

Exhibit 040-9

INVALIDITY OF U.S. PAT. NO. 10,959,040 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. 10,959,040 (“the ’040 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 040-1 to 040-9, 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 ’040 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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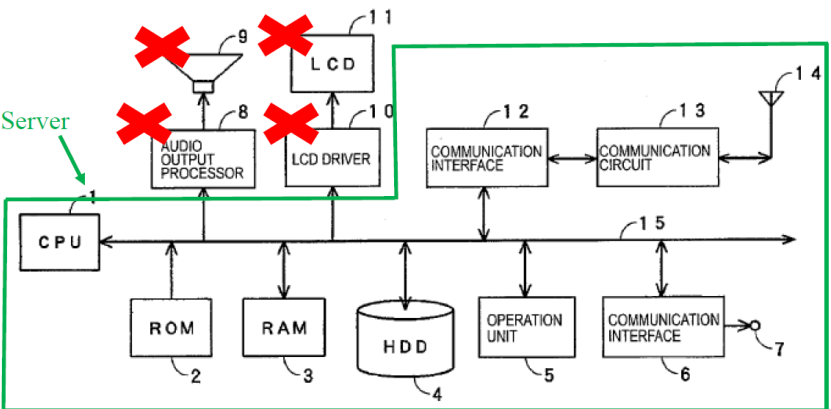
Claim	Exemplary Evidence of Anticipation and/or Obviousness
1[PRE] A server comprising:	Sasaki discloses, and/or renders obvious, “A server comprising.” <i>See, e.g.:</i> Sasaki discloses an embodiment in which “communication is performed between the server and terminal device B.” The server “has a configuration 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, ¶73. The server communicate communicates using a “communication interface 12, the communication circuit 13, and the transmitting/receiving antenna 14” using “wireless communications standards.” Ex.1004, [0041]. Thus, the server with a communication interface renders obvious a “server.” Ex.1003, ¶¶73-75.
1[a] processor circuitry arranged to:	Sasaki discloses, and/or renders obvious, “processor circuitry arranged to.” <i>See, e.g.:</i> Sasaki’s server is controlled by “CPU 1” that executes “programs” stored in ROM. Ex.1004, [0030].

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Claim	Exemplary Evidence of Anticipation and/or Obviousness
	Ex.1004, Fig. 1 (annotated); Ex.1003, ¶76. Thus, the processor that executes programs stored in ROM renders obvious this limitation. Ex.1003, ¶¶76-77.
1[a.1] infer one or more entertainment preferences of a user of a mobile device based on retrieved information about media accessed by the mobile device and a plurality of media	Sasaki discloses, and/or renders obvious, “infer one or more entertainment preferences of a user of a mobile device based on retrieved information about media accessed by the mobile device and a plurality of media content types of the media, the plurality of media content types including textual media, image media, audio media, and video media.” <i>See, e.g.:</i> First, as discussed in [1.0], Sasaki teaches a server. Further, Sasaki’s server stores the “preference information” provided by the members (e.g., users). Ex.1004, [0126]. Sasaki discloses that the server is in “communication” with a “terminal device.” Ex.1004, [0113].

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content types of the media, the plurality of media content types including textual media, image media, audio media, and video media;	Second, Sasaki discloses that a “terminal device” is a mobile device because it teaches that the terminal device is “portable” for playing “various types of content, such as music and images.” Ex.1004, [0021]; see Ex.1001, 1:40-41 (“may include devices specifically tailored to play media”). Ellis further discloses accessing music and other content on mobile device (e.g., “download songs”) or over the “Internet and radio frequency broadcasts.” Ex.1005, [0136]-[0137], [0274]. Third, Ellis discloses that it was known, in a recommendation system, for an individual network component to “to collect ... usage data.” Ex.1005, [0263]. The 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 describes that the usage data “information may be sent to a central facility.” Ex.1005, [0265]. A POSITA would recognize that one example of a central facility is a server, such as the server disclosed in Sasaki. Ex.1003, ¶83. Fourth, Sasaki teaches that the server receives and stores user preference information from the mobile device. [0098], [0113]. Sasaki further teaches that the server can also retrieve the user preference information from a hard drive. Ex.1004, [0126]. Then, in one example, Ellis automatically determines (inferring) the user’s entertainment preferences by monitoring the media content listened to by the user on her mobile device (retrieved information about media accessed by the mobile 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 where the system “may also 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].

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	In a further example, Ellis monitors the content to which the user is listening to and automatically determines (inferring) a user’s preference for a song, artist, 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 teaches determining the user’s preferences a “specific group of content” that “may be 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 stores user preferences about a user of a mobile device with respect to music, pictures, video, and text, in view of Ellis’s technique of automatically determining a user’s preferences about types of content, songs, commercials, shows, and other content, where the automatic determination is based monitoring a mobile device user’s usage information renders obvious this limitation. Ex.1003, ¶¶78-92.
1[a.2] access one or more sources of information about venues or events proximal to a current location of the user or the mobile device;	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 or the mobile device.” <i>See, e.g.:</i> Ex.1005, Fig. 28A, Fig. 28B (annotated); Ex.1003, ¶96. Thus, Sasaki’s server in communication with a mobile device that directly transmits information representing location 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, ¶¶93-98.

