

Exhibit 021-9

INVALIDITY OF U.S. PAT. NO. 10,251,021 BY U.S. PAT. APP. NO. US2006/0250994 (“SASAKI”)

Charted Reference:

- U.S. Patent App. No. US2006/0250994 (“Sasaki”) anticipates and/or renders obvious, alone or in combination with one or more references identified below, the asserted claims of U.S. Patent No. 10,251,021 (“the ’021 patent”).

To the extent Sasaki does not expressly or inherently disclose a limitation of an asserted claim, Google contends that Sasaki, alone or in combination with Ellis, Jacobi, Teicher, Havinis, or one or more references identified as disclosing this limitation in Exhibits 021-1 to 021-9, renders the limitation obvious. A person of ordinary skill in the art would have been motivated to make such a combination at least because it amounts to the use of known technique to improve similar systems in the same way and/or applying a known technique to a known system ready for improvement to yield predictable results.

This claim chart is based on Google and YouTube’s (“Google”) current understanding of the asserted claims, the implicit assertions of claim scope that can be discerned from Wildseed’s infringement contentions, and Google’s investigation to date. Google is not adopting Wildseed’s apparent constructions, nor is Google admitting to the accuracy of any particular construction. Google reserves all rights to amend this invalidity claim chart in light of any claim-construction developments or any amendments to Wildseed’s infringement contentions and as permitted by any orders in this case. Further, as discovery is ongoing and Google continues to seek discovery from third parties regarding the references identified in Google’s invalidity contentions as well as other potential prior art, Google reserves the right to revise its invalidity contentions as appropriate in view of any ongoing discovery.

The claim chart below identifies where each limitation of each asserted claim of the ’021 patent can be found in Sasaki. The citations provided below are exemplary, rather than exhaustive, and Google reserves the right to rely upon any other portion of the cited references.

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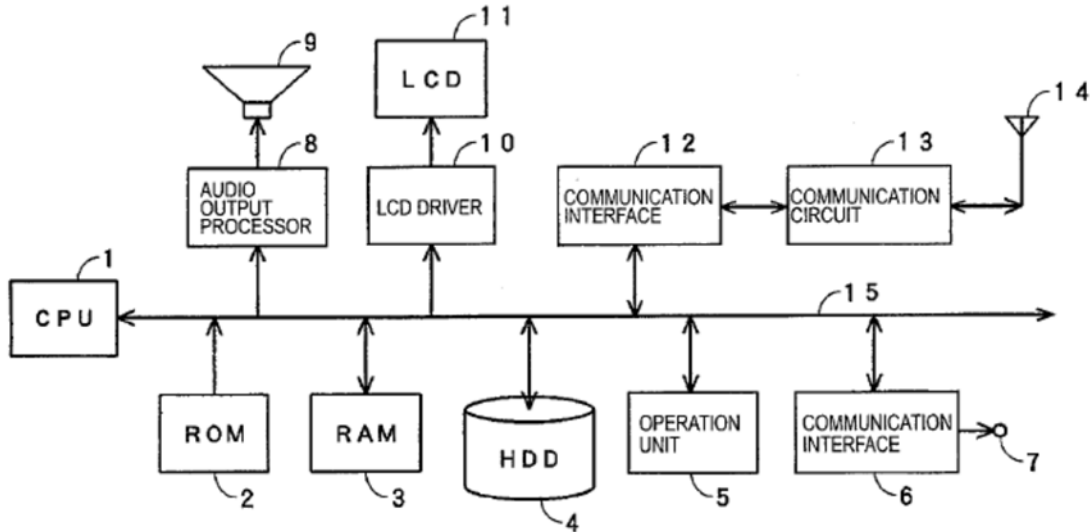
Claim	Exemplary Evidence of Anticipation and/or Obviousness
1[PRE] 1. One or more non- transitory computer-readable media (NTRM) comprising instructions written thereon, wherein execution of the instructions by one or more processors of a computer server is to cause the computer server to:	Sasaki discloses, and/or renders obvious, “One or more non- transitory computer-readable media (NTRM) comprising instructions written thereon, wherein execution of the instructions by one or more processors of a computer server is to cause the computer server to.” <i>See, e.g.</i>: Sasaki discloses an embodiment with a “server and terminal device B.” The server “has a configuration without the audio processor 8, speaker 9, LCD driver 10 and LCD 11 of the terminal device shown in Fig. 1.” Ex.1004, [0113].  Ex.1004, Fig. 1 (annotated); Ex.1003, ¶69. Sasaki’s server is controlled by “CPU 1” that executes “programs” stored in ROM. Ex.1004, [0030].

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	Thus, the server that executes programs stored in ROM renders obvious this limitation. Ex.1003, ¶¶69-71. As discussed in [1.0], Sasaki’s server is controlled by “CPU 1” that executes “programs” stored in ROM. Ex.1004, [0030]. Sasaki further discusses that the “CPU 1 controls the entirety” of the device by “supplying the control signals.” Ex.1004, [0030]. Thus, programs in the ROM that are executed by the CPU to control the entirety of the server render obvious this limitation. Ex.1003, ¶¶72-73.
1[a] control receipt of mediaor information about the media, the media being stored on a portable media player device or accessed using the portable media player device;	Sasaki discloses, and/or renders obvious, “control receipt of mediaor information about the media, the media being stored on a portable media player device or accessed using the portable media player device.” <i>See, e.g.:</i> First, Sasaki discloses that the server communicates using “communication interface 12, the communication circuit 13, and the transmitting/receiving antenna 14” using “wireless communications standards.” Ex.1004, [0041].

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	<pre> graph TD CPU[1 CPU] <--> ROM[2 ROM] CPU <--> RAM[3 RAM] CPU <--> HDD[4 HDD] CPU <--> OP[5 OPERATION UNIT] CPU <--> CI6[6 COMMUNICATION INTERFACE] CPU --> AOP[8 AUDIO OUTPUT PROCESSOR] AOP --> SPK[9 SPEAKER] CPU --> LCDD[10 LCD DRIVER] LCDD --> LCD[11 LCD] CI6 <--> CI12[12 COMMUNICATION INTERFACE] CI12 <--> CC[13 COMMUNICATION CIRCUIT] CC <--> ANT14[14 ANTENNA] CI6 --> ANT7[7 ANTENNA] </pre> Processor Ex.1004, Fig. 1 (annotated); Ex.1003, ¶74. “[C]ommunication interface 12 performs processing such as converting received data into data having a format capable of being processed by the terminal device, and converting data to be transmitted from the terminal device into data having a format for transmission.” Ex.1004, [0040]. Second, Sasaki discloses that the server communicates with a “terminal device.” Ex.1004, [0113]. The “terminal device” is a portable media player device because it is “portable” and is for playing “various types of content, such as music and images.” Ex.1004, [0021]; see Ex.1001, 1:33-35 (“includes only a handheld device ... for the purpose of displaying and/or playing media files”). Ellis further discloses that portable media player device accesses music and other content by storing the content on the portable media player device (e.g., “download songs”) or by accessing songs over “Internet and radio frequency broadcasts.” Ex.1005, [0136]-[0137], [0274]. Further, Sasaki’s server stores “preference information” provided by the members (e.g., users). Ex.1004, [0126]. Ellis discloses that it was known, in a recommendation system, for an individual network component to “to collect ... usage data,” rather than merely relying on the user to provide information. Ex.1005, [0263]. The

