

# EXHIBIT B



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January 28, 2020

**VIA FEDERAL EXPRESS**

Jeffrey Katzenberg and Meg Whitman  
Quibi, Inc.  
6555 Barton Ave.  
Los Angeles, CA 90036

**Re: Eko's Video Streaming Technology and Intellectual Property Rights and Quibi's Turnstyle Feature**

Dear Mr. Katzenberg and Ms. Whitman:

We represent Interlude (dba Eko). I am writing today to express Eko's grave concerns about Quibi's unauthorized use of Eko's valuable commercial technology. This letter demands that Quibi immediately stop the use of its Turnstyle technology or enter into a business resolution of this matter. Eko would like a response by the close of business on February 1, 2020.

Eko has taken great measures to protect its innovation, including through the development of a comprehensive portfolio of patents. For example, the '765 Patent, a copy of which is enclosed for your reference, describes methods and systems for seamlessly transitioning among different videos based on changes in the media player size, resolution, and/or orientation. Eko also takes substantial efforts to protect its trade secrets and confidential information. For example, it stores its code on password-protected servers. Among other things, Eko only shares its confidential information under non-disclosure agreements, and its employees all enter into non-disclosure agreements as a condition of their employment.

We recently had occasion to review Quibi's keynote at CES. Frankly, Eko was stunned with what it saw. The Turnstyle technology, which was the centerpiece of the entire presentation, was the precise proprietary technology that Eko had shared with Quibi executives several months ago and with Quibi engineers who had access to Eko's source code and proprietary information subject to an NDA when they worked for a prior employer.

The facts here are straightforward:

- Eko has spent tens of millions of dollars and thousands of man-hours to develop groundbreaking technology related to seamless horizontal to vertical switching technology for mobile devices.
- The Eko product team began discussions with CJ Smith at Snapchat in July of 2015 regarding the distribution of interactive videos on the Snapchat platform using Eko's technology. Eko entered into a non-disclosure agreement with Snapchat associated with these discussions.



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- These discussions continued through 2017, when Dan Szeto of Snapchat expressed great interest in Eko's platform technology, leading to further discussions related to integration of Eko's technology into the Snapchat platform.
- Eko team members met with you in March of 2017, at which time you (on behalf of Quibi) expressed strong interest in Eko's technology and participating in Eko's next round of financing.
- In 2018, Eko shared with Mr. Smith and Mr. Szeto (then at Snapchat) confidential information and trade secrets, including proprietary source code implementing the seamless horizontal to vertical switching technology.
- Subsequently, in late 2018, numerous Snapchat employees, including Mr. Smith, Mr. Szeto, Joseph Burfitt, and Tom Conrad left Snapchat and joined Quibi.
- As of February 2019, Quibi claimed it had not yet begun to develop any seamless horizontal to vertical switching technology. A month later, in March 2019, Eko again met with Quibi to demonstrate its horizontal to vertical streaming technology
- Then, in January 2020, Quibi announced Turnstyle at CES and made Turnstyle the centerpiece of its CES keynote.

Quibi appears to make use of the very technology disclosed in Eko's patent portfolio. Specifically, the '765 patent describes simultaneously receiving two video presentations, playing the first video based on properties of a playback device, providing a mapping of media player height and width ranges, determining that a playback window has changed dimensions (e.g., from vertical to horizontal), and, using the mapping, seamlessly transitioning from the first video to the second video. The properties can include, for example, physical orientation, physical screen size, screen resolution, and/or window size of the device; the second video may include, for example, different video or audio content, different dimensional ratios, and/or different video quality; and the transition from the first video to the second may include changing the position, the shape, and/or the size of a viewing region. These and other concepts from the '765 patent are clearly present in the Turnstyle feature. You can imagine our surprise when we learned that Quibi claimed to have "invented a new experience and technology that we call Turnstyle" that allows users to "move at will between full screen portrait and full screen landscape" that "required engineering breakthroughs in technology and user experience."<sup>1</sup>

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<sup>1</sup> <https://www.youtube.com/watch?v=LXOG9yNRjxk>

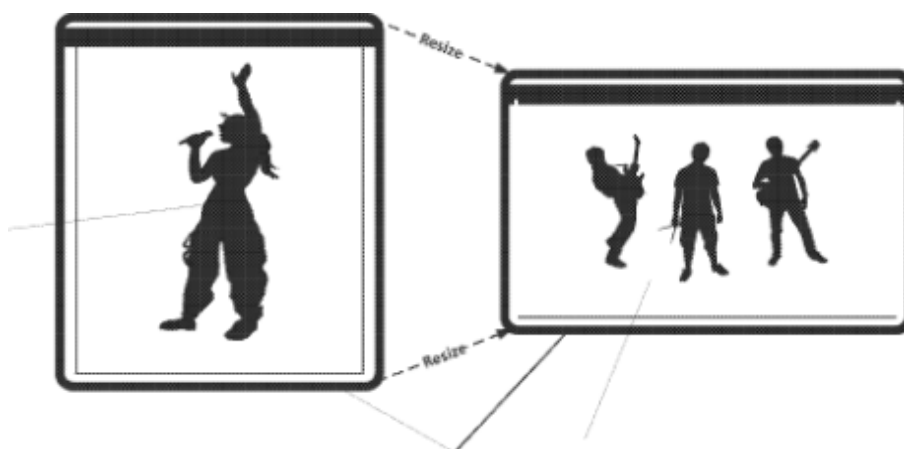


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As one example of how the Turnstyle functionality appears to use the concepts and technology of the '765 patent, below are screen captures from a recent demonstration of the Turnstyle feature, paired with a tweet which appears to be from Quibi's Twitter account, and images from the '765 patent.



**Quibi Turnstyle Demonstration**



**Figure 2 from the '765 Patent**

Given the shortness of time that it took Quibi to launch this technology and the extraordinary similarity between the two technologies, we can think of no credible explanation other than Quibi's unauthorized use of Eko's technology.



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Eko takes this apparent theft seriously. To ensure Eko's technology remains protected, we ask that Quibi:

- Confirm that it will honor any confidentiality obligations it has to Eko;
- Remind its employees hired from Snapchat of the confidentiality obligations they agreed to while at Snapchat and provide written confirmation that they will comply with those confidentiality obligations;
- Identify all prophylactic measures taken at Quibi to ensure Eko's confidential information was not shared or used in the development of Turnstyle;
- Identify any individuals that were aware of Eko and its technology that contributed to the Turnstyle technology; and
- Confirm that Quibi is not in possession of any source code, applications, players, or other technology from Eko.

Eko continues to be interested in pursuing a strategic partnership with Quibi that would be beneficial and lucrative to both companies. Eko is prepared to discuss a strategic partnership but, should Quibi not be interested in such a strategic partnership, Eko demands that Quibi immediately cease and desist from further unauthorized use of Eko's technology.

Please respond to this letter no later than February 1, 2020.

Very truly yours,

Neel Chatterjee

cc: Yoni Bloch