from a different multiple unit environment; and receiving the user profile.

78. The method of claim 66, further comprising: storing a plurality of user profiles; monitoring accesses to the user profiles;

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identifying common characteristics of accessed user profiles;

adjusting availability of the digitized content in response to the identified common characteristics.

79. The method of claim 78, wherein identifying the common characteristics of accessed user profiles further comprises:

- monitoring a percentage of the accessed user profiles that include a particular characteristic; and
- identifying the particular characteristic as an identified common characteristic if the percentage is greater than a threshold.

80. A computer readable medium encoded with computer executable instructions that when executed by a computer cause the computer to perform the method of claim 66.

81. A method for delivering digital content, the method comprising:

- receiving a request for the digital content from a unit in a multiple unit environment at a server;

- accessing the digital content from a memory on the server;

- delivering the digital content to the unit, the delivery of the digital content being independent of an asynchronous delivery of a second digital content to a second unit in the multiple unit environment;

- accessing a default rate for the digital content;

- accessing a custom rate for the digital content;

- accessing a rate key in a user profile;

- selecting the default rate or the custom rate for the digital content, based on the rate key;

- accessing a discount rate key in the user profile; and
- comparing the discount rate key in the user profile with discount rate keys in a product discount table, the product discount table indicating an association of discount rate keys and discounts;

- applying a discount associated with the discount rate key if the discount rate key is in the product discount table; wherein the discount rate key indicates a plurality of discounts for the digital content; and

- presenting the digital content in the unit.

82. A method according to claim 81, wherein delivering the digital content includes:

- accessing content metadata about the digital content;
- accessing a filter in a user profile; and
- delivering the digital content to the unit if the content metadata satisfies the filter.

83. A method according to claim 82, wherein accessing a filter includes accessing the filter in the user profile stored in a memory on a second server.

84. A method according to claim 81, wherein delivering the digital content includes:

- accessing content metadata about the digital content;
- accessing user metadata in a user profile; and
- conditionally delivering the digital content to the unit based on an interaction between the content metadata and the user metadata.

85. A method according to claim 81, wherein accessing a rate key further comprises:

- transferring the user profile to the server from a second server outside of the multiple unit environment.

86. A method according to claim 81, the method further comprising:

- accessing user metadata in a user profile; and
- selecting an advertisement that matches the user metadata; and
- sending the advertisement to the unit.

US 7,272,842 B2

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87. A method according to claim 81, further comprising:
receiving a signal to rewind the digital content;
rewinding a part of the digital content; and
continuing delivery of the digital content to the unit from
a start of the rewind part of the digital content.

88. The method of claim 81, wherein accessing the default
rate further comprises:

accessing a default product rate for the digital content;
accessing a default category rate for the digital content;
providing the default product rate or the default category
rate as the default rate based on an existence of the
default product rate.

89. The method of claim 81, wherein accessing the default
rate further comprises:

accessing a custom product rate for the digital content;
accessing a custom category rate for the digital content;
providing the custom product rate or the custom category
rate as the custom rate based on an existence of the
custom product rate.

90. The method of claim 81, wherein selecting the default
rate or the custom rate for the digital content further com-
prises:

comparing the rate key in the user profile with rate keys
in a product billing rate table, the product billing rate
table indicating an association of rate keys and custom
rates;

selecting the default rate if the rate key in the user profile
is not in the product billing rate table; and

selecting the custom rate associated with the rate key in
the user profile if the rate key in the user profile is in the
product billing rate table.

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91. The method of claim 85, further comprising:

identifying a user of the unit, wherein the user profile is
associated with the user;

requesting the user profile from a different multiple unit
environment; and

receiving the user profile.

92. The method of claim 81, further comprising:

storing a plurality of user profiles;

monitoring accesses to the user profiles;

identifying common characteristics of accessed user pro-
files;

adjusting availability of the digitized content in response
to the identified common characteristics.

93. The method of claim 92, wherein identifying the
common characteristics of accessed user profiles further
comprises:

monitoring a percentage of the accessed user profiles that
include a particular characteristic; and

identifying the particular characteristic as an identified
common characteristic if the percentage is greater than
a threshold.

94. A computer readable medium encoded with computer
executable instructions that when executed by a computer
cause the computer to perform the method of claim 81.