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	usage data collected includes “information on radio stations that the user listens to,” “the days and times” of listening, “information on particular songs, commercials, shows, and other content” that the user heard, and “content the user may have skipped over,” as well as “information on enhanced radio features accessed by the user.” Ex.1005, [0263]-[0264]. Ellis teaches an implementation that uses a “central facility” for gathering a user’s usage data. Ex.1005, [0236]. Sasaki discloses that its recommendation system collects information about different media content types, such as “music,” “still pictures,” “video,” and “text.” Ex.1004, [0074]. Further, Ellis teaches determining user’s preferences for a “specific group of content” “based on type of content.” Groups of content can include songs, commercials, genre, artist or other criteria. Ex.1005, [0212], [0214]. Thus, Sasaki’s server that has a CPU that controls a communication interface that receives user preference information about different media content types, such as music, still pictures, video, and text in view of Ellis’s techniques for gathering usage data about a user’s listening habits and sending that usage data to a central facility, renders obvious this limitation. Ex.1003, ¶¶74-86.
1[b] infer one or more entertainment preferences of a user of the portable media player device based at least in part on the retrieved media, the retrieved information about the media, and a plurality of media content types of the media stored on or	Sasaki discloses, and/or renders obvious, “infer one or more entertainment preferences of a user of the portable media player device based at least in part on the retrieved media, the retrieved information about the media, and a plurality of media content types of the media stored on or accessed by the portable media player device, wherein the plurality of media content types comprises textual media, image media, audio media, and video media.” See, e.g.: As discussed in [1.1.1], Sasaki and Ellis render obvious a server that receives user preference information about different media content types, such as music, still pictures, video, and text that was gathered by monitoring a user’s listening habits on a portable media player device. Ellis discloses several techniques for inferring the entertainment preferences of a user of a portable media player device based on media usage information (such as “information on particular songs, commercials, shows, and

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accessed by the portable media player device, wherein the plurality of media content types comprises textual media, image media, audio media, and video media;	other content” that the user heard, and “content the user may have skipped over”). See Ex.1005, [0263]. In one example, Ellis automatically determines the groups liked and disliked by the user (inferring one or more entertainment preferences of a user) by monitoring the media content listened to by the user on her portable media player device: In step 1820, a user may be allowed to rate a group. The user may specify a like or dislike, or a level of like or dislike, for a specific group of content. The system may also monitor the content listened to by the user, and automatically determine the groups liked and disliked by the user. Ex.1005, [0212]. In another example, Ellis teaches a technique to “determine user preferences automatically” (inferring) by “monitoring what content the user listens to” in order to find “content of interest, i.e., content that matches the user's preferences.” Ex.1005, [0185]. In a further example, Ellis teaches “monitoring the content the user listens to” so it can “determine user information automatically,” such as the user’s preference for a genre or grouping: In step 2220, the system may determine user information automatically by monitoring the content the user listens to. For example, the system may add points to a specific song, artist, genre, or other type of item or grouping, based on the user listening to an entire item. Ex.1005, [0221]. Sasaki discloses that its recommendation system collects information about different media content types, such as “music,” “still pictures,” “video,” and “text.” Ex.1004, [0074]. Further, Ellis determines user preferences for a “specific group of content” “based on type of content.” Groups of content can include songs, commercials, genre, artist or other criteria. Ex.1005, [0212], [0214]. Thus, Sasaki’s server that receives user preference information about different media content types, such as music, still pictures, video, and text in view of Ellis teachings of automatically determining a user’s preferences about songs, commercials, shows, genres, groupings and other content, by monitoring and tracking a user’s usage information retrieved from a portable media player device, where the usage information is about media on or accessed by a portable media player device, render obvious this limitation. Ex.1003, ¶¶87-95.

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1[c] access one or more sources of information about venues or events proximal to a current location of the user;	Sasaki discloses, and/or renders obvious, “access one or more sources of information about venues or events proximal to a current location of the user.” <i>See, e.g.:</i> As discussed in [1.1.1], Sasaki teaches a server in communication with a portable media player device. Sasaki teaches that its portable media player device can directly transmit location information (either GPS or radio wave positional information). Ex.1004, [0069], [0081]. Further, Sasaki teaches that the location information can be “converted into map information ... or a building name or the like.” Ex.1004, [0080]. Sasaki also teaches that the place of transmission is “necessary information” and is part of the “content recommendation information.” Ex.1004, [0068]. Ellis teaches a technique that uses “geographic position information” to “acquire information about local events.” Ex.1005, [0233]-[0234]; see also Ex.1005, [0225] (“use global positioning system monitor 160 to determine the user’s location”). Ellis further teaches that it “download[s] information about local events and facilities” from a “web site.” Ex.1005, [0236].

