IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED VIDEO PROPERTIES, INC., TV GUIDE ONLINE, LLC, and TV GUIDE ONLINE, INC.,	:	
Plaintiffs,	:	
v.	:	Civil Action No. 11-003-RGA
AMAZON.COM, INC., and IMDB.COM, INC.,	:	
Defendants.	:	

The Court, having considered Plaintiffs' Motion for Clarification of the June 22, 2012 Memorandum Opinion (D.I. 183), as well as the papers filed in connection therewith, hereby clarifies its June 22 Memorandum Opinion as follows:

1. The Court revises its construction of the term "electronic television program guide" to be "an electronic application that identifies the channels and times on which television programs will air." Similarly, the Court revises its construction of the term "interactive program guide" to be "an application that produces interactive display screens identifying the channels and times on which television programs will air." The Court's revised constructions are intended to make clear that the terms "electronic program guide" and "interactive program guide" in the '268 and '690 patents require the respective applications to provide current and forward-looking program schedule and channel information – *i.e.*, information concerning what programs are currently airing and when programs will air in the future, and on what channel.

2. "Displaying" information in the '268 patent necessarily involves overlaying it on

top of a currently-playing television program. As the Court stated in its June 22, 2012 Memorandum Opinion, "displaying" must be interpreted in the context of the claim, not in isolation. *On Demand Machine Corp. v. Ingram Indus.*, 442 F.3d 1331, 1344 (Fed. Cir. 2006). The '268 Patent is explicit that the "invention relates to an electronic program schedule system, which provides a user with schedule information for broadcast or cablecast programs, viewed by the user *on a television receiver*." '268 Patent at col.1 ll.12-15 (emphasis added). In that context, the term "displaying" must necessarily relate to television and not other forms of "overlaying" on a screen such as when a program "window" on a computer screen is overlaid on top of a user's desktop and other program windows.

Entered this 14th day of December, 2012.

Hon. Richard G. Andrews
United States District Judge