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Attorneys for Defendant
BURST.COM, INC.

18 UNITED STATES DISTRICT COURT
 19 FOR THE NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO)

20 APPLE COMPUTER, INC.,	§	
	§	Case No. 3:06-CV-00019 MHP
21 Plaintiff/Counter-defendant,	§	
	§	BURST’S DISCLOSURE OF
22 v.	§	ASSERTED CLAIMS AND
	§	PRELIMINARY
24 BURST.COM, INC.,	§	INFRINGEMENT
	§	CONTENTIONS
25 Defendant/Counter-claimant.	§	
	§	

26
 27
 28
 DISCLOSURE OF ASSERTED CLAIMS AND
 PRELIMINARY INFRINGEMENT CONTENTIONS -
 Case No. C 06-00019 MHP

1 In accordance with Rule 3-1 of the Patent Local Rules of the United States
2 District Court for the Northern District of California, Defendant/Counter-claimant
3 Burst.com, Inc. ("Burst") hereby provides its "Disclosure of Asserted Claims and
4 Preliminary Infringement Contentions," as follows:

5 (a) The following claims of each patent in suit are infringed by
6 Plaintiff/Counter-defendant Apple Computer, Inc. ("Apple"):

7 1. U.S. Patent 4,963,995 ("the '995 Patent"): Claims 1, 2, 3, 7, 8, 9,
8 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 44, 47, 51, 52, and 80.

9 2. U.S. Patent 5,164,839 ("the '839 Patent"): Claims 1, 2, 3, 7, 8, 9,
10 15, 16, 17, 19, 20, 22, 23, 26, 27, 28, 44, 45, 46, 47, 48, 49, 50, 51, 52, 58, 59, 73, 76, and
11 77.

12 3. U.S. Patent 5,995,705 ("the '705 Patent"): Claims 1, 2, 3, 12, 13,
13 and 21.

14 4. U.S. Patent 5,057,932 ("the '932 Patent"): Claim 4.

15 (b) Each accused apparatus, product, device, process, act, or other
16 instrumentality ("Accused Instrumentality") of Apple—of which Burst is aware—is
17 identified, separately for each asserted claim, in charts attached as Exhibits hereto and
18 incorporated by reference herein. The Accused Instrumentalities and the corresponding
19 Exhibits are as follows:
20

21 1. Apparatus of and/or methods performed by iPod Device, Exhibit
22 A;

23 2. Apparatus of Apple Computer or Windows Computer with iTunes
24 software installed, and/or methods performed by iTunes software running on an Apple
25 Computer or Windows Computer, Exhibit B;

1 3. Apparatus of computer used by iTunes Music Store and/or
2 methods performed by iTunes Music Store running on an Apple Computer, by itself or in
3 combination with iTunes Producer software, Exhibit C;

4 4. Methods performed by Final Cut Studio or QuickTime Pro 5 (or
5 later) in combination with QuickTime Streaming Server, Exhibit D;

6 5. Apparatus of Apple Computer with iMovie HD installed and/or
7 methods performed by iMovie HD by itself or in combination with other iLife
8 applications, including iWeb, Exhibit E;

9 6. Apparatus of Apple Computer with GarageBand installed and/or
10 methods performed by GarageBand by itself or in combination with other iLife
11 applications, including iWeb and iTunes, Exhibit F;

12 7. Apparatus of computers used by .Mac service and/or methods
13 performed by .Mac service, by itself or in combination with iLife applications, including
14 iMovie HD, GarageBand, and iWeb, Exhibit G.

15
16 As used herein and in the attached Exhibits, any reference to a software product
17 encompasses all versions and releases of that software product, past or present, unless
18 otherwise specified, and the following definitions of terms shall apply:
19

20 1. The term "iPod Device" means the combination of hardware and
21 software comprising any and all models of iPods, past and present, including the models
22 identified by Apple on its website and in advertisements as the iPod (1st, 2nd, 3rd, 4th, and
23 5th Generation), iPod Nano, iPod Shuffle, iPod Mini, iPod Photo, and iPod U2, and
24 further including any and all variations in the amount of memory or storage capacity for
25 each of these models.
26
27

1 2. The term “Apple Computer” means the combination of hardware
2 and operating system software comprising any and all models of computers sold by
3 Apple, past or present, that are sold with iTunes software pre-installed or that can run
4 iTunes software, including but not limited to the following models or lines: XServe,
5 XServe G5, iMac, iMac G4, iMac G5, iBook, iBook G4, eMac, eMac G4, Mac mini,
6 PowerMac G3, PowerMac G4 (single and dual processor models), PowerMac G4 Cube,
7 PowerMac G5 (single and dual processor models), PowerBook G3, PowerBook G4
8 (including 12-inch, 15-inch, and 17-inch models), MacBook, and MacBook Pro.
9

10 3. The term “Windows Computer” means the combination of
11 hardware and operating system software comprising any and all models of computers,
12 past or present, that use any version of Microsoft Corporation operating system software
13 branded with the “Windows” name, and that can run iTunes software.
14

15 (c) Exhibits A through G identify where the elements of each asserted claim
16 are found within the Accused Instrumentalities. Exhibit H sets forth citations and
17 references to information supporting these charts that can be found on Apple’s website or
18 in Apple’s publicly available documents.