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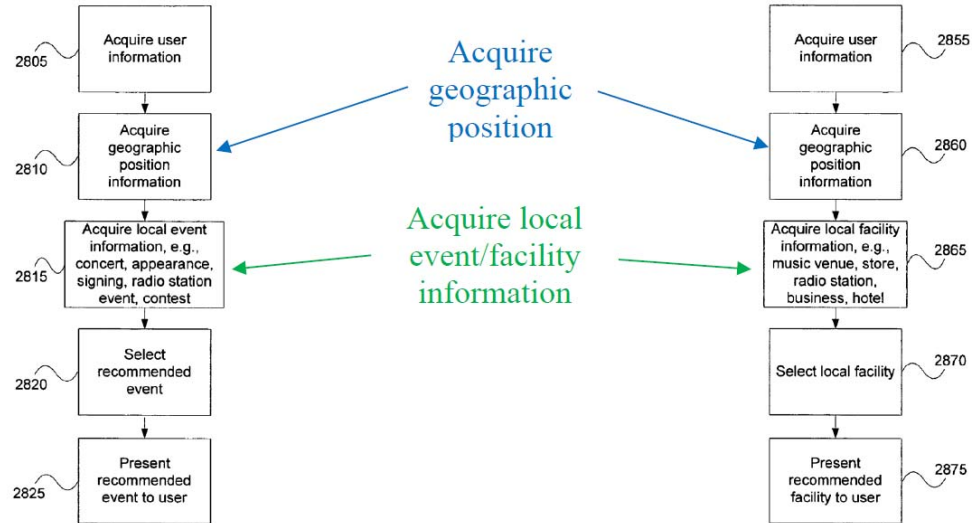
Claim	Exemplary Evidence of Anticipation and/or Obviousness
	 The diagram illustrates two parallel processes for acquiring user information, geographic position, and local event/facility information, leading to selecting and presenting recommendations. The left process (2805-2825) and right process (2855-2875) both start with 'Acquire user information'. The left process then 'Acquire geographic position information' (2810) and 'Acquire local event information, e.g., concert, appearance, signing, radio station event, contest' (2815). The right process then 'Acquire geographic position information' (2860) and 'Acquire local facility information, e.g., music venue, store, radio station, business, hotel' (2865). Both processes then 'Select recommended event' (2820) or 'Select local facility' (2870) and finally 'Present recommended event to user' (2825) or 'Present recommended facility to user' (2875). Blue arrows point from the central text 'Acquire geographic position' to the geographic position steps (2810 and 2860). Green arrows point from the central text 'Acquire local event/facility information' to the local event/facility steps (2815 and 2865). Ex.1005, Fig. 28A, Fig. 28B (annotated); Ex.1003, ¶99. Thus, Sasaki’s server in communication with a portable media player device that directly transmits information representing location information in view of Ellis’s technique of using the user’s geographic location to access information about events and facilities that are local to the user render obvious this limitation. Ex.1003, ¶¶96-101.
1[d] identify at least one of said venues or events as being of interest to the user based at least in part	Sasaki discloses, and/or renders obvious, “identify at least one of said venues or events as being of interest to the user based at least in part on the one or more entertainment preferences inferred by the server and the current location of the user.” <i>See, e.g.:</i>

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on the one or more entertainment preferences inferred by the server and the current location of the user;	As discussed in [1.1.1]-[1.1.2], Sasaki and Ellis teach a server that automatically determines a user’s entertainment preferences. Further, Sasaki’s “server provides content recommendation information to a user’s terminal device.” Ex.1004, [0115]. As discussed in [1.1.3], Sasaki teaches receiving location information representing the location of the user and Ellis teaches a technique that uses the geographic location of the user to acquire a set of events and facilities that are local to the user. Whether an event or venue is actually of interest is purely subjective to that user’s personal tastes, but Ellis discloses that, after acquiring information about local events and facilities, it identifies an event or facility that closely matches the user’s preferences: In step 2820, the system may select one or more recommended events. Events may be selected by comparing information about each event with user information, and selecting events that most closely match user preferences. Ex.1005, [0233]-[0234].

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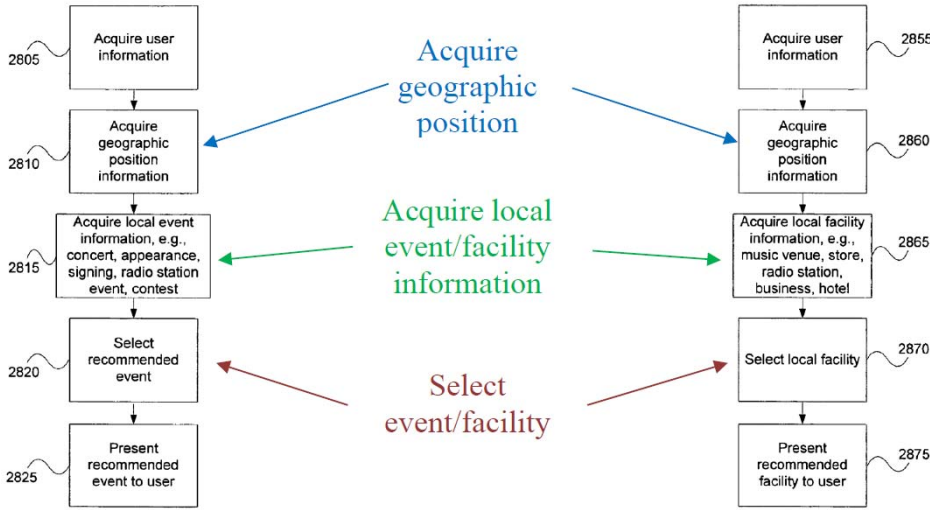
Claim	Exemplary Evidence of Anticipation and/or Obviousness
	 Ex.1005, Fig. 28A, Fig. 28B (annotated); Ex.1003, ¶104. Thus, Sasaki’s server that provides recommendations to the portable media player device in view of Ellis’s technique of identifying events and facilities that are local to the user and that closely match the user’s preferences (as determined by the server) render obvious this limitation. Ex.1003, ¶¶102-105.
1[e] generate a recommendation indicating the identified venue or event as a venue or event of interest to	Sasaki discloses, and/or renders obvious, “generate a recommendation indicating the identified venue or event as a venue or event of interest to the user; and control communication of the recommendation to the user.” <i>See, e.g.:</i> As discussed in [1.1.2], Sasaki and Ellis teach a server that automatically determines a user’s entertainment preferences. As discussed in [1.1.4], Ellis discloses identifying events or facilities that “most closely match user

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the user; and control communication of the recommendation to the user.	preferences.” Ex.1005, [0233]-[0234]. Further, Sasaki’s “server provides content recommendation information to a user’s terminal device.” Ex.1004, [0115]. Jacobi discloses a technique for generating a recommendation message for a given user. Jacobi begins the technique by identifying items that are of interest to the user. Ex.1006, [0072]. Then, the recommendation message is generated. In one example, the recommendation message is generated by creating “one or more Web pages that are returned to the user, with each recommended item being presented as a hypertextual link to the item’s product information page.” Ex.1006, [0074]. In Jacobi’s other examples, the recommendation message is generated as an “email” or “facsimile.” Ex.1006, [0074]. Thus, Sasaki’s server that provides recommendations to the portable media player device in view of Ellis’s technique of identifying events and facilities that closely match a user’s preferences, further in view of Jacobi’s generating a recommendation message (such as creating a web page with links) render obvious this limitation. Ex.1003, ¶¶106-109. As discussed in [1.1.5], Sasaki, Ellis and Jacobi teach a server that generates a recommendation message. Further, Sasaki’s “server provides content recommendation information to a user’s terminal device.” Ex.1004, [0115]. The server and portable media player device communicate through a “communication interface 12” using “wireless communications standards.” Ex.1004, [0041]. As also discussed in [1.1.5], Jacobi discloses that the recommendation message may be presented to the user using several different methods, including a web page with links, email or facsimile. Ex.1006, [0074]. Thus, Sasaki’s server that provides a content recommendation to a user’s portable media player device through a communication interface in view of Jacobi’s techniques for communicating a recommendation message to the user renders obvious this limitation. Ex.1003, ¶¶110-113.
2. The one or more	Sasaki discloses, and/or renders obvious, “The one or more NTCRM of claim 1, wherein the audio media

