

Inter Partes Review U.S. Patent No. 7,376,414

Google, LLC v. Wildseed Mobile LLC, Case IPR2023-00248

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DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

The '414 Patent

The present invention is directed to a method for playing content and advertisements on a mobile device. A mobile device provides information associated with a user of the mobile device. The provided information is employed to determine at least one advertisement to be played on the mobile device. If a determined time interval occurs, the playing of content by the mobile device is stopped while at least one determined advertisement is played on. The playing of content by the mobile device is resumed when the playing of the determined advertisement is finished.

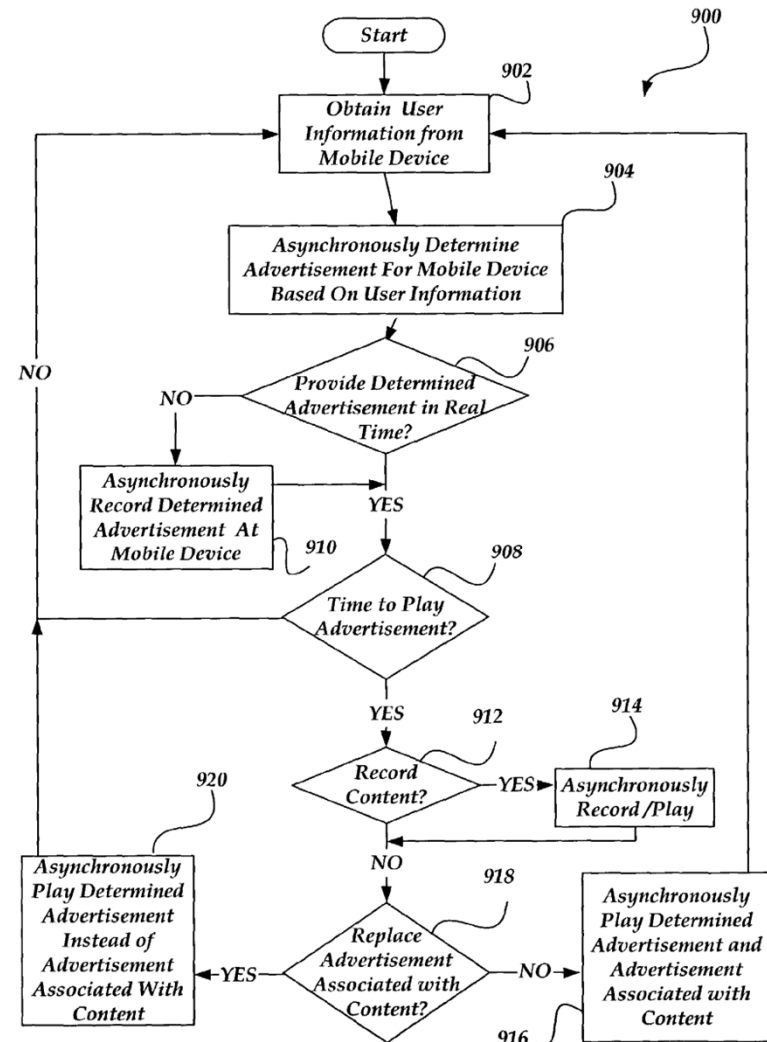
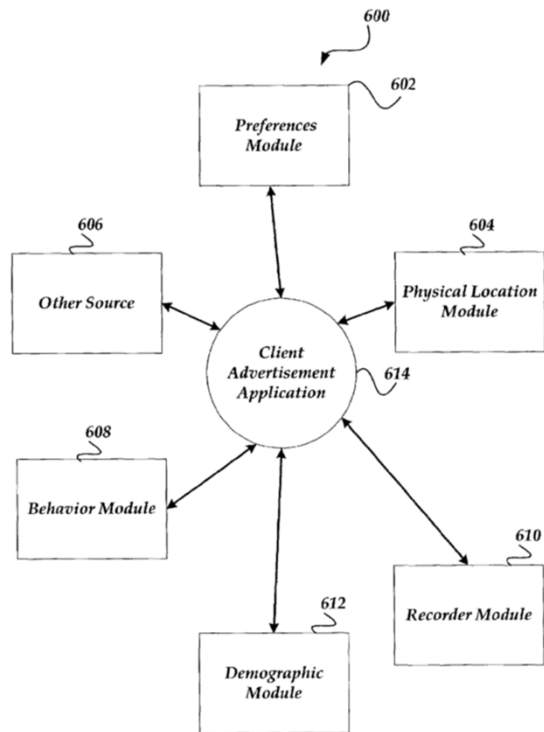


Fig.9

Claim 1 of '414 Patent

1. A method for playing content and advertisements on a cellular device, comprising:

(a) autonomously providing to a server, by the cellular device, information associated with a user of the cellular device, the information taken by the cellular device from a message sent to the cellular device from another user of another cellular device, the message identifying characteristics of the user of the cellular device;

(b) receiving from the server, by the cellular device, at least one advertisement to be played on the cellular device, wherein the at least one received advertisement is determined by the server based at least in part on the provided information;

(c) if a determined time interval occurs, stopping playing of content, by the cellular device, and playing at least one of the determined advertisements, by the cellular device, the playing of the at least one determined advertisement comprising:

recording, by the cellular device, the content which playing was stopped, while the at least one determined advertisement is playing; and

when the playing of the at least one determined advertisement is completed, resuming the playing of the stopped content, by the cellular device, from where the stopping of the playing of the content occurred, using the recorded content.

The '414 Patent

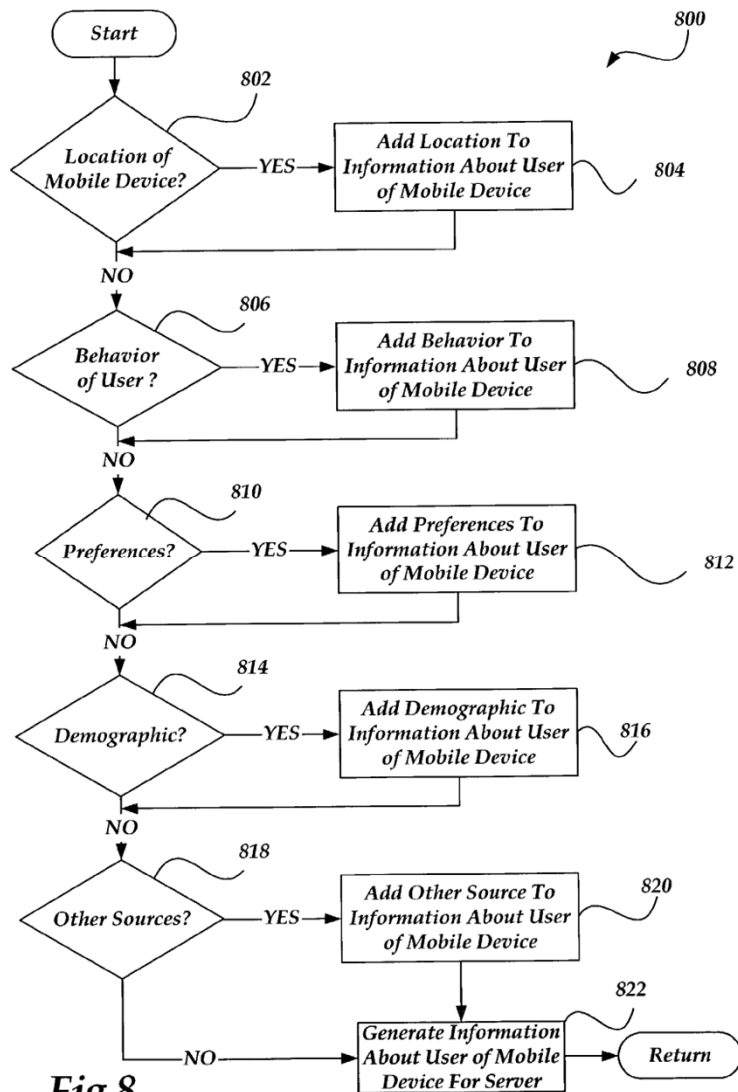


Fig.8

FIG. 8 is a flow chart that illustrates an overview 800 of the process for generating information regarding the user of a mobile device. Moving from a start block, the process