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Claim	Exemplary Evidence of Anticipation and/or Obviousness
1[a.3] identify at least one of the venues or events as being of interest to the user based at least in part on the inferred one or more entertainment preferences and the current location;	Sasaki discloses, and/or renders obvious, “identify at least one of the venues or events as being of interest to the user based at least in part on the inferred one or more entertainment preferences and the current location.” <i>See, e.g.:</i> As discussed in [1.1a]-[1.1b], 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 [1.1b], Sasaki teaches receiving information representing the GPS 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 to a user is purely subjective to that user’s personal tastes, but for purposes of this proceeding, 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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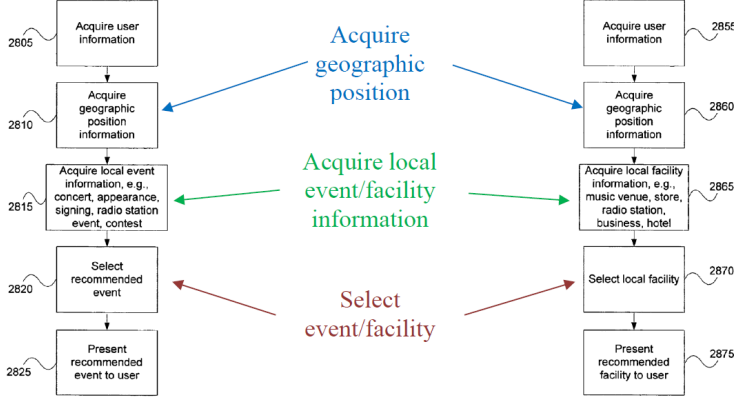
Claim	Exemplary Evidence of Anticipation and/or Obviousness
	 Ex.1005, Fig. 28A, Fig. 28B (annotated); Ex.1003, ¶101. Thus, Sasaki’s server that provides recommendations to the mobile device in view of Ellis’s technique of identifying events and facilities that are local to the user and that closely match the user’s preferences (as determined by the server) render obvious this limitation. Ex.1003, ¶¶99-102.
1[a.4] generate a recommendation message indicating the identified venue or event; and	Sasaki discloses, and/or renders obvious, “generate a recommendation message indicating the identified venue or event.” <i>See, e.g.:</i> As discussed in [1.1b]-[1.1c], 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]. 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

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	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 mobile device in view of Ellis’s technique of identifying events and facilities, further in view of Jacobi’s generating a recommendation message (such as creating a web page with links) render obvious this limitation. Ex.1003, ¶¶103-107.
1[b] network interface circuitry communicatively coupled to the processor circuitry, the network interface circuitry arranged to receive the information about the media, and send the recommendation message to the mobile device.	Sasaki discloses, and/or renders obvious, “network interface circuitry communicatively coupled to the processor circuitry, the network interface circuitry arranged to receive the information about the media, and send the recommendation message to the mobile device.” <i>See, e.g.:</i> “[C]ommunication is performed between the server and terminal device B.” Ex.1004, [0113]. The server communicates with a mobile device through a “communication interface 12, the communication circuit 13, and the transmitting/receiving antenna 14” using “wireless communications standards.” Ex.1004, [0041].

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Claim	Exemplary Evidence of Anticipation and/or Obviousness
	Diagram illustrating the architecture of a device (Fig. 1) showing the CPU (1) connected to various components via the CPU bus (15). The components include ROM (2), RAM (3), HDD (4), OPERATION UNIT (5), and a COMMUNICATION INTERFACE (6) with an external connection (7). The network interface circuitry (12, 13, 14) is also connected to the CPU bus. A SERVER (9) is connected to the CPU via an AUDIO OUTPUT PROCESSOR (8) and an LCD DRIVER (10). The LCD (11) is also connected to the CPU bus. A green box highlights the network interface circuitry and the CPU bus connection. Red X marks are placed over the AUDIO OUTPUT PROCESSOR (8), LCD DRIVER (10), and LCD (11). Ex.1004, Fig. 1 (annotated); Ex.1003, ¶108. As shown in Fig. 1, the network interface circuitry (comprising one or more of the communication interface 12, communication circuit 13, and antenna 14) are communicatively coupled to the CPU 1 by “CPU bus 15”. Ex.1004, [0032], [0030] (the “CPU 1 controls the entirety” of the device by “supplying the control signals”). The network interface circuitry (comprising one or more of the communication interface 12, communication circuit 13, and antenna 14) are arranged to receive the information about the media, and send the recommendation message to the mobile device because the “communication interface 12 performs processing

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	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]. As discussed in [1.1a], the server receives information about the media and, as discussed in [1.1d], the server generates a recommendation message for transmission to the mobile device. Thus, the server’s communication circuitry (comprising one or more of the communication interface, communication circuit, and antenna) for sending and receiving information to and from the mobile device, wherein the information received includes information about the media content and the information sent to the mobile device is a recommended event or facility renders obvious this limitation. Ex.1003, ¶¶108-113.
2. The server of claim 1, wherein the audio media comprises music media and podcast media.	Sasaki discloses, and/or renders obvious, “The server of claim 1, wherein the audio media comprises music media and podcast media.” <i>See, e.g.:</i> As discussed in [1.1a], 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 discloses several techniques for inferring the entertainment preferences of a user of a mobile 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”). <i>See</i> 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. <i>See</i> Ex.1009, [0035] (“It may be desired to publish a portion of the radio program as a podcast.”); 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.”) 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.

