

PLAYLIST PATENT HELD VALID IN IPR PROCEEDING

PTAB Finds Majority Of Claims Patentable In Light Of Google's Challenge

Beaumont, Texas - September 2, 2016 - Personal Audio LLC, the pioneers in personalized media solutions, received a final written decision yesterday regarding the validity of its US Patent No. 6,199,076 (case IPR2015-00845). The Patent Trial and Appeal Board concluded that 6 of the 8 claims challenged by Google, Inc. were patentable in light of the prior art. Google filed this inter partes review challenge, in 2015, in response to a lawsuit directed at Android products.

Personal Audio's patents have previously and consistently been held valid at trial and at the Patent and Trademark office. In 2009, Personal Audio filed suit against Apple, Inc. alleging patent infringement. In response, Apple challenged the validity of the patents in District Court as well as in the U.S. Patent and Trademark office. On July 8, 2011, the jury returned a verdict finding the patents valid, infringed, and awarded damages. In November, 2012, the Patent Office also disagreed with Apple's invalidity positions and issued a Certificate of Reexamination for the '076 patent finding all claims valid and enforceable. Personal Audio has since successfully asserted its patents against a number of other defendants. In September 2014, Personal Audio won a jury verdict against CBS Interactive, in which the asserted patent claims were found valid and infringed.

Personal Audio's Patents have been tested twice at trial and twice via *inter partes* and *ex parte* reexamination proceedings. Personal Audio's patent portfolio remains valid and enforceable despite attempts to invalidate the patents and/or argue non-infringement positions. As a result, Personal Audio has been able to establish a strong licensing history and continues to expand its portfolio of major device manufacturers and media companies that have licensed its patents related to the use of episodic content and downloadable playlists in audio and video players.

ABOUT PERSONAL AUDIO: Personal Audio Inc. was founded in 1996 by James Logan, an inventor and entrepreneur, with a mission of offering personalized media to listeners over the Internet. The company worked to develop an audio player that could download, store and manipulate audio files to fulfill this mission. This system, along with related ideas, was described in several patent applications filed in October 1996.

Personal Audio's pioneering "Playlist Patents" are commonly used today in smartphones, tablets and other devices that store and play audio and video files and work with downloaded playlists. In 2009, Personal Audio was issued a patent covering innovations in the distribution of serialized online media, the "Episodic Content Patent." These techniques are commonly used today in the distribution of podcasts and serialized television shows. Learn more at www.personalaudio.net.

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