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NTCRM of claim 1, wherein the audio media comprises music media and podcast media.	comprises music media and podcast media.” <i>See, e.g.:</i> As discussed in [1.0], Sasaki teaches programs in ROM to control a server. As further discussed in [1.1.1], Sasaki discloses that its recommendation system collects information from about different media content types, such as “music,” “still pictures,” “video,” and “text.” Ex.1004, [0074]. Further, Ellis discloses several techniques for inferring the entertainment preferences of a user of a portable media player device based on media usage information (such as “information on particular songs, commercials, shows, and other content” that the user heard, and “content the user may have skipped over”). See Ex.1005, [0263]. Moreover, the user’s media usage information includes the user’s liked groups and “a group may be based on a specific radio show.” Ex.1005, [0214]. A POSITA would recognize that a radio show broadcast via the internet, as disclosed in Ellis, corresponds to a podcast media. Ex.1003, ¶115; see Ex.1010, [0002] (“A podcast is a digital recording of a radio broadcast or similar programme, made available on the Internet in a number of separate files for downloading to a personal audio player.”); Ex.1009, [0035]. Thus, Sasaki’s server that collects usages information about music in view of Ellis’s teaching of determining user preferences for media that includes music and a radio show broadcast on the internet and renders obvious this limitation. Ex.1003, ¶¶114-116.
4. The one or more NTCRM of claim 1, wherein execution of the instructions is to cause the computer server to infer the current location of the user of the media player device based on obtained location information	Sasaki discloses, and/or renders obvious, “The one or more NTCRM of claim 1, wherein execution of the instructions is to cause the computer server to infer the current location of the user of the media player device based on obtained location information associated with the portable media player device.” <i>See, e.g.:</i> As discussed in [1.0], Sasaki teaches programs in ROM to control a server. As discussed in [1.1.3], Sasaki teaches that the portable media player device associated with the user directly transmits location information (either GPS or radio wave positional information) to the server. Ex.1004, [0069], [0081]. Further, Sasaki teaches that the location information can be “converted into map information ... or a building name or the like.” Ex.1004, [0080]. Ellis also teaches receiving location information of portable media player device: “us[ing] global positioning

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associated with the portable media player device.	system monitor 160 to determine the user’s location;” (2) “allowing a user to enter it;” and (3) “monitoring the radio stations that may be received and comparing them against the geographical region field in the radio station database.” Ex.1005, [0225]. Thus, Sasaki’s server that receives location information of the portable media player device associated with the user and then converts that information into map information (or the like) renders obvious this limitation. Ex.1003, ¶¶117-120.
5. The one or more NTCRM of claim 4, wherein, to infer the current location, execution of the instructions is to cause the computer server to: control receipt of the location information associated with the portable media player device or from a wireless access point through which the portable media player device has established a network connection	Sasaki discloses, and/or renders obvious, “The one or more NTCRM of claim 4, wherein, to infer the current location, execution of the instructions is to cause the computer server to control receipt of the location information associated with the portable media player device or from a wireless access point through which the portable media player device has established a network connection with the computer server; and determine a current location of the portable media player device based on the location information; and determine a current location of the portable media player device based on the location information.” <i>See, e.g.:</i> As discussed in [4.0], Sasaki teaches programs in ROM to control a server in communication with a portable media player device. As discussed in [4.0], Sasaki’s server’s programs infer the current location of the user. First, as discussed in [1.1.2] and [4.0], Sasaki’s server receives location information from the portable media player device (location information associated with the portable media player device). The location information could be “positional information such as a place of transmission, for example, by using radio waves from a plurality of base stations.” #Sasaki#, [0081]. Havinis discloses a method for calculating the “geographical location” of a mobile station. Ex.1008, 2:7-18. Specifically, Havinis teaches that the mobile station establishes a wireless network connection by

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with the computer server; and determine a current location of the portable media player device based on the location information; and determine a current location of the portable media player device based on the location information.	communicating with at least one base transceiver station (a wireless access point). Ex.1008, Fig. 3, 2:2-6. The timing advance values transmitted from multiple base transceiver stations (each, a wireless access point), along with the site location data associated with each base station, are used to calculate the geographical position of the portable device: The historical data or real-time data can be obtained using various positioning methods. As an example, within a GSM system, positioning of a particular MS 300 can be performed by collecting positioning data, e.g., Timing Advance (TA) values TA1, TA2 and TA3 from several Base Transceiver Stations (BTS's) (310, 320 and 330) from which the geographical location, e.g., x, y coordinates, of the MS 300 can be calculated. Ex.1008, 4:31-38. However, with three TA values from three BTSs, e.g., BTSs 210,220, and 230, the location of the MS200 can be determined with a certain degree of accuracy. Using a triangulation algorithm, with knowledge of the three TA values and site location data associated with each BTS (210, 220, and 230), the position of the MS200 can be determined (with certain accuracy) by the MLC 270. Ex.1008, 2:32-45. Lastly, Sasaki teaches determining the location of the portable media player device by converting the received location information “into map information ... or a building name or the like.” Ex.1004, [0080]. Thus, Sasaki’s server that receives information representing the location of the portable media player device to determine the location of the portable media player device in view of Havinis’s teaching that location information is timing advance values and site location data transmitted from at least one base station in a wireless network renders obvious this limitation. Ex.1003, ¶¶199-206.
6. The one or more NTCRM of claim 4, wherein, to infer the current location, execution of the instructions is to	Sasaki discloses, and/or renders obvious, “The one or more NTCRM of claim 4, wherein, to infer the current location, execution of the instructions is to cause the computer server to determine a current location of the portable media player device based on results of triangulation of signals from various wireless access points or based on known current locations of other portable media player devices in communication with the computer server.” <i>See, e.g.:</i> This limitation is substantially similar to [4.0]. For the same reasons discussed above, the prior art renders this

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cause the computer server to: determine a current location of the portable media player device based on results of triangulation of signals from various wireless access points or based on known current locations of other portable media player devices in communication with the computer server.	limitation obvious. First, as discussed in [4.0], Sasaki’s server receives location information so that it can determine the portable media player device’s current location. The location information can be “positional information such as a place of transmission, for example, by using radio waves from a plurality of base stations.” #Sasaki#, [0081]. Second, as discussed in [5.2], Havinis teaches using timing advance values transmitted from multiple base transceiver stations (each, a wireless access point), along with the site location data associated with each base station, to calculate the geographical position of the portable device. Havinis further teaches that the server uses a “triangulation algorithm” to calculate the mobile device’s location: Using a triangulation algorithm, with knowledge of the three TA values and site location data associated with each BTS (210, 220, and 230), the position of the MS200 can be determined (with certain accuracy) by the MLC 270. Ex.1008, 2:32-45. Thus, Sasaki’s server that receives information representing the location of the portable media player device in view of Havinis’s teaching calculating the location of a mobile device using a triangulation method with timing advance values and site location data transmitted from three base stations (wireless access points) render obvious this limitation. Ex.1003, ¶¶208-211.
7. The one or more NTCRM of claim 1, wherein, to control communication of the recommendation, execution of the instructions is to cause the computer	Sasaki discloses, and/or renders obvious, “The one or more NTCRM of claim 1, wherein, to control communication of the recommendation, execution of the instructions is to cause the computer server to control transmission of the recommendation to the portable media player device.” <i>See, e.g.:</i> As discussed in [1.0] and [1.1.6], Sasaki teaches programs in ROM to control a server in communication with a portable media player device, which includes communicating the recommendation to the user. Ex.1003, ¶121.