19 (d) Each element of each claim as set forth in Exhibits A through G is literally
20 present or, in the alternative, is present under the doctrine of equivalents in the Accused
21 Instrumentalities.
22

23 (e) The ‘839, ‘705, and ‘932 patents all claim priority to the earlier
24 application that resulted in the issuance of the ‘995 patent. The priority date of all four
25 patents-in-suit is therefore December 27, 1988.

26 Undersigned counsel hereby certifies that to the best of his knowledge,
27 information, and belief, formed after an inquiry that is reasonable under the

1 circumstances, the information contained in this Disclosure and the attached Exhibits is
2 complete and correct at the time of certification.

3
4 Dated: May 22, 2006

Respectfully submitted,

5 /s/

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28 ATTORNEYS FOR DEFENDANT
BURST.COM, INC.

EXHIBIT A

Claim 17	Elements in Accused Instrumentality
An audio/video transceiver apparatus comprising:	Apparatus is iPod Device
input means for receiving audio/video source information as a time compressed representation thereof, said time compressed representation of said audio/video source information being received over an associated burst time period that is shorter than a real time period associated with said audio/video source information;	USB connector (iPod Shuffle); or FireWire connector and/or Dock connector for FireWire or USB connection (iPod models other than Shuffle) (which receives time compressed representation of audio/video source information (e.g., in AAC, MP3, Apple Lossless, H.264, or MPEG-4 format) over a burst time period shorter than real time playback)
random access storage means, coupled to said input means, for storing the time compressed representation of said audio/video source information received by said input means; and	Flash drive (iPod Shuffle and iPod Nano); and/or Hard drive (iPod models other than Shuffle and Nano) (which stores the time compressed representation)

<p>output means, coupled to said random access storage means, for receiving the time compressed representation of said audio/video source information stored in said random access storage means for transmission away from said audio/video transceiver apparatus.</p>	<p>USB connector (iPod Shuffle); or FireWire connector and/or Dock connector for FireWire or USB connection (iPod models other than Shuffle) (which receives time compressed representation stored in random access storage for transmission away to Apple Computer or Windows Computer with iTunes software)</p>
<p>Claim 19</p>	
<p>An audio/video transceiver apparatus as in claim 17 in combination with</p>	<p>See Chart for Claim 17 (iPod Device with video capability)</p>
<p>a video library, coupled via a communication link with said audio/video transceiver apparatus, said video library storing a multiplicity of items of audio/video source information in said time compressed representation for selective retrieval, in said associated burst time period over said communication link.</p>	<p>Library of two or more time compressed representations of audio/video source information stored in an Apple Computer or Windows Computer with iTunes software (which time compressed representations are stored for selective retrieval by an iPod Device with video capability in a burst time period via USB connection)</p>

Claim 17	Elements in Accused Instrumentality
A method for handling audio/video source information, the method comprising:	Method performed by iPod Device
receiving audio/video source information as a time compressed representation thereof, said time compressed representation of said audio/video source information being received over an associated burst time period that is shorter than a real time period associated with real time playback of said audio/video source information;	iPod Device receives time compressed representation of audio/video source information (e.g., in AAC, MP3, Apple Lossless, H.264, or MPEG-4 format) over a burst time period shorter than real time playback via USB, FireWire, and/or Dock connector for FireWire or USB connection
storing the time compressed representation of said received audio/video source information; and	iPod Device stores the time compressed representation on its flash drive (iPod Shuffle and iPod Nano) and/or hard drive (other iPod models)
transmitting, in said burst time period, the stored time compressed representation of said received audio/video source information to a selected destination.	iPod Device transmits stored time compressed representation in a burst time period shorter than real time playback to an Apple Computer or Windows Computer with iTunes software via USB, FireWire, and/or Dock connector for FireWire or USB connection
Claim 19	Elements in Accused Instrumentality
A method as in claim 17 wherein	See Chart for Claim 17 (iPod Device with video playback capability)

<p>said audio/video source information comprises information received over a communications link from a video library storing a multiplicity of programs of audio/video source information as time compressed representations thereof for selective retrieval by a user in an associated burst time period.</p>	<p>iPod Device receives the audio/video source information from a video library storing two or more time compressed representations of audio/video source information for selective retrieval by a user in a burst time period shorter than real time playback (e.g., an Apple Computer or Windows Computer with iTunes software), via a USB connection and/or Dock connector</p>
<p>Claim 77</p>	
<p>A method for handling audio/video source information, the method comprising:</p>	<p>Method performed by iPod Device with video playback capability</p>
<p>receiving audio/video source information as a time compressed digital representation thereof, said audio/video source information comprising a multiplicity of video frames in the form of one or more full motion video programs selected from a video library storing a multiplicity of full motion video programs in a time compressed digital representation thereof for selective retrieval, said time compressed digital representation of the received audio/video source information being received in an associated burst time period that is shorter than a time period associated with a real time representation of said received audio/video source information;</p>	<p>iPod Device receives time compressed representation of video program(s) (e.g., in H.264 or MPEG-4 format) selected from a video library storing two or more time compressed representations of video program(s) for selective retrieval (e.g., an Apple Computer or Windows Computer with iTunes software), in a burst time period shorter than real time playback, via a USB connection and/or Dock connector</p>
<p>storing the time compressed digital representation of said received audio/video source information; and</p>	<p>iPod Device stores the time compressed digital representation on its hard drive</p>

