UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

DODOTS LICENSING SOLUTIONS LLC,
Patent Owner

Case No. IPR2023-00621 (Patent 8,020,083)
Case No. IPR2023-00701 (Patent 8,510,407)
Case No. IPR2023-00756 (Patent 9,369,545)

Patent Owner's Demonstratives

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Agenda

I. Timeline and Internet in the Late 1990s

II. Introduction to DoDots and the Kembel Brothers
   A. Story of the Kembels
   B. Browsers
   C. DoDots' Solution
   D. Recognition

III. Patents and Claims

IV. Motivation to Combine and Prima Facie Case

V. Failed Combinations
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   B. Shimada and Buchholz
   C. Other References

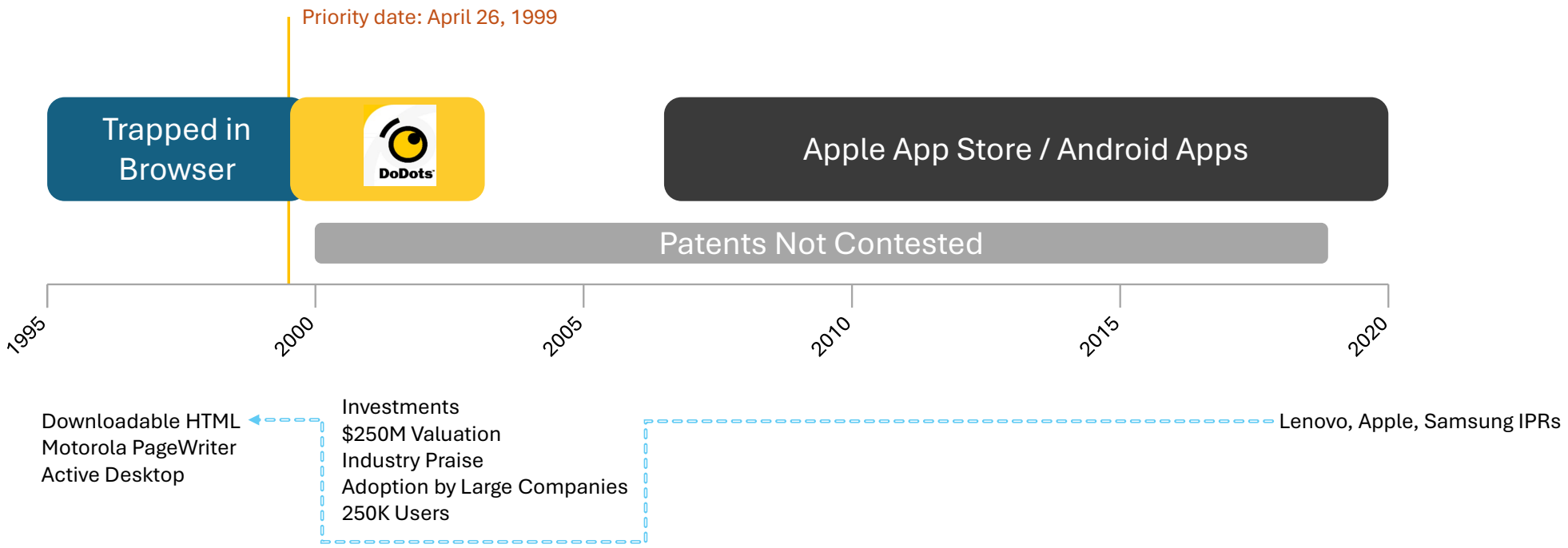
VI. Remaining Secondary Considerations

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

I Timeline and Internet in the Late 1990s

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Timeline



IPR2023-00701: Sur-Reply, 1
Note: citations to the 701 IPR are exemplary. In most cases similar citations are made across the IPRs. They are set forth in each applicable POR and Sur-Reply.

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Internet in the Late 1990s

CNN.com

sci-tech > computing > story page

Windows 95 Y2K fix was kept from users

May 3, 1999
Web posted at: 11:28 a.m. EDT (1528 GMT)

by Julia King

(IDG) -- For almost a year, Microsoft Corp. withheld from its 125 million corporate users of Windows 95 the information that a software patch was in the works to make the desktop operating system fully year 2000-compliant, a Microsoft official confirmed last week.

"I don't want people taking action based on Microsoft thinking about doing something," sai year 2000 product manager at Microsoft. "Until I'm 100% we're going to provide an update or fix, I don't want to te Jones added. "People will spend millions of dollars, [imp strategies based on such information], and the last thing spread fear, uncertainty and doubt in their minds."

One company now gearing up to spend millions on an upgrade from Windows 95 to 98 -- based at least partly on year 2000 concerns -- is Electronic Data Systems Corp. Until mid-March, EDS officials believed -- like all Windows 95 users -- that Microsoft wouldn't make Windows 95 fully year 2000-compliant. At best, they were told, Windows 95 would be "compliant, with minor issues."

Jones' comments are the latest in a series of clarifications, memos and statements to emerge from Microsoft since March 29, when Computerworld ran a front-page story about EDS's about-face plan to migrate 100,000-plus desktops from Windows 95 to 98.

Previously, EDS planned to stick with Windows 95, but it changed course on Microsoft's advice to the company, according to an internal memo by former CIO Gary Rudin, who abruptly resigned from EDS on March 31.

Microsoft denies

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DODOTS-2061

https://www.axiom.tech/looking-back-at-the-y2k-scare/

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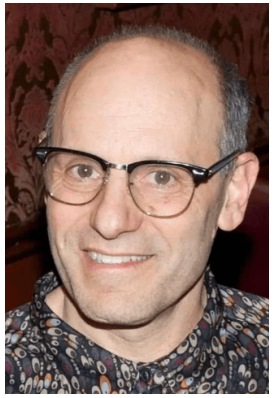
Dr. Ted Selker



2022 Curriculum Vitae: Ted Selker

910 Mockingbird Lane Palo Alto CA 94306

ted.selker@gmail.com

Education

Ph.D., Computer Science, 1992 Thesis: **A Framework for Proactive Interactive Adaptive Computer Help**	City University of New York
M.S., Computer & Information Sciences, 1981 Thesis: **Paired Associative Memory**	University of Massachusetts-Amherst
B.S., Applied Mathematics, Honors, 1979 Thesis: **Image Based Focusing**.	Brown University

DODOTS-2011

Awards Received	Date
University of Massachusetts Amherst **Outstanding Achievement and Advocacy Award**	2012
Telluride Technology Fest Award	2008
American Association of People with Disabilities **Thomas Paine Voting Award**	2006
Scientific American 50 Awards **Computer Science Policy Leader:** Ted Selker & Michael Alvarez	2004
Time magazine 2002 Best Inventions: Transit and Talk category: Sputnik microphone: Jo Wollschlaeger, Kevin Young, David Swett, Dana Gallimore, Ted Selker.	2002
IBM **Patent Plateau Award** (14 awards)	1990-1999
IBM **Corporate Award** for TrackPoint	1993, 1994, 1997
IBM **Outstanding Technical Achievement Award** for ScrollPoint	1997
Research Division Award for Recruitment	1995
ThinkPad Awards	
Helped create IBM ThinkPad, recipient of over 500 industry awards.	
Awards for my contributions:	
Publico-Computadores (Portugal) **Recommended Award:** ThinkPad 755CV	1995
Toronto Star (Canada) 1st Annual Techie Awards, **Most Innovative Technology:** ThinkPad 755CV	1995
IBM Outstanding **Technical Achievement Award:** Kinglet Projection Computer	1995
PC (Australia) **Best New Hardware Award:** ThinkPad 755CV	1995
CeBit (Australia) **Industrial Design Award:** ThinkPad 755CV	1995

Industry Forum Design Committee, **IF Award for Good Design:** ThinkPad 755CV	1995
Mobile Insights, **Mobility Award, Best Multimedia Notebook Product of the Year:** ThinkPad 755CV	1995
Mobile Office: **Product of the Year:** ThinkPad 755CV	1995
PC Laptop Computers: Editors' Choice Award **Notebook of the Year:** ThinkPad 755CV	1995
Multimedia World: **Best Portable Multimedia PC Readers Choice Award:** ThinkPad 755CV	1995
PC/Computing: **Best Color Notebook:** ThinkPad 755CV	1994
PC/Computing Editors' Choice: **Best System:** ThinkPad 755CV	1994
Computer Reseller News: Vision Award, **Notebook of the Year:** ThinkPad 755CV	1994
BYTE Magazine COMDEX: **Best of Show Overall Winner:** ThinkPad	1994
PC Expert: **France Technical Excellence Award** (Portable Category): ThinkPad 755CV	1994
Microtimes: **100 Industry Leaders**	1994
PC Magazine: **Design Award Finalist:** TrackPoint II	1993
PC Magazine: **Technical Excellence Finalist:** Design Category: TrackPoint II	1993
COMDEX: **EditorsChoice Award,** PC Laptop Computers, Newcomer of the Year	1993
Popular Science: **Best of What's New Award**	1993
Portable Computing: **Exceptional Merit Award:** ThinkPad 700C	1993
Windows Sources: **ExpertsPick Award:** ThinkPad 700C	1993
PC Magazine: **COMDEX Technical Excellence Award,** Best System Category: ThinkPad 700C	1993
Business Week: **Best of 1993:** ThinkPad 700C	1993
Japanese Ministry of International Trade and Industry: **Good Design Award:** Minipointer Japanese Pointing Device	1993
PC Magazine, Editor's Choice - **Most Valuable Product Award** Notebook Category: ThinkPad 755CV	1993

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Internet in the Late 1990s

STATE OF THE ART; The Year Of Big Bandwidth

nytimes.com/1999/02/11/technology/state-of-the-art-the-year-of-big-bandwidth.html

Peter H. Lewis — February 11, 1999

Published 1999

The New York Times

SKIP ADVERTISEMENT

WHEN my local cable television operator, Time Warner, told me that after several months of waiting, I was next on the list to get a cable modem, I was practically giddy with anticipation.

A cable modem is related to a regular computer modem the way the movie "Speed" is related to "Driving Miss Daisy." Using the local cable television network instead of the local phone network to connect to the Internet's main arteries, a cable modem hauls tons of data at high speeds -- theoretically up to more than 25 megabits per second (25 million bits per second, or 25 mbps), but in practical terms, 500 kilobits per second (500,000 bits per second, or 500 kbps) to 2.5 mbps.

A cable modem has high bandwidth, an industry term that means it carries a lot of information per second. It is also often called a fat pipe, based on the idea that information is like water and comes into your computer in a rush or a trickle.

Only a relatively small number of home computer users are now eligible to sign up for the high-bandwidth Internet services being offered by cable television companies (cable modems) and phone companies (digital subscriber lines, or D.S.L.). But in the coming year, as these industries battle to sell high-speed data services to consumers, potentially millions of people and small businesses will have the opportunity to wallow in the kind of bandwidth that once was affordable only for corporations and universities.

It took several visits, spread over two weeks, by a total of five Cable Guys before my Macintosh G3 was finally wired into the cable network and working properly. Even so, it was worth it. I love my cable modem.

The Internet is always "on" at my house, at least as long as my computer has power. That persistent connection has psychological as well as practical effects. I doubt that people would watch as much television if they had to boot up the set, wait a couple of minutes for it to "handshake" with the network and then wait 20 seconds each time they wanted to change a channel.

Most consumers use dial-up modems, which are called that because the user has to dial up a phone connection between the home computer and the Internet service provider before going on line. Cruising the World Wide Web with a dial-up modem is like reading a magazine in slow motion, turning a page once every 20 seconds or so. No wonder some people call it the World Wide Wait.

IPR2023-00701: DODOTS-2060; Sur-Reply, 1

IPR2023-00701: DODOTS-2010, ¶139; Sur-Reply, 1

IPR2023-00701: DODOTS-2066; Sur-Reply, 19

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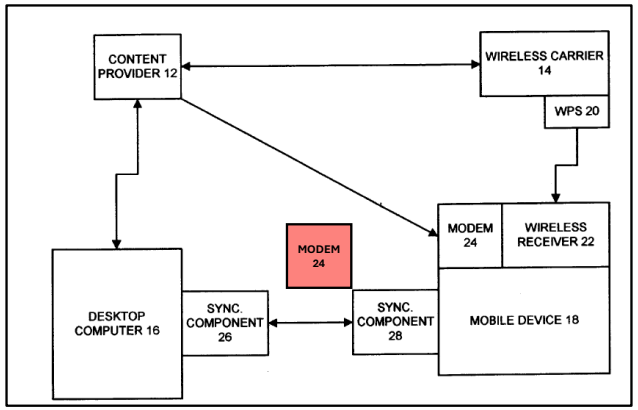
Internet in the Late 1990s

DR. TED SELKER

138. Moreover, unlike today's powerful mobile devices (having gigabytes of storage (RAM), 4G/5G speeds for accessing web content, and large screens), between 1999 and 2000, mobile devices, as discussed above, had limited capability to display web content, were in their infancy and had very limited capabilities compared to personal computers. *See e.g.*, SAMSUNG-1006, 1:58-59; 6:10-17). For example, the Palm VII, released in 1999, had 2 megabytes of RAM whereas personal computers typically ranged from 32 to 128 megabytes of RAM. *See* DODOTS-2018, Specifications of Personal Computers Over Time (available at) https://www.hp.com/us-en/shop/tech-takes/specifications-personal-computers-over-time.

139. Indeed, during this time, mobile devices/PDAs were first starting to have Internet access and displaying web content – the first PDA with wireless Internet was the Palm VII which was released in May 1999. DODOTS-2019, Palm VII Review (available at https://www.pencomputing.com/palm/Reviews /palm7_main.html.)

IPR2023-00701: DODOTS-2010, ¶138-39; Sur-Reply, 1



IPR2023-00701: Wecker (SAMSUNG-1006), Fig. 1; DODOTS-2010, ¶123; POR, 14

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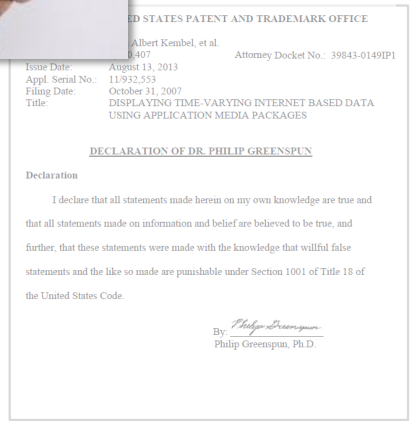
Internet in the Late 1990s

DR. GREENSPUN



ED STATES PATENT AND TRADEMARK OFFICE

Albert Kembel, et al.
,407 Attorney Docket No.: 39843-0149IP1
Issue Date: August 13, 2013
Appl. Serial No.: 11/932,553
Filing Date: October 31, 2007
Title: DISPLAYING TIME-VARYING INTERNET BASED DATA USING APPLICATION MEDIA PACKAGES

DECLARATION OF DR. PHILIP GREENSPUN

Declaration

I declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable under Section 1001 of Title 18 of the United States Code.

By: Philip Greenspun
Philip Greenspun, Ph.D.

[4] Note that the conventional terms in the 1990s for what Shimada discloses were "clipping proxy server" and "transcoding proxy server". Prior to the 2007 introduction of the iPhone, the typical mobile device was ill-suited to rendering a conventional web page and, therefore, schemes were developed to interpose a translator that would adapt web content before sending it to the mobile device.

IPR2023-00701: Greenspun Decl. (SAMSUNG-1029) ¶82 n.4

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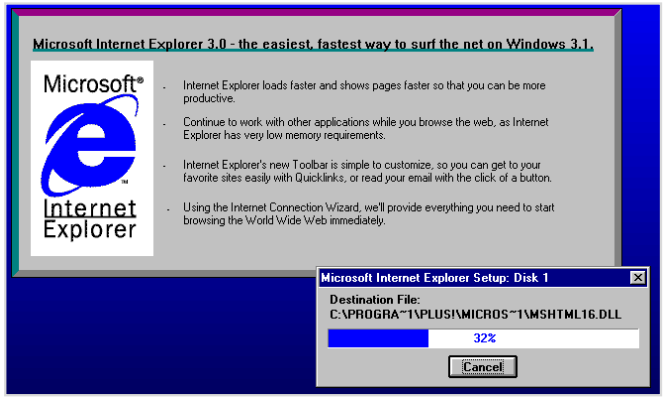
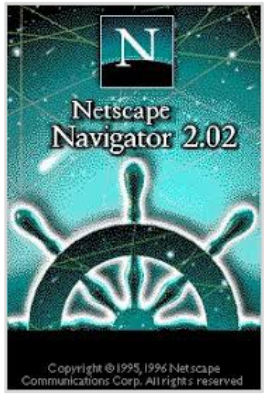
Goliath and Goliath

- Netscape had 70 – 75% of the browser market
- Microsoft tried to make inroads by "subsum[ing] Internet Navigation into the P.C. operating system."
- Public outcry led the DOJ to get involved
- The Internet was controlled by browsers

IPR2023-00701: DODOTS-2061, 2; Sur-Reply, 1





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II Introduction to the Kembels

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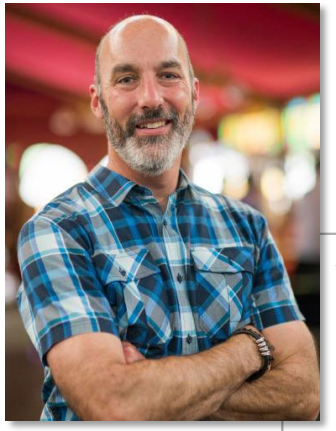
John and George

JOHN KEMBEL

GEORGE KEMBEL

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Long-felt Need / Known Problem



JOHN KEMBEL

UNITED STATES PATENT AND TRADEMARK OFFICE

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Patent Owner

Case IPR2023-00701

U.S. Patent No. 8,510,407 B1

DECLARATION OF JOHN KEMBEL

3. As discussed below in detail, we realized that existing web browsers had significant limitations -- trapping content in monolithic documents, and requiring users to navigate from site to site, one page at a time. This presented an unexpected opportunity for a novel internet technology, one that broke out of the page-based browsing model and instead packaged interactive content in forms that felt more like "apps", while maintaining all the flexibility of the web.