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server to: control transmission of the recommendation to the portable media player device.	As discussed in [1.1.5]-[1.1.6], Sasaki, Ellis and Jacobi teach a server that generates a recommendation message for the user. Further, Sasaki’s “server provides content recommendation information to a user’s terminal device.” Ex.1004, [0115]. Server and portable media player device communicate using “communication interface 12, the communication circuit 13, and the transmitting/receiving antenna 14” using “wireless communications standards.” Ex.1004, [0041]. Additionally, Sasaki discloses that recommendations can be transmitted to the portable media player device, which “receives content recommendation information.” Ex.1004, [0011], [0132]. Thus, Sasaki’s server that provides a content recommendation to a user’s portable media player device through a communication interface in view of Jacobi’s techniques for communicating a recommendation message to the user renders obvious this limitation. Ex.1003, ¶¶121-125.
9. The one or more NTCRM of claim 1, wherein execution of the instructions is to cause the computer server to: obtain the media or the information about the media from a storage within the computer server; or control receipt of the media or the information about the media from a remote storage device.	Sasaki discloses, and/or renders obvious, “The one or more NTCRM of claim 1, wherein execution of the instructions is to cause the computer server to obtain the media or the information about the media from a storage within the computer server; or control receipt of the media or the information about the media from a remote storage device.” <i>See, e.g.:</i> As discussed in [1.0], Sasaki teaches programs in ROM to control a server. Sasaki further discloses that the server obtains information about the media from a storage within the computer server by teaching that the “server performs processing based on preference information ... which is stored in the HDD 4 of the server.” Ex.1004, [0119]. As shown in Fig. 1, the HDD 4 is storage within the server. Ex.1004, [0117].

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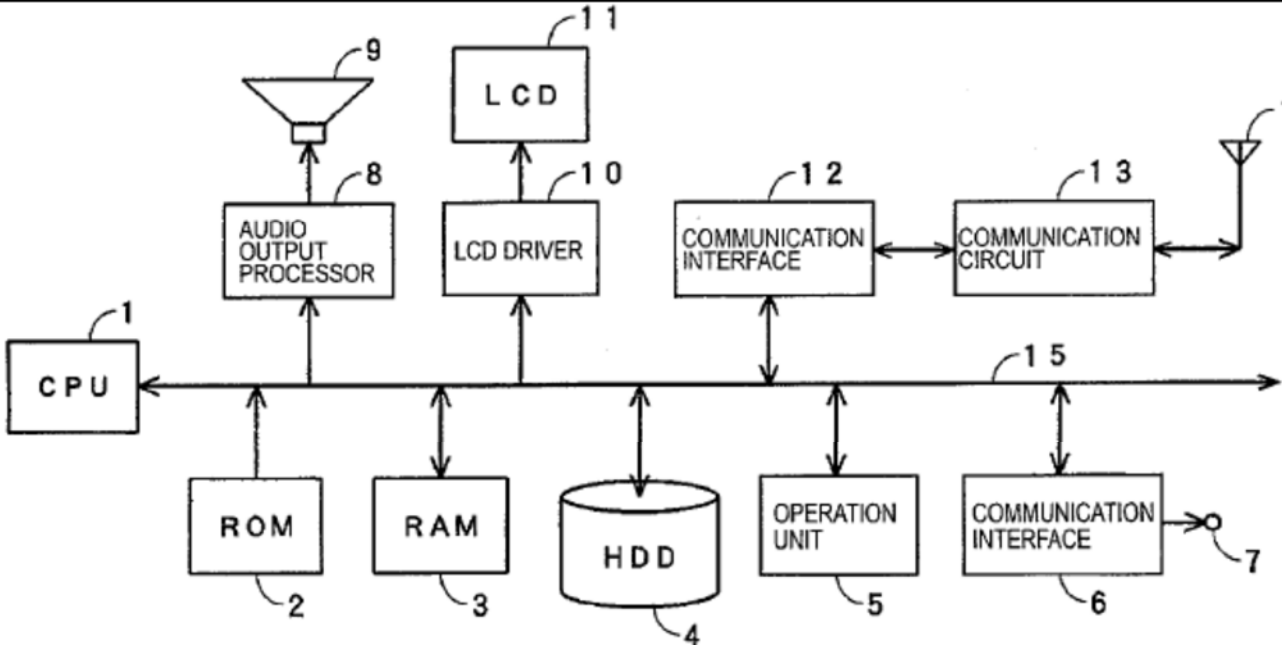
Claim	Exemplary Evidence of Anticipation and/or Obviousness
	 Ex.1004, Fig. 1 (annotated); Ex.1003, ¶134. Thus, Sasaki’s server that obtains user preference information (e.g., information about media) from a hard drive in the server for subsequent processing renders obvious this limitation. Ex.1003, ¶¶130-135.
[10PRE] One or more non-transitory computer- readable media (NTRM) comprising instructions that,	Sasaki discloses, and/or renders obvious, “One or more non-transitory computer- readable media (NTRM) comprising instructions that, when executed by one or more processors of a portable media player device, cause the portable media player device to.” <i>See, e.g.:</i> Sasaki discloses a portable media player device because it teaches a terminal device that is “portable” for