<p>transmitting, in said burst time period, the stored time compressed digital representation of said received audio/video source information to a selected destination.</p>	<p>iPod Device transmits stored time compressed digital representation in a burst time period shorter than real time playback to an Apple Computer or Windows Computer with iTunes software, via USB connection and/or Dock connector</p>
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Claim 21	Elements in Accused Instrumentality
A method for handling audio/video source information, the method comprising the steps of:	Method performed by iPod Device with video playback capability
<p>receiving audio/video source information as a digital time compressed digital representation thereof, said audio/video source information comprising a multiplicity of video frames collectively constituting at least one full motion video program selected from a video library storing a plurality of video programs in a digital time compressed representation thereof for selective retrieval;</p> <p>said at least one video program being received by a receiver in a burst transmission time period that is substantially shorter than a time period associated with real-time viewing by a receiver of said at least one video program;</p>	iPod Device receives, in a burst time period substantially shorter than real time playback, digital time compressed representation of video program(s) (e.g., in H.264 or MPEG-4 format) selected from a video library storing two or more digital time compressed representations of video program(s) for selective retrieval (e.g., an Apple Computer or Windows Computer with iTunes software), via a USB connection and/or Dock connector
storing the digital time compressed representation of said audio/video source information; and	iPod Device stores the digital time compressed representation on its hard drive
transmitting, in said burst transmission time period, the stored digital time compressed representation of said audio/video source information to a selected destination.	iPod Device transmits the stored time compressed digital representation in a burst time period substantially shorter than real time playback to an Apple Computer or Windows Computer with iTunes software, via USB connection and/or Dock connector

EXHIBIT B

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

Claim 1	Elements in Accused Instrumentality
An audio/video transceiver apparatus comprising:	Apparatus is an Apple Computer or Windows Computer with iTunes software installed
input means for receiving audio/video source information	<p>One or more of the following components of the Apple Computer or Windows Computer with iTunes software installed:</p> <ul style="list-style-type: none"> SuperDrive, Combo drive, or other drive that reads CDs; Wired or wireless Ethernet device; Internal telephone modem device; USB port; and/or FireWire port <p>(which receives audio/video source information)</p>
compression means, coupled to said input means, for compressing said audio/video source information into a time compressed representation thereof having an associated time period that is shorter than a time period associated with a real time representation of said audio/video source information;	Central processing unit in Apple Computer or Windows Computer with iTunes software installed (which compresses the audio/video source information into a time compressed representation (<i>e.g.</i> , in AAC, MP3, Apple Lossless, or iPod movie format) that has a time period shorter than real time playback)

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

<p>random access storage means, coupled to said compression means, for storing the time compressed representation of said audio/video source information; and</p>	<p>Hard drive and/or other system memory in Apple Computer or Windows Computer with iTunes software installed (which stores the time compressed representation)</p>
<p>output means, coupled to said random access storage means, for receiving the time compressed audio/video source information stored in said random access storage means for transmission away from said audio/video transceiver apparatus.</p>	<p>USB port on Apple Computer or Windows Computer with iTunes software installed (which receives the time compressed representation for transmission away); and/or FireWire port on Apple Computer or Windows Computer with iTunes software installed (which receives the time compressed representation for transmission away)</p>
<p>Claim 2</p>	
<p>An audio/video transceiver apparatus as in claim 1 further comprising</p>	<p>See Chart for Claim 1</p>
<p>editing means, coupled to said random access storage means, for editing the time compressed representation of said audio/video source information stored in said random access storage means and for restoring the edited time compressed representation of said audio/video source information in said random access storage means;</p>	<p>Central processing unit and other hardware in Apple Computer or Windows Computer with iTunes software installed (which edits the time compressed representation of audio/video source information (e.g., iTunes editing features Volume Adjustment, Equalizer Preset, Start Time, and Stop Time) and restores the edited time compressed representation in memory)</p>

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

<p>and wherein said output means is operative for receiving the edited time compressed representation of said audio/video source information stored in said random access storage means for transmission away from said audio/video transceiver apparatus.</p>	<p>See Chart for Claim 1 (the identified output means receives the edited time compressed representation stored in memory for transmission away)</p>
<p>Claim 3</p>	
<p>An audio/video transceiver apparatus as in claim 2 further comprising</p>	<p>See Charts for Claim 1 and Claim 2</p>
<p>monitor means for enabling the user to selectively identify the time compressed representation of said audio/video source information stored in said random access storage means during editing.</p>	<p>Monitor of Apple Computer or Windows Computer displaying iTunes Software user interface (which enables user to selectively identify the time compressed representation of audio/video source information during editing)</p>
<p>Claim 7</p>	
<p>An audio/video transceiver apparatus as in claim 1</p>	<p>See Chart for Claim 1</p>
<p>wherein said random access storage means comprises a semiconductor memory.</p>	<p>DRAM in the Apple Computer or Windows Computer with iTunes software</p>
<p>Claim 9</p>	
<p>An audio/video transceiver apparatus as in claim 1 wherein:</p>	<p>See Chart for Claim 1</p>

Burst.com U.S. Patent No. 4,963,995, Claims 1, 2, 3, 7, 9, 15, 22, 28, 44, 51, 52, and 80