other information regarding the mobile device user. Next, the process steps to decision block 818 where a determination is made as to whether other sources have provided information regarding the mobile device user. Also, when the determination at decision block 814 is false, the process moves directly to decision block 818.

At decision block 818, when the determination is true, the process advances to block 820 where the other source information is added to other information regarding the mobile device user. Next, the process flows to block 822 where information regarding the mobile device user is generated that can be subsequently used in determining advertisements to be played by the user's mobile device.

Instituted Claims and Ground

No.	Ground
#1	Claims 1-7 and 9-14 are obvious under 35 U.S.C. § 103 over Frerichs in view of Kawasaki and further in view of Kauffman .

Petition, 22; Institution Decision, 7.

Prior Art Mapping to Claim 1 of '414 Patent

1. A method for playing content and advertisements on a cellular device, comprising:

(a) autonomously providing to a server, by the cellular device, information associated with a user of the cellular device, the information taken by the cellular device from a message sent to the cellular device from another user of another cellular device, the message identifying characteristics of the user of the cellular device;

(b) receiving from the server, by the cellular device, at least one advertisement to be played on the cellular device, wherein the at least one received advertisement is determined by the server based at least in part on the provided information;

Frerichs + Kawasaki

(c) if a determined time interval occurs, stopping playing of content, by the cellular device, and playing at least one of the determined advertisements, by the cellular device, the playing of the at least one determined advertisement comprising:

recording, by the cellular device, the content which playing was stopped, while the at least one determined advertisement is playing; and

when the playing of the at least one determined advertisement is completed, resuming the playing of the stopped content, by the cellular device, from where the stopping of the playing of the content occurred, using the recorded content.

Frerichs + Kauffman

Frerichs – Targeted Advertisements and Cellular Devices

(12) **United States Patent** **Frerichs et al.**

(22) Filed: **May 26, 2000**

According to the present invention, a technique including a method and device for streaming audio output is provided. More particularly, the invention provides a method and device for inserting targeted advertisement into streaming audio at a client location such as a personal computer. The invention also can be applied to other types of client devices such as personal digital assistants, internet appliances, internet radio, cellular phones, and the like.

(10) **Patent No.:** **US 6,684,249 B1**
(45) **Date of Patent:** **Jan. 27, 2004**

In a specific embodiment, the customized software also provides for targeted advertisements based upon a user profile. Here, the software recognizes a unique identification number (ID) on the server and an associated demographic. The demographic is built from volunteered information and from monitoring of user listening patterns. When the stream-

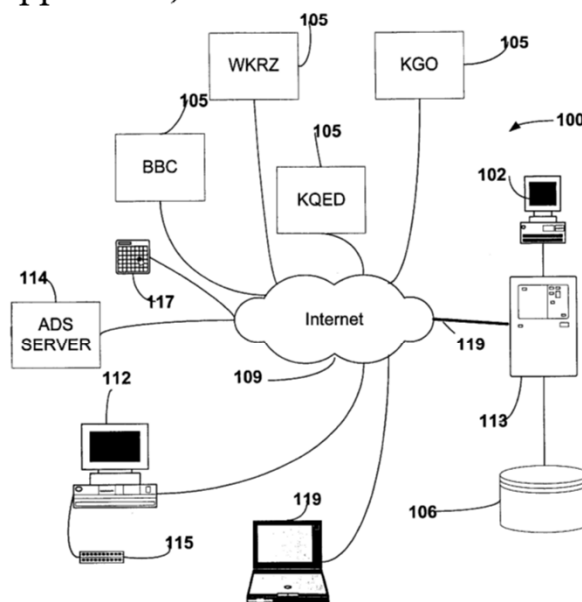


FIG. 1

Petition, 23-24; Frerichs, 2:13-20; 9:39-42, Fig. 1.

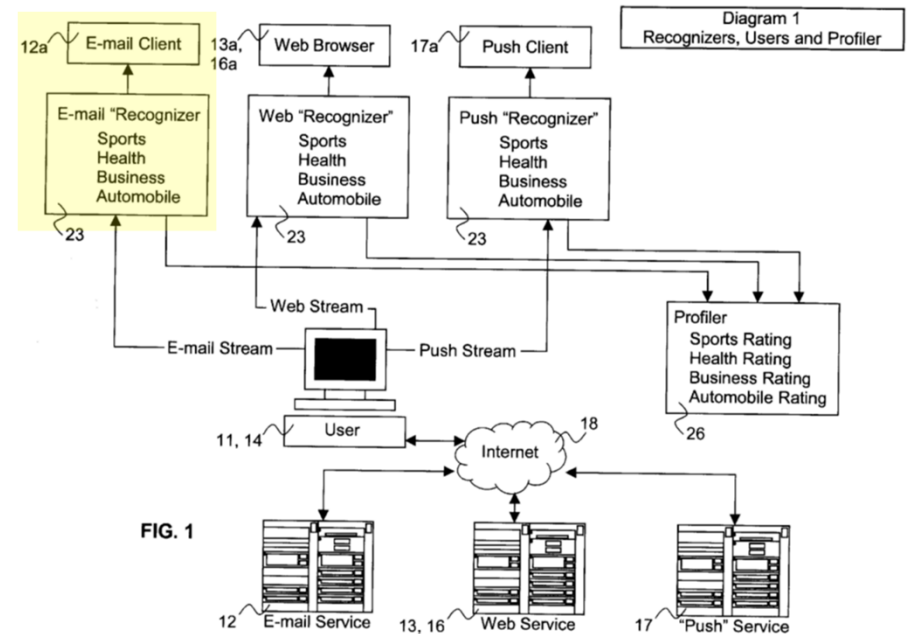
Kawasaki – Using Message Data to Target Advertisements

(12) **United States Patent** **Kawasaki**

(22) Filed: **Aug. 4, 1999**

A method and system of this invention that provides for profiling a user of the Internet according to predefined categories of interest is described herein. This invention includes **scanning content information** of an Internet user to generate unknown data and processing unknown data to determine its relevance to predefined categories of interest.

(10) Patent No.: **US 6,539,375 B2**
(45) Date of Patent: ***Mar. 25, 2003**



Petition, 24-25; Kawasaki, Abstract, Fig. 1.