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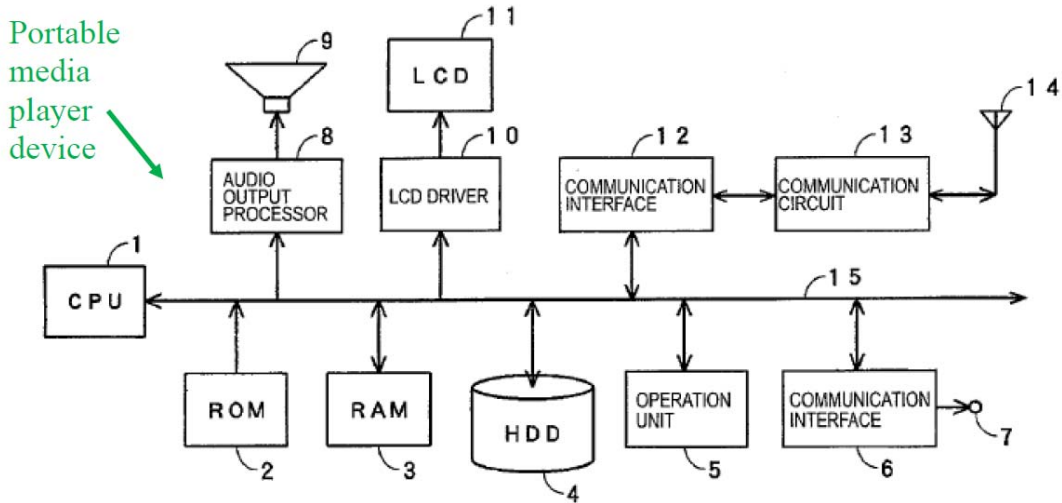
Claim	Exemplary Evidence of Anticipation and/or Obviousness
when executed by one or more processors of a portable media player device, cause the portable media player device to:	playing “various types of content, such as music and images.” Ex.1004, [0021]; see Ex.1001, 1:33-35 (“includes only a handheld device ... for the purpose of displaying and/or playing media files”). Fig. 1 is a block diagram illustrating the portable media player device:  Ex.1004, Fig. 1 (annotated); Ex.1003, ¶136. Sasaki’s portable media player device is controlled by “CPU 1” that executes “programs” stored in ROM. Ex.1004, [0030]. Ellis further discloses that a portable media player device accesses music and other content by storing the content on the portable media player device (e.g., “download songs”) or by accessing songs over “Internet and radio frequency broadcasts.” Ex.1005, [0136]-[0137], [0274]. Thus, the portable media player device with a CPU that executes programs stored in ROM to play various types

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	of content, such as music and image, in view of Ellis’s teaching of a portable media player device that accesses media both stored on the device and streamed to the device renders obvious this limitation. Ex.1003, ¶¶136-139.
10[a] operate a media player application to access media from a local storage of the portable media player device or a remote storage;	Sasaki discloses, and/or renders obvious, “operate a media player application to access media from a local storage of the portable media player device or a remote storage.” <i>See, e.g.:</i> The functionality of the portable media player device is controlled by “CPU 1” that executes “programs” stored in ROM. Ex.1004, [0030]. Sasaki discloses a storage medium because it teaches a portable media player device with “hard disk drive (HDD) 4.” Ex.1004, [0029]. The HDD stores “image data,” such as MPEG or JPEG data. Ex.1004, [0038]. “Audio data and image data” and “music data” can be recorded and stored in the HDD. Ex.1004, [0045], [0065]. Ex.1004, Fig. 1 (annotated); Ex.1003, ¶141.

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	The audio data (stored on the HDD) is used by “audio output processor 8” supply audio data to “speaker 9” to play audio and the image data (stored on the HDD) is used by the “LCD driver 10” to provide image data to “LCD 11” for displaying images. Ex.1004, [0037]. Thus, Sasaki’s portable media player device that has instructions in ROM that cause the audio output processor to use the audio data (stored on a hard drive) to play audio and the LCD driver to use the image data (stored on a hard drive) to display images renders obvious this limitation. Ex.1003, ¶¶140-143.
10[b] establish a network connection with a server, the server to provide location and preference based venue or event recommendations;	Sasaki discloses, and/or renders obvious, “establish a network connection with a server, the server to provide location and preference based venue or event recommendations.” <i>See, e.g.:</i> First, Sasaki teaches that “communication interface 12, the communication circuit 13, and the transmitting/receiving antenna 14” use “wireless communication standards” to “establish connection ... between the terminal device and an external device such as a server.” Ex.1004, [0041].

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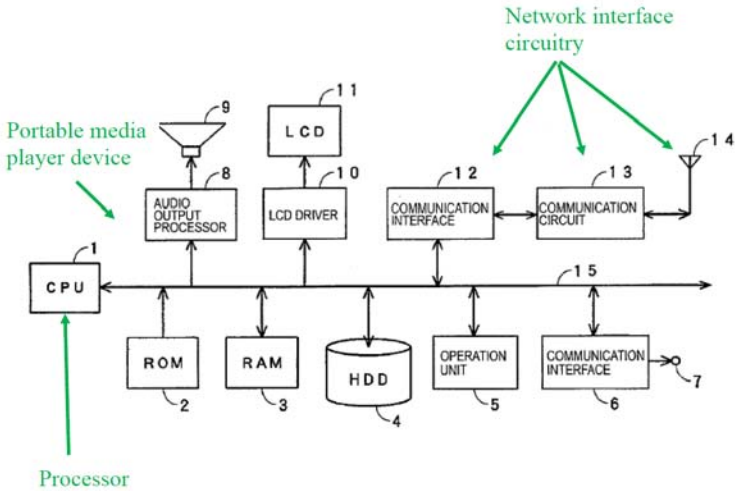
Claim	Exemplary Evidence of Anticipation and/or Obviousness
	 The diagram illustrates a portable media player device (1) with a central CPU (1) connected to various components. The CPU is linked to ROM (2), RAM (3), and an HDD (4). It also interfaces with an AUDIO OUTPUT PROCESSOR (8) which drives a speaker (9), and an LCD DRIVER (10) which drives an LCD (11). For communication, the device includes a COMMUNICATION INTERFACE (12) and a COMMUNICATION CIRCUIT (13) connected to an antenna (14). A NETWORK INTERFACE CIRCUITRY (15) is also shown, connected to the communication circuit. An OPERATION UNIT (5) and another COMMUNICATION INTERFACE (6) are also connected to the CPU. Annotations in green identify the 'Portable media player device' (1), 'Processor' (CPU), and 'Network interface circuitry' (15). Ex.1004, Fig. 1 (annotated); Ex.1003, ¶144. Second, as discussed in [1.1.2]-[1.1.6], the server infers the preferences of the user, accesses information about venues or events proximal to the location of the user, identifies venues or events as being of interest to the user, generates a recommendation message, and communicates the recommendations to the user. Thus, Sasaki’s portable media player device that establishes a wireless connection with a server, where the server provides recommendations based on the portable media player device’s location and the user’s preferences render obvious this limitation. Ex.1003, ¶¶144-149.
10[c] control transmission, to the server, of location information associated with the	Sasaki discloses, and/or renders obvious, “control transmission, to the server, of location information associated with the portable media player device to facilitate the server in inferring a current location of a user of the portable media player device.” <i>See, e.g.:</i>