8. In fact, leading experts in the field recognized that the paradigm of web browsers navigating web pages was holding the internet back. In a February 21, 2000 article published in Forbes magazine, the author wrote "Tim Berners-Lee, the creator of the World Wide Web, thinks [the browser] stifles creativity. Jakob Nielsen, the reigning guru of Web usability, thinks [web browsers are] a disgrace. Bill Gates wishes it would just go away and become 'part of the operating system.'" *See* Ex. 2022 (Gimein, Mark, "Imagining a Web Beyond the Browser," Forbes, Feb. 21, 2000 (DODOTS0026225)).

IPR2023-00701: DODOTS-2021 ¶3, 8; POR, 74, 78

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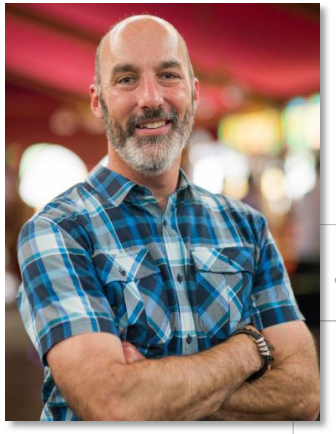
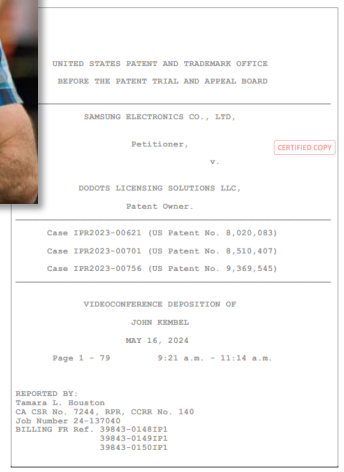
Ah-ha



JOHN KEMBEL



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CERTIFIED COPY

Case IPR2023-00621 (US Patent No. 8,020,083)
Case IPR2023-00701 (US Patent No. 8,510,407)
Case IPR2023-00756 (US Patent No. 9,369,545)

VIDEOCONFERENCE DEPOSITION OF
JOHN KEMBEL
MAY 16, 2024
Page 1 - 79 9:21 a.m. - 11:14 a.m.

REPORTED BY:
Tamara L. Houston
CA CSR No. 7244, RPR, CCRR No. 140
Job Number 24-137040
BILLING FR Ref. 39843-0148IP1
39843-0149IP1
39843-0150IP1

7 And what made a Dot work were -- it's a couple
8 of magic ah-ha moments. One is a Dot had to be fully
9 configurable in its frame. And you'd have, you know,
10 application controls that made it feel more like an
11 application than like a monolithic web page. And then
12 it had the ability to render content or interactive
13 content from the web.
14 With those properties, you could have
15 something that had all of the flexible characteristics
16 of the web but behaved more like, quote/unquote, "apps."
17 And that required something special to make the Dot work
18 as you needed to be able to define the Dot or make a
19 template for the Dot. We call that a Dot template or a
20 Dot definition.

IPR2023,00407: J. Kembel Dep. Tr. (SAMSUNG-1031), 18:7-9; Sur-Reply, p. 23;

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John and George / Failure of Microsoft

FEBRUARY 21, 2000

FEBRUARY 21, 2000

FORTUNE

a new kind of dot

e-COMPANY

Imagining a Web Beyond the Browser

BY MARK GIMEIN ● Tim Berners-Lee, the creator of the World Wide Web, thinks it stifles creativity. Jakob Nielsen, the reigning guru of Web usability, thinks it's a disgrace. Bill Gates wishes it would just go away and become "part of the operating system."

What we're talking about, of course, is the browser, the software that serves as the personal computer's window onto the Internet. Some hate the browser because it turns the Web into nothing more than "pages." That metaphor works well for reading text, but less well for other purposes. Like a book, the browser functions best when one is looking at one page, and much worse if one wants to look at several at once. It does little to help people exchange information (unless pasting Web addresses into e-mail is your ideal information-management solution). When it comes to building applications, adapting software to the "page" makes for clunky design. In short, the browser just isn't much fun.

Creating nibble-browsers? DoDots twins John (left) and George Kembel

PETER STUMER

Hardly anybody believes the browser is on the verge of disappearing, but new applications have been nibbling away at its edges. "Browser companions" run alongside it, giving one-click access to frequently used applications like stock-quote monitors. Still other applications, like Real Media's Real-Player, come with their own dashboards, giving audiophiles a way to bypass the browser entirely. Each begs users to rely less on their browsers. But a desktop full of such disparate programs seems no more appetizing a vision of our computing future. Better, one thinks, to stick with the browser than rely on a mishmash of programs that offer no carefully thought-out alternative.

That's what makes the ideas of DoDots, a Palo Alto startup, so interesting. The company unveiled the prototype of a platform that online companies can use to develop Internet applications that don't feel like Web pages but like handy virtual appliances. DoDots hopes that its partners will begin distributing the free applications, or "dots," in March.

DoDots was started by 27-year-old twin brothers John and George Kembel, both graduates of a Stanford University program in product design.

ice and other data. An-
one charting the stock's
a mini version of a mul-
windows can be quickly
the others. Soon, a day
n a corner of his screen
few seconds.
ample, George predicts
ages of songs—"album
hard drives. Music ven-
ackaging—a virtual al-
mble the experience of
oper, after all, wouldn't
um cover). Creating ap-
ts rather than "pages,"
interact with the Web.
e Web today are fought
be the case forever. It
e battles will be fought
hey use the Web in the

service. It looks like a smaller version of BigCharts' Web page, festooned with its logo and lime-green color scheme. But when George keys in a ticker symbol, he doesn't go to a Web page. In-

first place. The winners could turn out to be companies that learn to use tools like DoDots to wean their users away from the browser. Browsers being what they are, it shouldn't be too hard.

Reprinted through the courtesy of the Editors of FORTUNE © 2000 Time Inc.

BY MARK GIMEIN ● Tim Berners-Lee, the creator of the World Wide Web, thinks it stifles creativity. Jakob Nielsen, the reigning guru of Web usability, thinks it's a disgrace. Bill Gates wishes it would just go away and become "part of the operating system."

What we're talking about, of course, is the browser, the software

Hardly anybody believes the browser is on the verge of disappearing, but new applications have been nibbling away at its edges.

Indeed. The big marketing battles of the Web today are fought over what pages users visit. That won't be the case forever. It seems likely that in the next few years the battles will be fought not simply over where users go, but how they use the Web in the first place. The winners could turn out to be companies that learn to use tools like DoDots to wean their users away from the browser. Browsers being what they are, it shouldn't be too hard.

IPR2023-00701: DODOTS-2022; Sur-Reply, 25, 28

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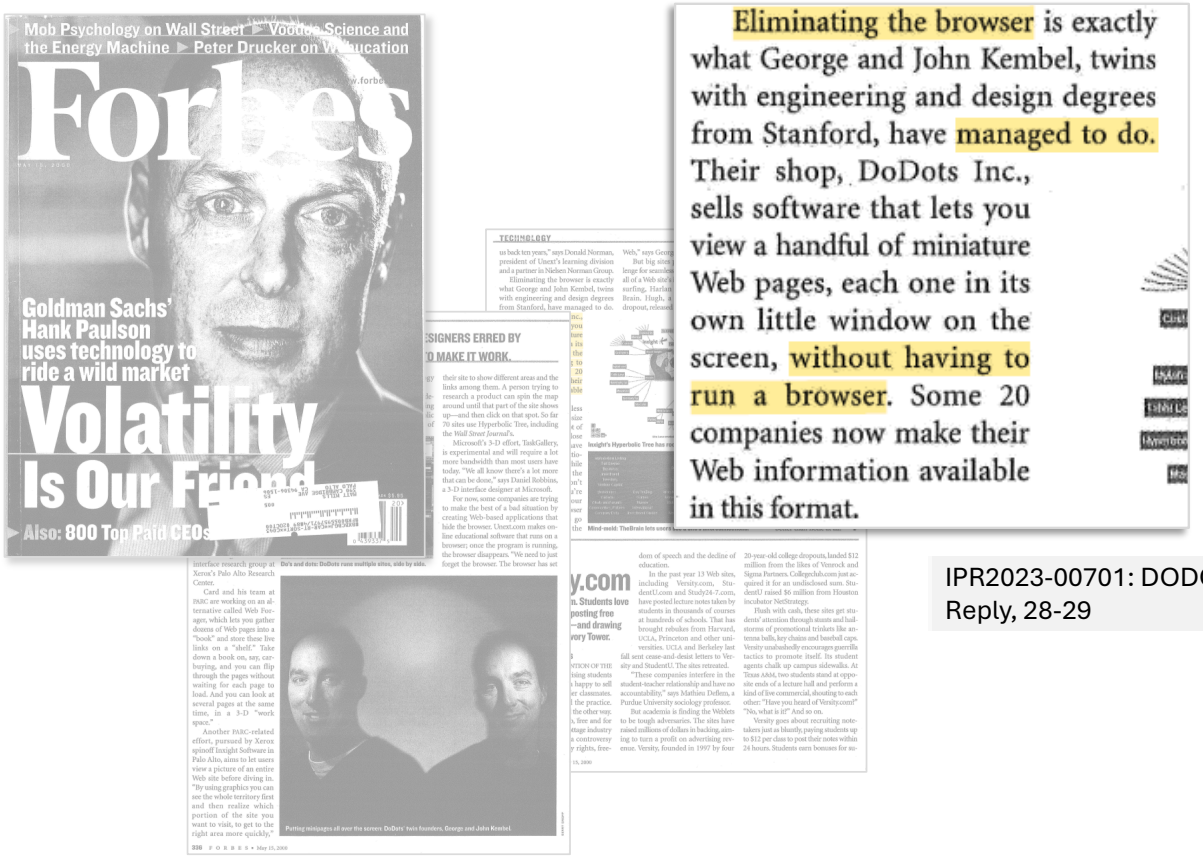
John and George



IPR2023-00701: DODOTS-2023; Sur-Reply, 28-29

Fully Configurable

IPR2023-00701: DODOTS-2043, p. 27; Sur-Reply, 27

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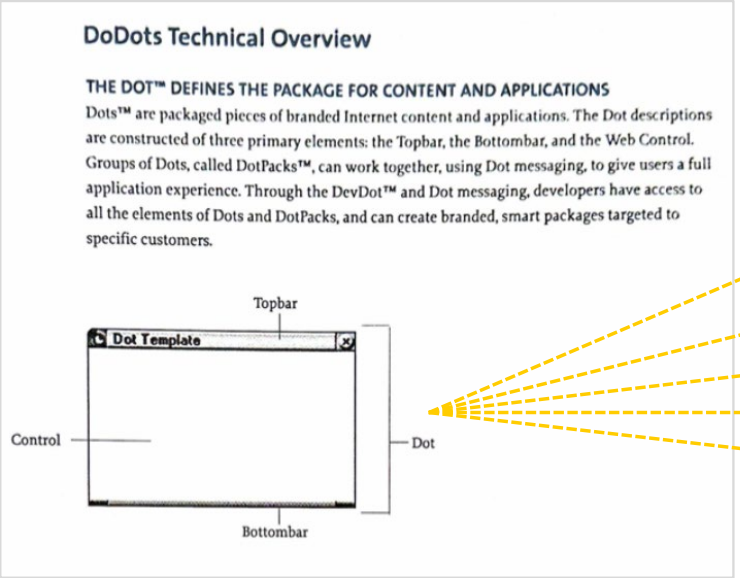
DoDots



IPR2023-00701: DODOTS-2021, ¶32; POR, 2

IPR2023-00701: DODOTS-2043, p. 27; Sur-Reply, 27

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III. Patents and Claims

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Patents at Issue

US008510407B1

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

(10) **Patent No.: US 8,510,407 B1**
(45) **Date of Patent: *Aug. 13, 2013**

(54) **DISPLAYING TIME-VARYING INTERNET BASED DATA USING APPLICATION MEDIA PACKAGES**

(75) Inventors: **John Albert Kembel**, Palo Alto, CA (US); **George Andrew Kembel**, Menlo Park, CA (US); **Daniel S. Kim**, Palo Alto, CA (US); **John Russell**, Palo Alto, CA (US); **Jake Wobbrock**, Palo Alto, CA (US); **Geoffrey S. Kembel**, Menlo Park, CA (US); **Jeremy L. Kembel**, Palo Alto, CA (US); **Lynn D. Gabbay**, Sunnyvale, CA (US)

(73) Assignee: **Mainstream Scientific, LLC**, Mountain View, CA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 928 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **11/932,553**

(22) Filed: **Oct. 31, 2007**

Related U.S. Application Data

(63) Continuation of application No. 09/558,925, filed on Apr. 26, 2000, now Pat. No. 7,660,868.

(60) Provisional application No. 60/176,699, filed on Jan. 18, 2000, provisional application No. 60/176,687, filed on Jan. 18, 2000, provisional application No. 60/131,115, filed on Apr. 26, 1999, provisional application No. 60/131,114, filed on Apr. 26, 1999, provisional application No. 60/131,083, filed on Apr. 26, 1999.

(51) **Int. Cl.**
G06F 15/16 (2006.01)

(52) **U.S. Cl.**
USPC **709/217**; 709/219

(58) **Field of Classification Search**
USPC 709/217, 219
See application file for complete search history.

(56) **References Cited**

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5,740,549	A	4/1998	Reilly et al.	

(Continued)

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Alexa 1.4.1 Support Pages, 9 pages, www.alexa.com/support/index1.html, Jan. 1999.

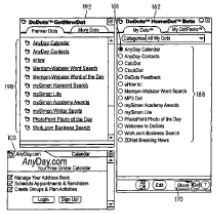
(Continued)

Primary Examiner — Kenny Lin
(74) *Attorney, Agent, or Firm* — Pillsbury Winthrop Shaw Pittman, LLP

(57) **ABSTRACT**

A software component for accessing and displaying time-varying Internet content includes a definition for rendering a graphical user interface and a URL pointing to the time-varying Internet content to be downloaded and presented within said user interface. A component provider may create displays of Internet content which vary as a function of the varying of the time-varying Internet content. In one example, the graphical user interface includes an image, and the image varies in order to illustrate the varying of the time-varying data.

24 Claims, 37 Drawing Sheets



US008020083B1

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

(10) **Patent No.: US 8,020,083 B1**
(45) **Date of Patent: *Sep. 13, 2011**

(54) **SYSTEM AND METHODS FOR CREATING AND AUTHORING INTERNET CONTENT USING APPLICATION MEDIA PACKAGES**

(75) Inventors: **John Albert Kembel**, Palo Alto, CA (US); **George Andrew Kembel**, Menlo Park, CA (US); **Daniel Kim**, Palo Alto, CA (US); **John Russell**, Palo Alto, CA (US); **Jake Wobbrock**, Palo Alto, CA (US); **Geoffrey Kembel**, Menlo Park, CA (US); **Jeremy Kembel**, Palo Alto, CA (US); **Joseph Bella**, San Francisco, CA (US); **Sridhar Devulkar**, Mountain View, CA (US); **Mark Wallin**, Mountain View, CA (US)

(73) Assignee: **Mainstream Scientific, LLC**, Mountain View, CA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 938 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **11/932,585**

(22) Filed: **Oct. 31, 2007**

Related U.S. Application Data

(63) Continuation of application No. 09/558,922, filed on Apr. 26, 2000, now Pat. No. 7,756,967.

(51) **Int. Cl.**
G06F 17/00 (2006.01)
G06F 15/173 (2006.01)

(52) **U.S. Cl.** **715/201**; 715/741; 715/762; 709/224

(58) **Field of Classification Search** 709/203, 709/223, 224; 715/201, 741, 762
See application file for complete search history.

(56) **References Cited**

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(Continued)

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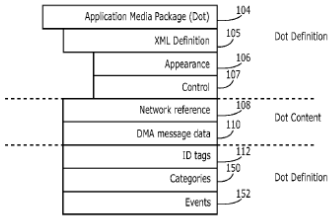
(Continued)

Primary Examiner — Chau Nguyen
(74) *Attorney, Agent, or Firm* — Pillsbury Winthrop Shaw Pittman, LLP

(57) **ABSTRACT**

An Application Media Package is a software component for accessing and displaying Internet content which includes a definition for rendering a graphical user interface and a URL pointing to Internet content to be downloaded and presented within said user interface. An Application Media Viewer may be used in association with an Application Media Package to manage the collection, organization, sharing, and rendering of a plurality of such Packages. A development server supports the community of Application Media Package developers, providing developer tools, including Package templates which provide an expedient method of re-purposing existing internet media into a new presentation package by choosing from existing examples. Access to tools and information may be controlled at the development server. The development server may also provide a development and test zone for Package verification, authentication and acceptance before posting.