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4. The server of claim 1, wherein the processor circuitry is further arranged to infer the current location of the user of the mobile device based on obtained location information associated with the mobile device.	Sasaki discloses, and/or renders obvious, “The server of claim 1, wherein the processor circuitry is further arranged to infer the current location of the user of the mobile device based on obtained location information associated with the mobile device.” <i>See, e.g.:</i> As discussed in [1.1], Sasaki teaches a server with processor circuitry. As discussed in [1.1b], Sasaki teaches that the server infers the location of the user by having the mobile device associated with the user 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]. Ellis also teaches multiple methods to infer the user’s location by receiving location information of mobile device. For example, Ellis teaches: (1) “us[ing] global positioning system monitor 160 to determine the user’s location.” Ex.1005, [0225]; (2) “allowing a user to enter it,” Ex.1005, [0225]; and by (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 mobile device associated with the user and then converts that information into map information (or the like) renders obvious this limitation. Ex.1003, ¶¶117-121.
5. The server of claim 4, wherein the network interface circuitry is further arranged to:	Sasaki discloses, and/or renders obvious, “The server of claim 4, wherein the network interface circuitry is further arranged to.” <i>See, e.g.:</i> As discussed in [1.2], Sasaki’s server includes a processor that is coupled to a communication circuitry (network interface circuitry).
5[a] receive the location information	Sasaki discloses, and/or renders obvious, “receive the location information from the mobile device.” <i>See, e.g.:</i>

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from the mobile device;	First, as discussed in [1.2], Sasaki’s server is in communication with the mobile device and receives information from the mobile device. Second, as discussed in [4.0], Sasaki discloses that the mobile device has a global positioning system. Additionally, Sasaki discloses that the mobile device transmits location information (either GPS or radio wave positional information). Ex.1004, [0069], [0081]. Thus, Sasaki’s server that has communication circuitry for receiving information from the mobile device, wherein the mobile device transmits location information renders obvious this limitation. Ex.1003, ¶¶201-203.
5[b] receive the location information from a wireless network to which the mobile device has established a network connection.	Sasaki discloses, and/or renders obvious, “receive the location information from a wireless network to which the mobile device has established a network connection.” <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. 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 communicating with at least one base transceiver station. Ex.1008, Fig. 3; 2:2-6. To estimate the location of the mobile station, Havinis teaches using timing advance values transmitted from multiple base transceiver stations, along with the site location data associated with each base station, 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.

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	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. Thus, Sasaki’s server that receives location information from the mobile device in view of Havinis’s technique that the location of a mobile device can be calculated using timing advance values and site location data transmitted from a base station to which the mobile device is connected renders obvious this limitation. Ex.1003, ¶¶204-206.
6. The server of claim 4, wherein the processor circuitry is further arranged to:	Sasaki discloses, and/or renders obvious, “The server of claim 4, wherein the processor circuitry is further arranged to.” <i>See, e.g.:</i> <i>See Claim 4.</i>
6[a] determine the current location of the mobile device based on results of triangulation of signals from various wireless access points or based on known current locations of other mobile devices in communication with the server.	Sasaki discloses, and/or renders obvious, “determine the current location of the mobile device based on results of triangulation of signals from various wireless access points or based on known current locations of other mobile devices in communication with the server.” <i>See, e.g.:</i> First, as discussed in [4.0], Sasaki’s server receives location information so that it can determine the mobile device’s current location. Second, as discussed in [5.2], to estimate the location of a mobile device, Havinis teaches using timing advance values transmitted from multiple base transceiver stations (each, an 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:

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	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. Thus, Sasaki’s server that receives information representing the location of the mobile device in view of Havinis’s teaching that the location of a mobile device can be calculated 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, ¶¶207-209.
7. The server of claim 1, wherein the media accessed by the mobile device is media stored on the mobile device or media steamed to the mobile device.	Sasaki discloses, and/or renders obvious, “The server of claim 1, wherein the media accessed by the mobile device is media stored on the mobile device or media steamed to the mobile device.” <i>See, e.g.:</i> First, as discussed in [1.1a], Sasaki discloses a mobile device because it teaches a mobile device for playing “various types of content, such as music and images.” Second, also discussed in [1.1a], Ellis discloses that a user accesses music and other content, whether by storing data on the mobile device or by connecting directly to a network-based radio station. Ex.1005, [0136]-[0137], [0274]. Thus, Sasaki’s mobile device for playing various types of content in view of Ellis’s teaching that of a portable media device that accesses media both stored on the device and streamed to the device renders obvious this limitation. Ex.1003, ¶¶122-124.
9. The server of claim 1, wherein the network interface circuitry is arranged to receive the	Sasaki discloses, and/or renders obvious, “The server of claim 1, wherein the network interface circuitry is arranged to receive the information about the media from a remote storage system or from the mobile device.” <i>See, e.g.:</i>

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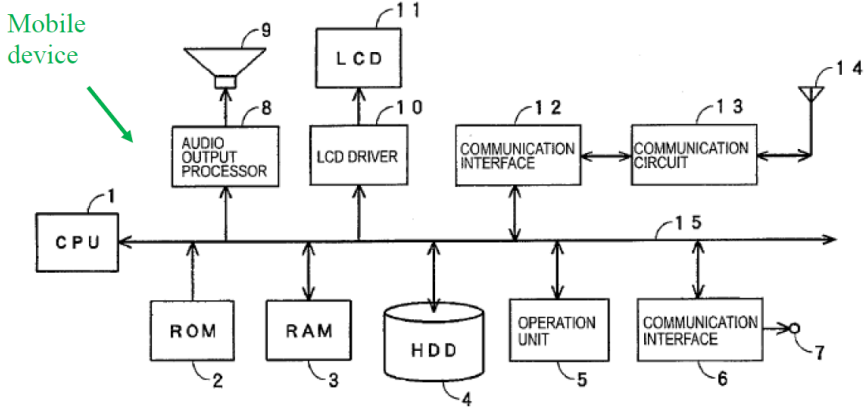
Claim	Exemplary Evidence of Anticipation and/or Obviousness
information about the media from a remote storage system or from the mobile device.	This limitation is substantially similar to [1.2]. For the same reasons discussed above, the prior art renders this limitation obvious.
10[PRE] A mobile device, comprising:	Sasaki discloses, and/or renders obvious, “A mobile device, comprising.” <i>See, e.g.:</i> Sasaki discloses a mobile device because it teaches a terminal device that is “portable” and plays “various types of content, such as music and images.” Ex.1004, [0021]. Fig. 1 is a block diagram illustrating the mobile device:  Ex.1004, Fig. 1 (annotated); Ex.1003, ¶129. Ellis further discloses that a mobile device that accesses music and other content can do so by storing the

