

BLOCKBUSTER’S PRELIMINARY INVALIDITY CONTENTION

SEPTEMBER 18, 2006

U.S. PATENT NO. 6,584,450 B1

EXHIBIT I

CLAIM CHART (Claims 31 through 35)

Elements of Claims 31 through 35	Prior Art Disclosure
Claim 31	
<p>A method for renting movies to customers, the method comprising the computer-implemented steps of:</p>	<p><i>Multi Video</i>¹ <i>Pop Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Yoshida</i>: the Abstract, drawings and specification. <i>Kuriyama</i>: the Abstract, drawings and specification. <i>Koya</i>: the Abstract, drawings and specification. <i>Crooks</i>: the Abstract, drawings and specification. <i>Isobe</i>: the Abstract, drawings and specification.</p> <p><i>Reference Guide</i> <i>Functional Requirement</i> <i>Maxcess</i></p>

¹ By citing prior art or the preamble of the claims listed herein, Blockbuster is not admitting that the preamble of the claims should be considered limitations.

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Elements of Claims 31 through 35	Prior Art Disclosure
	<p><i>Sirsi</i> <i>Auto Librarian</i></p> <p><i>NCR: e.g. Siefert '526, the Abstract, drawings and specification.</i></p> <p><i>Avis</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT</i> <i>BTL</i></p> <p><i>Netflix</i></p>
<p>receiving one or more movie selection criteria from a customer that indicates two or more movies that the customer desires to rent;</p>	<p><i>Multi Video</i> <i>Pop*Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Reference Guide: e.g. description at pp. 115, 177.</i> <i>Functional Requirements: e.g. description, C.01, C.02, C.05 and C.06.</i> <i>Maxcess: e.g. description, pp1-2.</i> <i>Sirsi: e.g. pp.243-244.</i> <i>Auto Librarian: e.g. Figs. 1 and 2, and related description, pp. 235-238.</i></p> <p><i>Avis</i> <i>TiVo</i></p> <p><i>AudioQueue</i> <i>BTCC</i></p>

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Elements of Claims 31 through 35	Prior Art Disclosure
	<p><i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p> <p><i>Yoshida: e.g.</i> Figs. 1, 8a, 8b and 9, and related description. <i>Kuriyama: e.g.</i> Figs. 7 and 10, and related description. <i>Koya: e.g.</i> Figs. 1a, 1b, 4a and 4b, and related description. <i>Crook: e.g.</i> Fig. 1, and related description. <i>Isobe: e.g.</i> Figs. 1 and 6, and related description.</p> <p><i>NCR: e.g. Siefert '526, Figs. 6-12 and related description.</i></p> <p><i>Burks: e.g.</i> Fig. 2-6, and related description. <i>Hironori: e.g.</i> Fig.1, and related description. <i>Subler: e.g.</i> Figs. 2-3, and related description.</p> <p><i>Morales: e.g.</i> Fig. 6, and related description. <i>Hendricks: e.g.</i> Figs. 16 and 21, and related description. <i>Saigh: e.g.</i> Fig. 9, and related description. <i>Ginter: e.g.</i> Fig. 72C, and related description.</p> <p><i>Cook: e.g.</i> Fig. 1, and related description. <i>Fein: e.g.</i> Figs. 6A-6D, and related description. <i>Leason: e.g.</i> Figs. 2A and 5A, and related description. <i>Video Vendor</i></p>
<p>providing to the customer up to a specified number of the two or more movies indicated by the one or more movie selection criteria;</p>	<p><i>Multi Video</i> <i>Pop*Card</i> <i>Video Hit:</i> <i>Cine Club</i> <i>Campus Video</i></p>

EXHIBIT I: CLAIM CHART (Claims 31 through 35)

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Elements of Claims 31 through 35	Prior Art Disclosure
	<p><i>Reference Guide: e.g.</i> description at pp. 121, 181, 192. <i>Functional Requirements: e.g.</i> description, C.06. <i>Maxcess: e.g.</i> description, pp1-2. <i>Sirsi: e.g.</i> pp.244-245. <i>Auto Librarian: e.g.</i> Figs. 4 and 5, and related description, pp. 240-243.</p> <p><i>Avis</i> <i>TiVo</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p> <p><i>Yoshida: e.g.</i> Figs. 1, 8c and 8d, and related description. <i>Kuriyama: e.g.</i> Fig. 7, and related description. <i>Koya: e.g.</i> Figs. 1a and 6, and related description. <i>Crook: e.g.</i> Figs. 1 and 15, and related description. <i>Isobe: e.g.</i> Figs. 5 and 6, and related description.</p> <p><i>NCR: e.g. Siefert '526</i>, Figs. 39-40 and related description. <i>Ginter: e.g.</i> Fig. 72D, and related description.</p>

