

# Dish prevails over TiVo in initial patent ruling

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(AP) -- Dish Network Corp. said Tuesday that it has received an initial favorable ruling related to its patent fight with TiVo Inc.

The satellite [TV operator](#), and sister company EchoStar Corp., said the U.S. [Patent](#) and Trademark Office has rejected TiVo's software claims that lay at the heart of their lawsuit.

The patent fight revolves around TiVo's "time-warp" technology, which lets viewers rewind, pause or fast-forward live TV.

TiVo said the finding is preliminary and the company hasn't yet had the opportunity to present its views.

TiVo sued Dish in 2004, alleging that Dish infringed on its DVR technology. Dish lost and was ordered to pay \$105 million to TiVo. While the case was on appeal, Dish designed a modified software that it downloaded to customers' DVRs.

But TiVo said the workaround software still infringed on its patent and asked the district court for a permanent injunction. TiVo prevailed but Dish appealed the ruling.

Shares of Dish rose by 2 cents to \$18.20 in after-hours trading, and rose by 73 cents, or 4.2 percent, to \$18.18 in the regular session. [TiVo](#) fell 28 cents, or 2.6 percent, to \$10.70 after hours, but was up 36 cents to \$10.98 in the regular session.

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