

PUBLIC VERSION

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.**

**Before the Honorable MaryJoan McNamara
Administrative Law Judge**

In the Matter of

**CERTAIN DIGITAL VIDEO RECEIVERS,
BROADBAND GATEWAYS, AND
RELATED HARDWARE AND
SOFTWARE COMPONENTS**

Investigation No. 337-TA-1158

COMPLAINANTS' CORRECTED PRE-HEARING STATEMENT

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Rovi submits this Pre-Hearing Statement under Ground Rule 7.1.

I. WITNESSES

Pursuant to Ground Rule 7.1(a), Rovi identifies the following witnesses expected to appear at the hearing, their addresses, and a brief outline of each witness' expected testimony. Rovi understands that Comcast will submit a separate prehearing statement identifying witnesses Comcast expects to call. Rovi reserves the right to call and question in Rovi's case any witness called by Comcast. Some of the following witnesses' testimony may be introduced through deposition designations in whole or in part rather than appearing live.

A. Rovi Fact Witnesses

Rovi intends to call the following fact witnesses to testify at the evidentiary hearing. The proposed brief outline of testimony is based on the best information Rovi has to date regarding the scope of this Investigation and Comcast's contentions. The description of proposed testimony is without waiver to revision in reaction to changes in the scope of the Investigation, Comcast's contentions, and Comcast's presentation of evidence at the hearing.

1. Samir Armaly

Samir Armaly is a Strategic IP Advisor to Rovi, and formerly the Executive Vice President of IP and Licensing, located at 2233 N. Ontario St. #200, Burbank, CA, 91504. Mr. Armaly will testify generally regarding Rovi's history and negotiations with Comcast, including Comcast's explicit notice of the '445 and '528 Patents, and Comcast's refusal to renew its license to Rovi's Guidance portfolio, notwithstanding the exclusion and cease and desist orders issued in the 1001 and 1103 Investigations.

2. Liam Bresnahan

Liam Bresnahan is the Director of Product Management for IPTV (internet protocol television) at TiVo Solutions, Inc. (TSI), located at 2160 Gold St., San Jose, CA 95002. Mr. Bresnahan will testify generally as to Rovi's domestic industry products, including the patent practicing features of Next-Gen, Next-Gen on Series 6, and Next-Gen on Series 7. His testimony will address Rovi's investments pertaining to its '445 Patent domestic industry, including development of the [REDACTED] feature for multiple system operators.

3. David Chamberlin

David Chamberlin is a Distinguished Engineer at TSI, located at 2160 Gold St., San Jose, CA 95002. Mr. Chamberlin will testify generally as to Rovi's domestic industry products, including the patent practicing features of Next-Gen, Next-Gen on Series 6, and Next-Gen on Series 7.

4. Rolan Sargis

Rolan Sargis is the Vice President of Financial Planning and Analysis at Rovi, located at 2160 Gold St., San Jose, CA 95002. Mr. Sargis is expected to testify generally as to Rovi's investments pertaining to its domestic industry, including Rovi's business process for allocating costs by product.

5. Chris Thun

Chris Thun is Vice President of Product Management at Rovi, located at 2160 Gold St., San Jose, CA 95002. Mr. Thun will testify generally as to Rovi's investments pertaining to its domestic industry, including Rovi's investments in Passport Guide, Next-Gen Series, Series 6 with Next-Gen, and Series 7 with Next-Gen.

B. Rovi Expert Witnesses

Rovi intends to call the following expert witnesses to testify at the evidentiary hearing:

1. Kevin Almeroth

Dr. Almeroth received his B.S., M.S., and Ph.D. in Computer Science from the Georgia Institute of Technology. Dr. Almeroth is currently a Professor in the Department of Computer Science at the University of California, Santa Barbara. Dr. Almeroth's curriculum vitae is attached hereto as Appendix A to this Statement. Dr. Almeroth is offered as an expert in the fields of electronic content delivery, electronic program guides, television video signal processing, graphical user interfaces, cable or satellite television systems, set-top boxes, multimedia systems, and data search techniques.

Dr. Almeroth is expected to testify regarding the understandings of the disputed terms of U.S. Patent No. 7,779,445 to one of skill in the art in view of the intrinsic and extrinsic evidence, the specification, prosecution history, and the knowledge of one of ordinary skill in the art. Additionally, Dr. Almeroth will testify regarding how the Accused Products infringe U.S. Patent No. 7,779,445 and how the domestic industry products satisfy the technical prong of the Domestic Industry Requirement for U.S. Patent No. 7,779,445.

2. Sean Iyer

Mr. Iyer received his B.S. in Economics from the University of Florida and his M.A. in Economics from the University of Calcutta. Mr. Iyer is an Executive Vice President at Compas Lexecon, a leading global economic consultancy and previously was a partner at Cornerstone Research, heading that firm's national intellectual property practice. Mr. Iyer has extensive experience and expertise in designing and conducting marked research, including surveys, in

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