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

<p>said audio/video source information comprises digital audio/video source information;</p>	<p>See Chart for Claim 1 (the identified input means receives the digital audio/video source information)</p>
<p>said compression means is operative for compressing said digital audio/video source information into a digital time compressed representation thereof having an associated time period that is shorter than a time period associated with a real time representation of said digital audio/video source information; and</p>	<p>See Chart for Claim 1 (the identified compression means compresses the digital audio/video source information into a digital time compressed representation with a time period shorter than real time playback)</p>
<p>said random access storage means is operative for storing said digital time compressed representation of said digital audio/video source information</p>	<p>See Chart for Claim 1 (the identified random access storage means stores the digital time compressed representation)</p>
<p>Claim 15</p>	
<p>An audio/video transceiver apparatus as in claim 9 wherein</p>	<p>See Charts for Claim 1 and Claim 9</p>
<p>said input means is coupled to an external computer and said digital audio/video source information comprises computer-generated audio/video information.</p>	<p>Wired or wireless Ethernet device and/or internal telephone modem device in the Apple Computer or Windows Computer with iTunes software installed, coupled to an external computer (<i>e.g.</i>, a computer used by the iTunes Music Store or another computer with iTunes software installed) (which input means receives digital audio/video source information from a computer)</p>
<p>Claim 22</p>	

Burst.com U.S. Patent No. 4,963,995, Claims 1, 2, 3, 7, 9, 15, 22, 28, 44, 51, 52, and 80

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

<p>An audio/video transceiver apparatus as in claim 1 further comprising:</p>	<p>See Chart for Claim 1</p>
<p>decompression means, coupled to said random access storage means, for selectively decompressing the time compressed representation of said audio/video source information stored in said random access storage means; and</p>	<p>Central processing unit in Apple Computer or Windows Computer with iTunes software installed (which selectively decompresses the stored time compressed representation of audio/video source information)</p>
<p>monitor means for enabling the user to view the selectively decompressed time compressed representation of said audio/video source information.</p>	<p>Monitor of Apple Computer or Windows Computer displaying iTunes software user interface (which enables the user to view the selectively decompressed time compressed representation)</p>
<p>Claim 28</p>	
<p>An audio/video transceiver apparatus as in claim 9 further comprising:</p>	<p>See Charts for Claim 1 and Claim 9</p>
<p>decompression means, coupled to said random access storage means, for selectively decompressing the digital time compressed representation of said digital audio/video source information stored in said random access memory means; and</p>	<p>Central processing unit in Apple Computer or Windows Computer with iTunes software installed (which selectively decompresses the stored digital time compressed representation of audio/video source information)</p>

Burst.com U.S. Patent No. 4,963,995, Claims 1, 2, 3, 7, 9, 15, 22, 28, 44, 51, 52, and 80

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

<p>monitor means, coupled to said decompression means, for enabling the user to selectively view the decompressed digital time compressed representation of said digital audio/video source information.</p>	<p>Monitor of Apple Computer or Windows Computer displaying iTunes Software user interface (which enables the user to selectively view the decompressed digital time compressed representation)</p>
Claim 44	
<p>An audio/video transceiver apparatus as in claim 1 further comprising</p>	<p>See Chart for Claim 1</p>
<p>recording means, including a removable recording medium coupled to said random access storage means, for storing the time compressed representation of said audio/video source information stored in said random access storage means onto said removable recording medium.</p>	<p>SuperDrive, Combo Drive, or other CD and/or DVD drive that includes writing capability in the Apple Computer or Windows Computer with iTunes software installed (which stores the time compressed representation of audio/video source information onto a CD or DVD)</p>
Claim 51	
<p>An audio/video transceiver apparatus as in claim 9 further comprising</p>	<p>See Charts for Claim 1 and Claim 9</p>
<p>CD-ROM means for providing said digital audio/video source information.</p>	<p>SuperDrive, Combo drive, or other drive that reads CDs in the Apple Computer or Windows Computer with iTunes software installed (which provides digital audio/video source information from a CD-ROM)</p>
Claim 52	

Burst.com U.S. Patent No. 4,963,995, Claims 1, 2, 3, 7, 9, 15, 22, 28, 44, 51, 52, and 80

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

<p>An audio/video transceiver apparatus as in claim 9 further comprising</p>	<p>See Charts for Claim 1 and Claim 9</p>
<p>Erasable optical disc means for providing said digital audio/video source information.</p>	<p>SuperDrive, Combo drive, or other drive that reads CDs in the Apple Computer or Windows Computer with iTunes software installed (which provides digital audio/video source information from an erasable or rewritable CD or DVD)</p>
<p>Claim 80</p>	
<p>An audio/video transceiver apparatus as in claim 1 further comprising</p>	<p>See Chart for Claim 1</p>
<p>editing means, coupled to said random access storage means, for editing said time compressed representation of said audio/video source information and for then storing the edited time compressed representation of said audio/video source information in said random access storage means.</p>	<p>Central processing unit and other hardware in the Apple Computer or Windows Computer with iTunes software installed (which edits the time compressed representation of audio/video source information (e.g., iTunes editing features Volume Adjustment, Equalizer Preset, Start Time, and Stop Time) and stores the edited time compressed representation in memory)</p>