16 Claims, 14 Drawing Sheets



US009369545B2

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

(10) **Patent No.: US 9,369,545 B2**
(45) **Date of Patent: *Jun. 14, 2016**

(54) **ACCESSING AND DISPLAYING NETWORK CONTENT**

(71) Applicant: **MAINSTREAM SCIENTIFIC, LLC**, Mountain View, CA (US)

(72) Inventors: **John Albert Kembel**, Palo Alto, CA (US); **George Andrew Kembel**, Menlo Park, CA (US); **Daniel S. Kim**, Palo Alto, CA (US); **John Russell**, Palo Alto, CA (US); **Jake Wobbrock**, Palo Alto, CA (US); **Geoffrey S. Kembel**, Menlo Park, CA (US); **Jeremy L. Kembel**, Palo Alto, CA (US); **Lynn D. Gabbay**, Sunnyvale, CA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 320 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **13/975,227**

(22) Filed: **Aug. 23, 2013**

(65) **Prior Publication Data**

US 2013/0346485 A1 Dec. 26, 2013

Related U.S. Application Data

(63) Continuation of application No. 11/932,392, filed on Oct. 31, 2007, now Pat. No. 8,521,833, which is a continuation of application No. 09/558,925, filed on Apr. 26, 2000, now Pat. No. 7,660,868.

(Continued)

(51) **Int. Cl.**
G06F 15/16 (2006.01)
H04L 29/06 (2006.01)

(Continued)

(52) **U.S. Cl.**
CPC ***H04L 67/42*** (2013.01); ***G06F 3/0484*** (2013.01); ***G06F 8/65*** (2013.01);

(Continued)

(58) **Field of Classification Search**
None
See application file for complete search history.

(56) **References Cited**

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(Continued)

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"Customizing the Active Desktop", Windows 98 Unleashed, published May 12, 1998, retrieved from the Internet from <http://my.safaribooksonline.com/print?xmlid=0-672-31235-2/ch05lev1sec3>, 9 pages.

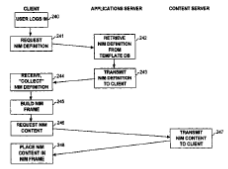
(Continued)

Primary Examiner — Kenny Lin
(74) *Attorney, Agent, or Firm* — Pillsbury Winthrop Shaw Pittman, LLP

(57) **ABSTRACT**

A method for accessing and displaying network content employs an informational component which includes a definition for rendering a graphical user interface within which content may be presented outside of and without utilization of another application. The informational component also includes one or more definitions of content locations from which content elements may be transmitted over a network and presented within the graphical user interface. A provider of an informational component or informational components may thus create customized displays within which intended content may be rendered. An application component may be used in association with an informational component or informational components to manage the collection, organization, sharing, and rendering of plurality of the informational component(s).

21 Claims, 37 Drawing Sheets



DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Core Claim Limitations

Network information monitor (NIM) template

- a data structure
- that defines the characteristics of a NIM, including
  - the NIM frame
  - view, and
  - control characteristics
- and that excludes executable applications/compiled code

Network information nominator (NIM)

- a fully configurable frame, with one or more controls, through which content is presented to the user

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

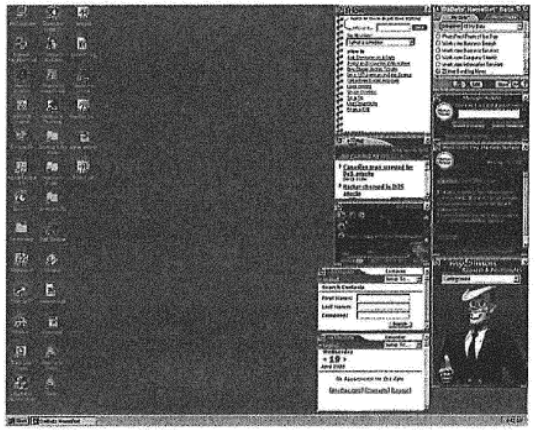
Core Claim Limitations

Network information monitor (NIM) template

COLOR="#XXXXXX"
PIXELWIDTH="integer"
Width in pixel units. Overrides WIDTH attribute.
PIXELHEIGHT="integer"
Height in pixel units. Overrides HEIGHT attribute.
WIDTH="integer"
Width in NIM units. Default value is 1.
HEIGHT="integer"
Height in NIM units. Default value is 1.
X="integer"|"LEFT"|"CENTER"|"RIGHT"
Initial X position in screen coordinates. Default is center.
Y="integer"|"TOP"|"CENTER"|"BOTTOM"
Initial Y position in screen coordinates. Default is center.
FIXWIDTH="TRUE"|"FALSE"
Default is false.
FIXHEIGHT="TRUE"1"FALSE"
Default is false.
BACKGROUND COLOR="#XXXXXX"
Default is white.
<TITLEBARIMAGE>
JUSTIFY="LEFT"|"CENTER"|"RIGHT"
TILELEFT="integer"
TILERIGHT="integer"
NORMAL="URL"
DOWN="URL"
HOVER="URL"
INACTIVE="URL"
<BOTTOMBARIMAGE>
JUSTIFY="LEFT"|"CENTER"|"RIGHT"
TILELEFT="integer"
TILERIGHT="integer"
NORMAL="URL"
DOWN="URL"
HOVER="URL"
INACTIVE="URL"
<MENU>
Contains zero or more <ITEM> tags.
<ITEM>
TITLE="string"
TOOLTIP="string"
ICON="URL"
ID="string"
Must be unique.
<ACTION>RECIPIENT="address" MESSAGE="string"

407 Patent (IPR2023-00701, SAMSUNG-1001), 23:1-45

Network information nominator (NIM)



Do's and dots: DoDots runs multiple sites, side by side.

IPR2023-00701: DODOTS-2023, p. 4; Sur-Reply, 29

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Fully Configurable

1. A computer-implemented method . . . comprising:
transmitting a request to the server over the network, the request requesting *fully configurable* **frame**, with one or more controls, through which content is presented to the user [defined by]a data structure that defines the characteristics of a NIM, including the NIM **frame**, view, and **control characteristics**, and that excludes executable applications/compiled code;
receiving the requested *fully configurable* frame, with one or more controls, through which content is presented to the user [defined by] a data structure that defines the characteristics of a NIM, including the NIM **frame**, **view**, and **control characteristics**, and that excludes executable applications/compiled code from the server over the internet, the requested *fully configurable* frame, with one or more controls, through which content is presented to the user [defined by] a data structure that defines the characteristics of a NIM, including the NIM **frame**, **view**, and **control characteristics**, and that excludes executable applications/compiled code having been transmitted from the server over the network responsive to the transmitted request, the *fully configurable* frame, with one or more controls, through which content is presented to the user [defined by] a data structure that defines the characteristics of a NIM, including the NIM **frame**, **view**, and **control characteristics**, and that excludes executable applications/compiled code comprising:
a definition of a viewer GUI within which content in a web browser-readable language may be presented on the display of the client computing device; and
a definition of a first content element for the *fully configurable* frame, with one or more controls, through which content is presented to the user [defined by] a data structure that defines the characteristics of a NIM, including the NIM **frame**, **view**, and **control characteristics**, and that excludes executable applications/compiled code, the definition of the first content element referencing a first network location from which the first content element for the *fully configurable* frame, with one or more controls, through which content is presented to the user [defined by] a data structure that defines the characteristics of a NIM, including the NIM **frame**, **view**, and **control characteristics**, and that excludes executable applications/compiled code is served over the network;
responsive to instructions included in the requested *fully configurable* frame, with one or more controls, through which content is presented to the user [defined by] a data structure that defines the characteristics of a NIM, including the NIM **frame**, **view**, and **control characteristics**, and that excludes executable applications/compiled code, presenting the viewer GUI defined by the *fully configurable* frame, with one or more controls, through which content is presented to the user on the display of the client computing device separate from and outside of any other GUI that includes user controls for specifying the first network location from which the first content element for the *fully configurable* frame, with one or more controls, through which content is presented to the user is served over the network;
responsive to instructions included in the requested *fully configurable* frame, with one or more controls, through which content is presented to the user [defined by] a data structure that defines the characteristics of a NIM, including the NIM **frame**, **view**, and **control characteristics**, and that excludes executable applications/compiled code, transmitting over the network a first content request to the first network location referenced by the definition of the first content element for the *fully configurable* frame, with one or more controls, through which content is presented to the user [defined by] a data structure that defines the characteristics of a NIM, including the NIM **frame**, **view**, and **control characteristics**, and that excludes executable applications/compiled code;
receiving, over the network, the first content element transmitted responsive to the first content request;
presenting the received the first content element in the viewer GUI defined by the *fully configurable* frame, with one or more controls, through which content is presented to the user a data structure that defines the characteristics of a NIM, including the NIM **frame**, **view**, and **control characteristics**, and that excludes executable applications/compiled code, wherein the definition of the viewer GUI and/or the first content element define all controls for enabling a user to interact with the first content element through the viewer graphical user interface.

545 Patent, Claim 1

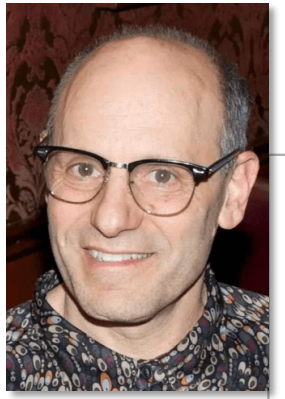
NIM Template: a data structure that defines the **characteristics of a NIM**, including the NIM **frame**, **view**, and **control characteristics**, and that excludes **executable applications/compiled code.**

NIM: fully configurable frame, with one or more controls, through which content is presented to the user

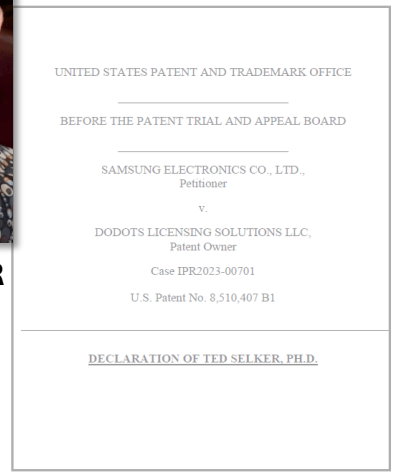
IPR2023-00701: Pet., 4 (bold in original)

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Fully Configurable



DR. TED SELKER



UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner

v.

DODOTS LICENSING SOLUTIONS LLC,
Patent Owner

Case IPR2023-00701

U.S. Patent No. 8,510,407 B1

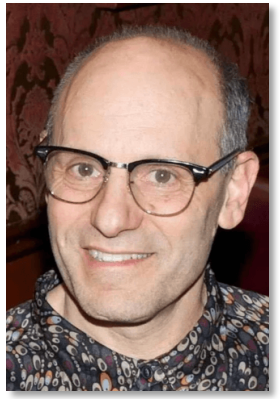
DECLARATION OF TED SELKER, PH.D.

These fully configurable frames allowed developers to create unique and tailored frames that could present information to a user. This was a critical feature that distinguished the claimed inventions from traditional web browsers applications that were severely limited by the requirements of browser compatibility.

IPR2023-200701: Selker Decl.; DODOTS-2010, ¶29 and POR, 6-7

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Fully Configurable



DR. TED SELKER

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

CERTIFIED COPY

SAMSUNG ELECTRONICS CO., LTD., Petitioner,	)	IPR2023-00621 Patent No. 8,020,083
vs.	)	IPR2023-00701 Patent No. 8,510,407
DODOTS LICENSING SOLUTIONS LLC, Patent Owner.	)	IPR2023-00756 Patent No. 9,369,545

DEPOSITION OF
EDWIN JOSEPH SELKER, PH.D.
VIA ZOOM VIDEOCONFERENCE
MAY 10, 2024

Reported by:
COLLEEN M. PETERMAN, CSR 7882
Job No. 24-136955
Reference 39843-0148IP1, 39843-0149IP1, 39843-0150IP1

8 A. Just my experience and what I -- you know,
9 what I knew of at that -- putting myself back in that
10 time frame and recognizing that those frustrations were
11 frustrations that I experienced as well and, quite
12 frankly, was not convinced that anyone was going to
13 overcome.
14 I also was somewhat surprised by these patents
15 in that regard, in that they anticipated a commercial
16 direction that was being -- was in question. I don't
17 know if you remember, but in -- even as late as 1998,
18 people were saying, oh, the web will never be
19 commercially valuable.
20 And these -- what I find intriguing about
21 these patents is they're so focused on a company or
22 developer wanting to give an experience to a user, which
23 runs counter to the whole idea that, you know, many
24 people were considering of it being all about the user,
25 you know, and their -- and their -- and their desktop

IPR2023-00701: SAMSUNG-1030, 136:8-25; Sur-Reply, 26

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Remaining Claim Construction

Contested

- "execute the template" (083 Patent)

IPR2023-0062: POR, 9; Sur-Reply, 18

Uncontested

- "client computing device" (407 Patent; 545 Patent)
- "client device" (083 Patent)

IPR2023-00701: POR, 9-10 *see generally* Reply
IPR2023-00621: POR, 9-10; *see generally* Reply

DoDots Exhibit 2070
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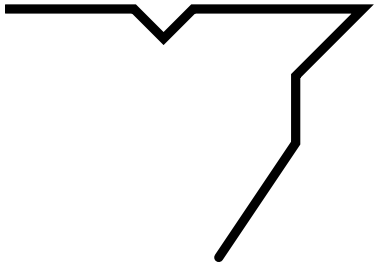
IV Motivation to Combine and Prima Facie Case

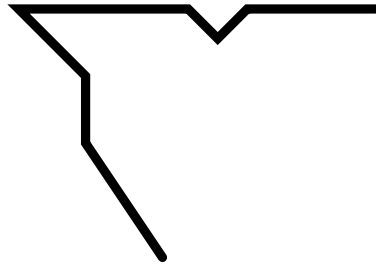
DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Obviousness

A determination of whether a patent claim is invalid as obvious under § 103 requires consideration of all four Graham factors, and it is error to reach a conclusion of obviousness until all of those factors are considered.

IPR2023-00701: *Artic Cat Inv. v. Bombardier Rec. Prods.*, 876 F.3d 1350, 1358; Sur-Reply, 3-4





DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Bodily Incorporation

The Board found that . . . Intel has not specifically explained how a person of ordinary skill in the art would have modified King[] . . . to incorporate a shared bus as disclosed in Arimilli.

* * *

To be sure, evidence that the teachings and concepts of the prior art were (either actually or apparently) incompatible such that a skilled artisan would not have reasonably expected to succeed in combining those teachings is relevant to the obviousness analysis. But the Board never made a factual finding that King's bus system could not be modified to include Arimilli's . . . . As we just explained, the Board merely stated that combining the relevant aspects of the two references requires a modification that the references did not teach and that Intel did not provide.

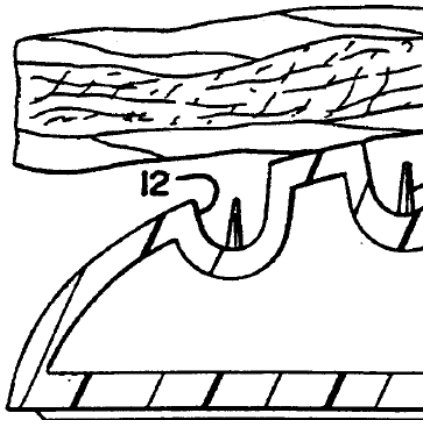
Fundamental differences between the references are central to this motivation to combine inquiry.

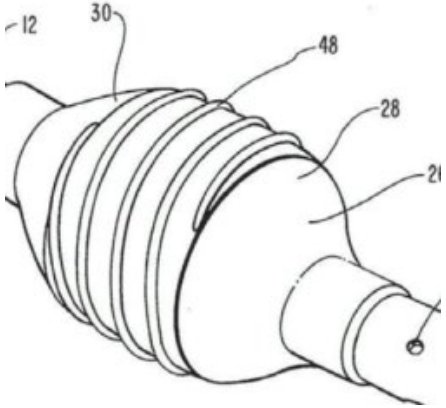
Adidas AG v. Nike, Inc., 963 F.3d 1355, 1359 (Fed. Cir. 2020); *Samsung Elecs. Co. v. Elm 3DS Innovations*, LLC, 925 F.3d 1373, 1381 (Fed. Cir. 2019) (incompatibility of references from "the same technological field" insufficient to establish compatibility/obviousness.

Intel Corp. v. Pact XPP Schweiz AG, No. 2022-1038, 2023 U.S. App. LEXIS 4436, at *8-9 (Fed. Cir. Feb. 24, 2023); IPR2023-00701 Sur-Reply, 7-8

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Bodily Incorporation





TriVascular's proposed substitution would destroy the basic objective of the barbs, which is to penetrate surrounding tissue. . . . Moreover, in order to meet the claimed limitations, not only the barbs but also the underlying recesses in Samuels '851 would need to be replaced with inflatable non-penetrating protrusions. . . . Thus, the Board's findings regarding the lack of a motivation to combine are supported by substantial evidence.