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	content on the mobile device (e.g., “download songs”) or by accessing songs over “Internet and radio frequency broadcasts.” Ex.1005, [0136]-[0137], [0274]. Thus, Sasaki’s mobile device for playing various types of content in view of Ellis’s teaching of a portable media device that accesses media both stored on the device and streamed to the device renders obvious this limitation. Ex.1003, ¶¶128-131.
10[a] user interface circuitry;	Sasaki discloses, and/or renders obvious, “user interface circuitry.” <i>See, e.g.:</i> Sasaki discloses user interface circuitry because it teaches that its mobile device has several different components for receiving inputs from the user and providing output to the user. For example, “audio output processor 8” supplies audio data to “speaker 9” to play audio. “LCD driver 10” provides image data to “LCD 11” for displaying images. Ex.1004, [0037]. The “operation unit 5 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].
10[b] transceiver circuitry; and	Sasaki discloses, and/or renders obvious, “transceiver circuitry.” <i>See, e.g.:</i> The mobile device communicates through a “communication interface 12, the communication circuit 13, and the transmitting/receiving antenna 14” using “wireless communications standards.” Ex.1004, [0041].

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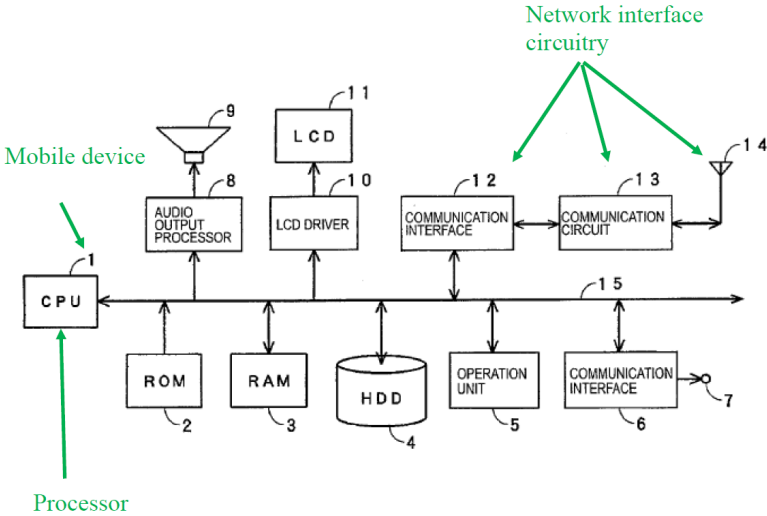
Claim	Exemplary Evidence of Anticipation and/or Obviousness
	 Ex.1004, Fig. 1 (annotated); Ex.1003, ¶134. As shown in Fig. 1, the network interface circuitry (comprising one or more of the communication interface 12, communication circuit 13, and antenna 14) are communicatively coupled to the CPU 1 by “CPU bus 15.” Ex.1004, [0032], [0030] (the “CPU 1 controls the entirety” of the device by “supplying the control signals”). Thus, the mobile device’s communication circuitry (comprising one or more of the communication interface, communication circuit, and antenna) for sending and receiving information renders obvious “transceiver circuitry.” Ex.1003, ¶¶134-135.
10[c] processor	Sasaki discloses, and/or renders obvious, “processor circuitry communicatively coupled to the user interface

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circuitry communicatively coupled to the user interface circuitry and the transceiver circuitry, the processor circuitry to:	circuitry and the transceiver circuitry, the processor circuitry to.” <i>See, e.g.:</i> As discussed in [10.1] and [10.2], Sasaki discloses a mobile device having user interface circuitry and transceiver circuitry. Sasaki further disclose that the mobile device is controlled by “CPU 1” that executes “programs” stored in ROM. Ex.1004, [0030]. As shown in Fig. 1, the network interface circuitry (comprising one or more of the communication interface 12, communication circuit 13, and antenna 14) and user interface circuitry are communicatively coupled to the CPU 1 by “CPU bus 15”. Ex.1004, [0032], [0030] (the “CPU 1 controls the entirety” of the device by “supplying the control signals”). Ex.1004, Fig. 1 (annotated); Ex.1003, ¶136. Thus, Sasaki’s mobile device that has a CPU in communication with user inputs and output and transceiver