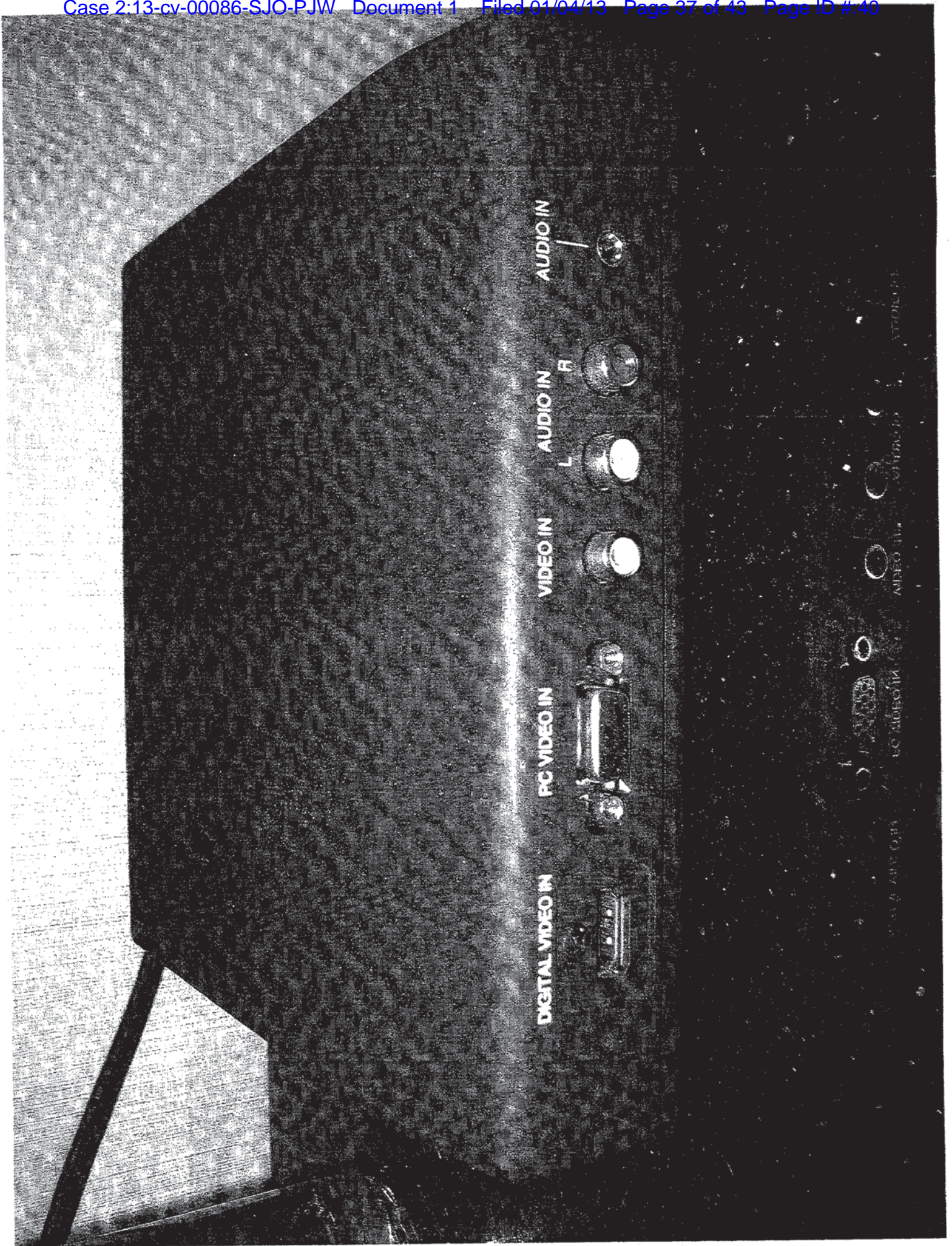
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Exhibit B

Lodgenet Evidence





Marriott
HOTELS & RESORTS

The Dark Knight

Start it now

SAVE IT!

Finish it later

PLAYBACK



CONTROLS



\$12.99

PG-13

153 min

←BACK

→MENU

Press **SELECT** to Purchase

FOLIO
ARTISTS & DESIGNERS

DATE	DESCRIPTION	TYPE	AMOUNT
1121	PARKING	Charge	\$ 0.00
1122	ALLIES	Charge	\$ 89.27
1122	PARKING	Charge	\$ 26.00
Total			\$ 115.27

Total Charges To Date: \$ 115.27

• CHECKOUT

MAIN



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge S. James Otero and the assigned discovery Magistrate Judge is Patrick J. Walsh.

The case number on all documents filed with the Court should read as follows:

CV13 - 86 SJO (PJWx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

ORIGINAL

Name & Address: J. Curtis Edmondson
 Law Offices of J. Curtis Edmondson
 Venture Commerce Center
 3699 NW John Olsen Place
 Hillsboro, OR 97124

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

10th Avenue Media, LLC

CASE NUMBER

PLAINTIFF(S)

CV13-00086 STD(PJWx)

v.

Lodgenet, Inc.

SUMMONS

DEFENDANT(S).

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, J. Curtis Edmondson, whose address is 3699 NW John Olsen Place, Hillsboro, OR 97124. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JAN - 4 2013

Clerk, U.S. District Court

Dated: _____

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

CLEAR FORM

I (a) PLAINTIFFS (Check box if you are representing yourself ☐)
 10th Avenue Media, LLC.

DEFENDANTS
 Lodgenet, Inc.

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

J. Curtis Edmondson, Law Offices of J. Curtis Edmondson, 3699 NW John Olsen Place, Hillsboro, OR 97124, (503) 336-3749

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only
 (Place an X in one box for plaintiff and one for defendant.)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No

MONEY DEMANDED IN COMPLAINT: \$

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

35 U.S.C. §§ 271, 283, 284, 285

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 530 Habeas Corpus General	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	FORFEITURE/PENALTY	PROPERTY RIGHTS
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 620 Other Food & Drug	<input checked="" type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 630 Liquor Laws	SOCIAL SECURITY
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	REAL PROPERTY	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation	IMMIGRATION	<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee			<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 465 Other Immigration Actions			FEDERAL TAX SUITS
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number:

CV13-00086

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
 If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
 If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Multnomah, OR

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Minnehaha County, South Dakota

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date 1/4/2013

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))