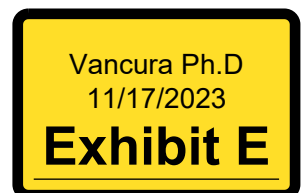


Exhibit E

**Annotated Excerpt from
Ex. 2017 to IPR2023-00266**



in the gaming industry “for new products to generate and maintain consumer interest.” EX-1001, 1:51-52.

62. The ’969 patent provides a unique, ordered combination of elements that, taken together, improve prior art in online wagering systems. Such methods, systems and devices, to my knowledge, were neither typical nor accomplished previously in the prior art.

IX. CLAIM CONSTRUCTION

63. Petitioner’s expert stated during his deposition that the definition of “cash out” that he used in his declaration’s analysis was “providing funds to the player for his discretionary use.” EX-2017, 14:2-5. This construction is consistent with the teachings of the ’969 Patent.

64. Specifically, the ’969 patent discloses that within a “Cash-In 422 program,” which “is responsible for determining when an offer to buy-out a ticket holder will be made, and the price that will be offered,” an “Offers Generation 452 routine... will generate a set of offers over *all of the tickets that are still potential winners*.” EX-1001, 10:56-61.

65. As acknowledged by Petitioner’s expert, potential winners include the players having a negative expectation at a current time, but who could still win as the event progresses. EX-2017, 24:10-25:4. Potential winners could also include those who have neutral expectations — those who are not expected to win or lose.

66. Tickets that are likely to lose are still potential winners. EX-2017, 24:10-25:4. Thus, regardless of whether an active player's expectation is currently winning, neutral or losing, this player is still a potential winner, and the cash out system will generate an offer to all tickets that are still potential winners.

67. Petitioner's expert could not recall the '969 patent placing any kind of restriction on cashing out in a losing situation, having a requirement to return to a prior game state, or any other conditions or limitations on the cashed-out funds. EX-2017, 15:16-16:7, 23:7-8, 30:7-9. This is because there are none.

68. The claimed "cash out offer," per my understanding, requires providing, ~~without any conditions or requirements that the player be in a particular game state (to all active players), funds to the player for discretionary use in exchange for ending a wager early.~~ *see EX-2017, 14:2-5.*

relinquishing some portion of the ticket rights associated with the wagering event, said wagering event continuing and any rights relinquished by the player are to the benefit of the acquirer.

X. SUMMARY OF REFERENCES IDENTIFIED BY PETITIONER

69. Petitioner relies on two references, Schugar and DeWaal, particularly the modification of Schugar based on disclosure from DeWaal. A brief discussion of each reference is provided below.

A. Schugar

70. Schugar is titled "Wagering Game That Allows Player to Alter Payouts Based on Equity Position" and published on December 18, 2008.