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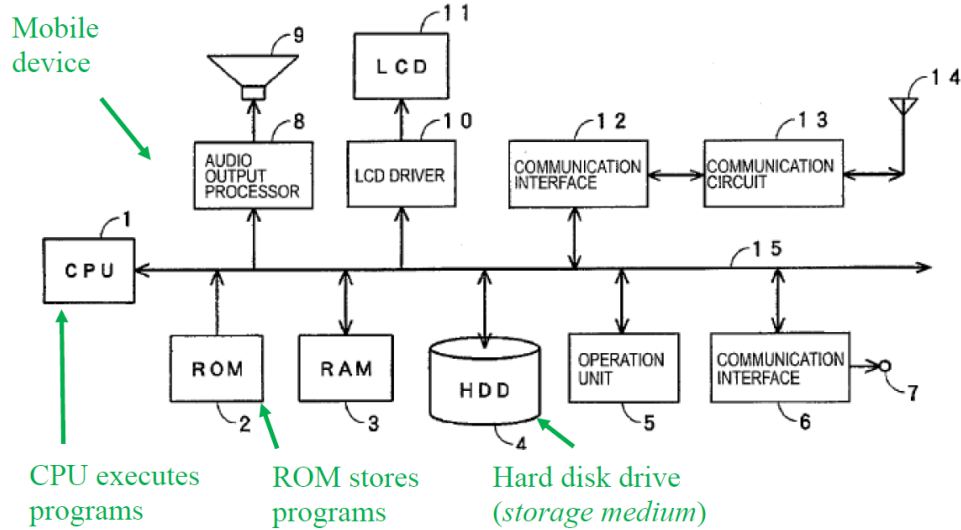
Claim	Exemplary Evidence of Anticipation and/or Obviousness
	components renders obvious this limitation. Ex.1003, ¶¶136-137.
10[c.1] operate a media player application to access media, and output the accessed media via the user interface circuitry, and	Sasaki discloses, and/or renders obvious, “operate a media player application to access media, and output the accessed media via the user interface circuitry.” <i>See, e.g.:</i> Sasaki discloses a mobile device that has an “audio output processor 8” that supplies audio data to “speaker 9” to play audio and an “LCD driver 10” that provides image data to “LCD 11” for displaying images. Ex.1004, [0037]. The functionality of the mobile device is controlled by “CPU 1” that executes “programs” stored in ROM. Ex.1004, [0030].  The diagram illustrates the internal components of a mobile device. A central horizontal bus (15) connects the following components: CPU (1): Labeled with a green arrow and the text "CPU executes programs". ROM (2): Labeled with a green arrow and the text "ROM stores programs". RAM (3): Connected to the bus via a bidirectional arrow. HDD (4): Labeled with a green arrow and the text "Hard disk drive (storage medium)". OPERATION UNIT (5): Connected to the bus via a bidirectional arrow. COMMUNICATION INTERFACE (6): Connected to the bus via a bidirectional arrow and includes an external port (7). AUDIO OUTPUT PROCESSOR (8): Connected to the bus via a bidirectional arrow and is connected to a SPEAKER (9). LCD DRIVER (10): Connected to the bus via a bidirectional arrow and is connected to an LCD (11). COMMUNICATION INTERFACE (12): Connected to the bus via a bidirectional arrow and to a COMMUNICATION CIRCUIT (13). COMMUNICATION CIRCUIT (13): Connected to the communication interface (12) and an external antenna (14). A green arrow labeled "Mobile device" points to the overall system.

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	Ex.1004, Fig. 1 (annotated); Ex.1003, ¶139. The HDD can store “image data,” such as MPEG or JPEG data. Ex.1004, [0038]. “Audio data and image data” can be recorded and stored in the HDD. Ex.1004, [0045]. “[M]usic data and image data” are also stored in the HDD. Ex.1004, [0065]. The audio data is used by “audio output processor 8” supply audio data to “speaker 9” to play audio and the image data is used by the “LCD driver 10” to provide image data to “LCD 11” for displaying images. Ex.1004, [0037]. Ellis discloses a program on a mobile device that displays an interactive screen, allows the user to scroll through selections, and includes on-screen buttons for selection by the user to play content: FIG. 27 shows illustrative display screen 2700 which may be used to present recommended radio stations to a user. Recommended station list 2790 may be presented to the user. If more stations are recommended than will fit onto a single screen, the system may allow the user to scroll or page to view additional selections. Each selection may include information such as broadcast frequency 2710, call letters 2720, and station format 2730. Each selection may also include on-screen buttons 2740 that may be selected by the user to immediately start listening to the station, buttons 2750 to view a schedule of programming on the station, and buttons 2760 to view a play list for the station. Other items may be shown on screen 2700 as well. This screen may be displayed in different formats depending on the characteristics of display device 150 and user controls 140 of FIG. 1. Ex.1005, [0232].

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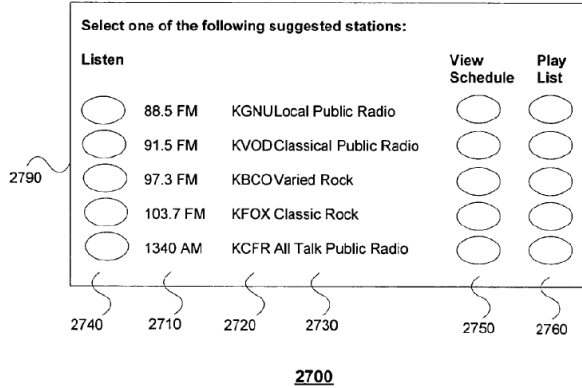
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	 FIG 27 Ex.1005, Fig. 27. Thus, Sasaki’s CPU that executes programs to output audio data to speakers and/or image data to a screen in view of Ellis’s teaching a program to allow selections and play music renders obvious this limitation. Ex.1003, ¶¶139-142.
10[c.2] establish a network connection with a server via the transceiver circuitry; and	Sasaki discloses, and/or renders obvious, “establish a network connection with a server via the transceiver circuitry.” <i>See, e.g.:</i> First, as discussed in [10.2], the mobile device includes “communication interface 12, the communication circuit 13, and the transmitting/receiving antenna 14” (transceiver circuitry). Ex.1004, [0041].

