

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC,

Petitioner,

v.

DDC TECHNOLOGY, LLC,

Patent Owner.

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IPR2023-00708

U.S. Patent 9,811,184

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**PATENT OWNER DDC TECHNOLOGY, LLC'S  
UPDATED EXHIBIT LIST**

**PATENT OWNER'S UPDATED EXHIBIT LIST**

| <b><u>Exhibit<br/>Number</u></b> | <b><u>Description</u></b>                                                                                                                                                                             |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2001                             | Google's Reply in Support of its Motion to Stay Pending<br>Determination of <i>Inter Partes</i> Review of the Patents-in-Suit<br><br>Case No. 3:23-cv-01160, N.D. Cal., filed April 27, 2023, ECF 160 |
| 2002                             | Email dated June 5, 2023 from Michael Kiklis to Matt Holohan<br>regarding Discovery                                                                                                                   |
| 2003                             | Complaint for Patent Infringement<br><br>Case No. 3:22-cv-01263, N.D. Tex., filed June 10, 2022, ECF 1                                                                                                |
| 2004                             | First Amended Complaint for Patent Infringement<br><br>Case No. 3:22-cv-01263, N.D. Tex., filed January 30, 2023, lodged<br>publicly February 2, 2023, ECF 123                                        |
| 2005                             | HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY<br><br><br>GOOG-DDC-0000040-GOOG-DDC-0000046                           |
| 2006                             | HIGHLY CONFIDENTIAL – ATTORNEYS EYES ONLY<br><br><br>GOOG-DDC-0000029-GOOG-DDC-0000039                            |
| 2007                             | HIGHLY CONFIDENTIAL – ATTORNEYS EYES ONLY<br><br><br>GOOG-DDC-0000024-GOOG-DDC-0000026                             |

| <u><b>Exhibit<br/>Number</b></u> | <u><b>Description</b></u>                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2008                             | HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY<br><br>OPS000010-OPS000024                                                                                                                                                                                                                                                                                                                           |
| 2009                             | Google Inbound Services Agreement, last modified April 13, 2023, captured on June 22, 2023, from<br><br><a href="https://support.google.com/legal/answer/10039636?sjid=14045947512057405231-NA">https://support.google.com/legal/answer/10039636?sjid=14045947512057405231-NA</a>                                                                                                                                                                                                 |
| 2010                             | Google ISA and Reference Version History, captured on June 22, 2023, from<br><br><a href="https://support.google.com/legal/answer/10071677?hl=en#zippy=%2Cinbound-services-agreement-isa-archive">https://support.google.com/legal/answer/10071677?hl=en#zippy=%2Cinbound-services-agreement-isa-archive</a>                                                                                                                                                                      |
| 2011                             | Working with Alphabet/Google, captured on June 22, 2023, from<br><br><a href="https://support.google.com/corporate-suppliers/answer/9844770?hl=en&amp;ref_topic=9902269#a&amp;b&amp;c&amp;d&amp;e&amp;f&amp;g">https://support.google.com/corporate-suppliers/answer/9844770?hl=en&amp;ref_topic=9902269#a&amp;b&amp;c&amp;d&amp;e&amp;f&amp;g</a>                                                                                                                                |
| 2012                             | Google Supplier Purchase Order Terms and Conditions, April 2023, captured on June 22, 2023, from<br><br><a href="https://support.google.com/corporate-suppliers/answer/9844474?hl=en&amp;ref_topic=9902369&amp;sjid=14045947512057405231-NA&amp;visit_id=638230555166029102-814262976&amp;rd=1">https://support.google.com/corporate-suppliers/answer/9844474?hl=en&amp;ref_topic=9902369&amp;sjid=14045947512057405231-NA&amp;visit_id=638230555166029102-814262976&amp;rd=1</a> |