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portable media player device to facilitate the server in inferring a current location of a user of the portable media player device; and	First, as discussed in [10.2], the communication circuitry in the portable media player device establishes a network connection with server. Second, Sasaki teaches that the portable media player device associated with the user directly transmits location information to the server (either GPS or radio wave positional information). Ex.1004, [0069], [0081]. Third, Sasaki teaches that the server uses the information representing the location to infer a location of the user of the mobile device. Specifically, Sasaki teaches that the location information can be “converted into map information ... or a building name or the like.” Ex.1004, [0080]. Thus, a portable media player device that uses communication circuitry to transmit location information to a server so that the server can determine the location of a user of the portable media player device renders obvious this limitation. Ex.1003, ¶¶150-154.
10[d] control receipt, from the server, of a recommendation indicating an event or venue of interest that is proximate to the inferred current location of the user, and wherein:	Sasaki discloses, and/or renders obvious, “control receipt, from the server, of a recommendation indicating an event or venue of interest that is proximate to the inferred current location of the user, and wherein.” <i>See, e.g.:</i> First, as discussed in [1.1.1], [1.1.5] and [1.1.6], Sasaki, Ellis and Jacobi render obvious a server generating a recommendation message indicating an event or venue of interest that is near the user. And, as discussed in [10.2], the portable media player device establishes a network connection with the server by using communication circuitry. Ellis further discloses that the portable media player device “may notify the user about the matching content. For example, the name of the matching content may be displayed on a display device or output to the speakers.” Ex.1005, [0439]. Thus, the communication circuitry of the portable media player device in communication with the server, where the server generates a recommendation message indicating an event or venue of interest that is near the user, wherein the user is notified about matching content renders obvious this limitation. Ex.1003, ¶¶155-157.
10[e] the recommendation is	Sasaki discloses, and/or renders obvious, “the recommendation is based on one or more inferred preferences of the user and the location information.” <i>See, e.g.:</i>

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based on one or more inferred preferences of the user and the location information,	This limitation is substantially similar to [1.1.2] and [1.1.4]. For the same reasons discussed above, the prior art renders this limitation obvious.
10[f] the inferred preferences are based at least in part on the accessed media, media content types of the accessed media from among a plurality of media content types, and information about the accessed media, wherein the plurality of media content types comprises textual media, image media, audio media, and video media, and	Sasaki discloses, and/or renders obvious, “the inferred preferences are based at least in part on the accessed media, media content types of the accessed media from among a plurality of media content types, and information about the accessed media, wherein the plurality of media content types comprises textual media, image media, audio media, and video media.” <i>See, e.g.:</i> This limitation is substantially similar to [1.1.2]. For the same reasons discussed above, the prior art renders this limitation obvious.
10[g] the event or venue of interest is selected from one or more sources of	Sasaki discloses, and/or renders obvious, “the event or venue of interest is selected from one or more sources of information about a plurality of venues or events proximate to the current location of the user.” <i>See, e.g.:</i> This limitation is substantially similar to [1.1.3]. For the same reasons discussed above, the prior art renders this

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information about a plurality of venues or events proximate to the current location of the user.	limitation obvious.
11. The one or more NTCRM of claim 10, wherein the recommendation is based on one or more of: a genre of music played at the event or venue of interest and a music genre preference of the user inferred by the server based on audio media stored in, or accessed using, the portable media player device; a theatrical or cinematography genre of the event or venue of interest and on a video genre preference of the user inferred by the server based on video media stored in, or accessed using, the portable media player device; an exhibit genre of the event or venue of interest and on an image genre preference of the user inferred by the server based on image media stored in, or accessed using, the portable media player device; and an attribute of a worship, cultural, community or political event or venue of interest and on a subject preference of the user inferred by the server based on audio media stored in, or accessed using, the portable media player device.	Sasaki discloses, and/or renders obvious, “The one or more NTCRM of claim 10, wherein the recommendation is based on one or more of a genre of music played at the event or venue of interest and a music genre preference of the user inferred by the server based on audio media stored in, or accessed using, the portable media player device; a theatrical or cinematography genre of the event or venue of interest and on a video genre preference of the user inferred by the server based on video media stored in, or accessed using, the portable media player device; an exhibit genre of the event or venue of interest and on an image genre preference of the user inferred by the server based on image media stored in, or accessed using, the portable media player device; and an attribute of a worship, cultural, community or political event or venue of interest and on a subject preference of the user inferred by the server based on audio media stored in, or accessed using, the portable media player device. For the same reasons discussed in [10.0], the prior art renders this limitation obvious. This limitation is substantially similar to [3.1.1]. For the same reasons discussed above, the prior art renders this limitation obvious. This limitation is substantially similar to [3.1.2]. For the same reasons discussed above, the prior art renders this limitation obvious.

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inferred by the server based user on video media stored in, or accessed using, the portable media player device; an exhibit genre of the event or venue of interest and on an image genre preference of the user inferred by the server based on image media stored in, or accessed using, the portable media player device; and an attribute of a worship, cultural, community or political event or venue of interest and on a subject preference of the user inferred by the server based on audio media stored in, or accessed using, the portable media	This limitation is substantially similar to [3.1.3]. For the same reasons discussed above, the prior art renders this limitation obvious. This limitation is substantially similar to [3.1.4]. For the same reasons discussed above, the prior art renders this limitation obvious.

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player device.	
12. The one or more NTCRM of claim 10, wherein execution of the instructions is to cause the portable media player device to: determine a current location of the portable media player device to be a global positioning system (GPS) coordinate obtained from a GPS module of the portable media player device; and generate the location information to include the GPS coordinate.	Sasaki discloses, and/or renders obvious, “The one or more NTCRM of claim 10, wherein execution of the instructions is to cause the portable media player device to determine a current location of the portable media player device to be a global positioning system (GPS) coordinate obtained from a GPS module of the portable media player device; and generate the location information to include the GPS coordinate..” <i>See, e.g.</i>: Sasaki teaches that its portable media player device has a “built-in GPS (global positioning system)” to “specify the place of transmission.” The data indicative of the place of transmission of the portable media player device includes the “latitude and longitude (detected by the GPS).” Ex.1004, [0069]. Thus, the portable media player device that has a built-in global positioning system to specify the latitude and longitude of its current position renders obvious this limitation. Ex.1003, ¶¶162-163. As discussed in [12.1], Sasaki’s portable media player device renders obvious a GPS module that provides data indicative of the latitude and longitude. Sasaki further discloses generating “information representing” the latitude and longitude for subsequent transmission: Regarding the place of transmission, for example, if the terminal has a built-in GPS (global positioning system), the GPS information may be used to specify the place of transmission, and the specifying information may be used. Alternatively, information representing the latitude and longitude (detected by the GPS) of the place of transmission which indicate the present position can directly be transmitted. Ex.1004, [0069]. Sasaki further teaches that the CPU “controls the entirety” of the portable media player device. Ex.1004, [0030]. Thus, Sasaki’s teaching of a portable media player device that (i) is entirely controlled by a CPU, (ii) generates