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	As discussed in [1.0] and [1.2], Sasaki teaches a server that also has a “communication interface 12, the communication circuit 13, and the transmitting/receiving antenna 14.” Ex.1004, [0041]. Sasaki teaches that “communication is performed between the server and terminal device B.” Ex.1004, [0113]. The “communication interface 12, the communication circuit 13, and the transmitting/receiving antenna 14” are used, whereby wireless communication can establish connection ... between the terminal device and an external device such as a server.” Ex.1004, [0041]. Thus, the mobile device’s communication circuitry (comprising one or more of the communication interface, communication circuit, and antenna) that establishes a connection with a server renders obvious this limitation. Ex.1003, ¶¶143-146.
10[d] the transceiver circuitry to receive a recommendation message from the server, the recommendation message indicating an event or venue of interest that is proximate to an inferred current location of a user, and wherein:	Sasaki discloses, and/or renders obvious, “the transceiver circuitry to receive a recommendation message from the server, the recommendation message indicating an event or venue of interest that is proximate to an inferred current location of a user.” <i>See, e.g.:</i> As discussed in [1.1c], [1.1d] and [1.2], Sasaki, Ellis and Jacobi render obvious a server generating a recommendation message indicating an event or venue of interest that is close to the location of a user. And, as discussed in [10.5], the mobile device establishes a network connection with the server by using its communication circuitry. Ellis further discloses that the mobile 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 mobile device in communication with the server, where the server generates a recommendation message indicating an event or venue of interest that is close to the location of the user, wherein the user is notified about matching content renders obvious this limitation. Ex.1003, ¶¶147-149.
10[d.1] the event or	Sasaki discloses, and/or renders obvious, “the event or venue of interest is based on one or more inferred

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venue of interest is based on one or more inferred preferences of the user and the inferred current location,	preferences of the user and the inferred current location.” <i>See, e.g.:</i> This limitation is substantially similar to [1.1a] and [1.1b]. For the same reasons discussed above, the prior art renders this limitation obvious.
10[d.2] the inferred preferences are based at least in part on information about the accessed media and media content types of the accessed media from among a plurality of media content types, the plurality of media content types including 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 information about the accessed media and media content types of the accessed media from among a plurality of media content types, the plurality of media content types including textual media, image media, audio media, and video media.” <i>See, e.g.:</i> This limitation is substantially similar to [1.1a]. For the same reasons discussed above, the prior art renders this limitation obvious.
10[d.3] the event or venue of interest is selected from one or more sources of information about a plurality of venues or events proximate to	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 inferred current location of the user.” <i>See, e.g.:</i> This limitation is substantially similar to [1.1b]. For the same reasons discussed above, the prior art renders this limitation obvious.

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the inferred current location of the user.	
11. The mobile device of claim 10, wherein the recommendation is based on one or more of:	Sasaki discloses, and/or renders obvious, “The mobile device of claim 10, wherein the recommendation is based on one or more of.” <i>See, e.g.:</i> As discussed in [10.6], the mobile device receives a recommendation message.
11[a] 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 mobile device;	Sasaki discloses, and/or renders obvious, “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 mobile device.” <i>See, e.g.:</i> This limitation is substantially similar to [3.1]. For the same reasons discussed above, the prior art renders this limitation obvious.
11[b] 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	Sasaki discloses, and/or renders obvious, “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 mobile device.” <i>See, e.g.:</i> This limitation is substantially similar to [3.2]. For the same reasons discussed above, the prior art renders this limitation obvious.

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using, the mobile device;	
11[c] 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 mobile device; and	Sasaki discloses, and/or renders obvious, “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 mobile device.” <i>See, e.g.:</i> This limitation is substantially similar to [3.3]. For the same reasons discussed above, the prior art renders this limitation obvious.
11[d] 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 mobile device.	Sasaki discloses, and/or renders obvious, “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 mobile device.” <i>See, e.g.:</i> This limitation is substantially similar to [3.4]. For the same reasons discussed above, the prior art renders this limitation obvious.

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12. The mobile device of claim 10, further comprising:	Sasaki discloses, and/or renders obvious, “The mobile device of claim 10, further comprising.” <i>See, e.g.:</i> This limitation is substantially similar to [10.0]. For the same reasons discussed above, the prior art renders this limitation obvious.
12[a] global positioning system (GPS) circuitry to provide data indicative of GPS coordinates of the mobile device,	Sasaki discloses, and/or renders obvious, “global positioning system (GPS) circuitry to provide data indicative of GPS coordinates of the mobile device.” <i>See, e.g.:</i> Sasaki teaches that its mobile 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 mobile device includes the “latitude and longitude (detected by the GPS).” Ex.1004, [0069]. Thus, mobile 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, ¶¶154-155.
12[b] the processor circuitry is further to generate location information to include the GPS coordinates, and	Sasaki discloses, and/or renders obvious, “the processor circuitry is further to generate location information to include the GPS coordinates.” <i>See, e.g.:</i> As discussed in [12.1], Sasaki’s mobile device renders obvious GPS circuitry 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