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Elements of Claims 31 through 35	Prior Art Disclosure
<p>and in response to a return of any of the movies provided to the customer, providing to the customer one or more other movies indicated by the one or more movie selection criteria, wherein a total current number of movies provided to the customer does not exceed the specified number.</p>	<p><i>Multi Video</i> <i>Pop*Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Avis</i> <i>TiVo</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p> <p><i>Reference Guide: e.g.</i> description at pp. 61, 123, 192. <i>Functional Requirements: e.g.</i> description, C.04. <i>Maxcess: e.g.</i> description, pp. 1-3. <i>Sirsi: e.g.</i> pp.244-246. <i>Auto Librarian: e.g.</i> Figs. 3 and 4, and related description, pp. 235-243.</p> <p><i>Avis</i> <i>TiVo</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Yoshida: e.g.</i> Figs. 1, 8c and 9, and related description. <i>Kuriyama: e.g.</i> Figs. 7 and 10, and related description.</p>

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Elements of Claims 31 through 35	Prior Art Disclosure
	<p><i>Koya</i>: e.g. Figs. 1a and 6, and related description. <i>Crook</i>: e.g. Figs. 2-12, and related description. <i>Isobe</i>: e.g. Figs. 1, 2 and 5, and related description.</p> <p><i>Ginter</i>: e.g. Fig. 72C, and related description.</p> <p><i>Bakoglu</i>: e.g. Figs. 1-3, and related description. <i>McMullan</i>: e.g. Figs. 10-11, and related description.</p>
Claim 32	
<p>A method as recited in claim 31,</p>	<p><i>Multi Video</i>² <i>Pop Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Yoshida</i>: the Abstract, drawings and specification. <i>Kuriyama</i>: the Abstract, drawings and specification. <i>Koya</i>: the Abstract, drawings and specification. <i>Crooks</i>: the Abstract, drawings and specification. <i>Isobe</i>: the Abstract, drawings and specification.</p> <p><i>Reference Guide</i> <i>Functional Requirement</i> <i>Maxcess</i> <i>Sirsi</i> <i>Auto Librarian</i></p> <p><i>NCR</i>: e.g. <i>Siefert</i> '526, the Abstract, drawings and specification.</p>

² By citing prior art or the preamble of the claims listed herein, Blockbuster is not admitting that the preamble of the claims should be considered limitations.

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Elements of Claims 31 through 35	Prior Art Disclosure
	<p><i>Avis</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p>
<p>wherein the one or more movie selection criteria specifies an order in which the customer desires to receive the movies,</p>	<p><i>Multi Video</i> <i>Pop*Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Avis</i> <i>TiVo</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p> <p><i>Reference Guide: e.g. description at pp. 127, 135 and 163-169.</i> <i>Functional Requirements: e.g. description at C.08.</i> <i>Maxcess: e.g. description, p 2.</i> <i>Sirsi: e.g. description at pp.242-245.</i> <i>Auto Librarian: e.g. Figs. 1-22, and related description, pp. 235-236.</i></p> <p><i>Koya: e.g. Figs. 6, 7a and 7b, and related description.</i></p>

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Elements of Claims 31 through 35	Prior Art Disclosure
	<p><i>Isobe</i>: e.g. Figs. 1, 2 and 5, and related description.</p> <p><i>NCR</i>: e.g. <i>Siefert</i> '526, Figs. 58-60, and related description.</p> <p><i>Subler</i>: e.g. Fig. 17, and related description.</p> <p><i>Leason</i>: e.g. Figs. 1, 2A and 5A, and related description.</p> <p><i>Cook</i>: e.g. Fig. 1, and related description.</p> <p><i>Video Vendor</i></p>
<p>the step of providing to the customer up to a specified number of the two or more movies indicated by the one or more movie selection criteria includes providing to the customer up to a specified number of the two or more movies indicated by the move selection criteria in the order specified by the one or more movie selection criteria,</p>	<p><i>Multi Video</i> <i>Pop*Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Avis</i> <i>TiVo</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p> <p><i>Reference Guide</i>: e.g. description at pp. 127, 135 and 163-169. <i>Functional Requirements</i>: e.g. description at C.08. <i>Maxcess</i>: e.g. description, p 2. <i>Sirsi</i>: e.g. description at pp.242-245. <i>Auto Librarian</i>: e.g. Figs. 1-22, and related description, pp. 235-236.</p> <p><i>Koya</i>: e.g. Figs. 6, 7a and 7b, and related description.</p>