TriVascular, Inc. v. Samuels, 812 F.3d 1056, 1067 (Fed. Cir. 2016); U.S. Patent No. 5,423,851.; IPR2023-00701 Sur-Reply, 8,11

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Terminology

- "NIM definition," "NIM template," "Dot template"
- "NIM," "Application Media Package," "Dot"

- Markup Languages (XML, HTML, HTT, HDML)

IPR2023-00701: POR, 15; DODOTS-2010, ¶185; Sur-Reply, 14

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Terminology

- "Mobile channel"
  - Script
  - Data file
  - CDF
  - "subscription"
- "Part of a Channel"
- "Channel Definition Format (CDF)"
- HTML instructions / tags
- "Components"
- User-viewable content

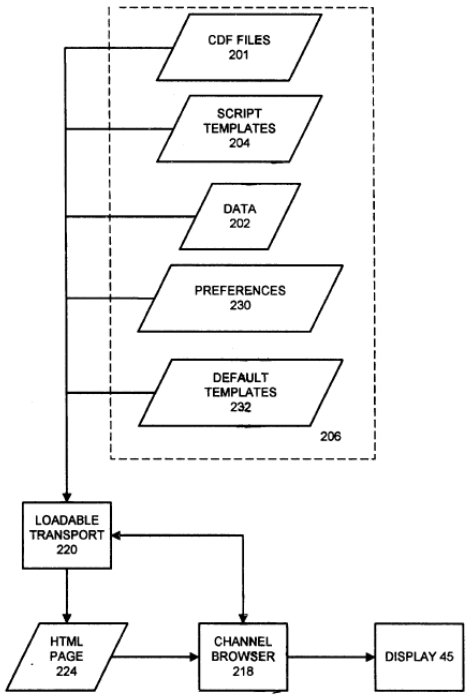
templates as part of Brown's composite desktop. Petition, 13-16. In this way, a user of Brown's composite desktop would achieve the benefits of using remotely stored HTML templates via a model similar to Wecker's mobile channel subscription model. Petition, 13-16; SAMSUNG-1003, ¶¶35-42; SAMSUNG-

IPR2023-00701: Reply, 2

Indeed, Wecker describes that "the users of **desktop 16** can preferably subscribe to channels in a standard fashion which provide the user with certain channel content" and that the desktop can "periodically retrieve or receive new and updated script, data and CDF files." SAMSUNG-1005, 3:63-66, 4:3-6; SAMSUNG-1003,

IPR2023-00701: Pet., 13

FIG. 7



IPR2023-00701: Wecker (SAMSUNG-1006), Fig. 6; Pet., 31

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Terminology

- blending
- executing visual basic scripts
- operating a loadable transport
- processing with Internet Explorer 4.0 and (deskhtml.dll)
- rendering

IPR2023-00701: Reply, 2

- "template"
  - Brown
  - Wecker*
  - Shimada
  - Buchholz
  - Beer
  - Krishna
  - Darnell

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

NIM/NIM Template

1. A computer-implemented method . . . comprising:

transmitting a request to the server over the network, the request requesting NIM template;

receiving the requested NIM template from the server over the internet, the requested NIM template having been transmitted from the server over the network responsive to the transmitted request, the NIM template comprising:

a definition of a viewer GUI within which content in a web browser-readable language may be presented on the display of the client computing device; and

a definition of a first content element for the NIM template, the definition of the first content element referencing a first network location from which the first content element for the NIM template is served over the network;

responsive to instructions included in the requested NIM template, presenting the viewer GUI **defined by the NIM** on the display of the client computing device **separate from and outside of any other GUI that includes user controls for specifying the first network location** from which the first content element for the NIM is served over the network;

responsive to instructions included in the requested NIM template, transmitting over the network a first content request to the first network location referenced by the definition of the first content element for the NIM template;

receiving, over the network, the first content element transmitted responsive to the first content request;

presenting the received the first content element in the viewer GUI **defined by the NIM template**, wherein the definition of the viewer GUI and/or the first content element **define all controls for enabling a user to interact with the first content element through the viewer graphical user interface**.

545 Patent, Claim 1

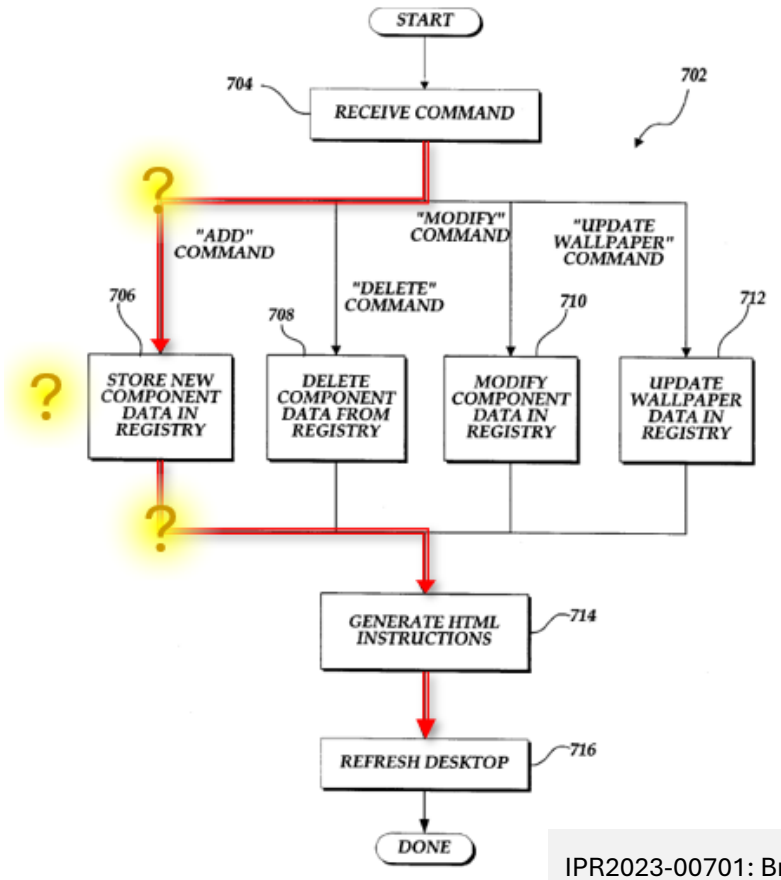


Fig.7.

IPR2023-00701: Brown (SAMSUNG-1005), Fig. 7; Sur-Reply, 10

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Samsung v. DoDots - IPR2023-00701

Gaps

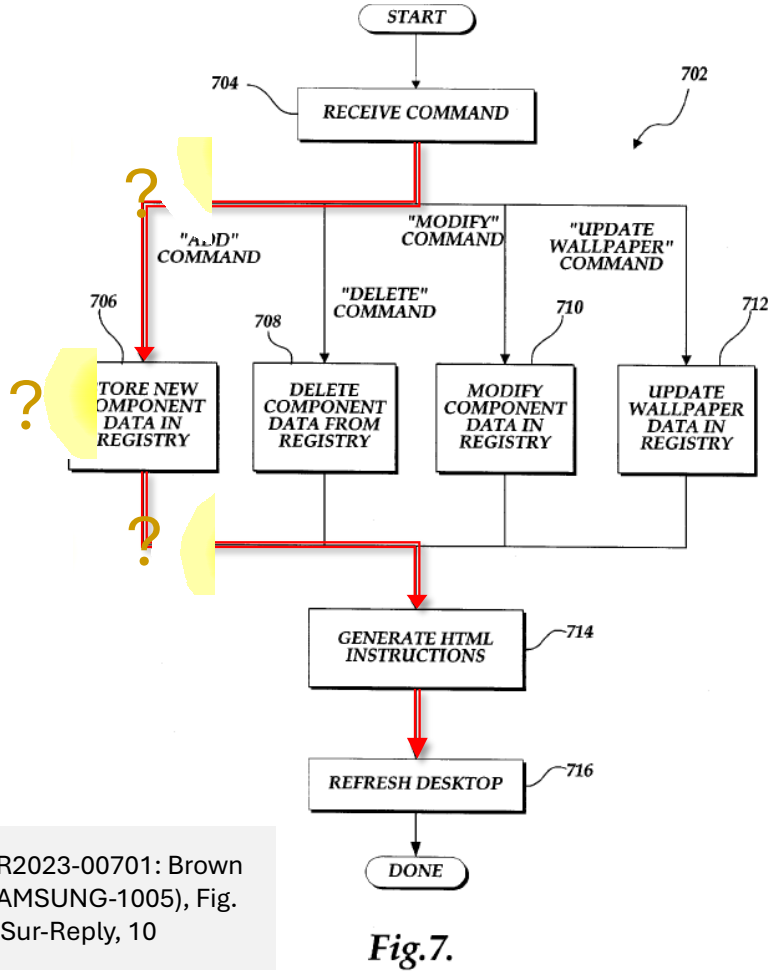
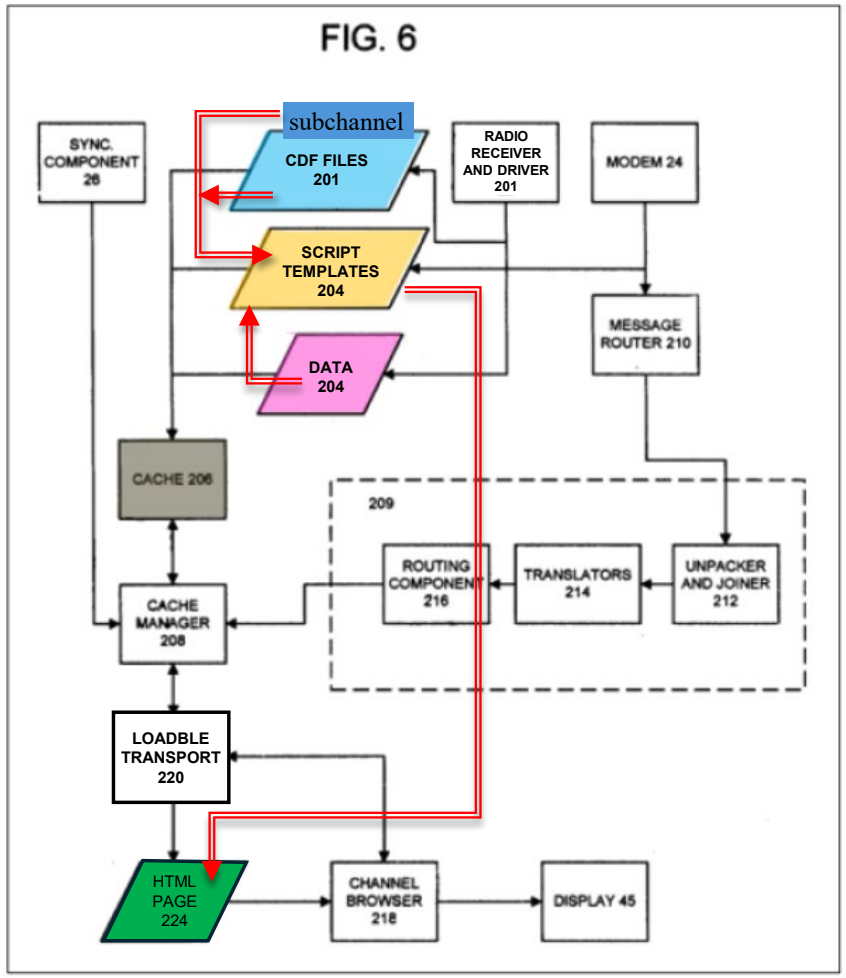


Fig.7.

IPR2023-00701: Brown (SAMSUNG-1005), Fig. 7; Sur-Reply, 10

?

IPR2023-00701: Wecker (SAMSUNG-1006), Fig. 6; Sur-Reply, 10



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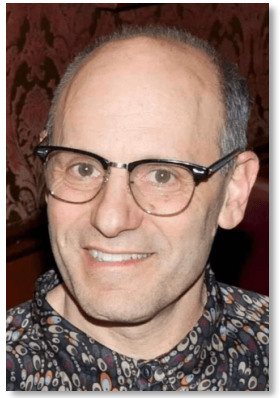
Gaps

DR. SCHMIDT

111. Indeed, both Wecker and Brown describe that HTML files could be downloaded to a client. SAMSUNG-1005, *see at least* 2:13-29; SAMSUNG-1006, *see at least* 10:25-56. In view of the above, a POSITA would have recognized or

IPR2023-00701: Schmidt Decl. (SAMSUNG-1003) ¶111
IPR2023-00756: Schmidt Decl. (SAMSUNG-1003) ¶64



DR. TED SELKER

IPR2023-00701: DODOTS-2010, ¶179; Sur-Reply, 9

Critically, Brown does not disclose that the alleged NIM template would be transmitted from the server housing the web page. A POSITA would understand from Brown that the alleged NIM template for the static desktop component 306 was generated from data (the image displayed within a web page on the client computer desktop) already resident on the client computer, and the alleged webpage desktop component 310 was generated from data typed by the user to the client computer. (SAMSUNG-1005, 10:46-57, 11:1-14). For the active desktop component 308, and for an alternative method of generating a static desktop component 306 Brown discloses that "the API described above" would be employed. (SAMSUNG-1005, 10:29-45, 10:57-62). As discussed, that API includes no capability for accessing HTML documents (or fragments thereof). Brown does not even disclose that what is being transmitted from the server (1) would be a data structure, (2) would define the characteristics of a NIM, (3) would define NIM frame characteristics, (4) would define NIM view characteristics, (5) would define NIM control characteristics, and (6) would not include any executable applications/compiled code.

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Motivation to Combine

Among other things, both Brown and Wecker are generally directed to "accessing and viewing internet content" and further describe the use of Microsoft's channel definition format (CDF) to implement subscriptions to internet content, with Brown explicitly directing the reader toward additional references that discuss CDF. SAMSUNG-1005, Abstract, 13:4-13, 13:39-44; SAMSUNG-1006, Abstract, 3:1-16; SAMSUNG-1003, ¶35. Given the similarity of the disclosures, and spurred by Brown's directive, a POSITA would have found it obvious to consider Wecker's disclosure in the context of Brown's system for multiple reasons.

IPR2023-00701: Pet., 12

308 resides. The HTML instructions on line **14** includes a URL corresponding to a CDF file. CDF files are used to implement "subscriptions" in which information is regularly retrieved and updated within the active desktop component **308**. The use of CDF files is known to those skilled in the art of Web page construction and is not explained in further detail here. The Channel Definition Format (CDF) is described in more detail in Scott Isaacs *Inside Dynamic HTML*, Microsoft Press, Oct. 30, 1997, and is incorporated into the present specification by reference.

IPR2023-00701: Brown (SAMSUNG-1005), 13:4-13

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Motivation to Combine

- Windows 95 / Windows CE
- Same programming languages

Johns Manville Corp. v. Knauf Insulation, Inc., IPR No. 2018-00827, Paper 9, p. 17 (citing *PersonalWeb Techs., LLC v. Apple, Inc.*, 848 F.3d 987, 994 (Fed. Cir. 2017)) ("mere compatibility of references is insufficient to support obviousness."); DODOTS-2010, ¶153-57.

to improve data transfer times, increase usability, standardize interfaces across different devices, reduce client-side storage requirements, and/or to capitalize on the growing need to display internet content in a customizable way. . . .

and/or other relevant business or technical reasons

IPR2023-00701: Pet., 12-15, 69

Hulu, LLC v. Sound View Innovations, LLC, Case IPR2018-00582, Paper 34 (August 5, 2019) (informative decision) ("a generic desire for 'improved access times' in the Reply strikes us as merely a bald statement . . . .")

IPR2023-00701: Sur-Reply, 5

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Motivation to Combine

- Wecker's "mobile channel 'script files'" being like templates

desktop

desktop components would be implemented as mobile channels, such that a user would download desktop components,

. . . application of known techniques (e.g., rendering content using templates/script files) to a known structure (e.g., Brown's composite desktop) to yield predictable results.

. . . techniques of downloading template files stored on remote devices (e.g., as part of a channel)

IPR2023-00701: Pet., 12-14; Reply, 2

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Motivation to Combine Concepts

Brown Disclosure	Techniques	Wecker Disclosure	Reasonable Expectation
desktop.htt file	rendering content using script files	script templates	common assignee, Microsoft
HTML tags (in desktop.htt file)	subscribing	mobile channels	common operating system, Windows 95
URL (HTML tags)	downloading	data files (content)	common operating system, Windows CE (407 and 083 IPRs)
CDF file (at URL)	implementing	CDF files desktop computer	
subscription (URL at URL)	requesting		
user-viewable components	storing		
Active Desktop	"a model similar to Wecker's mobile channel subscription model" "managing templates remotely and separately from Internet content"		

Asano Disclosure	Techniques	Smith Disclosure	Reasonable Expectation
adjustable pedal with a fixed pivot	mounting sensor on pivot	sensor	had already been accomplished in Smith Rixon taught how to avoid wire-chafing

KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398, 424-25 (2007); IPR2023-00701, Sur-Reply 7

IPR2023-00701: Sur-Reply 2-3, 7-9, 15; Reply, 1-3; POR, 15, 20; 42-43; Pet., 12, 14-15

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V.A Failed Combinations | *Brown and Wecker*

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Brown

User-Viewable Webpage

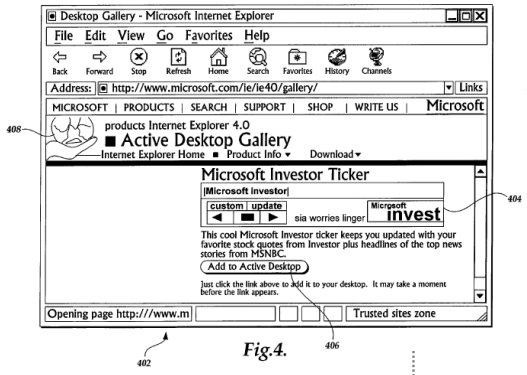
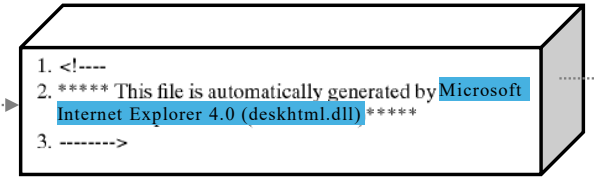


Fig.4.

Registry

The DESKTOP.HTT file is a system file containing HTML code that is used to create the HTML layer. The composite desktop shell **206** (FIG. **2**) creates the HTML code using composite desktop data contained in the registry **208**. Following is a listing of an exemplary DESKTOP.HTT file corresponding to the HTML layer of the desktop **302** depicted in FIG. **3A**. The line numbers at the beginning of each line are used for this discussion only, and are not part of an actual DESKTOP.HTT file. Line 5 describes the background sublayer **330**, or a wallpaper, that is displayed on the desktop **302**. The HTML instructions corresponding to the background layer should be readily understood by those skilled in the art of Web page construction, and others, and is discussed herein only as to explain the invention.