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	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 mobile device. Ex.1004, [0030]. Thus, Sasaki’s teaching of a mobile device that (i) is entirely controlled by a CPU, (ii) generates data indicative of GPS-detected latitude and longitude to indicate the mobile device’s present position, and (iii) transmits information representing the GPS position renders obvious this limitation. Ex.1003, ¶¶156-160.
12[c] the transceiver circuitry is to transmit the location information to the server to facilitate the server in inferring a current location of a user of the mobile device.	Sasaki discloses, and/or renders obvious, “the transceiver circuitry is to transmit the location information to the server to facilitate the server in inferring a current location of a user of the mobile device..” <i>See, e.g.:</i> First, as discussed in [10.5], the communication circuitry in the mobile device establishes a network connection with the server. Second, Sasaki teaches that the “information representing the latitude and longitude (detected by the GPS) of the place of transmission which indicate the present position can be directly transmitted.” Ex.1004, [0069]. Third Sasaki teaches that the server uses the information representing the latitude and longitude to infer a location of the user of the mobile device. Specifically, Sasaki teaches that the information representing the latitude and longitude can be “converted into map information ... or a building name or the like.” Ex.1004, [0080]. Ellis also discloses using multiple methods to determine (infer) the mobile device’s current location, including “us[ing] global positioning system monitor 160 to determine the user’s location.” Ex.1005, [0225]. Thus, a mobile device that uses communication circuitry to transmit location information to a server so that the server can determine the user of the mobile device’s location renders obvious this limitation. Ex.1003, ¶¶161-165.

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13. The mobile device of claim 10, wherein:	Sasaki discloses, and/or renders obvious, “The mobile device of claim 10.” <i>See, e.g.:</i> This limitation is substantially similar to [10.0]. For the same reasons discussed above, the prior art renders this limitation obvious.
13[a] user interface circuitry is to obtain a user input indicating a current location of the mobile device or a desired location of the mobile device,	Sasaki discloses, and/or renders obvious, “user interface circuitry is to obtain a user input indicating a current location of the mobile device or a desired location of the mobile device.” <i>See, e.g.:</i> First, as discussed in [10.1], the user interface circuitry receives input from the user. Second, Ellis teaches that the user location information can be obtained by the system by “allowing a user to enter it.” Ex.1005, [0225]. Thus, Sasaki’s mobile device that provides the user with user interface circuitry in view of Ellis disclosing allowing the user to enter location information render obvious this limitation. Ex.1003, ¶¶167-169.
13[b] the processor circuitry is further to generate location information to indicate the user input, and	Sasaki discloses, and/or renders obvious, “the processor circuitry is further to generate location information to indicate the user input.” <i>See, e.g.:</i> As discussed in [12.2], the CPU controls the entirety of the mobile device and uses the data from the GPS system to generate information representing the latitude and longitude. As discussed in [13.1], one more method for receiving location information is that the user enters the location information into the mobile device. Accordingly, it would be obvious to a POSITA that, a processor that is capable of generating information representing the latitude and longitude would be able to similarly generate information representing the latitude and longitude from another input source, such as a user input. Thus, for the same reasons as discussed above, the prior art renders this limitation obvious. Ex.1003, ¶¶170-

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	173.
13[c] the transceiver circuitry is to transmit the location information to the server to facilitate the server in inferring a current location of a user of the mobile device.	Sasaki discloses, and/or renders obvious, “the transceiver circuitry is to transmit the location information to the server to facilitate the server in inferring a current location of a user of the mobile device..” <i>See, e.g.:</i> This limitation is substantially similar to [12.3]. For the same reasons discussed above, the prior art renders this limitation obvious.
14. The mobile device of claim 10, wherein the current location is further inferred based on a location of an access network node through which the mobile device has established a network connection or based on one or more previous geographic locations of the mobile device.	Sasaki discloses, and/or renders obvious, “The mobile device of claim 10, wherein the current location is further inferred based on a location of an access network node through which the mobile device has established a network connection or based on one or more previous geographic locations of the mobile 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. Second, as discussed in [5.2], Havinis discloses a method for calculating the “geographical location” of a mobile station (a portable device) connected wirelessly. Ex.1008, 2:7-18. Specifically, Havinis teaches using both real-time data or historical data (<i>previous geographic locations</i>), where the data are timing advance values transmitted from base transceiver stations (<i>access network node</i>), along with the site location data associated with each base station (<i>location of an access network node</i>), to calculate the geographical position of the portable 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; Ex.1003, ¶212. Thus, Sasaki’s server that receives information representing the location of the mobile device in view of Havinis’s teachings of sending base station coordinates and site location data, whether as real-time data or historical data, renders obvious this limitation. Ex.1003, ¶¶210-215.
16. The mobile device of claim 10, wherein the mobile device is a cellular phone, a portable media player, a tablet computer, or an in-vehicle computing device.	Sasaki discloses, and/or renders obvious, “The mobile device of claim 10, wherein the mobile device is a cellular phone, a portable media player, a tablet computer, or an in-vehicle computing device.” <i>See, e.g.:</i> As discussed in [10.0], Sasaki’s device is “portable” and plays “various types of content, such as music and images.” Ex.1004, [0021]. Sasaki further discloses that the mobile device “has reduced size and weight, and can be carried” or put in “a pocket of user’s clothes.” Ex.1004, [0021]. Further, Sasaki discloses that its teachings apply to an “on-vehicle communication apparatus.” Ex.1004, [0136]. Accordingly, Sasaki’s device that is portable, plays various types of content, small in size, and pocketable renders obvious a portable media player. Further, Sasaki’s teachings of an “on-vehicle communication apparatus” render obvious an in-vehicle computing device. Thus, Sasaki teaching a portable media player and an in-vehicle computing device render obvious this limitation. Ex.1003, ¶¶175-178.
17[PRE] A method of operating a mobile device, the method comprising:	Sasaki discloses, and/or renders obvious, “A method of operating a mobile device, the method comprising.” <i>See, e.g.:</i> This limitation is substantially similar to [10.0]. For the same reasons discussed above, the prior art renders