Kauffman – Recording Streaming Media While Outputting Ads

(19) **United States**

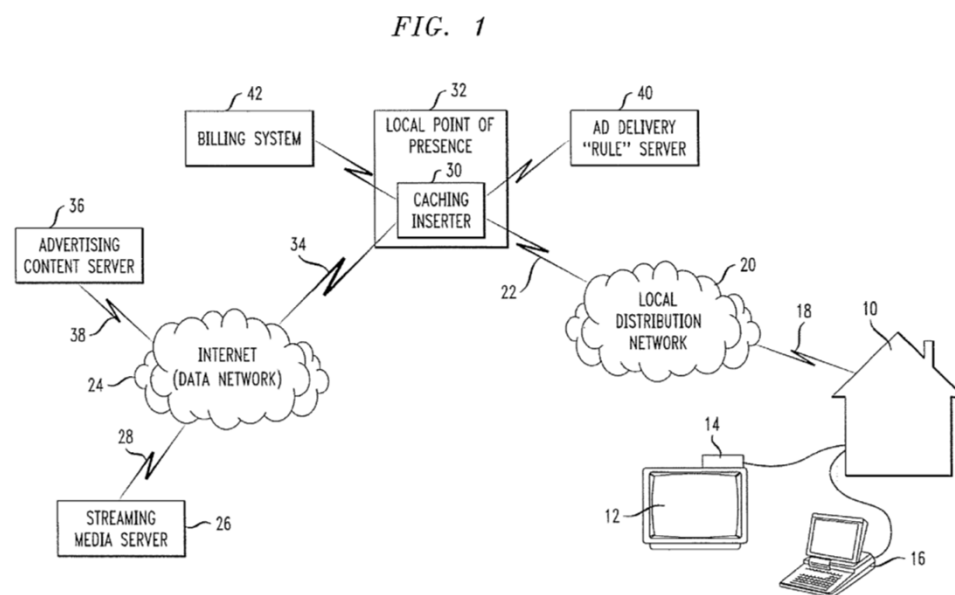
(12) **Patent Application Publication**
Kauffman et al.

(63) Continuation of application No. 09/734,220, filed on
Dec. 11, 2000.

(10) **Pub. No.: US 2007/0083886 A1**

(43) **Pub. Date: Apr. 12, 2007**

An arrangement for inserting advertisement media into a streaming multimedia file destined for an end-user uses a caching inserter including a first cache for storing a loaded advertisement file and a second cache for holding the streaming multimedia file that needs to be buffered as the advertisement file is sent to the end-user. The advertisement file may be inserted at the beginning of the multimedia file, the end, or at any point during the stream. Once the advertisement begins to be sent to the end-user, the incoming multimedia stream is cached and then is played out of the cache once the advertisement has ended. As a result of the time delay associated with the advertisement, the remainder of the multimedia file must be cached then played out until the stream is complete.



Petition, 26-27; Kauffman, Abstract, Fig. 1.

Claim Construction

The Combination Teaches the Message Limitations

A POSITA Would Have Combined the Teachings of Frerichs and Kawasaki

The Combination Teaches Caching at a Cellular Device

A POSITA Would Have Combined the Teachings of Frerichs and Kauffman

Dependent Claims

Claim Construction

(a) autonomously providing to a server, by the cellular device, information associated with a user of the cellular device, the information taken by the cellular device from a message sent to the cellular device from another user of another cellular device, the message identifying characteristics of the user of the cellular device;

'414 Patent, claim 1.

Petitioner

Plain and ordinary meaning

Petition, 16.

Patent Owner

“information taken ... from a message” requires information that was actually in a message

-- and --

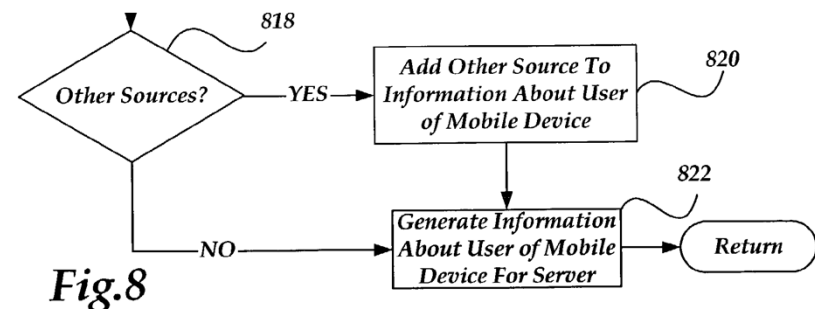
taken means “extracting”

POR, 3; Sur-Reply, 2.

Specification Does Not Narrow “Taken”

Specification merely describes “information regarding the user”:

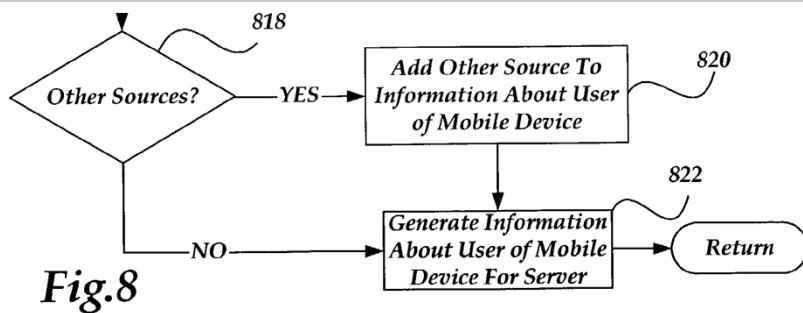
Additionally, other source module 606 enables other sources to be used to provide information regarding the user, e.g., a message from another user of another mobile device that identifies characteristics of the current user of the mobile device. Also, information can be provided by others (or the actual user) from a remotely located stationary computing device about the mobile device user.



Reply, 1-6; '414 Patent, 10:18-24; Fig. 8

Specification Does Not Narrow “Taken”

Information provided to the server (and used for advertisement selection) is **generated** using information taken from the message:



Client advertisement application 614 is in communication with several other modules that provide different types of information, which in total are employed to generate information regarding a user of the mobile device. Preference

At decision block 818, when the determination is true, the process advances to block 820 where the other source information is added to other information regarding the mobile device user. Next, the process flows to block 822 where information regarding the mobile device user is generated that can be subsequently used in determining advertisements to be played by the user's mobile device.

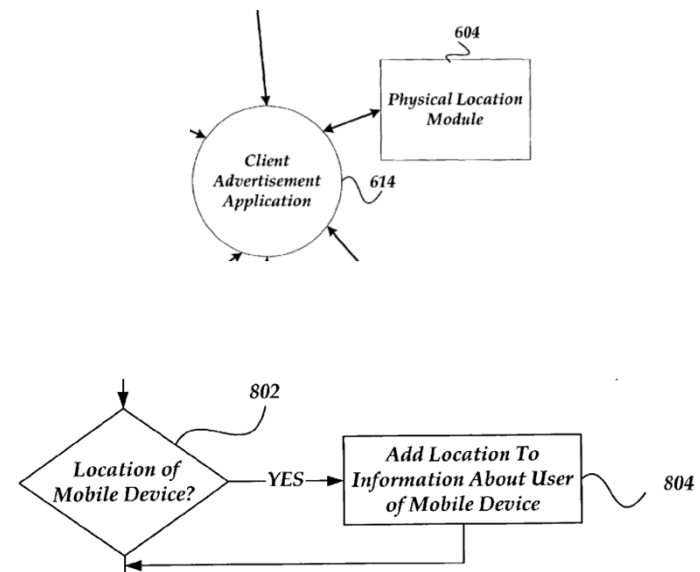
Reply, 1-6; '414 Patent, 9:48-51, 11:15-21, Fig. 8.