1. <!----
2. ***** This file is automatically generated by Microsoft Internet Explorer 4.0 (deskhtml.dll)*****
3. -------->



HTT System File

The DESKTOP.HTT file is a system file containing HTML code that is used to create the HTML layer. The composite desktop shell **206** (FIG. **2**) creates the HTML code using composite desktop data contained in the registry **208**. Following is a listing of an exemplary DESKTOP.HTT file corresponding to the HTML layer of the desktop **302** depicted in FIG. **3A**. The line numbers at the beginning of each line are used for this discussion only, and are not part of an actual DESKTOP.HTT file. Line 5 describes the background sublayer **330**, or a wallpaper, that is displayed on the desktop **302**. The HTML instructions corresponding to the background layer should be readily understood by those skilled in the art of Web page construction, and others, and is discussed herein only as to explain the invention.

1. <!----
2. ***** This file is automatically generated by Microsoft Internet Explorer 4.0 (deskhtml.dll)*****
3. -------->

User-Viewable Component

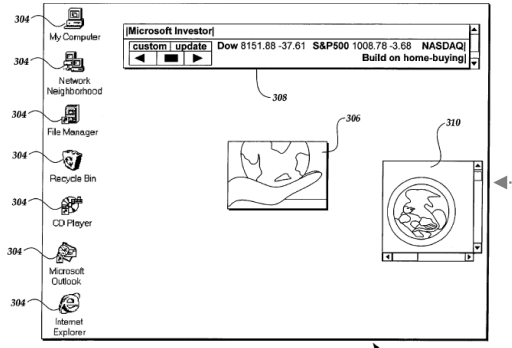


Fig.3A.

IPR2023-00701: Brown (SAMSUNG-1005), Figs. 3a and 4, 11:29-46; Sur-Reply, 9.

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Brown

1. <!----
2. ***** This file is automatically generated by Microsoft Internet Explorer 4.0 (deskhtml.dll) *****
3. -------->

Web content and application developers therefore have limited control over the user experience: content is typically trapped within the frame of the browser. A developer's

Currently, content providers and end users have limited tools to alter the browser in which content appears. That is, the controls associated with a browser are not fully configurable. Thus, the vendor of a browser is in a position to brand the browser and regulate the controls associated with the browser. There is a growing desire for content providers to not only fill a browser with their content, but to also fully brand and control the frame in which the content appears. Further, in some instances, content providers desire to limit the controls associated with a browser or viewer, so that a user is more inclined to view a single set of content, for example, by having limited access to previously viewed content.

IPR2023-00701: 407 Patent (SAMSUNG-1001), 2:1-5, 25-36; POR, 4, 39, 74; DODOTS-2010, ¶108

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Brown

```
1. <!----
2. ***** This file is automatically generated by Microsoft
   Internet Explorer 4.0 (deskhtml.dll)*****
3. -------->
4.<HTML>
5.<BODY background="" style="border:none;" bgcolor=
   #000000 topmargin=0 leftmargin=0 rightmargin=0
   bottommargin=0>
6. <IMG id=3 name="DeskMovr" src="http://
   www.microsoft.com/ie/images/ulg/ulg__ie40.jpg
7. resizeable="XY"
8. subscribed__url="http://www.microsoft.com/ie/
   images/ulg/ulg__ie40.jpg
9. style="BACKGROUND: transparent; position:abso-
   lute; LEFT: 347; TOP: 236; WIDTH: 120; HEIGHT:
   82; Z-INDEX: 1006">
10. <IFRAME id=7 MARGINWIDTH=0
   MARGINHEIGHT=0 name="DeskMovrW" src=
   "http://www.uspto.gov/ "
11. resizeable="XY"
12. subscribed__url="http://www.uspto.gov/ "
13. frameborder=0 style="BACKGROUND: transparent;
   position:absolute; LEFT:620; TOP:254; WIDTH:156;
   HEIGHT:150; Z-INDEX:1014"></IFRAME>
```

```
14. <IFRAME id=8 MARGINWIDTH=0
   MARGINHEIGHT=0 name="DeskMovrW" src=
   "http://www.microsoft.com/ie/ie40/gallery/ticker.htm"
15. resizeable="XY"
16. subscribed__url="http://www.microsoft.com/ie/ie40/
   gallery/cdf/g__stock.cdf
17. frameborder=0 style="BACKGROUND: transparent;
   position:absolute; LEFT:178; TOP:26; WIDTH:516;
   HEIGHT:57; Z-INDEX:1016"></IFRAME>
18. <OBJECT
19. classid="clsid:72267F6A-A6F9-11 D0-BC94-
   00C04FB67863"
20. id=ActiveDesktopMover
21. STYLE="position:absolute; container:positioned;
   LEFT: 0;TOP: 0; WIDTH: 0; HEIGHT: 0;zIndex: 5"
22. >
23. <param name="Interval" value=500>
24. <param name="SizerID" value=
   "ActiveDesktopMover">
25. <param name="Enabled" value="True">
26. <param name="TargetName" value="DeskMovr">
27. param name="WindowOnly" value="False">
28. </OBJECT>
29. <OBJECT
30. classid="clsid:72267F6A-A6F9-11D0-BC94-
   00C04FB67863"
31. id=ActiveDesktopMoverW
32. STYLE="position:absolute; container:positioned;
   LEFT: 0;TOP: 0; WIDTH: 0; HEIGHT: 0;zIndex 19"
33. >
34. <param name="Interval" value=500>
35. <param name="SizerID" value=
   "ActiveDesktopMoverW">
36. <param name="Enabled" value="True">
37. <param name="TargetName" value="DeskMovrW">
38. <param name="WindowOnly" value="True">
39. </OBJECT>
40.  </BODY></HTML>
```

IPR2023-00701: Brown (SAMSUNG-1005) 11:43-12:43; Sur-Reply, 16

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Brown

posite desktop information in a registry **208**. A registry is a mechanism for storing program data, and preferably includes one or more files on a persistent storage medium and associated code for accessing the data. The registry **208** operates as a database of information pertaining to one or more application programs that execute on the personal computer **20** (FIG. **1**). The Windows **95** operating system provides a system registry that is employed by multiple application programs to store configuration information for subsequent retrieval. In one actual embodiment, the registry **208** is the system registry provided by Windows **95**. The composite desktop shell **206** adds, deletes and modifies registry **208** data pertaining to the composite desktop **204**.

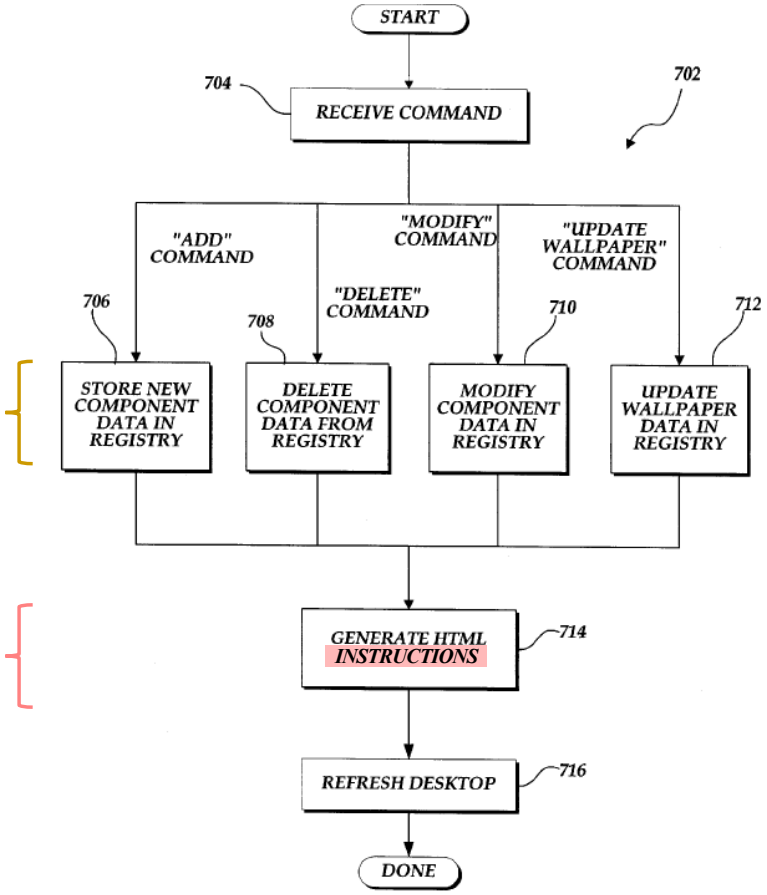

Fig.7.

IPR2023-00701: Brown (SAMSUNG-1005), 6:20-32; Fig. 7; POR, 36; Sur-Reply, 10

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Brown

The composite desktop **204** uses the composite desktop information stored in the registry **208** to generate hypertext markup language (HTML) instructions, and stores the instructions in an HTML file, referred to as the desktop.htt file **210**. The desktop.htt file **210** contains the HTML instructions necessary to display the composite desktop **204**. An HTML viewer **212** reads the desktop.htt file **210**, interprets the instructions, and generates a composite desktop display.

IPR2023-00701; Brown (SAMSUNG-1005), 6:33-40; DODOTS-2010, ¶47; POR, 11

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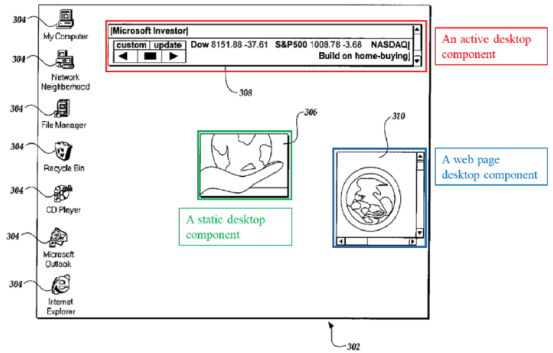
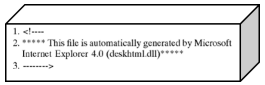
Brown



IPR2023-00701: Pet. p. 9 (annotation in Petition)



1. <!----
2. ***** This file is automatically generated by Microsoft Internet Explorer 4.0 (deskhtml.dll)*****
3. -------->
4.<HTML>
5.<BODY background="" style="border:none;" bgcolor=#000000 topmargin=0 leftmargin=0 rightmargin=0 bottommargin=0>
6. <IMG id=3 name="DeskMovr" src="http://www.microsoft.com/ie/images/ulg/ulg_ie40.jpg"
7. resizeable="XY"
8. subscribed_url="http://www.microsoft.com/ie/images/ulg/ulg_ie40.jpg"
9. style="BACKGROUND: transparent; position:absolute; LEFT: 347; TOP: 236; WIDTH: 120; HEIGHT: 82; Z-INDEX: 1006">
10. < IFRAME id=7 MARGINWIDTH=0 MARGINHEIGHT=0 name="DeskMovrW" src="http://www.uspto.gov/"
11. resizeable="XY"
12. subscribed_url="http://www.uspto.gov/"
13. frameborder=0 style="BACKGROUND: transparent; position:absolute; LEFT:620; TOP:254; WIDTH:156; HEIGHT:150; Z-INDEX:1014"></IFRAME>

IPR2023-00701: Pet. p. 26 (presentation and annotations revised); Sur-Reply, 14.

12

14. < IFRAME id=8 MARGINWIDTH=0 MARGINHEIGHT=0 name="DeskMovrW" src="http://www.microsoft.com/ie/ie40/gallery/ticker.htm"
15. resizeable="XY"
16. subscribed_url="http://www.microsoft.com/ie/ie40/gallery/cdf/g_stock.cdf"
17. frameborder=0 style="BACKGROUND: transparent; position:absolute; LEFT:178; TOP:26; WIDTH:516; HEIGHT:57; Z-INDEX:1016"></IFRAME>
18. < OBJECT
19. classid="clsid:72267F6A-A6F9-11 D0-BC94-00C04FB67863"
20. id=ActiveDesktopMover
21. STYLE="position:absolute; container:positioned; LEFT: 0;TOP: 0; WIDTH: 0; HEIGHT: 0;zIndex: 5"
22. >
23. <param name="Interval" value=500>
24. <param name="SizerID" value="ActiveDesktopMover">
25. <param name="Enabled" value="True">
26. <param name="TargetName" value="DeskMovr">
27. param name="WindowOnly" value="False">
28. </OBJECT>
29. < OBJECT
30. classid="clsid:72267F6A-A6F9-11D0-BC94-00C04FB67863"
31. id=ActiveDesktopMoverW
32. STYLE="position:absolute; container:positioned; LEFT: 0;TOP: 0; WIDTH: 0; HEIGHT: 0;zIndex 19"
33. >
34. <param name="Interval" value=500>
35. <param name="SizerID" value="ActiveDesktopMoverW">
36. <param narne="Enabled" value="True">
37. <param name="TargetName" value="DeskMovrW">
38. <param name="WindowOnly" value="True">
39. </OBJECT>
40. </BODY></HTML>

Independent NIMS

545 Patent

12. The method of claim 1, further comprising causing **the** networked information monitor to ***communicate*** with **another** networked information monitor.

407 Patent

2. The method of claim 1, further comprising, responsive to reception of one or more elements included in the received time-varying content, modifying a feature of said viewer graphical user interface defined by **the** networked information monitor template in accordance with a modification corresponding to the received one or more elements.

12. The client computing device of claim 1, wherein the one or more computer program modules are further configured:

to transmit, over the network to a networked information monitor server, a request for **the** networked information monitor template;

to receive, from the networked information monitor server over the network, **the** networked information monitor template; and

to store **the** networked information monitor template to the electronic storage.

083 Patent

4. The client device of claim 1, wherein the plurality of networked information monitor templates further comprises a **second** networked information monitor template defining a **second** networked information monitor, wherein the **second** networked information monitor template comprises:

(1) a **second** content reference that comprises a second network location, which is different from the network location in the content reference of the first networked information monitor template, at which content for the second networked information monitor is accessible via the TCP/IP protocol; and

(2) a definition of a graphical user interface of the **second** networked information monitor that lacks controls for manually navigating a network, and that includes a second frame within which content received from the second network location can be displayed; and

(3) instructions configured (i) to cause the second networked information monitor to request content from the **second** network location in the second content reference via the TCP/IP protocol, and (ii) to cause the second networked information monitor to generate the graphical user interface of the **second** networked information monitor with the content received from the second network location via the TCP/IP protocol within the frame.

083 Patent

5. The client device of claim 4, wherein the one or more processors are further configured to execute the second networked information monitor template such that the graphical user interface of the second networked information monitor is presented to the user on the electronic display separately and discretely from the user interface of the **first** networked information monitor, and having content therein received from the second content reference

6. The client device of claim 1, wherein the one or more processors are further configured to transmit a request to a server for a **further** networked information monitor template responsive to reception of a user request for a further networked information monitor defined by the further networked information monitor template.

IPR2023-00701: Sur-Reply, 11, 23

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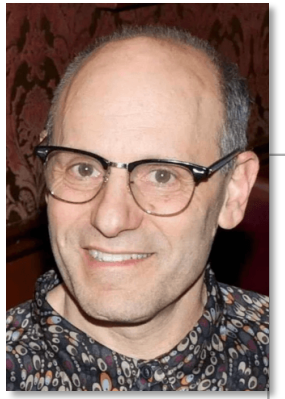
Wecker



DR. TED SELKER

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner

v.

DODOTS LICENSING SOLUTIONS LLC,
Patent Owner

Case IPR2023-00701

U.S. Patent No. 8,510,407 B1

DECLARATION OF TED SELKER, PH.D.

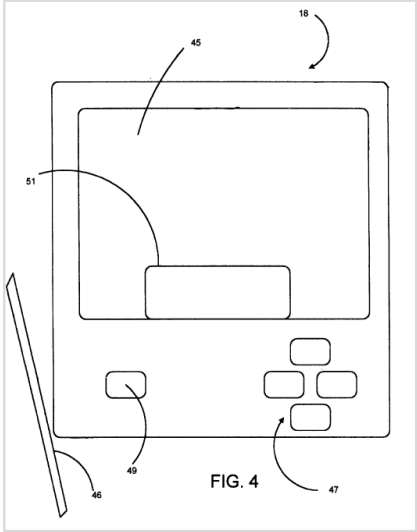


FIG. 4

IPR2023-00701: Wecker (SAMSUNG-1006), Fig. 4

d. Wecker Overview

121. As a threshold matter, U.S. Patent No. 6,449,638 ("Wecker") seeks to solve a different need than '407 patent. Wecker focuses on effective ways of squeezing data to a personal digital assistant ("PDA") by utilizing specialized rendering for a small display and a limited bandwidth for downloading content from the internet. SAMSUNG-1006, 1:13-24. On the other hand, the '407 patent focuses on having many apps on a mobile device, organizing their installation, and providing developer with the ability to create fully configurable frames.