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	this limitation obvious.
17[a] executing a media player application to access media stored in memory of the mobile device or streamed to the mobile device;	Sasaki discloses, and/or renders obvious, “executing a media player application to access media stored in memory of the mobile device or streamed to the mobile device.” <i>See, e.g.:</i> This limitation is substantially similar to [10.4]. For the same reasons discussed above, the prior art renders this limitation obvious.
17[b] establishing a network connection with a server; and	Sasaki discloses, and/or renders obvious, “establishing a network connection with a server.” <i>See, e.g.:</i> This limitation is substantially similar to [10.5]. For the same reasons discussed above, the prior art renders this limitation obvious.
17[c] receiving a recommendation message from the server, the recommendation message indicating an event or venue of interest that is proximate to an inferred current location of a user of the mobile device,	Sasaki discloses, and/or renders obvious, “receiving a recommendation message from the server, the recommendation message indicating an event or venue of interest that is proximate to an inferred current location of a user of the mobile device.” <i>See, e.g.:</i> This limitation is substantially similar to [10.6]. For the same reasons discussed above, the prior art renders this limitation obvious.
17[d] the event or	Sasaki discloses, and/or renders obvious, “the event or venue of interest is based on one or more inferred

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venue of interest is based on one or more inferred preferences of the user and the inferred current location,	preferences of the user and the inferred current location.” <i>See, e.g.:</i> This limitation is substantially similar to [10.7]. For the same reasons discussed above, the prior art renders this limitation obvious.
17[e] the inferred preferences are based at least in part on information about the accessed media and media content types of the accessed media from among a plurality of media content types, the plurality of media content types including 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 information about the accessed media and media content types of the accessed media from among a plurality of media content types, the plurality of media content types including textual media, image media, audio media, and video media.” <i>See, e.g.:</i> This limitation is substantially similar to [10.8]. For the same reasons discussed above, the prior art renders this limitation obvious.
17[f] the event or venue of interest is selected from one or more sources of information about a plurality of venues or events proximate to	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 inferred current location of the user.” <i>See, e.g.:</i> This limitation is substantially similar to [10.9]. For the same reasons discussed above, the prior art renders this limitation obvious.

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the inferred current location of the user.	
18. The method of claim 17, further comprising:	Sasaki discloses, and/or renders obvious, “The method of claim 17, further comprising.” <i>See, e.g.:</i> <i>See Claim 17.</i>
18[a] generating a location information message to indicate a location of the mobile device; and	Sasaki discloses, and/or renders obvious, “generating a location information message to indicate a location of the mobile device.” <i>See, e.g.:</i> This limitation is substantially similar to [12.2]. For the same reasons discussed above, the prior art renders this limitation obvious.
18[b] transmitting the location information to the server to facilitate the server in inferring a current location of a user of the mobile device.	Sasaki discloses, and/or renders obvious, “transmitting the location information to the server to facilitate the server in inferring a current location of a user of the mobile device.” <i>See, e.g.:</i> This limitation is substantially similar to [12.2]. For the same reasons discussed above, the prior art renders this limitation obvious.
19. The method of claim 17, further comprising:	Sasaki discloses, and/or renders obvious, “The method of claim 17, further comprising.” <i>See, e.g.:</i> <i>See Claim 17.</i>
19[a] determining the location of the mobile	Sasaki discloses, and/or renders obvious, “determining the location of the mobile device based on global positioning system (GPS) coordinates of the mobile device or an obtained user input indicating a current

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device based on global positioning system (GPS) coordinates of the mobile device or an obtained user input indicating a current location of the mobile device or a desired location of the mobile device.	location of the mobile device or a desired location of the mobile device.” <i>See, e.g.:</i> This limitation is substantially similar to [12.0]-[12.3] and [13.0]-[13.3]. For the same reasons discussed above, the prior art renders this limitation obvious.
20. The mobile device of claim 17, wherein the current location is further inferred based on a location of a wireless network to which the mobile device has established a network session and based on one or more previous geographic locations of the mobile device.	Sasaki discloses, and/or renders obvious, “The mobile device of claim 17, wherein the current location is further inferred based on a location of a wireless network to which the mobile device has established a network session and based on one or more previous geographic locations of the mobile device..” <i>See, e.g.:</i> As discussed in [4.0], Sasaki’s server receives location information so that it can determine the portable media player device’s current location. 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 network connection by communicating with at least one base transceiver station. Ex.1008, Fig. 3; 2:2-6. First, Havinis further discloses that, the location of MS (a mobile device) can be calculated using site location data of the base stations of the network to which the device is connected (location of a wireless network to which the mobile device has established a network session): 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.

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	Second, Havinis discloses using historical positioning data (based on one or more previous geographic locations of the mobile 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. Thus, Sasaki's server that receives information representing the location of the mobile device in view of Havinis's disclosure of using the site location of the transceivers and the historical location data for the mobile device renders obvious this limitation. Ex.1003, ¶¶216-219.