| <u><b>Exhibit<br/>Number</b></u> | <u><b>Description</b></u>                                                                                                                                                                                                                        |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2013                             | Defendant Google LLC's Motion to Transfer Venue to the Northern District of California Under 28 U.S.C. § 1404(a) and to Sever Its Case, Together with Supporting Brief<br><br>Case No. 3:22-cv-01263, N.D. Tex., filed November 10, 2022, ECF 94 |
| 2014                             | Defendant Landsberg Orora's Motion to Dismiss and Supporting Brief<br><br>Case No. 3:22-cv-01263, N.D. Tex., filed September 13, 2022, ECF 68                                                                                                    |
| 2015                             | HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY<br><br><br>OPS000009, OPS000046, and OPS000056-OPS000060                                                            |
| 2016                             | Memorandum Opinion and Order<br><br>Case No. 3:22-cv-01263, N.D. Tex., filed March 14, 2023, ECF 139                                                                                                                                             |
| 2017                             | CONFIDENTIAL<br><br>Haller Declaration                                                                                                                                                                                                           |
| 2018                             | Plaintiff DDC Technology, LLC's Response in Opposition to Defendant's Motion to Stay Lawsuit Pending Patent Office's <i>Inter Partes</i> Review<br><br>Case No. 3:22-cv-01263, N.D. Tex., filed June 7, 2023, ECF 145                            |
| 2019                             | CONFIDENTIAL – ATTORNEYS' EYES ONLY – PROTECTIVE ORDER MATERIAL<br><br><br>OPS000009, OPS000046, and OPS000056-OPS000060                                     |

| <b><u>Exhibit<br/>Number</u></b> | <b><u>Description</u></b>                                                                                                                                                                                                                                                                          |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2020                             | ATTORNEYS EYES ONLY<br>                                                                                                                                                                                          |
| 2021                             | Capacitive vs. Resistive Touchscreens: What Are the Differences?,<br>captured on July 12, 2023, from<br><br><a href="https://www.makeuseof.com/tag/differences-capacitive-resistive-touchscreens-si/">https://www.makeuseof.com/tag/differences-capacitive-resistive-touchscreens-si/</a>          |
| 2022                             | Scheduling Order<br><br>Case No. 3:22-cv-01263, N.D. Tex., filed December 20, 2022, ECF 106                                                                                                                                                                                                        |
| 2023                             | Complaint for Patent Infringement against Mattel, Inc.<br><br>Case No. 1:21-cv-01781, D. Del., filed December 21, 2021, ECF 1                                                                                                                                                                      |
| 2024                             | HIGHLY CONFIDENTIAL – OUTSIDE ATTORNEYS’ EYES ONLY<br><br>DDC_010437-DDC_010446                                                                                                                                |
| 2025                             | Google and Mattel partner to bring back the View- Master as a VR headset, captured on June 22, 2023, from<br><br><a href="https://www.theverge.com/2015/2/13/8033179/mattel-view-master-google-cardboard-vr">https://www.theverge.com/2015/2/13/8033179/mattel-view-master-google-cardboard-vr</a> |

| <u>Exhibit<br/>Number</u> | <u>Description</u>                                                                                                                                                                                                                                                                      |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2026                      | Google Partners With Mattel to Bring VR to the Iconic View-Master captured on June 22, 2023, from<br><br><a href="https://www.wired.com/2015/02/google-mattel/">https://www.wired.com/2015/02/google-mattel/</a>                                                                        |
| 2027                      | Mattel's View-Master gets a Google VR makeover captured on June 22, 2023, from<br><br><a href="https://www.cnet.com/tech/computing/google-mattel-announce-a-virtual-reality-view-master/">https://www.cnet.com/tech/computing/google-mattel-announce-a-virtual-reality-view-master/</a> |
| 2028                      | Complaint for Declaratory Judgment and Injunctive Relief against MerchSource, LLC, et al.<br><br>Case No. 3:17-cv-07088, N.D. Cal., filed December 13, 2017, ECF 1                                                                                                                      |
| 2029                      | Petition for <i>Inter Partes</i> Review<br><br>IPR2018-00494, U.S. Patent 9,420,075, filed January 15, 2018, Paper 2<br>DDC_003868-DDC_003949                                                                                                                                           |
| 2030                      | Petition for Post Grant Review<br><br>PGR2018-00020, U.S. Patent 9,811,184, filed January 15, 2018, Paper 2<br>DDC_007993-DDC_008071                                                                                                                                                    |
| 2031                      | CONFIDENTIAL<br><br><br>DDC_010483-DDC_010487                                                                                                                                                       |