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	data indicative of GPS-detected latitude and longitude to indicate the portable media player device’s present position, and (iii) transmits information representing the GPS position renders obvious this limitation. Ex.1003, ¶¶164-166. Sasaki teaches that its portable media player device has a “built-in GPS (global positioning system)” to “specify the place of transmission.” The data indicative of the place of transmission of the portable media player device includes the “latitude and longitude (detected by the GPS).” Ex.1004, [0069]. Thus, the portable media player device that has a built-in global positioning system to specify the latitude and longitude of its current position renders obvious this limitation. Ex.1003, ¶¶162-163. As discussed in [12.1], Sasaki’s portable media player device renders obvious a GPS module that provides data indicative of the latitude and longitude. Sasaki further discloses generating “information representing” the latitude and longitude for subsequent transmission: Regarding the place of transmission, for example, if the terminal has a built-in GPS (global positioning system), the GPS information may be used to specify the place of transmission, and the specifying information may be used. Alternatively, information representing the latitude and longitude (detected by the GPS) of the place of transmission which indicate the present position can directly be transmitted. Ex.1004, [0069]. Sasaki further teaches that the CPU “controls the entirety” of the portable media player device. Ex.1004, [0030]. Thus, Sasaki’s teaching of a portable media player device that (i) is entirely controlled by a CPU, (ii) generates data indicative of GPS-detected latitude and longitude to indicate the portable media player device’s present position, and (iii) transmits information representing the GPS position renders obvious this limitation. Ex.1003, ¶¶164-166.

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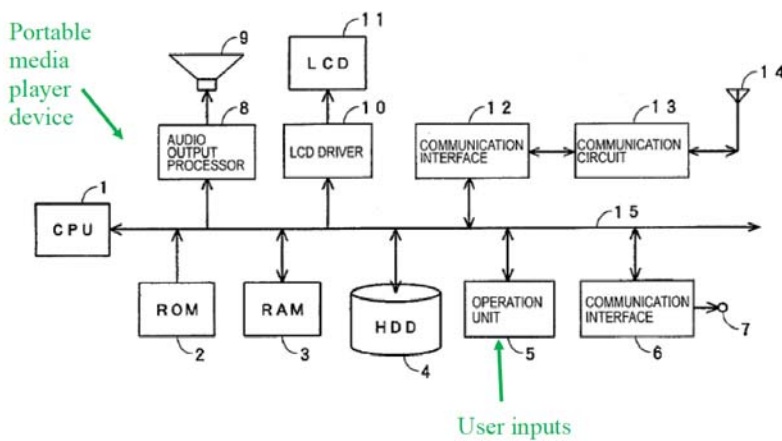
Claim	Exemplary Evidence of Anticipation and/or Obviousness
13. The one or more NTCRM of claim 10, wherein execution of the instructions is to cause the portable media player device to: obtain a user input indicating a current location of the portable media player device or a desired location of the portable media player device; and generate the location information to indicate the user input.	Sasaki discloses, and/or renders obvious, “The one or more NTCRM of claim 10, wherein execution of the instructions is to cause the portable media player device to obtain a user input indicating a current location of the portable media player device or a desired location of the portable media player device; and generate the location information to indicate the user input..” <i>See, e.g.:</i> For the same reasons discussed in [10.0], the prior art renders this limitation obvious. First, Sasaki discloses that its portable media player device has an “operation unit,” which “includes an operation button switch, an operation key, and an operation knob which are used to receive operation input from the user.” Ex.1004, [0034].  The diagram illustrates the internal components of a portable media player device. A central horizontal bus (15) connects various modules. On the left, a CPU (1) is connected to ROM (2) and RAM (3). Below the bus, an HDD (4) is connected. To the right of the bus, an OPERATION UNIT (5) is connected, with a green arrow labeled 'User inputs' pointing to it. Further right, a COMMUNICATION INTERFACE (6) is connected to the bus. Above the bus, an AUDIO OUTPUT PROCESSOR (8) is connected to a speaker (9). An LCD DRIVER (10) is connected to an LCD (11). A COMMUNICATION INTERFACE (12) is connected to a COMMUNICATION CIRCUIT (13), which in turn is connected to an antenna (14). A green arrow labeled 'Portable media player device' points to the overall system. Ex.1004, Fig. 1 (annotated); Ex.1003, ¶168.

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	Second, Ellis teaches that user location information can be obtained by “allowing a user to enter it.” Ex.1005, [0225]. Thus, Sasaki’s portable media player device that provides the user with user inputs in view of Ellis disclosing allowing the user to enter location information renders obvious this limitation. Ex.1003, ¶¶168-170. As discussed in [12.1], the CPU controls the entire portable media player device and generate information representing the location. As discussed in [13.1], one method for receiving location information is that the user enters the location information into the portable media player device. Thus, for the same reasons as discussed above, the prior art renders this limitation obvious. Ex.1003, ¶171.
14. The one or more NTCRM of claim 10, wherein the current location is further inferred based on a location of a wireless access point through which the portable media player device has established a network connection with the server and based on one or more previous geographic locations of the portable media player device.	Sasaki discloses, and/or renders obvious, “The one or more NTCRM of claim 10, wherein the current location is further inferred based on a location of a wireless access point through which the portable media player device has established a network connection with the server and based on one or more previous geographic locations of the portable media player device.” <i>See, e.g.:</i> First, as discussed in [4.0], Sasaki’s server receives location information so that it can determine the portable media player device’s current location. The location information can be “positional information such as a place of transmission, for example, by using radio waves from a plurality of base stations.” #Sasaki#, [0081]. Second, as discussed in [5.2], Havinis teaches using timing advance values transmitted from multiple base transceiver stations (each, a wireless access point), along with the site location data associated with each base station (based on a location of a wireless access point), to calculate the geographical position of the portable device. Ex.1008, 4:31-38 Havinis also discloses using historical positioning data (based on one or more previous geographic locations of the portable media player device):

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	The historical data or real-time data can be obtained using various positioning methods. As an example, within a GSM system, positioning of a particular MS 300 can be performed by collecting positioning data, e.g., Timing Advance (TA) values TA1, TA2 and TA3 from several Base Transceiver Stations (BTS's) (310, 320 and 330) from which the geographical location, e.g., x, y coordinates, of the MS 300 can be calculated. Ex.1008, 4:31-38. Thus, Sasaki’s server that receives information representing the location of the portable media player device in view of Havinis’s disclosure of using the site location of the wireless access points and the historical location data for the mobile device renders obvious this limitation. Ex.1003, ¶¶212-215.