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

Claim 17	Elements in Accused Instrumentality
An audio/video transceiver apparatus comprising:	Apparatus is an Apple Computer or Windows Computer with iTunes software installed
input means for receiving audio/video source information as a time compressed representation thereof, said time compressed representation of said audio/video source information being received over an associated burst time period that is shorter than a real time period associated with said audio/video source information;	<p>One or more of the following components of the Apple Computer or Windows Computer with iTunes software installed:</p> <p>Wired or wireless Ethernet device;</p> <p>USB port; and/or</p> <p>FireWire port</p> <p>(which receives a time compressed representation of audio/video source information (e.g., in AAC, MP3, Audible, Apple Lossless, H.264, or MPEG-4 format) over a burst time period shorter than real time playback)</p>
random access storage means, coupled to said input means, for storing the time compressed representation of said audio/video source information received by said input means; and	Hard drive and/or other system memory in Apple Computer or Windows Computer with iTunes software installed (which stores the time compressed representation)

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

<p>output means, coupled to said random access storage means, for receiving the time compressed representation of said audio/video source information stored in said random access storage means for transmission away from said audio/video transceiver apparatus.</p>	<p>USB port on Apple Computer or Windows Computer with iTunes software installed (which receives the time compressed representation for transmission away); and/or FireWire port on Apple Computer or Windows Computer with iTunes software installed (which receives the time compressed representation for transmission away)</p>
Claim 19	
<p>An audio/video transceiver apparatus as in claim 17 in combination with</p>	<p>See Chart for Claim 17</p>
<p>a video library, coupled via a communication link with said audio/video transceiver apparatus, said video library storing a multiplicity of items of audio/video source information in said time compressed representation for selective retrieval, in said associated burst time period over said communication link.</p>	<p>The iTunes Music Store (which is a library of two or more time compressed representations of audio/video source information stored for selective retrieval over the Internet in a burst time period shorter than real time playback), coupled via the Internet to the Apple Computer or Windows Computer with iTunes software installed</p>
Claim 47	
<p>An audio/video transceiver apparatus as in claim 17 further comprising</p>	<p>See Chart for Claim 17</p>

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

<p>recording means, including a removable recording medium, coupled to said random access storage means, for storing the time compressed representation of said audio/video source information stored in said random access storage means onto said removable recording medium.</p>	<p>SuperDrive, Combo Drive, or other CD and/or DVD drive that includes writing capability in the Apple Computer or Windows Computer with iTunes software installed (which stores the time compressed representation of audio/video source information onto a CD or DVD)</p>
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EXHIBIT B
 Case 3:06-cv-00019-MHP Document 74-6 Filed 12/09/2006 Page 25 of 40
Burst.com U.S. Patent No. 5,164,839, Claims 1, 2, 3, 7, 9, 15, 22, 28, 44, 51, and 52
Accused Instrumentality: Method Performed by iTunes Software Running on
Apple Computer or Windows Computer

Claim 1	Elements in Accused Instrumentality
A method for handling audio/video source information, the method comprising:	Method performed by iTunes software running on an Apple Computer or Windows Computer
receiving audio/video source information	iTunes software receives audio/video source information via one or more of the following components of the Apple Computer or Windows Computer: <ul style="list-style-type: none"> SuperDrive, Combo drive, or other drive that reads CDs; Wired or wireless Ethernet device; Internal or external telephone modem device; USB port; and/or FireWire port
compressing the received audio/video source information into a time compressed representation thereof having an associated burst time period that is shorter than a time period associated with a real time representation of the received audio/video source information;	iTunes software compresses the audio/video source information into a time compressed representation (e.g., in AAC, MP3, Apple Lossless, or iPod movie format) that has a burst time period shorter than real time playback

Burst.com U.S. Patent No. 5,164,839, Claims 1, 2, 3, 7, 9, 15, 22, 28, 44, 51, and 52

Accused Instrumentality: Method Performed by iTunes Software Running on Apple Computer or Windows Computer

storing said time compressed representation of the received audio/video source information; and	iTunes software stores the time compressed representation (e.g., in computer memory or on other storage media)
transmitting, in said burst time period, the stored time compressed representation of the received audio/video source information to a selected destination.	iTunes software transmits the stored time compressed representation in a burst time period shorter than real time playback to a selected destination (e.g., an iPod Device) via the USB port or FireWire port in the Apple Computer or Windows Computer
Claim 2	
A method as in claim 1 further comprising the steps of:	See Chart for Claim 1
editing the stored time compressed representation of said audio/video source information; and	iTunes software editing features (e.g., Volume Adjustment, Equalizer Preset, Start Time, and Stop Time) edit the time compressed representation of audio/video source information
storing the edited time compressed representation of said audio/video source information.	iTunes software stores the edited time compressed representation (e.g., in computer memory or on other storage media)
Claim 3	
A method as in claim 2 further comprising	See Chart for Claim 1

Burst.com U.S. Patent No. 5,164,839, Claims 1, 2, 3, 7, 9, 15, 22, 28, 44, 51, and 52

Accused Instrumentality: Method Performed by iTunes Software Running on Apple Computer or Windows Computer