Specification Discloses Deriving Information from Sources

Location coordinates are added to information about the user, so information provided to server is not limited to “exact” available data:

Physical location module 604 enables **coordinates identifying the physical location** of the user's mobile device to be provided. For example, GPS, Assisted GPS and/or trian-

made if the location of the mobile device is available. If true, the process advances to block 804 where **the location is added to information** about the user of the mobile device. The **location may be manually entered** by the user and/or provided from a GPS, assisted GPS, wireless signal triangulation, and the like, to determine the location of the user of the mobile device. Next, the process flows to decision



'414 Patent, 9:58-60, 10:49-55, Fig. 6, Fig. 8.

Claim Construction

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A POSITA Would Have Combined the Teachings of Frerichs and Kawasaki

The Combination Teaches Caching at a Cellular Device

A POSITA Would Have Combined the Teachings of Frerichs and Kauffman

Dependent Claims

Claim 1(a)-(b) – Providing Information and Selecting an Ad

- (a) autonomously providing to a server, by the cellular device, information associated with a user of the cellular device, the information taken by the cellular device from a message sent to the cellular device from another user of another cellular device, the message identifying characteristics of the user of the cellular device;
- (b) receiving from the server, by the cellular device, at least one advertisement to be played on the cellular device, wherein the at least one received advertisement is determined by the server based at least in part on the provided information;

'414 Patent, claim 1.

Frerichs – Targeted Ads in Streaming Media on Cell Phones

This invention generally relates to techniques for broadcasting information through a wide area network of computers. More particularly, the present invention provides a method and device for inserting a targeted advertisement based upon a user profile through streaming audio. Merely

According to the present invention, a technique including a method and device for streaming audio output is provided. More particularly, the invention provides a method and device for inserting targeted advertisement into streaming audio at a client location such as a personal computer. The invention also can be applied to other types of client devices such as personal digital assistants, internet appliances, internet radio, cellular phones, and the like.

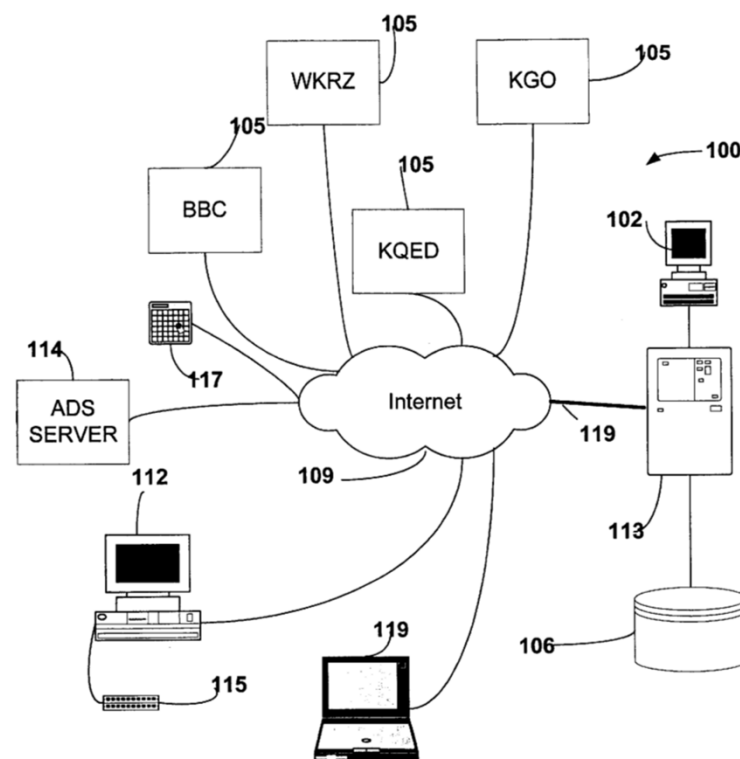


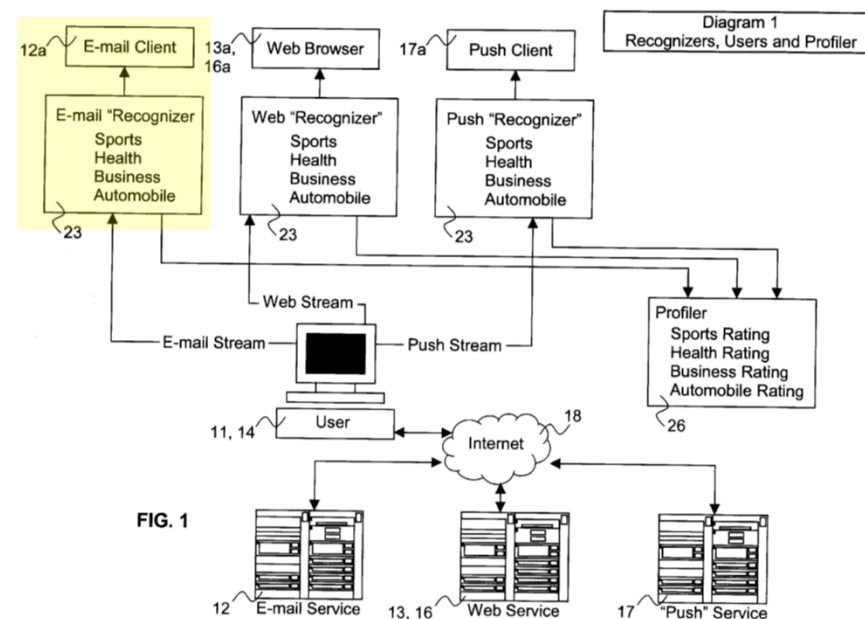
FIG. 1

Petition, 23-24; Frerichs, 1:7-14; 2:13-20, Fig. 1.

Kawasaki Teaches Taking Information from Messages

Kawasaki scans content information of a user, including email messages:

A method and system of this invention that provides for profiling a user of the Internet according to predefined categories of interest is described herein. This invention includes scanning content information of an Internet user to generate unknown data and processing unknown data to determine its relevance to predefined categories of interest.



Kawasaki, Abstract, Fig. 1.

Petition, 24-25, 35-43.

Kawasaki Teaches Taking Information Even Under Narrow View

as a user preference. And certainly, the example, the email I gave doesn't use the word "golf." But the point of the recognizer is that it can discern an interest in golf, even if the user didn't use the word "golf" in the email they sent and that was received. And the email certainly could have said, "Let's go play a round of golf," instead of, you know, "Let's hit a quick nine holes."

But the point is that the kind of recognizer, disclosed in Kawasaki, can still discern an interest in golf, whether or not the email message contains the word "golf." And it's that

A POSITA Would Have Understood Kawasaki's Client Could be a Cellular Device

Analysis and Profile building can be accomplished at either the Client or Server location within an e-mail system.

