

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

MARSHALL, GERSTEIN
& BORUN LLP

6300 Sears Tower
233 South Wacker Drive
Chicago, IL 60606-6357

ROBINS, KAPLAN, MILLER & CIRESI LLP

2800 Lasalle Plaza,
800 Lasalle Avenue
Minneapolis, Minnesota 55402

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

In Re)
)
)
ACACIA MEDIA TECHNOLOGIES)
CORPORATION)
)
)
)
)
)
)

Case No. C-05-01114JW

**SUBMISSION IN RESPONSE TO
REQUEST FOR ADDITIONAL BRIEFING
IDENTIFYING THE ESSENTIAL
COMPONENTS OF THE PATENTEE-
DEFINED "TRANSMISSION SYSTEM"
AND "RECEIVING SYSTEM"**

Courtroom: 8, 4th Floor
Place: Honorable James Ware

Marshall, Gerstein & Borun LLP
6300 Sears Tower
233 South Wacker Drive
Chicago, IL 60606-6357

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATEMENT

The Court’s October 19, 2007, Claim Construction Order requested additional briefing on the construction of “transmission system” and “receiving system.” In response, the following Round Two Cable Defendants join in the arguments presented by the Round Three Defendants in a separately-filed submission: Charter Communications, Inc.; Wide Open West Ohio LLC; Armstrong Group; Massilon Cable TV, Inc.; East Cleveland Cable TV and Communications LLC; Mid-Continent Media, Inc.; Cannon Valley Communications, Inc.; Us Cable Holdings, LP; Arvig Communications Systems; Sjoberg’s Cablevision, Inc.; Loretel Cablevision, Inc.; NPG Cable, Inc.; Block Communications, Inc.; Coxcom, Inc.; and Hospitality Network, Inc.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: November 2, 2007

Respectfully Submitted,

BRADFORD LYERLA (*pro hac vice*)
KEVIN HOGG (*pro hac vice*)
JEFFREY DEAN (*pro hac vice*)
JON-THOMAS BLOCH (*pro hac vice*)
MARSHALL, GERSTEIN & BORUN LLP
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357

MORGAN W. TOVEY (CA SBN 136242)
WILLIAM R. OVEREND (CA SBN 180209)
REED SMITH LLP
Two Embarcadero Center, Suite 2000
San Francisco, CA 94111

By _____ /s/ Jon-Thomas Bloch
Jon-Thomas Bloch

Attorneys for Defendants
CHARTER COMMUNICATIONS, INC.;
WIDE OPEN WEST OHIO LLC;
ARMSTRONG GROUP;
MASSILON CABLE TV, INC.;
EAST CLEVELAND CABLE TV AND
COMMUNICATIONS LLC;
MID-CONTINENT MEDIA, INC.;
CANNON VALLEY COMMUNICATIONS,
INC.;
US CABLE HOLDINGS, LP;
ARVIG COMMUNICATIONS SYSTEMS;
SJOBERG'S CABLEVISION, INC.;
LORETEL CABLEVISION, INC.;
NPG CABLE, INC.; and
BLOCK COMMUNICATIONS, INC.

ANNAMARIE A. DALEY (*pro hac vice*)
ROBINS, KAPLAN, MILLER & CIRESI LLP
2800 LaSalle Plaza, 800 LaSalle Avenue
Minneapolis, Minnesota 55402

RICHARD R. PATCH (CA SBN 88049)
J. TIMOTHY NARDELL (CA SBN 184444)
COBLENTZ, PATCH, DUFFY & BASS, LLP
One Ferry Building, Suite 200
San Francisco, California 94111-4213

By _____ /s/ Annamarie A. Daley
Annamarie A. Daley

Attorneys for Defendants
COXCOM, INC. and HOSPITALITY
NETWORK, INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I hereby certify that on November 2, 2007, I caused the following document: SUBMISSION IN RESPONSE TO REQUEST FOR ADDITIONAL BRIEFING IDENTIFYING THE ESSENTIAL COMPONENTS OF THE PATENTEE-DEFINED “TRANSMISSION SYSTEM” AND “RECEIVING SYSTEM”, to be filed electronically with the Clerk of Court through ECF, and that ECF will send an notice of the electronic filing to counsel of record for all parties via Court’s ECF system on November 2, 2007.

/s/ Jon-Thomas Bloch
Jon-Thomas Bloch