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(54) **DATA TRANSMITTING APPARATUS AND
CONTROL METHOD THEREOF**

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ABSTRACT

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A data transmitting apparatus comprises a transmitting unit configured to transmit stream data to a receiving apparatus via a network; an obtaining unit configured to obtain statistical information relating to the network; a determination unit configured to determine a first threshold value that is related to an amount of data buffered on the network; and a transmission control unit configured to halt the transmission of the stream data by the transmitting unit, if an amount of data of the stream data buffered on the network exceeds the first threshold value, and resume the transmission of the stream data by the transmitting unit at a lower transfer rate. The determination unit determines the first threshold value based on the statistical information obtained by the obtaining unit while the transmitting unit is transmitting the stream data.

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