Clients refers to any software loaded on desktop PCS, set top boxes and end-user display devices that display e-mail.

Kawasaki, 5:66-67, 6:4-5.

Ericsson R380 Smartphone



So what does it do?

Well, it reads e-mail (POP and SMTP), it uses WAP, there's a note-taking application, a calendar, contacts, clock, calculator, and a game. And now, the major surprise--you can even make phone calls with it.

Ex.1022 (Ericsson R380 Smartphone).

Kawasaki Teaches Messages From Other Users

Patent Owner's arguments do not consider the evidence of record.

Petitioner has not identified anything in Kawasaki that suggests taking information from at least one message that [1] is “from another user of another cellular device” (limitation 1.1.2) and [2] “identif[ies] characteristics of the user of the cellular device” (limitation 1.1.3). EX2009, ¶¶96-97.

POR, 27.

The Petition and Dr. Houh squarely addressed these claim limitations.

Kawasaki teaches taking information from an email received from another user:

A method and system of this invention that provides for profiling a user of the Internet according to predefined categories of interest is described herein. This invention includes scanning content information of an Internet user to generate unknown data and processing unknown data to determine its relevance to predefined categories of interest.

1. E-mail Client/Server Systems—Analyzing and building Profiles from e-mail information. According to this invention, e-mail systems generate revenue through Offers by analyzing sent and received e-mail information and building Profiles based upon its content.

Kawasaki, Abstract, 5:61-67.

Kawasaki Teaches Messages From Other Users

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Petitioner has not identified anything in Kawasaki that suggests taking information from at least one message that [1] is “from another user of another cellular device” (limitation 1.1.2) and [2] “identif[ies] characteristics of the user of the cellular device” (limitation 1.1.3). EX2009, ¶¶96-97.

POR, 27.

The Petition and Dr. Houh squarely addressed these claim limitations.

Using a cellular device to receive email would have been consistent with Kawasaki:

A POSITA, at the time of the '414 patent, would have recognized that cellular devices (e.g., the cellular phones of Frerichs) were commonly used to send and receive e-mail, and that using a cellular device to send and receive e-mail would have been consistent with the disclosure of Kawasaki.

Petition, 38-43; Houh Declaration, ¶ 119.

Kawasaki Teaches Messages that Identify Characteristics

Patent Owner's arguments do not consider the evidence of record.

Petitioner has not identified anything in Kawasaki that suggests taking information from at least one message that [1] is “from another user of another cellular device” (limitation 1.1.2) and [2] “identif[ies] characteristics of the user of the cellular device” (limitation 1.1.3). EX2009, ¶¶96-97.

POR, 27.

The Petition and Dr. Houh squarely addressed these claim limitations.

Kawasaki's email messages identify characteristics of the device user.

good match to the installed Recognizers **23**. For example, if a golfing Recognizer **23** is loaded and the **User views golf-related Web Pages 13a, E-mail 12a,** User Groups **16a** or other digital content, the golfing Recognizer **23** returns a positive match for that Data Set **21**.

Kawasaki, 4:34-42, Houh Declaration, ¶¶ 125-126.

Kawasaki Teaches Messages that Identify Characteristics

Patent Owner's arguments do not consider the evidence of record.

Petitioner has not identified anything in Kawasaki that suggests taking information from at least one message that [1] is “from another user of another cellular device” (limitation 1.1.2) and [2] “identif[ies] characteristics of the user of the cellular device” (limitation 1.1.3). EX2009, ¶¶96-97.

POR, 27.

The Petition and Dr. Houh squarely addressed these claim limitations.

A POSITA would have recognized that message content, such as e-mail message content, was commonly relevant to or related to the recipient of the message....Because the user views golf-related e-mail, one identifying characteristic of the user is that she is interested in golf.

Recognizers indicate that unknown data extracted from a received message matches an area of interest to the user (the recipient), which in turn is used to form the user's profile and target advertisements to the user.

Kawasaki, 4:34-42, Houh Declaration, ¶¶ 125-127.

Claim Construction

The Combination Teaches the Message Limitations

A POSITA Would Have Combined the Teachings of Frerichs and Kawasaki

The Combination Teaches Caching at a Cellular Device

A POSITA Would Have Combined the Teachings of Frerichs and Kauffman

Dependent Claims

Kawasaki's Teachings Would Have Improved Frerichs' Targeting

Frerichs selects advertisements based on user profiles:

In a specific embodiment, the method retrieves the advertisement, which has been selected based upon a user profile (step 600). The user profile can include information

such stations during the time of day, for example. The user profile information can also include any other information which can be used to provide a more desirable advertisement or information to the user. Since the user is at a specific client location, the advertisement can be targeted to the user.

Frerichs, 14:40-53.

Kawasaki improves advertisement selection by building profiles:

In view of the foregoing background, one object of the present invention is to improve the match between User interests and Advertisers' messages by transparently assessing the type of information that a User reviews over time.

Another object of the invention is to create a "profile" of interests of the User, which may be used to subsequently direct Offers.

Kawasaki, 2:47-50.

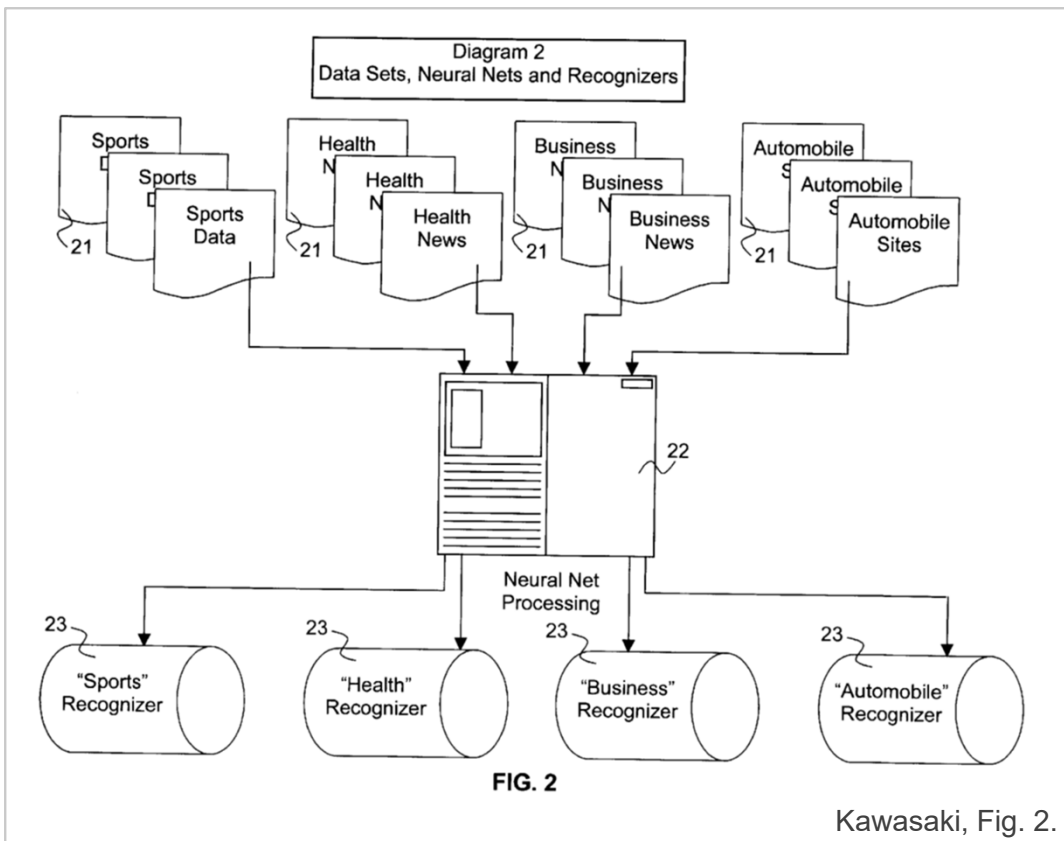
Thus, a POSITA would have recognized Kawasaki as teaching a technique for providing user profile information that provides desirable advertisements to users.