IPR2023-00701: DODOTS-2010, ¶121

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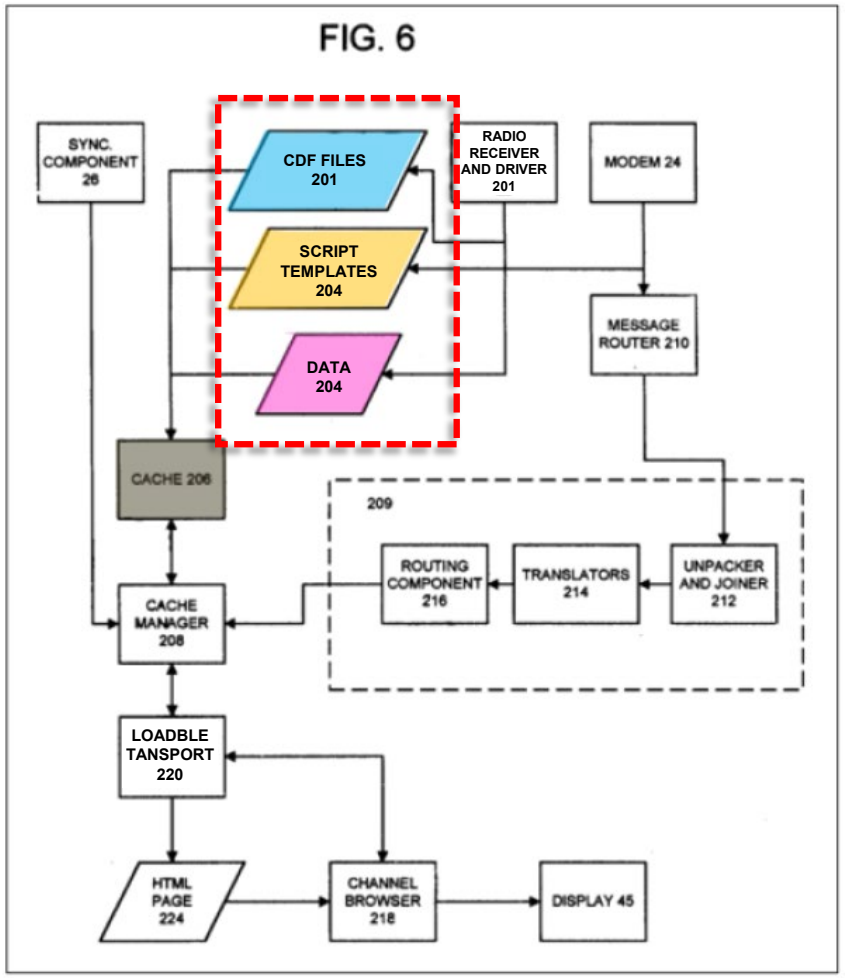
Wecker



A mobile channel is a self describing web site that contains all the information necessary for efficient download of web content to mobile device **18**. Three components are provided in a preferable mobile channel. The components include a channel definition format (CDF) file, a set of script files to render the channel, and a set of data files to be rendered. The CDF files are described in greater detail below. Briefly, the CDF is an inventory of content contained on the mobile channel.

There is presently no reasonable way to deliver push style content (such as hypertext mark-up language (HTML) content provided on a global network such as the internet and world wide web) to such devices in a wireless manner and in an open and available architecture. The bit rate of conventional wireless channels is very low. Thus, the delivery of very large content (such as HDML content) is highly impractical.

IPR2023-00701: Wecker (SAMSUNG-1006), 1:55-62; 3:8-16
POR p. 14-15; Sur-Reply p. 16; DODOS-2010, ¶128

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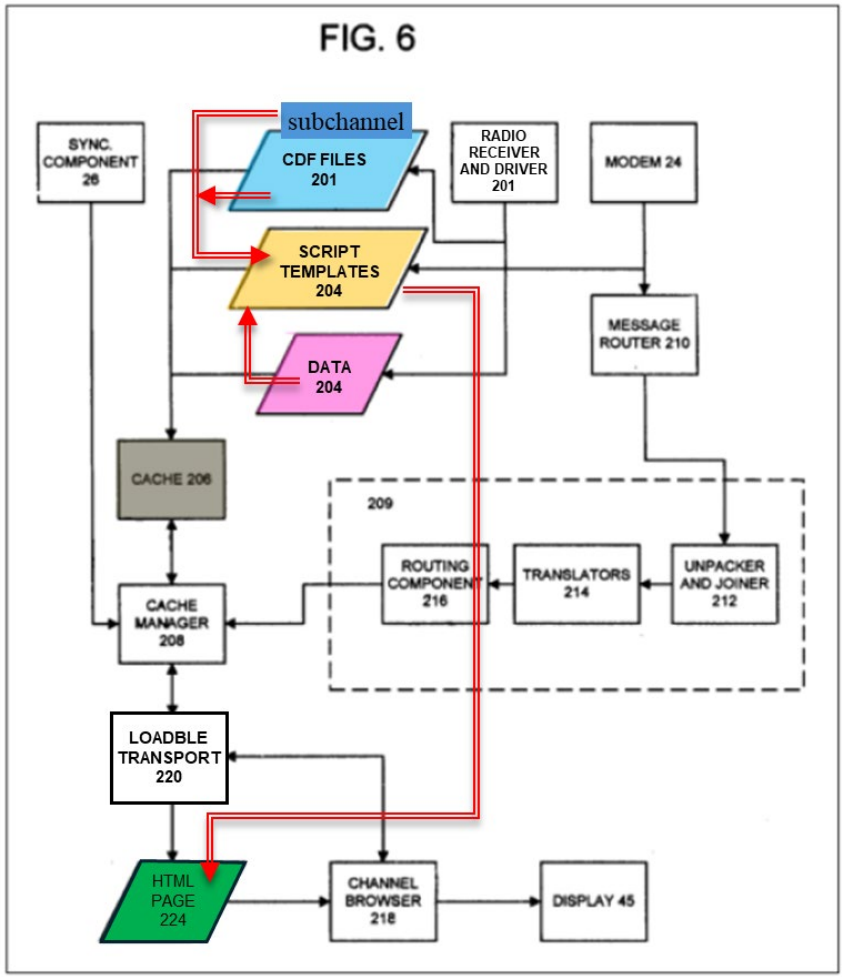
Brown and Wecker

One aspect of the present invention includes use of the CDF files **201** for construction of HTML pages **224**. In particular, HTML pages **224** combine the script templates **204** and data **202** using structural information contained in the CDF files **201**. For example, a particular script template **204** determines what subchannel of a CDF file **201** is being displayed and obtains the title and logo for that subchannel from the CDF file **201**, incorporating them into the HTML page **224**. In addition, particular data items such as an article or picture and/or additional subchannels within the subchannel can be obtained from the CDF file **201** to present an index to the subchannel being displayed. Typically, since items will change frequently as new data is obtained, item titles for the HTML page **224** can be obtained directly from the data stored in the data **202**. Although this method of blending script templates **204**, data **202** and CDF files **201** is more complex than conventional systems and methods where full HTML pages are transferred from a server to a client, this method is beneficial. In particular, the present system and method is able to deliver content in small segments of data instead of full HTML pages. This incre-

IPR2023-00701: Wecker (SAMSUNG-1006), 10:25-48, Fig. 7; POR, 15 (annotations revised)



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V.B Failed Combinations | *Shimada and Buchholz*

DoDots Exhibit 2070
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Shimada and Buchholz

PETITIONER

Second, a POSITA would have recognized that the "screen configuration data" of Shimada and the "templates" of Buchholz are both implemented in HTML. SAMSUNG-1008, 6:59-62; SAMSUNG-1009, 5:9-13; SAMSUNG-1003, ¶160. Thus, as Dr. Schmidt explains, a POSITA would have had a reasonable chance of success in implementing the "screen configuration data" of Shimada into the "subscriber units" of Buchholz since this would require little to no modification of both systems and would merely involve the application of a known technique to yield predictable results. SAMSUNG-1003, ¶160.

IPR2023-00701: 407 Pet. p. 68-69

DR. SCHMIDT

As the Patent Owner admits, "Buchholz is completely silent regarding any details of its templates."[5] POR, 60. So how then did the Patent Owner, or Dr. Selker, conclude that Buchholz is using "some custom variant of HTML"?

[5] Ironically, this further supports the motivation for a POSITA to seek out references that describe HTML-like templates (i.e., Shimada), as a POSITA would necessarily need to turn to other references to glean these implementation details.

IPR2023-00701: SAMSUNG-1029 ¶84 and n.5

DoDots Exhibit 2070
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Shimada

An annotated example of screen configuration data is provided below. Indeed, because networked information monitor templates are "a data structure that defines the **characteristics of a NIM**, including the NIM **frame**, **view**, and **control characteristics**, [which] excludes executable **applications/compiled code**," a POSITA would have recognized or found obvious that a set of Shimada's screen configuration data possesses all of these features. SAMSUNG-1001, 7:19-23, 8:53-57, 14:34-35; SAMSUNG-1003, ¶171; Section III.C.1, *supra*. As seen in the annotated Figure 17 below, Shimada's screen configuration data contains multiple pieces of content and buttons ("**defines the characteristics of a NIM, including the NIM frame, view, and control characteristics**" and ("**NIM frame [and] view**"). SAMSUNG-1008, FIG. 16, FIG. 17; SAMSUNG-1003, ¶171. Therefore, Shimada's screen configuration data corresponds to a "networked information monitor template." SAMSUNG-1003, ¶171.

V. SHIMADA-BUCHHOLZ RENDERS THE CLAIMS OBVIOUS

A. Shimada-Buchholz renders obvious a NIM template

1. Shimada's screen configuration data includes view characteristics

DoDots argues that "[t]he Petition provides no discussion of what a view characteristic means to a POSITA." POR, 63. However, as can be seen from Shimada's figures, the frame of screen configuration data bounds a "view." Petition, 76-77. DoDots appears to be arguing that "view characteristics" takes on special meaning in the '407 patent. POR, 63-65. However, details of "view characteristics" do not appear in the '407 patent, which simply describes that the content of a NIM may be "view[ed]" in a "viewer." SAMSUNG-1001, 11:28-38, 16:65-17:1, 20:33-36. Accordingly, Shimada-Buchholz satisfies this feature simply because its content can be observed ("viewed") based on the characteristics defined in its templates. *Id.*; Petition, 76-77; SAMSUNG-1003, ¶¶169-171; SAMSUNG-1029, ¶85.

IPR2023-00701: Pet., 76-77Reply, 25; Sur-Reply, 21;

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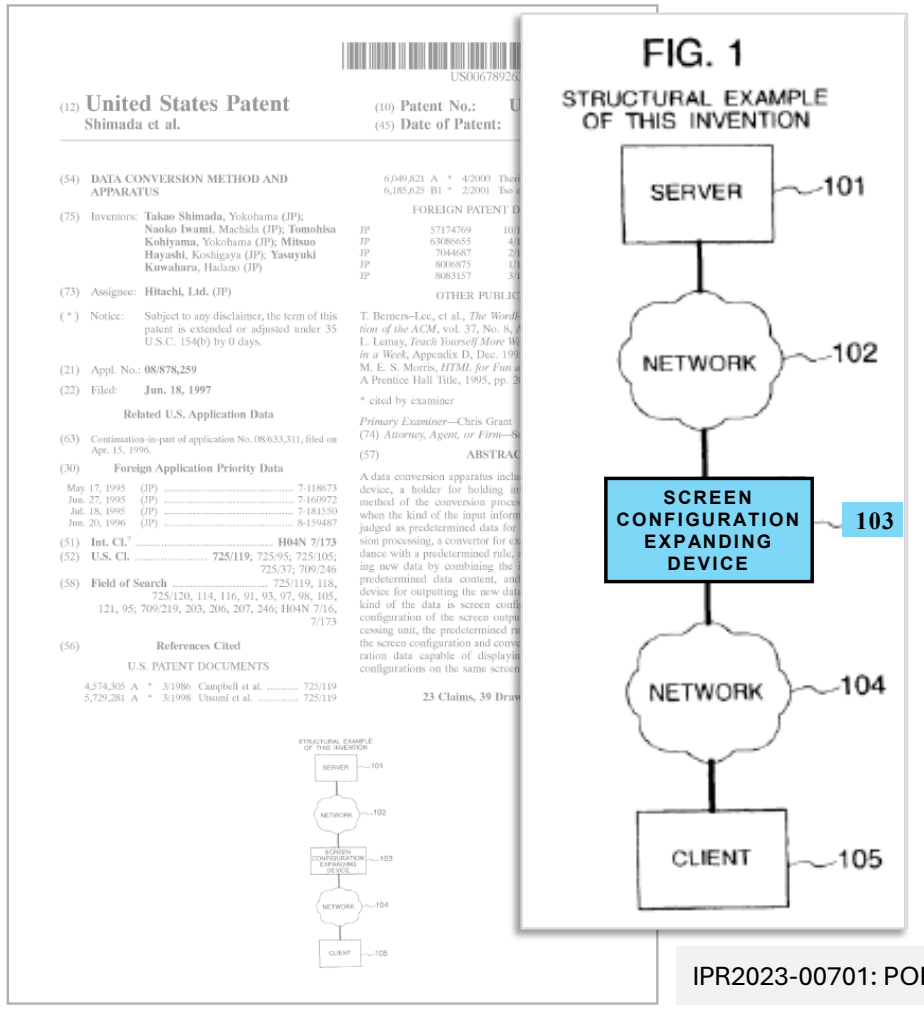
Shimada



IPR2023-00701: POR p. 50 (citing Shimada Fig. 1)

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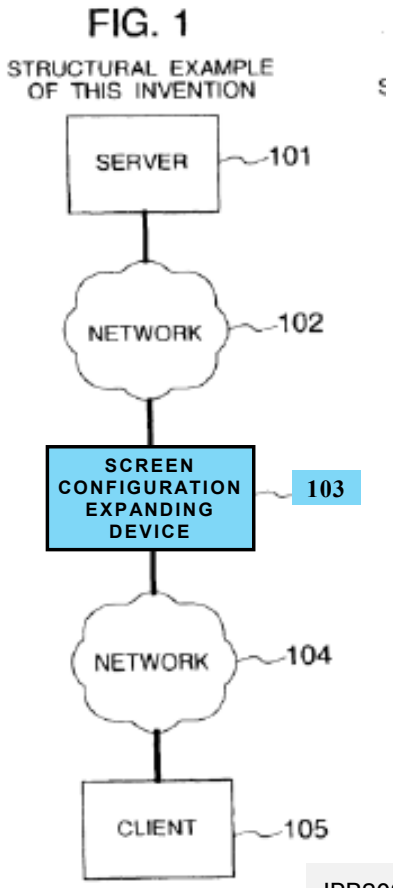
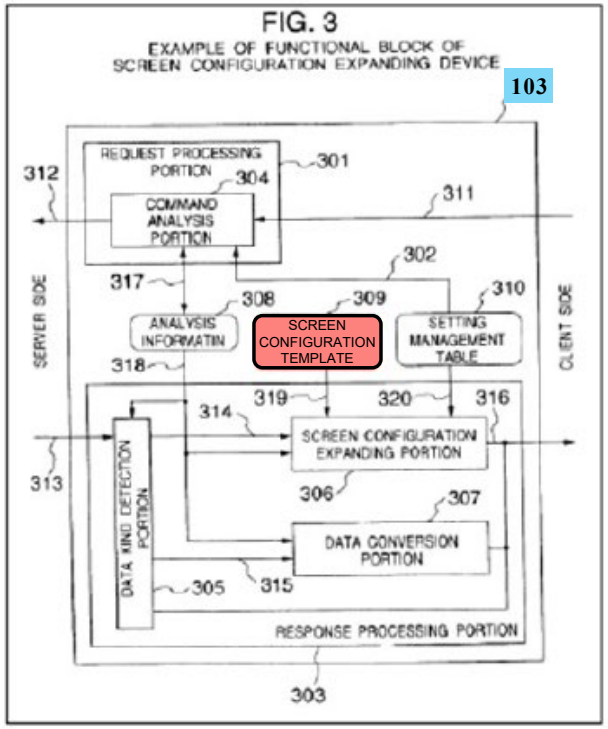
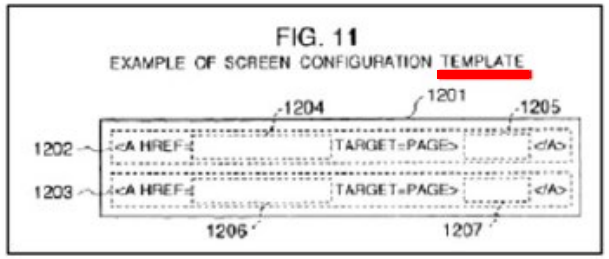
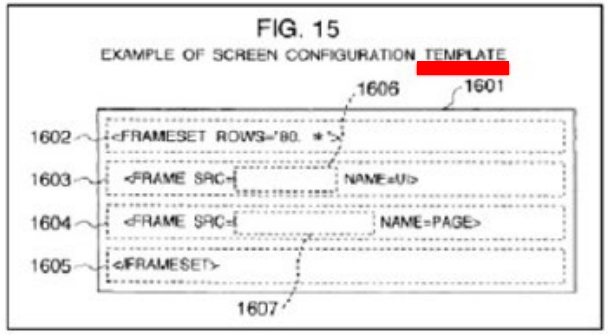
Shimada









IPR2023-00701: POR p. 50 (citing Shimada Fig. 1)

IPR2023-00701: POR p. 61

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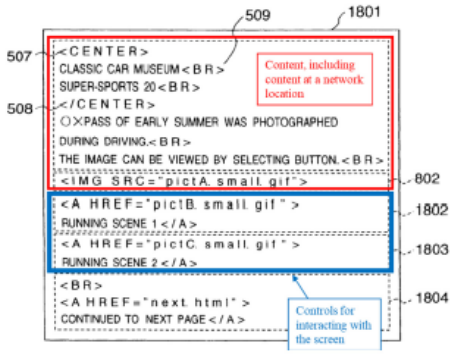
Shimada

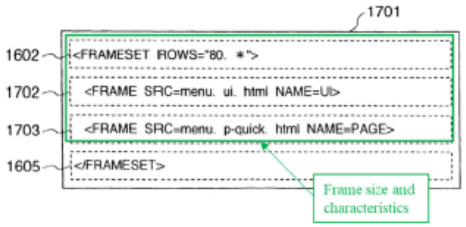
the presentation of content. Section III.C.3, *supra*; SAMSUNG-1003, ¶164. Annotated figures depicting screen configuration data and the associated screen are provided below.