<p>the step of monitoring the stored, time compressed representation of said audio/video source information during editing.</p>	<p>iTunes software enables the user to monitor the time compressed representation during editing</p>
<p>Claim 7</p>	
<p>A method as in claim 1 wherein</p>	<p>See Chart for Claim 1</p>
<p>the step of storing comprises storing the time compressed representation of said audio/video source information in a semiconductor memory.</p>	<p>iTunes software stores the time compressed representation in the computer's DRAM</p>
<p>Claim 9</p>	
<p>A method as in claim 1 wherein:</p>	<p>See Chart for Claim 1</p>
<p>said audio/video source information comprises digital audio/video source information;</p>	<p>See Chart for Claim 1 (the audio/video source information is digital)</p>
<p>said step of compressing comprises compressing said digital audio/video source information into a digital time compressed representation thereof having an associated burst time period that is shorter than a time period associated with a real time representation of said digital audio/video source information; and</p>	<p>iTunes software compresses the digital audio/video source information into a digital time compressed representation that has a burst time period shorter than real time playback</p>

Burst.com U.S. Patent No. 5,164,839, Claims 1, 2, 3, 7, 9, 15, 22, 28, 44, 51, and 52

**Accused Instrumentality: Method Performed by iTunes Software Running on
Apple Computer or Windows Computer**

<p>said step of storing comprises storing said digital time compressed representation of said digital audio/video source information.</p>	<p>iTunes software stores the digital time compressed representation in computer memory</p>
Claim 15	
<p>A method as in claim 9 wherein</p>	<p>See Charts for Claim 1 and Claim 9</p>
<p>said audio/video source information comprises information received from a computer.</p>	<p>See Charts for Claim 1 and Claim 9 (the audio/video source information is received from a computer, <i>e.g.</i>, a computer used by the iTunes Music Store)</p>
Claim 22	
<p>A method as in claim 1 further comprising the steps of:</p>	<p>See Chart for Claim 1</p>
<p>selectively decompressing the stored time compressed representation of said audio/video source information; and</p>	<p>iTunes software selectively decompresses the stored time compressed representation</p>
<p>visually displaying the selectively decompressed time compressed representation of said audio/video source information for viewing by a user.</p>	<p>iTunes software displays the selectively decompressed time compressed representation for viewing by the user</p>
Claim 28	

Burst.com U.S. Patent No. 5,164,839, Claims 1, 2, 3, 7, 9, 15, 22, 28, 44, 51, and 52

Accused Instrumentality: Method Performed by iTunes Software Running on Apple Computer or Windows Computer

<p>A method as in claim 9 further comprising the steps of:</p>	<p>See Charts for Claim 1 and Claim 9</p>
<p>selectively decompressing the stored digital time compressed representation of said digital audio/video source information; and</p>	<p>iTunes software selectively decompresses the stored digital time compressed representation</p>
<p>visually displaying the selectively decompressed digital time compressed representation of said digital audio/video source information for selective viewing by a user.</p>	<p>iTunes software displays the selectively decompressed digital time compressed representation for selective viewing by the user</p>
<p>Claim 44</p>	
<p>A method as in claim 1 further comprising the step of</p>	<p>See Chart for Claim 1</p>
<p>recording the stored time compressed representation of said audio/video source information onto a removable recording medium.</p>	<p>iTunes software records the stored time compressed representation onto a recordable or writeable CD or DVD by using the computer's SuperDrive, Combo Drive, or other CD and/or DVD drive with writing capability</p>
<p>Claim 51</p>	
<p>A method as in claim 9 wherein</p>	<p>See Charts for Claim 1 and Claim 9</p>

Burst.com U.S. Patent No. 5,164,839, Claims 1, 2, 3, 7, 9, 15, 22, 28, 44, 51, and 52

**Accused Instrumentality: Method Performed by iTunes Software Running on
Apple Computer or Windows Computer**

said digital audio/video source information is received from a CD-ROM.	iTunes software receives the digital audio/video source information from a CD by using the computer's SuperDrive, Combo Drive, or other drive that reads CDs
Claim 52	
A method as in claim 9 wherein	See Charts for Claim 1 and Claim 9
said digital audio/video source information is received from an erasable optical disk.	iTunes software receives the digital audio/video source information from an erasable or rewritable CD by using the computer's SuperDrive, Combo Drive, or other CD drive that writes CDs

**Accused Instrumentality: Method Performed by iTunes Software Running on
Apple Computer or Windows Computer**

Claim 17	Elements in Accused Instrumentality
A method for handling audio/video source information, the method comprising:	Method performed by iTunes software running on an Apple Computer or Windows Computer
receiving audio/video source information as a time compressed representation thereof, said time compressed representation of said audio/video source information being received over an associated burst time period that is shorter than a real time period associated with real time playback of said audio/video source information;	iTunes software receives the time compressed representation of audio/video source information over a burst time period shorter than real time playback via one or more of the following components of the Apple Computer or Windows Computer: Wired or wireless Ethernet device; USB port; and/or FireWire port
storing the time compressed representation of said received audio/video source information; and	iTunes software stores the time compressed representation (<i>e.g.</i> , in computer memory or on other storage media)
transmitting, in said burst time period, the stored time compressed representation of said received audio/video source information to a selected destination.	iTunes software transmits the stored time compressed representation in a burst time period shorter than real time playback to a selected destination (<i>e.g.</i> , an iPod Device) via the USB port or FireWire port in the Apple Computer or Windows Computer
Claim 19	

Burst.com U.S. Patent No. 5,164,839, Claims 17, 19, and 47

Accused Instrumentality: Method Performed by iTunes Software Running on Apple Computer or Windows Computer