Guided by the suggestion in Frerichs to seek out such techniques that provide more desirable advertisements, a POSITA would have been motivated to combine the teachings of Frerichs and Kawasaki to generate user profile information for use in providing an advertisement, as taught by Frerichs, by scanning data received by a user, as taught by Kawasaki.

Petition, 27-30.

Neural Networks on a Cellular Device are Not Required

Kawasaki's recognizers are not neural networks:



Referring to FIG. 2, this is accomplished through collecting representative data sets of major areas of interest, the Data Sets 21, and using a developed set of algorithms and weighted rules necessary to analyze the unknown content for a match with Data Sets 21. The development of these algorithms and weighted rules is accomplished through the use of a three-tier feed-forward artificial neural network, a Neural Net 22, with a learning algorithm as described in the above-referenced patent application. Various artificial neural networks are commercially available that could be used for this purpose. The output from Neural Net 22 is algorithms and rules, the Recognizers 23, which in essence "recognize" a match of incoming, unknown data with Data Sets 21.

Kawasaki, 4:12-24.

Q. Okay. And the neural network in Kawasaki is referred to by Element 22, correct?

A. Yes. It appears that it's -- it appears that that's what it's using to refer to it as.

Q. Kawasaki uses the label 23 to refer to the recognizers, correct?

A. Yeah. It's using label 23 to refer to recognizers.

Ex.1028 (Malek (PO expert) Dep.), 83:14-84:8.

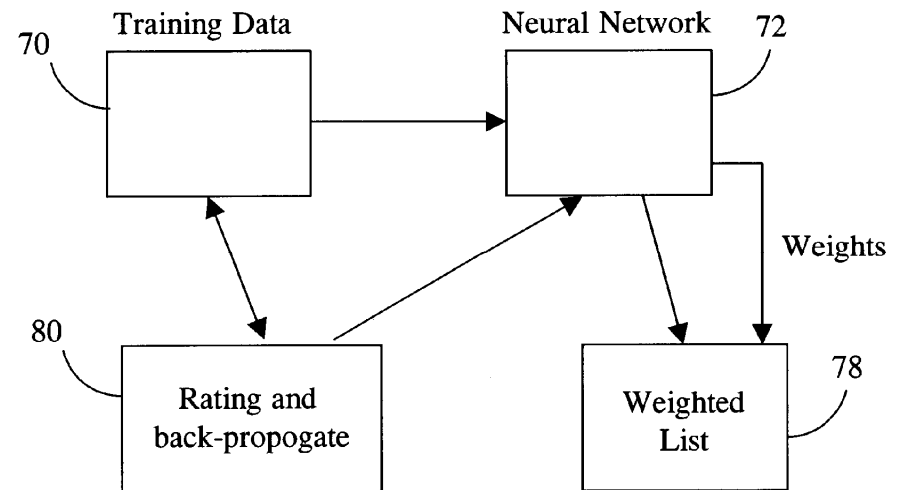
Recognizers are not Neural Networks

this purpose. The output from Neural Net 22 is algorithms and rules, the Recognizers 23, which in essence “recognize” a match of incoming, unknown data with Data Sets 21.

Recognizers 23 for common areas of interest to Advertisers include, but are not limited to, data sets related to sports, games, business, investing, health, hobbies, technology, arts, politics, social issues, weather and news. In addition, because Recognizers 23 are very small and compact, dynamically generated Recognizers 23 are used for electronic distribution and updates.

The method and system of this invention employs methods for scanning, analyzing and handling digital information content, described in the above-referenced patent application Ser. No. 09/164,940 now U.S. Pat. No. 6,266,664 to assess the match between known Data Sets 21 of subject matter and newly encountered information.

Kawasaki, 4:23-32, 4:62-67.



Following are a few entries from a list of regular expressions along with neural-net assigned weights:

18[\W]?years[\W]?of[\W]?age[\W]	500
adults[\W]?only[\W]	500

'664 Patent, 8:21-30, Fig. 2.

The **output** in the '664 Patent is a “list of regular expressions along with neural-net assigned weights” which are used to characterize a web page ... A regular expression is a form of a rule.

Ex.1029 (Houh Supplemental Declaration), ¶ 22.

Claim Construction

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Dependent Claims

Claim 1(c) – Recording Content While Playing Advertisement

(c) if a determined time interval occurs, stopping playing of content, by the cellular device, and playing at least one of the determined advertisements, by the cellular device, the playing of the at least one determined advertisement comprising:
recording, by the cellular device, the content which playing was stopped, while the at least one determined advertisement is playing; and
when the playing of the at least one determined advertisement is completed, resuming the playing of the stopped content, by the cellular device, from where the stopping of the playing of the content occurred, using the recorded content.

'414 Patent, claim 1.

Frerichs Teaches Playing Advertisements

According to the present invention, a technique including a method and device for streaming audio output is provided. More particularly, the invention provides a method and device for inserting targeted advertisement into streaming audio at a client location such as a personal computer. The invention also can be applied to other types of client devices such as personal digital assistants, internet appliances, internet radio, cellular phones, and the like.

10. Output first song through audio output device;
11. Output advertisement through audio output device;
12. Output second song through audio output device; and

advertising server or other third party server 311. In some embodiments, the method may buffer 315 the advertisement and then provide it for insertion into the streaming audio.