| <u>Exhibit<br/>Number</u> | <u>Description</u>                                                                                                                        |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| 2032                      | CONFIDENTIAL<br><br>DDC_010488-DDC_010492               |
| 2033                      | Buckley Declaration                                                                                                                       |
| 2034                      | CONFIDENTIAL<br><br>DDC_010511-DDC_010515               |
| 2035                      | Email from October 13, 2014 from Nartker to Buckley, Dalton, Zabarauskas, Rayford, Subject: New Cardboard Partnership Leads<br>DDC_018503 |
| 2036                      | DODOcase Kickstarter Campaign identifying VR Viewers as “Patent Pending”<br>DDC_018341-DDC_018356                                         |
| 2037                      | CONFIDENTIAL<br><br>DDC_010613-DDC_010617             |
| 2038                      | MerchSource, LLC, et al Notice of Subpoena to Google, Inc.<br><br>Case No. 3:17-cv-07088, N.D. Cal., served April 27, 2018                |

| <b><u>Exhibit<br/>Number</u></b> | <b><u>Description</u></b>                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2039                             | Defendant Google LLC's Supplemental Objections and Responses to Plaintiff DDC Technology, LLC's First Set of Interrogatories to Defendant Google LLC (No. 1)<br><br>Case No. 3:22-cv-01263, N.D. Tex., served January 6, 2023                                                                                                                                                                   |
| 2040                             | Complaint for Patent Infringement against Unofficial Cardboard, Inc.<br><br>Case No. 1:21-cv-05596, N.D. Ill., filed October 21, 2021, ECF 1                                                                                                                                                                                                                                                    |
| 2041                             | HIGHLY CONFIDENTIAL – OUTSIDE ATTORNEYS' EYES ONLY<br><br><br>DDC_010418-DDC_010436                                                                                                                                                                                                                          |
| 2042                             | HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY<br><br><br>GOOG-DDC-0000365                                                                                                                                                                                                                                       |
| 2043                             | Email on August 27, 2015 from Google (WWGC) to DODOcase (Dalton), Subject: WWGC   V2 Manufacturers Guide Available Now<br>Including two documents from zip attachment titled "wwgc_manufacturers_kit_v2.0.zip":<br><br>"WWGC Guidelines and Best Practices.pdf" version 2.0, dated August 17, 2015; and<br><br>"WWGC Viewer Profile and Badge Guidelines.pdf" version 1.0, dated April 16, 2015 |

| <b><u>Exhibit<br/>Number</u></b> | <b><u>Description</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2044                             | Google Form for “Google Cardboard Manufacturers” to “Apply[] to the WWGC program” captured on June 22, 2023, from<br><br><a href="https://support.google.com/cardboard/manufacturers/contact/general">https://support.google.com/cardboard/manufacturers/contact/general</a>                                                                                                                                                                                        |
| 2045                             | Google Terms of Service, effective January 5, 2022, captured on June 22, 2023, from<br><br><a href="https://www.gstatic.com/policies/terms/pdf/20220105/it7r24p9/google_terms_of_service_en_us.pdf">https://www.gstatic.com/policies/terms/pdf/20220105/it7r24p9/google_terms_of_service_en_us.pdf</a> (the static pdf version of the Terms of Service available at <a href="https://policies.google.com/terms?hl=en">https://policies.google.com/terms?hl=en</a> ) |
| 2046                             | Market share of mobile phone touch screens worldwide from 2013 to 2020, by technology, captured on July 12, 2023, from<br><br><a href="https://www.statista.com/statistics/616468/mobile-phone-touch-technology-share-worldwide/">https://www.statista.com/statistics/616468/mobile-phone-touch-technology-share-worldwide/</a>                                                                                                                                     |
| 2047                             | CONFIDENTIAL<br><br>                                                                                                                                                                                                                                                                                                                                                            |
| 2048                             | Google Android Compatibility Definition Android 7.0, downloaded on July 21, 2023, from<br><br><a href="https://source.android.com/static/docs/compatibility/7.0/android-7.0-cdd.pdf">https://source.android.com/static/docs/compatibility/7.0/android-7.0-cdd.pdf</a>                                                                                                                                                                                               |
| 2049                             | Disclaimer in a Patent Under 37 C.F.R. 1.321(a)                                                                                                                                                                                                                                                                                                                                                                                                                     |

Respectfully submitted,

Dated: August 11, 2023

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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a) and (b), I certify that on August 11, 2023, a true and accurate copy of this paper, **PATENT OWNER DDC TECHNOLOGY, LLC'S UPDATED EXHIBIT LIST** was served on the following counsel for Petitioner via e-mail, pursuant to Petitioner's consent to e-mail service:

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Dated: August 11, 2023

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