FIG. 17
EXAMPLE OF CONVERTED SCREEN CONFIGURATION DATA (QUICK MODE)

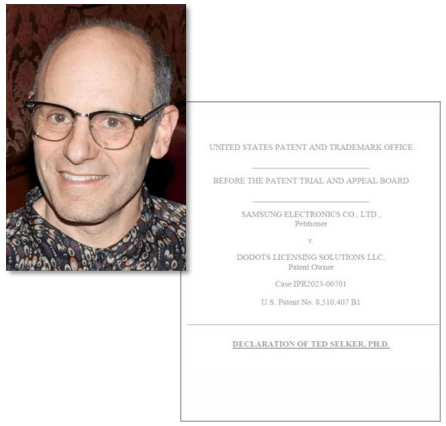


SAMSUNG-1008, FIG. 17 (annotated)

FIG. 16
EXAMPLE OF EXPANDED SCREEN CONFIGURATION DATA



IPR2023-00701: Pet. p. 71-72 (citing Shimada Fig. 17 (Pet. annotation, DoDots' highlight)



Notably, the screen configuration data of Figure 17 does not even exist at the time that screen configuration data of Figure 16 is transmitted to Shimada's client 105. The screen configuration data 1801 of Figure 17 is only created after a series of communications between the client 105 and screen expanding configuration device 103. In particular, the file names of 802, 1802 and 1802 of Figure 17 are added by the screen configuration expanding device 103 after screen configuration data 1701 of Figure 16 has been transmitted to the client 105.

IPR2023-00701: DODOTS-2010 ¶267

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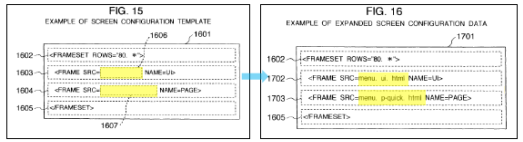
Shimada

1

196. First, the client requests web content from a server: "First, the client 105 transmits a command [GET menu. html] to the server 101." *Id.*, 9:26-28. The screen configuration expanding device 103, however, intercepts the request and this is the start of extensive back-and-forth communications with the client 105.



(SAMSUNG-1008, Figs. 15, 16 (annotated))

2

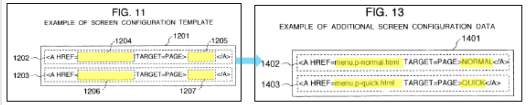
197. Second, as shown above, in response to the request from the client 105, the screen configuration expanding device 103 retrieves a template 1601 (Figure 15) and fills in its blanks 1606, 1607 (Figure 15, yellow) with file names ("menu.ui.html" and "menu.p-quick.html") (Figure 16, yellow). *Id.*, Figs. 34; 10:25-45.

3

198. Third, the data 1701 is provided to client 105, which analyzes its content. *Id.*, 10:56-57.

4

199. Fourth, the client 105 transmits a request for the file referenced in line 1702 of Figure 16 – "menu.ui.html": "the client 105 transmits the command [GET menu. ui. html] for requesting the transfer of [menu. ui. html] . . . ." *Id.*, 10:62-65.



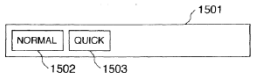
(SAMSUNG-1008, Figs. 11, 13 (annotated))

5

200. Fifth, as shown above, in response to receiving the request for "menu.ui.html," the screen configuration expanding device 103 retrieves another template 1201 (Figure 11, above left) and fills in its blanks 1204, 1206 (Figure 11, yellow) with file names ("menu.p-normal.html" and "menu.p-quick.html") and fills in blanks 1205, 1207 with the words "NORMAL" and "QUICK" (which will be the names of buttons), producing expanded screen configuration data 1401 as shown in Figure 13. *Id.*, Fig. 35; 11:11.

6

201. Sixth, this data 1401 is provided to client 105.



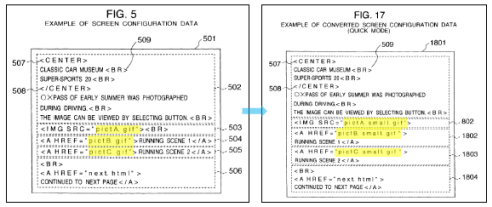
(Excerpt of SAMSUNG-1008, Fig. 14)

7

203. Seventh, the client 105 transmits a request for the file referenced in line 1703 of Figure 16 – "menu.p-quick.html": "Next, the client 105 transmits the command [GET menu. p-quick. html] requesting the transfer of [menu. p-quick. html] . . . ." *Id.*, 11:33-36.

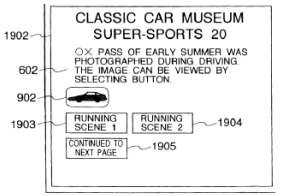
8

204. Eighth, in response to receiving the request for "menu.p-quick.html," the screen configuration expanding device 103 relays the request for the file "menu.p-quick.html" to the server 101. *Id.*, 11:37-47. The server 101 then transmits the screen configuration data 501 (Figure 5) to the screen configuration expanding device 103. *Id.*



9

205. Ninth, as shown above, the screen configuration expanding device 103 converts the data received from the server as screen configuration data 501 (Figure 5) into what is shown in screen configuration data 1801 (Figure 17). Specifically, screen configuration expanding device 103 converts "pictA.gif" to "pictA.small.gif"; converts "picB.gif" to "pictB.small.gif"; and converts "pictC.gif" to "pictC.small.gif." *Id.*, 11:49-12:14.



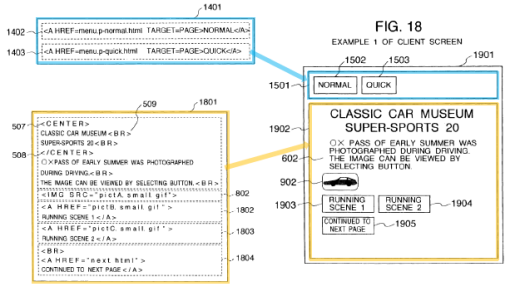
(Excerpt of SAMSUNG-1008, Fig. 18)

10

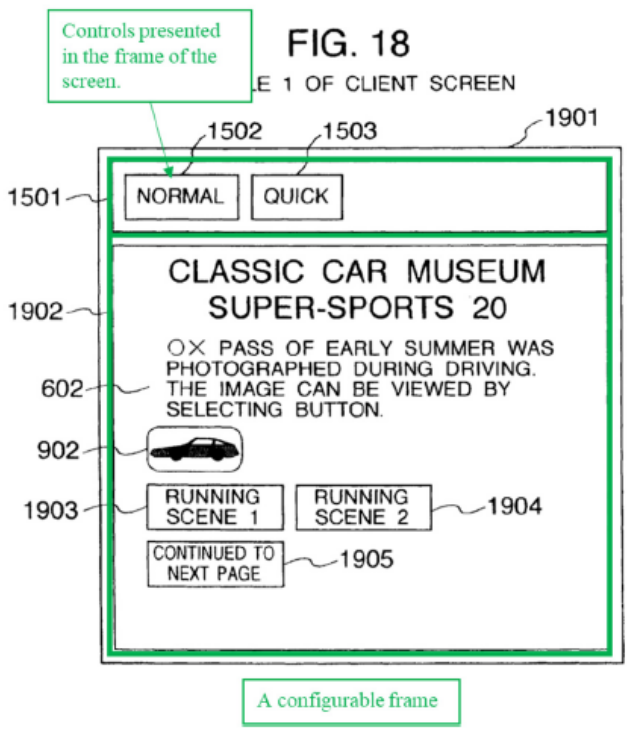
206. Tenth, the data 1801 (Figure 17) is provided to client 105. *Id.*, 12:15-16.

2

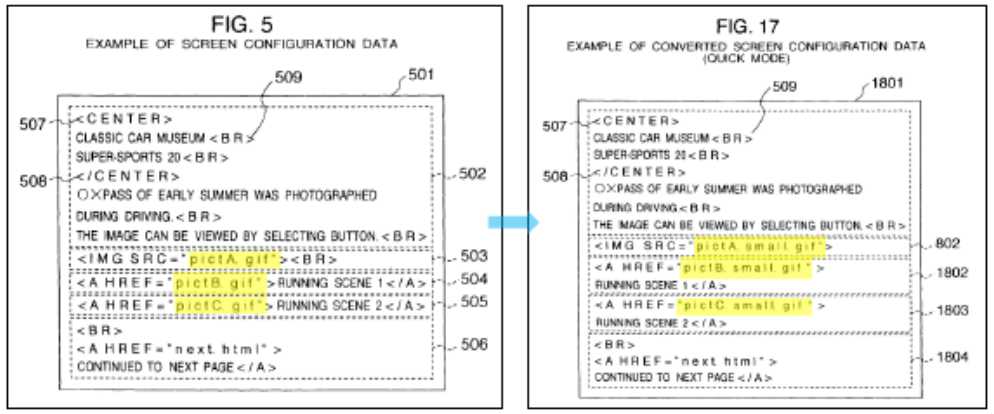
207. Finally, as shown below, now that the client 105 has the data 1401 (Figure 13) and 1801 (Figure 17), the client employs that data (in an undisclosed process) to display the content shown in Figure 18. *Id.*, 12:17-26. As shown in blue, client 105 uses data 1401 to generate screen portion 1501; as shown in orange, client 105 uses data 1801 to generate screen portion 1802.



Shimada



SAMSUNG-1008, FIG. 18 (annotated)



(SAMSUNG-1008, Figs. 5, 17 (annotated))

IPR2023-00701: DODOTS-2010, ¶280-82; Sur-Reply 22

IPR2023-00701: 407 Pet., 75 (Petitioner's annotations)

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Shimada

FIG. 17

EXAMPLE OF CONVERTED SCREEN CONFIGURATION DATA (QUICK MODE)

```
507  <CENTE
     CLASSIC CAR
     SUPER-SPOR
508  </CENTE
     ○×PASS OF EARLY SUMMER WAS PHOTOGRAPHED
     DURING DRIVING.<BR>
     THE IMAGE CAN BE VIEWED BY SELECTING BUTTON.<BR>
     <IMG SRC="pictA. small. gif">                    802
     <A HREF="pictB. small. gif">                     1802
     RUNNING SCENE 1</A>
     <A HREF="pictC. small. gif">                     1803
     RUNNING SCENE 2</A>
     <BR>                                             1804
     <A HREF="next. html">
     CONTINUED TO NEXT PAGE</A>
```

```
<A HREF="pictB. small. gif">
RUNNING SCENE 1</A>
```

169.

For example, Shimada's anchor tags, like Shimada's screens, also possess all of the features of a NIM ("a **fully configurable frame**, with one or more **controls**, through which **content** is presented to the user." *Id.*

IPR2023-00701: SAMSUNG-1003 ¶169 (citing Fig. 18)

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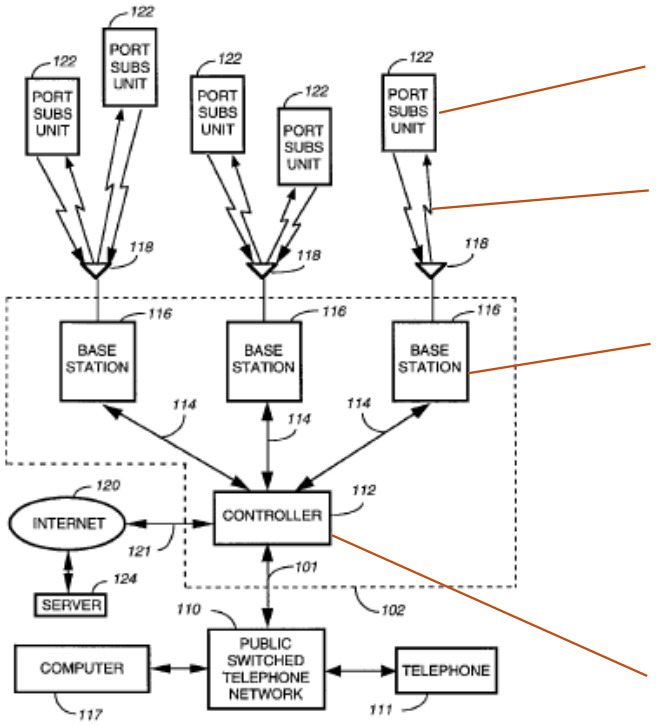
Buchholz



Motorola PageWriter™ 2000

Radio Frequency (RF)

Motorola RF-Orchestra! Transmitter and RF-Audience

Motorola Wireless Messaging Gateway (WMG™) Administrator! Paging terminal and RF-Conductor! ™ message distributor

IPR2023-00701; Wecker (SAMSUNG-1006), 2:65-3:15; Fig. 1; Sur-Reply, 19

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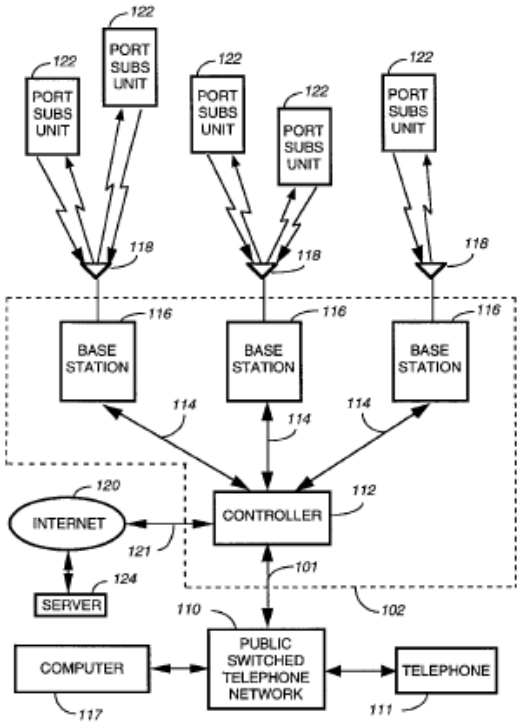
Shimada and Buchholz



A tem-
plate can, for example, define where, and in what size and color, the corresponding template data is to be displayed.

Buchholz (SAMSUNG-1009), 5:11-13; Fig. 1; Sur-Reply p. 19

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Shimada and Buchholz

DR. GREENSPUN

Computers cannot read each other's minds and telepathically zap an in-memory data structure from one machine to another over a distance of 1,000 miles. If nothing else, the two computers might have incompatible ways of storing binary data in memory.

---

[4] Note that the conventional terms in the 1990s for what Shimada discloses were "clipping proxy server" and "transcoding proxy server". Prior to the 2007 introduction of the iPhone, the typical mobile device was ill-suited to rendering a conventional web page and, therefore, schemes were developed to interpose a translator that would adapt web content before sending it to the mobile device.

---

[5] Ironically, this further supports the motivation for a POSITA to seek out references that describe HTML-like templates (i.e., Shimada), as a POSITA would necessarily need to turn to other references to glean these implementation details.

IPR2023-00701: Greenspun Decl. (SAMSUNG-1029) ¶58, 82 n.4; Sur-Reply, 20

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V.C Failed Combinations | *Other References*

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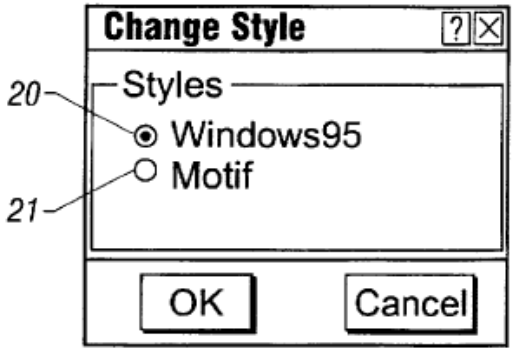
Beer

The preferred embodiment of the invention includes an icon server, an image cache, a UIL server, a UIL user interface description, a UIL parser, user interface controls or "widgets", widget geometry manager objects, an event object, event handlers, a Widget Registry, an Event Handler Registry, an Event Name Registry, a visual style object, and a user interface within which a user can switch visual styles.

PR2023-00407: Beer (SAMSUNG-1007), 3:34-40; Sur-Reply, 17



Beer (SAMSUNG-1007), Fig. 3

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Darnell and Krishna (545)

IPR2023-00756: Darnell (SAMSUNG-1011); Sur-Reply, 17

United States Patent [19]

Krishna et al.

[54] **AUTOMATIC PAGE CONVERTER FOR DYNAMIC CONTENT DISTRIBUTED PUBLISHING SYSTEM**

As a result, dynamically specified content in the template file such as interactive behavior, page layout, and/or typography are encapsulated in a set of Web pages that may be displayed without the need to install a Viewer program in the browser. The resulting set of Web pages is created in such a way as to recreate the original behavior of the template as closely as possible.

IPR2023-00756: Krishna (SAMSUNG-1021), cover, 3:30-36; Sur-Reply, 18

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VI Other Secondary Considerations

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Nexus

There is a presumption of nexus for objective considerations when the patentee shows that the asserted objective evidence is tied to a specific product and that product "is the invention disclosed and claimed in the patent."

* * *

The presumption of nexus is rebuttable: a patent challenger may respond by presenting evidence that shows the proffered objective evidence was "due to extraneous factors other than the patented invention."

WBIP, LLC v. Kohler Co., 829 F.3d 1317, 1329 (Fed. Cir. 2016)

"We have never held that the existence of one or more unclaimed features, standing alone, means nexus may not be presumed."