<p>A method as in claim 17 wherein</p>	<p>See Chart for Claim 17</p>
<p>said audio/video source information comprises information received over a communications link from a video library storing a multiplicity of programs of audio/video source information as time compressed representations thereof for selective retrieval by a user in an associated burst time period.</p>	<p>iTunes software receives the audio/video source information via the Internet from a video library storing two or more time compressed representations of audio/video source information for selective retrieval in a burst time period shorter than real time playback (e.g., the iTunes Music Store)</p>
<p>Claim 47</p>	
<p>A method as in claim 17 further comprising</p>	<p>See Chart for Claim 17</p>
<p>the step of recording the time compressed representation of said audio/video source information onto a removable recording medium.</p>	<p>iTunes software records the time compressed representation onto a recordable or writeable CD or DVD using the computer's SuperDrive, Combo Drive, or other CD and/or DVD drive with writing capability</p>

Burst.com U.S. Patent No. 5,164,839, Claim 77

Accused Instrumentality: Method Performed by iTunes Software Running on Apple Computer or Windows Computer

Claim 77	Elements in Accused Instrumentality
<p>A method for handling audio/video source information, the method comprising:</p>	<p>Method performed by iTunes software running on an Apple Computer or Windows Computer</p>
<p>receiving audio/video source information as a time compressed digital representation thereof, said audio/video source information comprising a multiplicity of video frames in the form of one or more full motion video programs selected from a video library storing a multiplicity of full motion video programs in a time compressed digital representation thereof for selective retrieval, said time compressed digital representation of the received audio/video source information being received in an associated burst time period that is shorter than a time period associated with a real time representation of said received audio/video source information;</p>	<p>iTunes software receives, in a burst time period shorter than real time playback, the time compressed digital representation of video program(s) selected from a video library storing two or more such time compressed digital representations for selective retrieval (e.g., the iTunes Music Store), via one or more of the following components of the Apple Computer or Windows Computer:</p> <ul style="list-style-type: none"> Wired or wireless Ethernet device; USB port; and/or FireWire port
<p>storing the time compressed digital representation of said received audio/video source information; and</p>	<p>iTunes software stores the time compressed digital representation (e.g., in computer memory or on other storage media)</p>
<p>transmitting, in said burst time period, the stored time compressed digital representation of said received audio/video source information to a selected destination.</p>	<p>iTunes software transmits the stored time compressed digital representation in a burst time period shorter than real time playback to a selected destination (e.g., an iPod Device) via the USB port or FireWire port in the Apple Computer or Windows Computer</p>

Burst.com U.S. Patent No. 5,995,705, Claims 1, 2, and 3

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

Claim 1	Elements in Accused Instrumentality
<p>An audio/video transceiver apparatus comprising:</p>	<p>Apparatus is an Apple Computer or Windows Computer with iTunes software installed</p>
<p>input means for receiving audio/video source information, said audio/video source information comprising a multiplicity of video frames collectively representing at least one full motion video program;</p>	<p>One or more of the following components of the Apple Computer or Windows Computer with iTunes software installed:</p> <ul style="list-style-type: none"> Wired or wireless Ethernet device; Internal telephone modem device; USB port; and/or FireWire port <p>(which receives audio/video source information comprising video program(s))</p>
<p>compression means, coupled to said input means, for compressing said audio/video source information into a digital time compressed representation thereof, wherein said digital time compressed representation of said audio/video source information is capable of being transmitted in a burst transmission time period that is substantially shorter than a time period associated with real time viewing by a receiver of said audio/video source information;</p>	<p>Central processing unit in Apple Computer or Windows Computer with iTunes software installed (which compresses the audio/video source information into a digital time compressed representation (<i>e.g.</i>, in iPod movie format) that is capable of being transmitted in a burst transmission time period substantially shorter than real time playback)</p>

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

<p>storage means, coupled to said compression means, for storing said digital time compressed representation of said audio/video source information; and</p>	<p>Hard drive and/or other system memory in Apple Computer or Windows Computer with iTunes software installed (which stores the digital time compressed representation)</p>
<p>transmission means, coupled to said storage means, for transmitting said digital time compressed representation of said audio/video source information away from said audio/video transceiver apparatus in said burst transmission time period.</p>	<p>Central processing unit, USB port or FireWire port, and other hardware on Apple Computer or Windows Computer with iTunes software installed (which transmits the digital time compressed representation away in a burst transmission time period substantially shorter than real time playback)</p>
<p>Claim 2</p>	
<p>The audio/video transceiver apparatus of claim 1, further comprising</p>	<p>See Chart for Claim 1</p>
<p>editing means, coupled to said storage means, for editing the digital time compressed representation of said audio/video source information stored in said storage means and for storing the edited digital time compressed representation of said audio/video source information in said storage means.</p>	<p>Central processing unit and other hardware in Apple Computer or Windows Computer with iTunes software installed (which edits the digital time compressed representation of audio/video source information (e.g., iTunes editing features Volume Adjustment, Equalizer Preset, Start Time, and Stop Time) and stores the edited time compressed representation in the identified storage means)</p>
<p>Claim 3</p>	
<p>The audio/video transceiver apparatus of claim 2,</p>	<p>See Charts for Claim1 and Claim 2</p>