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Elements of Claims 31 through 35	Prior Art Disclosure
	<p><i>Isobe: e.g.</i> Figs. 1, 2 and 5, and related description.</p> <p><i>NCR: e.g. Siefert '526</i>, Figs. 58-60, and related description.</p> <p><i>Subler: e.g.</i> Fig. 17, and related description.</p> <p><i>Leason: e.g.</i> Figs. 1, 2A and 5A, and related description.</p> <p><i>Cook: e.g.</i> Fig. 1, and related description.</p> <p><i>Video Vendor</i></p>
<p>and the step of providing to the customer one or more other movies specified by the one or more movie selection criteria includes providing to the customer one or more other movies specified by the one or more movie selection criteria in the order specified by the one or more movie selection criteria.</p>	<p><i>Multi Video</i> <i>Pop*Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Avis</i> <i>TiVo</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p> <p><i>Reference Guide: e.g.</i> description at pp. 127, 135 and 163-169. <i>Functional Requirements: e.g.</i> description at C.08. <i>Maxcess: e.g.</i> description, p 2. <i>Sirsi: e.g.</i> description at pp.242-245. <i>Auto Librarian: e.g.</i> Figs. 1-22, and related description, pp. 235-236.</p> <p><i>Koya: e.g.</i> Figs. 6, 7a and 7b, and related description.</p>

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Elements of Claims 31 through 35	Prior Art Disclosure
	<p><i>Isobe</i>: e.g. Figs. 1, 2 and 5, and related description.</p> <p><i>NCR</i>: e.g. <i>Siefert</i> '526, Figs. 58-60, and related description.</p> <p><i>Subler</i>: e.g. Fig. 17, and related description.</p> <p><i>Leason</i>: e.g. Figs. 1, 2A and 5A, and related description.</p> <p><i>Cook</i>: e.g. Fig. 1, and related description.</p> <p><i>Video Vendor</i></p>
Claim 33	
A method as recited in claim 31,	<p><i>Multi Video</i>³</p> <p><i>Pop Card</i></p> <p><i>Video Hit</i></p> <p><i>Cine Club</i></p> <p><i>Campus Video</i></p> <p><i>Yoshida</i>: the Abstract, drawings and specification.</p> <p><i>Kuriyama</i>: the Abstract, drawings and specification.</p> <p><i>Koya</i>: the Abstract, drawings and specification.</p> <p><i>Crooks</i>: the Abstract, drawings and specification.</p> <p><i>Isobe</i>: the Abstract, drawings and specification.</p> <p><i>Reference Guide</i></p> <p><i>Functional Requirement</i></p> <p><i>Maxcess</i></p> <p><i>Sirsi</i></p> <p><i>Auto Librarian</i></p> <p><i>NCR</i>: e.g. <i>Siefert</i> '526, the Abstract, drawings and specification.</p>

³ By citing prior art or the preamble of the claims listed herein, Blockbuster is not admitting that the preamble of the claims should be considered limitations.

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Elements of Claims 31 through 35	Prior Art Disclosure
	<p><i>Avis</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p>
<p>wherein the one or more movie selection criteria specifies movie attributes preferred by the customer,</p>	<p><i>Multi Video</i> <i>Pop*Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Avis</i> <i>TiVo</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p> <p><i>Reference Guide: e.g. description at pp. 181-184.</i> <i>Maxcess: e.g. description, p 2-3.</i> <i>Sirsi: e.g. description at pp.241-244.</i> <i>Auto Librarian: e.g. Figs. 1-22, and related description, pp. 235-240.</i></p> <p><i>NCR: e.g. Siefert, 526, Figs. 18-24, and related description.</i> <i>Stein: e.g. Fig. 4, and related description.</i></p>