Teva Pharms. Int'l GmbH v. Eli Lilly & Co., 8 F.4th 1349, 1361 (Fed. Cir. 2021) (cleaned up)

A showing of nexus can be made in two ways: (1) via a presumption of nexus, or (2) via a showing that the evidence is a direct result of the unique characteristics of the claimed invention

Volvo Penta of the Ams., LLC v. Brunswick Corp., 81 F.4th 1202, 1210 (Fed. Cir. 2023)

IPR2023-00701: Sur-Reply, 22-24

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Independent NIMS

545 Patent

12. The method of claim 1, further comprising causing **the** networked information monitor to ***communicate*** with **another** networked information monitor.

407 Patent

2. The method of claim 1, further comprising, responsive to reception of one or more elements included in the received time-varying content, modifying a feature of said viewer graphical user interface defined by **the** networked information monitor template in accordance with a modification corresponding to the received one or more elements.

12. The client computing device of claim 1, wherein the one or more computer program modules are further configured:

to transmit, over the network to a networked information monitor server, a request for **the** networked information monitor template;

to receive, from the networked information monitor server over the network, **the** networked information monitor template; and

to store **the** networked information monitor template to the electronic storage.

083 Patent

4. The client device of claim 1, wherein the plurality of networked information monitor templates further comprises a **second** networked information monitor template defining a **second** networked information monitor, wherein the **second** networked information monitor template comprises:

(1) a **second** content reference that comprises a second network location, which is different from the network location in the content reference of the first networked information monitor template, at which content for the second networked information monitor is accessible via the TCP/IP protocol; and

(2) a definition of a graphical user interface of the **second** networked information monitor that lacks controls for manually navigating a network, and that includes a second frame within which content received from the second network location can be displayed; and

(3) instructions configured (i) to cause the second networked information monitor to request content from the **second** network location in the second content reference via the TCP/IP protocol, and (ii) to cause the second networked information monitor to generate the graphical user interface of the **second** networked information monitor with the content received from the second network location via the TCP/IP protocol within the frame.

083 Patent

5. The client device of claim 4, wherein the one or more processors are further configured to execute the second networked information monitor template such that the graphical user interface of the second networked information monitor is presented to the user on the electronic display separately and discretely from the user interface of the **first** networked information monitor, and having content therein received from the second content reference

6. The client device of claim 1, wherein the one or more processors are further configured to transmit a request to a server for a **further** networked information monitor template responsive to reception of a user request for a further networked information monitor defined by the further networked information monitor template.

IPR2023-00701: Sur-Reply, 11, 23

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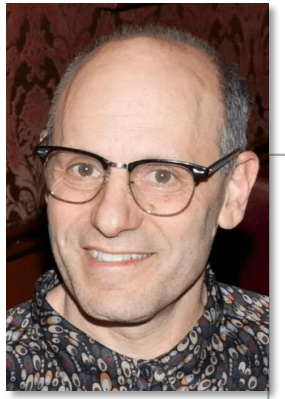
Nexus



DR. TED SELKER

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner

v.

DODOTS LICENSING SOLUTIONS LLC,
Patent Owner

Case IPR2023-00701

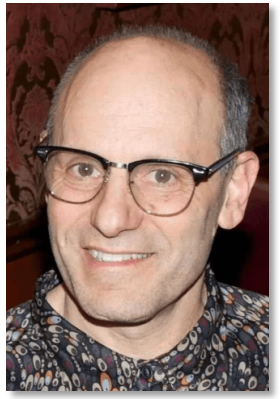
U.S. Patent No. 8,510,407 B1

DECLARATION OF TED SELKER, PH.D.

286. In this case, I have reviewed the declaration of John Kembel (DoDots-2020) who is an inventor on the '407 patent and was involved in the design/development of the Dot product. I have gained intimate knowledge about the DoDots technology commercialized in the Dot product including its functionality. I have also reviewed the underlying documents and spoken with John about the product. The documents include the detailed technical manuals and source code. DODOTS—2026, 2027, -2028, -2029, -2045. Based on this information it is my opinion that such a nexus exists between DoDots technology, and the evidence discussed below, because the "Dot" technology is the invention

IPR2023-00701: DODOTS-2010, ¶286; Sur-Reply, 22

Nexus



DR. TED SELKER

287. Notably, exemplary claim 1 covers the following:

A client computing device configured to access content over a network, the client computing device comprising:

electronic storage configured to store networked information monitor template associated with a networked information monitor, the networked information monitor template having therein a definition of a viewer graphical user interface having a frame within which time-varying content in a web browser-readable language may be presented on a display associated with the client computing device, wherein the frame of the viewer graphical user interface lacks controls for enabling a user to specify a network location at which content for the networked information monitor is available; and

one or more processors configured to execute one or more computer program modules, the one or more computer program modules being configured to access the networked information monitor defined by the networked information monitor template, wherein accessing the networked information monitor defined by the networked information monitor template results in:

transmission, over a network to a web server at a network location, of a content request for content to be displayed within the frame of the viewer graphical user interface defined by the networked information monitor template;

reception, over the network from the web server at the network location, of content transmitted from the web server in response to the content request, the content being time-varying;

presentation, on the display, of the viewer graphical user interface defined by the networked information monitor template outside of and separate from any graphical user interface of any other application; and

presentation, on the display within the frame of the viewer graphical user interface defined by the networked information monitor, of the time-varying content received from the web server.

IPR2023-00701: DODOTS-2010, ¶287-291; Sur-Reply, 22

288. Here, the DoDots technology was on a client device having (1) electronic storage that could store a plurality of NIM Templates (2) an electronic display; and (3) one or more processors to access the NIM Templates. In fact, as noted in John Kembel's declaration, the Dots Technology could be used on a wide range of portable and next generation internet access devices (DODOTS-2021, John Kembel Declaration, ¶¶ 30 and 31.)

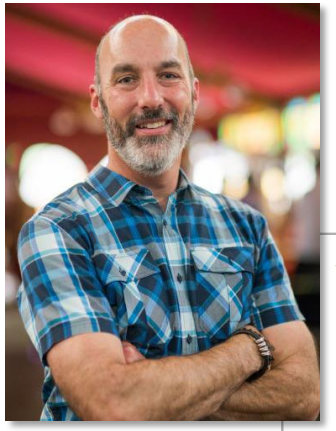
289. Additionally, the DoDots technology used NIM Templates, which were known as Dot Definitions *(Id.,* ¶¶ 28, 35). Those NIM Templates allowed the creation and instantiation of NIMs, known as Dots (*Id.,* ¶¶ 32-34), and the Dots Definitions included a content reference (*Id.,* ¶¶ 25-27), definitions of the graphical user interface for the NIM (*Id.,* ¶¶ 32, 44) and instructions to obtain content from the network location (*Id.,* ¶¶ 25-27, 39).

290. Furthermore, the DoDots Technology included the ability to transmit and receive from a server a NIM Template *(Id.,* ¶¶ 46-48) and present time varying content for a NIM after instantiating the NIM Template. *(Id.)*

291. As such, I believe there is a nexus between DoDots' technology and the claimed technology because the DoDots technology, which was embodied in DoDots' product, was the same as the invention disclosed and claimed in the patent. Thus, the evidence of the secondary considerations for the DoDots technology, which is discussed below, is highly relevant and shows that the subject matter recited in the claims are not obvious.

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Nexus



JOHN KEMBEL

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner

v.

DODOTS LICENSING SOLUTIONS LLC,
Patent Owner

Case IPR2023-00701

U.S. Patent No. 8,510,407 B1

DECLARATION OF JOHN KEMBEL

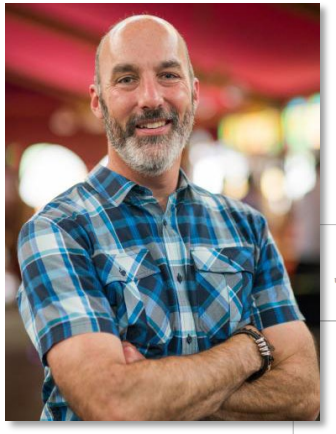
32. At the heart of the Dot architecture was the notion of "Dot Templates" (also known as "Dot Definitions"). Dot Templates defined the "package" – the attributes of the small, dedicated windows – for each Dot's web content and interactive applications, as described in the excerpt below:

50. I was involved in the design/development and commercialization of Dots at DoDots and am also an inventor on all the DoDots patents. Based on my knowledge of Dots as well as my review of DODOTS-2026, 2027, 2028, 2029, and 2045, which is source code and detailed technical materials describing the operation/configuration of Dots, I believe that the '083 patent, '407 patent, and '545 patent accurately describes the Dot technology.

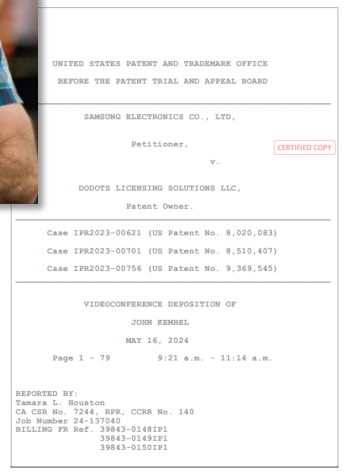
IPR2023-00701: DODOTS-2021; Sur-Reply, 24

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Nexus



JOHN KEMBEL



UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD,

Petitioner,

v.

DODOTS LICENSING SOLUTIONS LLC,

Patent Owner.

CERTIFIED COPY

Case IPR2023-00621 (US Patent No. 8,020,083)
Case IPR2023-00701 (US Patent No. 8,510,407)
Case IPR2023-00756 (US Patent No. 9,369,545)

VIDEOCONFERENCE DEPOSITION OF
JOHN KEMBEL
MAY 16, 2024

Page 1 - 79 9:21 a.m. - 11:14 a.m.

REPORTED BY:
Tamara L. Houston
CA CSR No. 7244, RPR, CCRR No. 140
Job Number 24-137040
BILLING FR Ref. 39843-0148IP1
39843-0149IP1
39843-0150IP1

22 application. And the Dot was intimately related to its
23 definition, its template.
24 Now, there are a lot of ways you could serve
25 it and scale it and bring it to market, but the magic is
1 the concept of the Dot and the notion that the Dot isn't
2 a web page.
3 It requires a Dot definition to describe
4 effectively all of the characteristics of that Dot which
5 were distinct from the content that came into it. So
6 the magic that made this work was the concept of a Dot
7 and the Dot definition. The infrastructure is what
8 enabled us to bring it to market, what enabled us to
9 sell it, what enabled us to have statistics --
10 Oh, I'm talking fast again. Thank you.
11 What enabled us to develop statistics, you
12 know, host and develop our ecosystem. But all of that
13 was built on the concept of the Dot and the Dot
14 template.

IPR2023-00701: J. Kembel Dep. Tr. (SAMSUNG-1028), 21:22-22:14; Sur-Reply p. 24

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Awards

GEORGE KEMBEL

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
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v.

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Patent Owner

Case IPR2023-00701

U.S. Patent No. 8,510,407 B1

DECLARATION OF GEORGE KEMBEL

30. Amazingly, we also received a DemoGod award at both conferences.

See Ex. 2041, Demo Letter – March 6, 2000 – "Demo God" Award to DoDots

DoDots™

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FOR IMMEDIATE RELEASE

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Virginia Jamieson, Eastwick Communications
650-480-4068; virginia@eastwick.com

DoDots Named "Investors' Choice" Winner at Technologic Partners' Internet Outlook Conference in Burlingame, California

IPR2023-00701: DODOTS-2030 and DODOTS-2042; POR, 5, 81.

Praise

GEORGE KEMBEL

19. And content providers using our product included several major companies like ABC, PC World, ZD Net, and Merriam Webster.

20. ABC noted that "In our continuing effort to find new ways to connect with our audience, the ABC Dot truly stands out as a revolutionary new communication device," said Alan Cohen, executive vice president, marketing, advertising & promotion, ABC Entertainment Television Group. "The ABC Dots will allow people to experience the stars, the shows, and everything ABC has to offer in a whole new way." *See* Ex. 2034.

21. Wide spread adulation was nearly unanimous, as seen below:

- "Dots are a cool new technology that give our customers a greater user experience. Partnering with DoDots was an obvious decision for AnyDay, given the value-add that Dots provide" said Dennis Kelly, AnyDay cofounder and chief operating officer.
- "Our brand is very strong, and we work hard to keep it that way," said John Morse, Merriam-Webster president and publisher. "Being associated with DoDots ' exciting new technology definitely enhances our leadership position, both on the Web and in the conventional publishing world."
- "We understand the fear associated with making the wrong purchasing decision," said Mike Speiser. Cofounder of Epinions.com. "By leveraging DoDots 'technology, consumers will be able to quickly access high quality, unbiased product reviews directly from their desktops."
- "Our new mySimon Dot(TM) offers our shoppers instant and easy access to the online shopping features they care about most." said Adam Taggart, product marketing manager for mySimon. " DoDots provides an attractive new means for mySimon to enhance our brand and increase distribution among online shoppers."
- "We're always looking for innovative ways to meet the informational needs of our management-level audience, and DoDots 'technology offers swift access to PCWorld.com's award-winning editorial," said Bob Ostrow, publisher of PC World. "Since the business PC-buying process is a collaboration between several individuals, the ability to share Dots is a benefit to our readers - who turn to PC World to help them buy and use technology. And Dots' continuous presence on the desktop is invaluable as PC World continues to strengthen its brand, both in print and online."
- "Our customers are looking for ready access to the many resources and information available on Work.com," said David Williams, Work.com general manager at Excite@Home. "DoDots 'technology lets us put the right information at our customer's fingertips."
- "ZD Net's innovative customer retention program has been expanded by DoDots ," said Steve Giannini, director of strategic partners. " As the Internet market-leader in keeping customers (according to media metrix), we are always looking for creative ways to enhance and lengthen our customer experience with ZDNet. Dots deliver for us.
- "We will be using Dots to package, brand and distribute our gaming content," said Joe Perze, chief executive officer of Zupit.com. "we are excited to be the first gaming site to feature content in Dots."

IPR2023-00701: DODOTS-2030; POR 79-80

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Commercial Success

DoDots

Server – Battle Tested

- **Scalability**
  - Neither proxy nor serve content
  - Dynamically adjust for traffic bandwidth
  - System modeled & simulated for 2M users
- **Reliability proven**
  - Over a year of releases with four revisions, QA testing, and end user load scaling
  - Server is now scaled to 40 Sun CPUs with over 250k users
- **Portability confirmed**
  - Several single server configurations have been deployed on Solaris, Linux and NT

The DoDots consumer system has registered 250,000 users in that time, and supported many simultaneous sessions and given rise to a very low rate of support contacts.

IPR2023-00701: DODOTS-2027 p. 29, 88; Sur-Reply, 27

DO DOTS PARTNERS

AnyDay.com™ - online DayPlanner
BlueLight.com - totally free Interent service
Broad Daylight, Inc. - interactive Q&A; content
drDrew.com - relationship advice and chat
eHow™ - how to do just about anything
Epinions.com - unbiased advice to help your buying decisions
GreatRestaurants.com - restaurant reviews and reservations
JumboMall.com - online shopping mall
Kibu - an online world for teen girls
LiveMind - applications for anywhere, anytime e-commerce
Merriam-Webster - online dictionary and thesaurus
mySimon™ - online shopping assistant
Noomedia.com - integrated digital media solutions
PCWorld.com - online resource for PC users
PhotoPoint - make photos accessible to the world
Snapfish - film development and online sharing
StartSampling - free sample products
Work.com - online business portal
ZDNet - technology news and information
Zupit.com (formerly i2e2) - computer game community

IPR2023-00701: DODOTS-2043 p. 3; Sur-Reply, 27

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701

Commercial Success

DoDots, Inc.
Summary of Key Terms for Proposed Private Placement
of Series B Convertible Preferred Stock

Amount of Investment:	$65,000,000 VPW $70m $25 million from SOFTBANK & affiliates $12.5 million from Chase Capital Partners ("CCP") $12.5 million from Access Technology Partners ("ATP") $15 million from other new investors
Dividends:	~~8%, non-cumulative~~
Pre-money Valuation:	275. $~~200-250~~ million fully diluted by unissued options
Automatic Conversion:	Upon IPO if at 3x cost, plus $20 million in proceeds
Voting Rights:	On an as converted basis, except for Protective Provisions
Protective Provisions:	Consent of Series B for sale, merger, liquidation, dividends
Registration Rights:	As per industry standard
Right of First Offer:	Pro Rata on up to 50% of each round for Preferred
Employee Stock Option Pool:	Vesting as per Series A term sheet
Information Rights:	Monthly, Quarterly and Annual (audited) financials
Fees and Expenses:	Company to pay for counsel fees and technology review
Conditions to Closing:	Completion of due diligence review; Approval of ATP and CCP Investment Committees; No Material Adverse Changes to Company's Business Satisfactory Documentation
Not a Firm Commitment:	This term sheet shall not constitute a firm, binding commitment

CONFIDENTIAL

IPR2023-00701: DODOTS-2043 p. 3; Sur-Reply, 27

Samsung and Apple Grasp the Concepts

Apple

FEATURE
July 5, 2018

The App Store turns 10

How Creativity, Innovation and Entrepreneurship Ignited a Worldwide App Phenomenon

IPR2023-00701: DODOTS-2054; DODOTS-2010 ¶304; POR, 6, 78

Samsung

Mobile Software | Samsung

Samsung Launches Its Own App Store for WM and Symbian Devices

By Alexandru Stănescu - February 4, 2009 420 0

February 4, 2009

IPR2023-00701: DODOTS-2055; DODOTS-2010 ¶304; POR, 1 n.1, 78

DoDots Exhibit 2070
Samsung v. DoDots - IPR2023-00701