Burst.com U.S. Patent No. 5,995,705, Claims 1, 2, and 3

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

<p>wherein said transmission means is configured to receive the edited digital time compressed representation of said audio/video source information and to transmit the edited digital time compressed representation of said audio/video source information away from said audio/video transceiver apparatus in said burst transmission time period.</p>	<p>See Chart for Claim 1 (the identified transmission means receives edited digital time compressed representation and transmits it away in a burst transmission time period substantially shorter than real time playback)</p>
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Burst.com U.S. Patent No. 5,995,705, Claims 12, 13, and 21

Accused Instrumentality: Method Performed by iTunes Software Running on Apple Computer or Windows Computer

EXHIBIT B

Claim 12	Elements in Accused Instrumentality
<p>A method for handling audio/video source information, the method comprising the steps of:</p>	<p>Method performed by iTunes software running on an Apple Computer or Windows Computer</p>
<p>receiving audio/video source information, said audio/video source information comprising a multiplicity of video frames collectively constituting at least one full motion video program;</p>	<p>iTunes receives audio/video source information comprising video program(s) via one or more of the following components of the Apple Computer or Windows Computer:</p> <ul style="list-style-type: none"> Wired or wireless Ethernet device; Internal telephone modem device; USB port; and/or FireWire port
<p>compressing the received audio/video source information into a digital time compressed representation thereof, the digital time compressed representation of said audio/video source information having an associated burst transmission time period that is substantially shorter than a time period associated with real time viewing by a receiver of said audio/video source information;</p>	<p>iTunes software compresses the audio/video source information into a digital time compressed representation (<i>e.g.</i>, in iPod movie format) that has a burst time period substantially shorter than real time playback</p>

**Accused Instrumentality: Method Performed by iTunes Software Running on
 Apple Computer or Windows Computer**

<p>storing the digital time compressed representation of said audio/video source information; and</p>	<p>iTunes software stores the digital time compressed representation (e.g., in computer memory or on other storage media)</p>
<p>transmitting, in said burst transmission time period, the stored digital time compressed representation of said audio/video source information to a selected destination.</p>	<p>iTunes software transmits the stored digital time compressed representation in a burst time period substantially shorter than real time playback to a selected destination (e.g., an iPod Device) via the USB port or FireWire port in the Apple Computer or Windows Computer</p>
<p>Claim 13</p>	
<p>The method of claim 12, further comprising the steps of:</p>	<p>See Chart for Claim 12</p>
<p>editing the stored time compressed representation of said audio/video source information; and</p>	<p>iTunes software editing features (e.g., Volume Adjustment, Equalizer Preset, Start Time, and Stop Time) edit the stored time compressed representation of audio/video source information</p>
<p>storing the edited time compressed representation of said audio/video source information.</p>	<p>iTunes software stores the edited time compressed representation (e.g., in computer memory or on other storage media)</p>
<p>Claim 21</p>	
<p>A method for handling audio/video source information, the method comprising the steps of:</p>	<p>Method performed by iTunes software running on an Apple Computer or Windows Computer</p>

**Accused Instrumentality: Method Performed by iTunes Software Running on
 Apple Computer or Windows Computer**

<p>receiving audio/video source information as a digital time compressed representation thereof, said audio/video source information comprising a multiplicity of video frames collectively constituting at least one full motion video program selected from a video library storing a plurality of video programs in a digital time compressed representation thereof for selective retrieval;</p> <p>said at least one video program being received by a receiver in a burst transmission time period that is substantially shorter than a time period associated with real-time viewing by a receiver of said at least one video program;</p>	<p>iTunes software receives, in a burst transmission time period substantially shorter than real time playback, the digital time compressed representation of one or more video programs selected from a video library storing two or more such time compressed digital representations for selective retrieval (<i>e.g.</i>, the iTunes Music Store), via one or more of the following components of the Apple Computer or Windows Computer:</p> <p>Wired or wireless Ethernet device;</p> <p>USB port; and/or</p> <p>FireWire port</p>
<p>storing the digital time compressed representation of said audio/video source information; and</p>	<p>iTunes software stores the digital time compressed digital representation (<i>e.g.</i>, in computer memory or on other storage media)</p>
<p>transmitting, in said burst transmission time period, the stored digital time compressed representation of said audio/video source information to a selected destination.</p>	<p>iTunes software transmits the stored digital time compressed digital representation in a burst time period substantially shorter than real time playback to a selected destination (<i>e.g.</i>, an iPod Device) via the USB port or FireWire port in the Apple Computer or Windows Computer</p>

Accused Instrumentality: Apple Computer or Windows Computer with iTunes Software Installed

Claim 4	Elements in Accused Instrumentality
<p>An audio/video transceiver apparatus comprising:</p>	<p>Apparatus is an Apple Computer or Windows Computer with iTunes software installed</p>
<p>input means for receiving audio/video source information, said audio/video source information comprising a multiplicity of video frames in the form of one or more full motion video programs;</p>	<p>One or more of the following components of the Apple Computer or Windows Computer with iTunes software installed:</p> <ul style="list-style-type: none"> Wired or wireless Ethernet device; Internal telephone modem device; USB port; and/or FireWire port <p>(which receives audio/video source information comprising video program(s))</p>
<p>compression means, coupled to said input means, for compressing said audio/video source information into a time compressed representation thereof having an associated time period that is shorter than a time period associated with a real time representation of said received audio/video source information;</p>	<p>Central processing unit in Apple Computer or Windows Computer with iTunes software installed (which compresses the audio/video source information into a time compressed representation (e.g., in iPod movie format) that has a time period shorter than real time playback)</p>