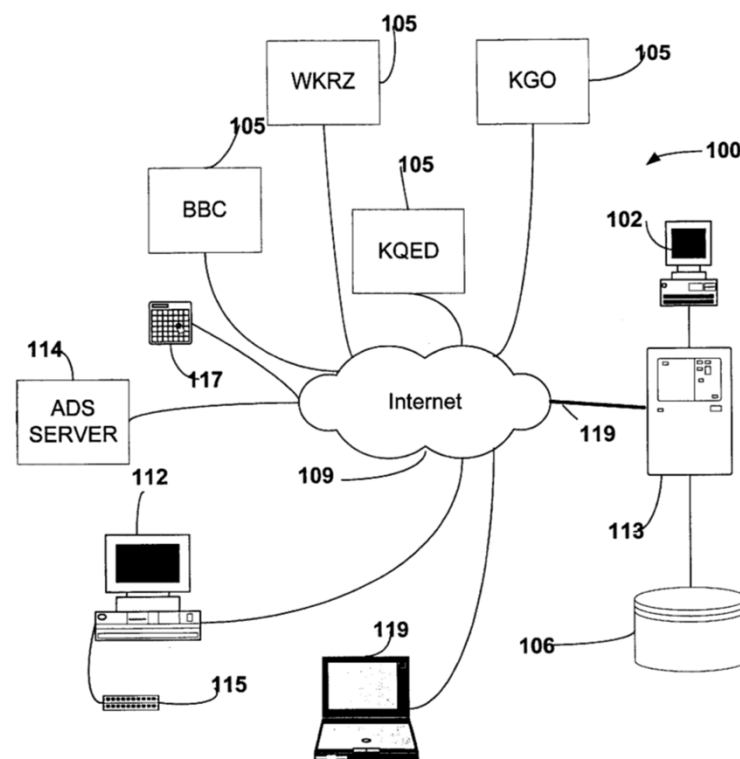


FIG. 1

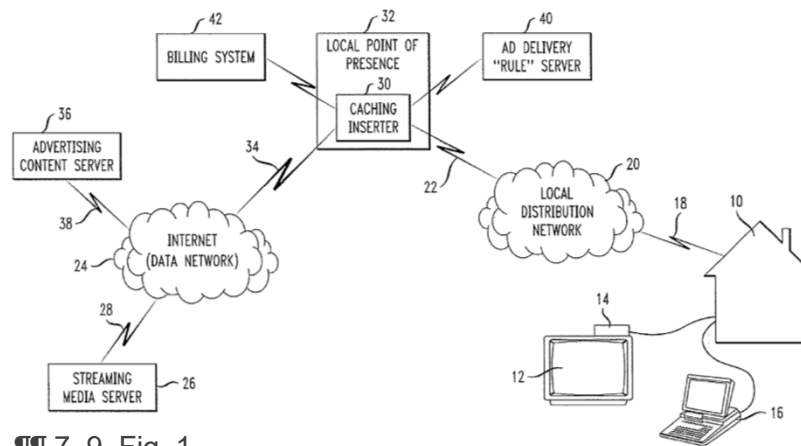
Kauffman Teaches Recording Content at an End-User Location

Kauffman

[0007] In accordance with the present invention, a “caching inserter” system is disposed at a local point of presence (POP) which intercepts a video stream destined for an end user. When insertion of advertising (or other information—

[0009] The POP where the advertisement cache is located could be at any convenient place along the signal path between the information source(s) and the end-user. For example, the advertisement cache could be at the headend, or at a FTTH node in a neighborhood. At the extreme, the advertisement cache could be part of a set-top box at the end-user location. Obviously, the location of the advertise-

FIG. 1



Kauffman, ¶¶ 7, 9, Fig. 1.

Kauffman Teaches Recording Content at an End-User Location

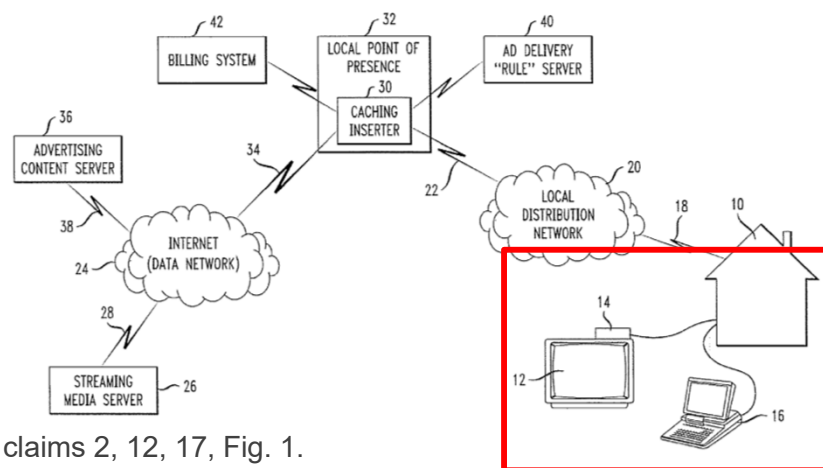
Kauffman

2. An arrangement for inserting an alteration media into a streaming multimedia file destined for at least one predetermined end-user, the arrangement comprising

- a first cache for storing a received alternative media file;
- a second cache for storing a streaming multimedia file;

12. The arrangement as defined in claim 2 wherein the arrangement is disposed at a local point of presence in a communication network.

17. The arrangement as defined in claim 12 wherein the arrangement is disposed in a communication is device at an end-user location.



Kauffman, claims 2, 12, 17, Fig. 1.

Claim Construction

The Combination Teaches the Message Limitations

A POSITA Would Have Combined the Teachings of Frerichs and Kawasaki

The Combination Teaches Caching at a Cellular Device

A POSITA Would Have Combined the Teachings of Frerichs and Kauffman

Dependent Claims

Frerichs – Inserting Ads in Streaming Media on Cell Phones

Frerichs teaches that advertisements are inserted:

According to the present invention, a technique including a method and device for streaming audio output is provided. More particularly, the invention provides a method and device for inserting targeted advertisement into streaming audio at a client location such as a personal computer. The invention also can be applied to other types of client devices such as personal digital assistants, internet appliances, internet radio, cellular phones, and the like.

Frerichs contemplates alternative insertion techniques:

through the audio output device. In a specific embodiment, the method uses an insertion technique such as the one noted above, but can be others. In a preferred alternative

Frerichs, 2:13-20, 12:3-5.

Caching is a Known Technique in Advertising Systems

Kauffman teaches an advertisement insertion technique using caching:

[0020] In accordance with the present invention, once caching inserter **30** has an advertisement file available (either stored, or available as a stream from the advertisement server), the incoming (requested) multimedia file destined for end-user **10** can be cached, and the advertisement multimedia file streamed in its place to end-user **10** in a seamless manner. The multimedia file itself is not stopped at

Kauffman, ¶ 20.

Kauffman explicitly discloses outputting advertisements in place of streaming media content, and augments Frerichs by specifically disclosing implementation details for how advertisements may be played in place of streaming media content.

Petition, 32.

“‘[U]niversal’ motivations known in a particular field to improve technology provide ‘a motivation to combine prior art references[.]’ [I]f there's a known technique to address a known problem using ‘prior art elements according to their established functions,’ then there is a motivation to combine.”

Intel Corp. v. Pact XPP Schweiz AG, 61 F.4th 1373, 1380 (Fed. Cir. 2023) (cited in Reply, 20).

Streaming Video Not Required by Combination

Kauffman's teachings are applicable to Frerichs' audio streaming:

SEAMLESS ARBITRARY DATA INSERTION FOR STREAMING MEDIA

TECHNICAL FIELD

[0001] The present invention relates to a methodology for inserting data such as advertising in streaming media and, more particularly, to a method for inserting such data at arbitrary locations along the stream.

Kauffman, ¶ 1.

Although Kauffman describes techniques with reference to a "video stream," a POSITA would have understood it to also be applicable to audio streams, as Kauffman generally relates to "inserting data such as advertising in streaming media" which would be understood to include audio streaming as well.