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Elements of Claims 31 through 35	Prior Art Disclosure
	<p><i>Herz: e.g.</i> Fig. 2, and related description. <i>Subler: e.g.</i> Figs. 11-12, and related description. <i>Cook: e.g.</i> Fig. 1, and related description. <i>Ginter: e.g.</i> Fig. 72D, and related description.</p>
<p>the step of providing to the customer up to a specified number of the two or more movies indicated by the one or more movie selection criteria includes automatically selecting and providing to the customer up to a specified number of the two or more movies that have the specified movie attributes preferred by the customer,</p>	<p><i>Multi Video</i> <i>Pop*Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Avis</i> <i>TiVo</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p> <p><i>Reference Guide: e.g.</i> description at pp. 181-184. <i>Maxcess: e.g.</i> description, p 2-3. <i>Sirsi: e.g.</i> description at pp.241-244. <i>Auto Librarian: e.g.</i> Figs. 1-22, and related description, pp. 235-240.</p> <p><i>NCR: e.g. Siefert, '526, Figs. 18-24, and related description.</i> <i>Stein: e.g.</i> Fig. 4, and related description. <i>Herz: e.g.</i> Fig. 2, and related description. <i>Subler: e.g.</i> Figs. 11-12, and related description. <i>Cook: e.g.</i> Fig. 1, and related description. <i>Ginter: e.g.</i> Fig. 72D, and related description.</p>

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Elements of Claims 31 through 35	Prior Art Disclosure
<p>and the step of providing to the customer one or more other movies specified by the one or more movie selection criteria includes automatically selecting and providing to the customer one or more other movies that have the specified movie attributes preferred by the customer.</p>	<p><i>Multi Video</i> <i>Pop*Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Avis</i> <i>TiVo</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p> <p><i>Reference Guide: e.g.</i> description at pp. 181-184. <i>Maxcess: e.g.</i> description, p 2-3. <i>Sirsi: e.g.</i> description at pp.241-244. <i>Auto Librarian: e.g.</i> Figs. 1-22, and related description, pp. 235-240.</p> <p><i>NCR: e.g. Siefert '526</i>, Figs. 18-24, and related description. <i>Stein: e.g.</i> Fig. 4, and related description. <i>Herz: e.g.</i> Fig. 2, and related description. <i>Subler: e.g.</i> Figs. 11-12, and related description. <i>Cook: e.g.</i> Fig. 1, and related description. <i>Ginter: e.g.</i> Fig. 72D, and related description.</p>
<p>Claim 34</p>	

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Elements of Claims 31 through 35	Prior Art Disclosure
<p>A method as recited in claim 31,</p>	<p><i>Multi Video</i>⁴ <i>Pop Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Yoshida</i>: the Abstract, drawings and specification. <i>Kuriyama</i>: the Abstract, drawings and specification. <i>Koya</i>: the Abstract, drawings and specification. <i>Crooks</i>: the Abstract, drawings and specification. <i>Isobe</i>: the Abstract, drawings and specification.</p> <p><i>Reference Guide</i> <i>Functional Requirement</i> <i>Maxcess</i> <i>Sirsi</i> <i>Auto Librarian</i></p> <p><i>NCR</i>: <u>e.g.</u> <i>Siefert</i> '526, the Abstract, drawings and specification.</p> <p><i>Avis</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p>
<p>wherein movies are provided to the customer</p>	<p><i>NCR</i>: <u>e.g.</u> <i>Siefert</i> '526, Figs. and related description.</p>

⁴ By citing prior art or the preamble of the claims listed herein, Blockbuster is not admitting that the preamble of the claims should be considered limitations.

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Elements of Claims 31 through 35	Prior Art Disclosure
by mail.	
Claim 35	
A method as recited in claim 31,	<p><i>Multi Video</i>⁵ <i>Pop Card</i> <i>Video Hit</i> <i>Cine Club</i> <i>Campus Video</i></p> <p><i>Yoshida</i>: the Abstract, drawings and specification. <i>Kuriyama</i>: the Abstract, drawings and specification. <i>Koya</i>: the Abstract, drawings and specification. <i>Crooks</i>: the Abstract, drawings and specification. <i>Isobe</i>: the Abstract, drawings and specification.</p> <p><i>Reference Guide</i> <i>Functional Requirement</i> <i>Maxcess</i> <i>Sirsi</i> <i>Auto Librarian</i></p> <p><i>NCR</i>: <u>e.g.</u> <i>Siefert '526</i>, the Abstract, drawings and specification.</p> <p><i>Avis</i></p> <p><i>AudioQueue</i> <i>BTCC</i> <i>TBW</i> <i>BOT and/or BTL</i></p> <p><i>Netflix</i></p>

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Elements of Claims 31 through 35	Prior Art Disclosure
wherein movies are provided to the customer by a delivery agent.	NCR: <u>e.g.</u> <i>Siefert</i> '526, Figs. and related description.