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DDB Takes Shot At NBA Over Web Broadcast Patents

By **Samuel Howard**

Law360, New York (April 28, 2010) -- Having already launched two suits against major sports broadcasters, DDB Technologies Inc. has now accused NBA Media Ventures LLC of infringing four patents covering an Internet broadcast system that produces a computer simulation of live sporting events.

The complaint, filed Tuesday in the U.S. District Court for the Western District of Texas, alleges that the NBA provides online applications for basketball game broadcasts that "wantonly and willfully" infringe DDB's patented live broadcast technology.

Specifically, the NBA has launched an application called TV Companion that provides real-time statistical information, 3-D shot charts and play-by-play analysis and infringes patents for a method and apparatus for providing remote viewers with simulations of live sporting events, according to the suit.

"Without DDB's permission, the NBA began providing simulation products/ services over the Internet that embody the invention(s) set forth in the DDB patents," the complaint said. "For example, the NBA's 'TV Companion' product/ service permits remote users to watch a simulation of live sporting events including, for example, basketball games."

The NBA's new online broadcast application infringes U.S. Patent Numbers 5,526,479; 5,671,347; and 6,204,862 — all titled "Method and apparatus for broadcasting live events to another location and producing a computer simulation of the events at that location" — and 7,373,587, titled "Representing sub-events with physical exertion actions," according to the complaint.

In the 1980s and early 1990s, the principals of DDB developed a method and apparatus for generating computerized simulations of live sporting events, and secured the first of the patents in June 1996, the suit states.

The patents describe a method for broadcasting live events that uses computer simulations to characterize actions, allowing viewers to manipulate the perspective and select information about real-time events.

The plaintiff is seeking treble damages for willful infringement of the asserted patents, an award of attorneys' fees and the destruction of all infringing broadcast systems.

Representatives for the NBA could not immediately be reached for comment Wednesday.

Earlier in April, DDB asserted the same four patents in lawsuits against NFL Enterprises LLC and ESPN Inc.

The patents-in-suit are U.S. Patent Numbers 5,526,479; 5,671,347; 6,204,862; and 7,373,587.

DDB is represented by McDonnell Boehnen Hulbert & Berghoff LLP and Winstead PC.

Counsel information for the NBA was not immediately available.

The case is DDB Technologies LLC v. NBA Media Ventures LLC, case number 1:10-cv-00285, in the U.S. District Court for the Western District of Texas.

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