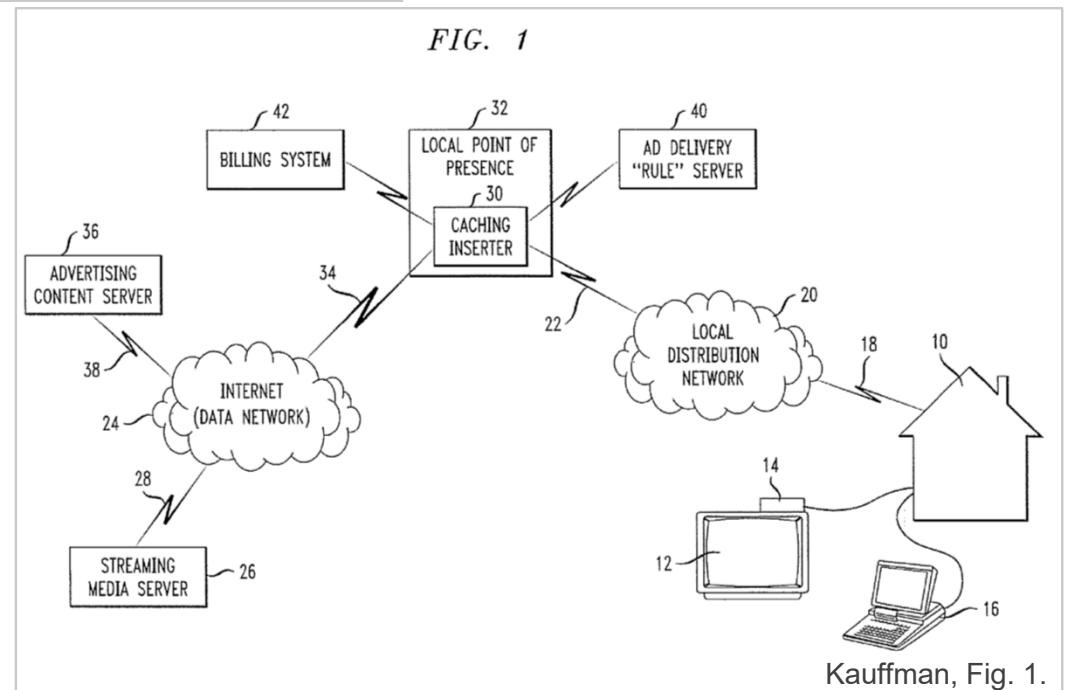
Houh Declaration, ¶ 68.

Kauffman Does not Cause or Compound Network Delay

No “second connection from the caching inserter to the end-user device”:

[0009] The POP where the advertisement cache is located could be at any convenient place along the signal path between the information source(s) and the end-user. For example, the advertisement cache could be at the headend, or at a FTTH node in a neighborhood. At the extreme, the advertisement cache could be part of **a set-top box at the end-user location**. Obviously, the location of the advertise-

Kauffman, ¶ 9.



Reply, 19-24.

Claim Construction

The Combination Teaches the Message Limitations

A POSITA Would Have Combined the Teachings of Frerichs and Kawasaki

The Combination Teaches Caching at a Cellular Device

A POSITA Would Have Combined the Teachings of Frerichs and Kauffman

Dependent Claims

Claims 2–3 – Frerichs Teaches Radio Station Broadcasts

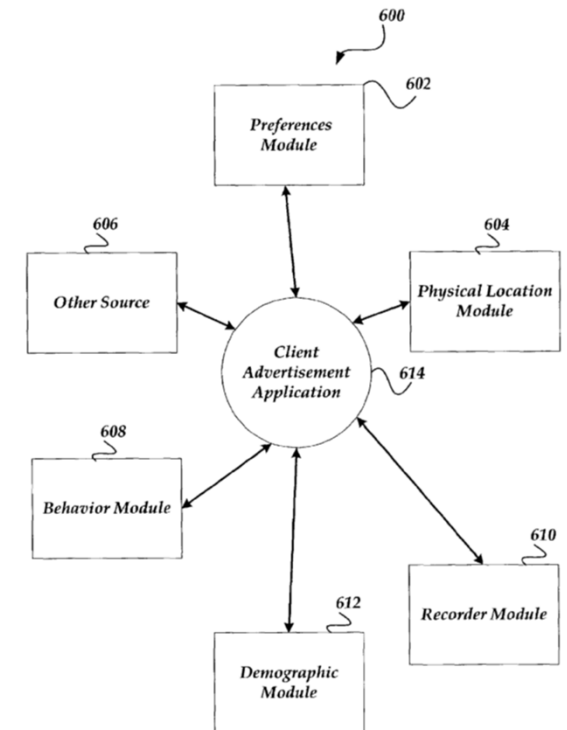
1. A method for playing content and advertisements on a cellular device, comprising:

(a) autonomously providing to a server, by the cellular device, information associated with a user of the cellular device, the information taken by the cellular

2. The method of claim 1, wherein the provided information additionally includes at least one of the group consisting of a preference of a user of the cellular device, a demographic data of the cellular device, content played on the cellular device, or a geographic location of the cellular device.

3. The method of claim 2 wherein the provided information additionally includes at least one selected from the group consisting of a game played on the cellular device, a radio station broadcast received by the cellular device, or a television station broadcast received by the cellular device.

'414 Patent, claims 1-3.



'414 Patent, Fig. 6.

Claims 2–3 – Frerichs Teaches Radio Station Broadcasts

Frerichs

In some embodiments, the advertisements are selected based upon a user profile (step **607**). The user profile can include information derived from a user registration process. The user registration process can derive information such as, for example, sex, age, hobbies, geographic region, race, religion, health, and sexual orientation. Other information can also be derived from the stations being selected as well as use of such stations during the time of day, for example.

Frerichs, 15:40-52.

Claim 4 – Frerichs Teaches Receiving and Recording

4. The method of claim 1, wherein the playing of at least one determined advertisement further comprises:

- (a) receiving from the server, by the cellular device, the at least one determined advertisement prior to the playing of the at least one determined advertisement; and
- (b) recording, by the cellular device, at least one of the at least one determined advertisement on the cellular device for play back when the determined time interval occurs.

'414 Patent, claim 4.

Frerichs

6. Transfer advertisement for insertion;

The method retrieves an advertisement 309 from storage. Here, the advertisement can be retrieved from location storage 313, which can be at the client location.

Frerichs, 6:18-42, 7:41-43.

Claim 7 – Frerichs and Kauffman Teach Advertisement Streams

7. The method of claim 1, further comprising employing the cellular device to receive a stream for the at least one determined advertisement.

'414 Patent, claim 7.

Frerichs

users. Still further, a specific advertisement can be sent to a specific client, where the advertisement is carried by the streaming media. Further details of the processing hardware

Frerichs, 4:54-56.

Kauffman

[0024] FIG. 3 illustrates an exemplary caching inserter 30 that may be used in the system of the present invention as described above in association with FIG. 1. Included within caching inserter 30 is a first cache 60 used to store an incoming specific advertisement file, designated as stream A, from advertisement content server 60. A second cache 62

Kauffman, ¶ 24.

Inter Partes Review

U.S. Patent No. 7,376,414

Google, LLC v. Wildseed Mobile LLC, Case IPR2023-00248

Raghav Bajaj,
Haynes Boone, LLP

