

FOURSQUARE'S DEMONSTRATIVE EXHIBITS

IPR2023-00919

US Patent No. 10,692,108



Topics

- Overview of Grounds
- Felt (Verizon) – Ex. 1004
- Felt with Creemer (Ex. 1006) or Scofield (Ex. 1007)
- Felt with Geer (Ex. 1005)
- Adharapurapu (Alcatel) – Ex. 1008



Overview of Grounds

‘108 CHART		
Ground	Challenged Claims	Statutory Ground and Prior Art
Ground 1	1-23	Anticipated under 35 U.S.C. §102 by Verizon (Ex. 1004)
Ground 2	1-23	Obvious under 35 U.S.C. §103 over Verizon
Ground 3	13-19	Obvious under 35 U.S.C. §103 over Verizon in view of Geer (Ex. 1005)
Ground 4	1-23	Obvious under 35 U.S.C. §103 over Verizon in view of Creemer (Ex. 1006) or Scofield (Ex. 1007)
Ground 5	13-19	Obvious under 35 U.S.C. §103 over Verizon and Creemer or Scofield, further in view of Geer
Ground 6	1-23	Obvious under 35 U.S.C. §103 over Alcatel (Ex. 1008) in view of Verizon
Ground 7	13-19	Obvious under 35 U.S.C. §103 over Alcatel and Verizon, further in view of Geer



Felt (Verizon)

- **Ground 1 (Anticipation by Felt)**
 - Felt discloses all aspects of claims 1, 13, & 20, including:
 - “*course of travel*” – concerning claims 1 and 20
- **Grounds 2 & 4 (Alternative - Obviousness over Felt with Creemer and Scofield)**
 - Claims 1 & 20
 - Determining “course of travel” by analysis of first and second locations was routinely implemented by POSITA
 - Creemer and Scofield further bolster analysis of first and second locations



Felt (Verizon)

- **Grounds 3 & 5 (Alternative - Obviousness over Felt with Geer)**
 - Claim 13
 - Geer further bolsters responsive tracking (“tracking ... in response to”)



Felt (Verizon)

(19) **United States**
(12) **Patent Application Publication** (10) Pub. No.: US 2015/0095124 A1
Felt et al. (43) Pub. Date: Apr. 2, 2015

(54) **METHOD AND SYSTEM FOR REALTIME DISPLAY OR DISTRIBUTION OF ADVERTISEMENTS**

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(51) Int. Cl. G06Q 30/02 (2006.01)

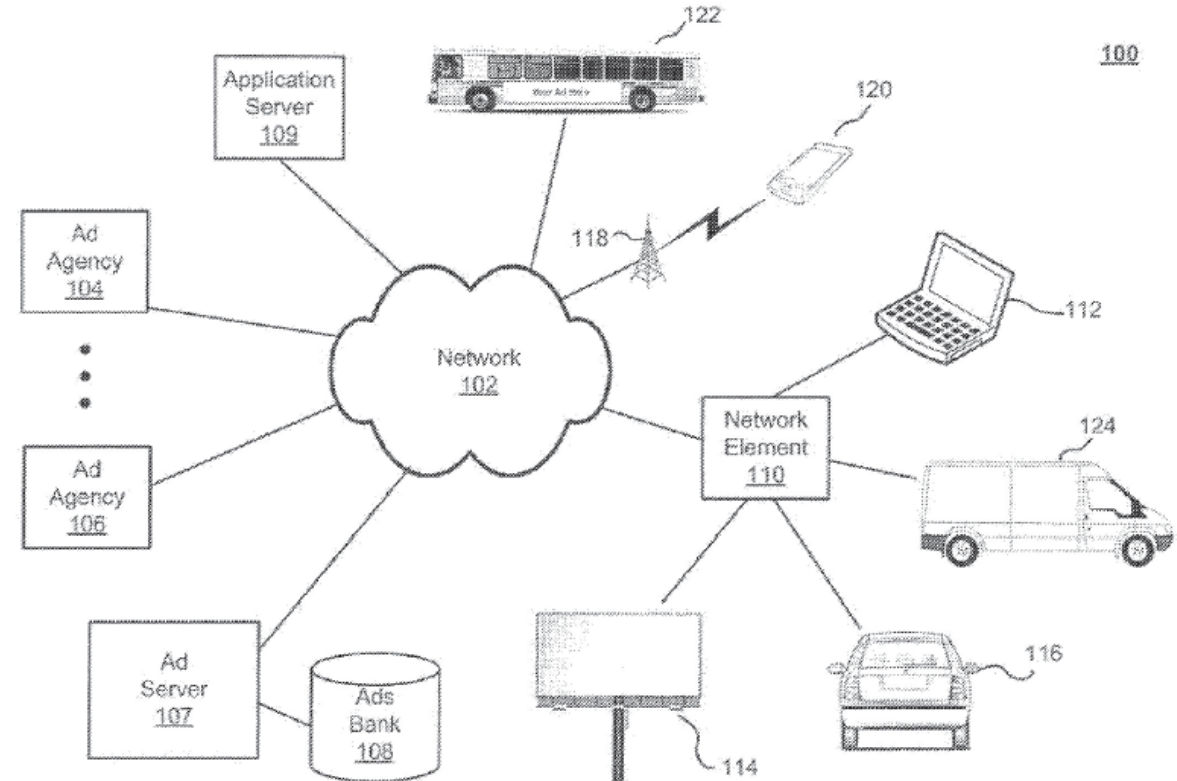
(52) U.S. Cl. CPC G06Q 30/0259 (2013.01); G06Q 30/0264 (2013.01); G06Q 30/0266 (2013.01) USPC 705/14.5; 705/14.57

(57) **ABSTRACT**

A system and method for displaying marketing content at a predetermined location and at a predetermined time is disclosed. The marketing content may be displayed on a mobile vehicle unit and also distributed to a mobile device within the proximity of the mobile vehicle unit. Various categories or criteria may be tagged to the marketing content and may be displayed or distributed only when the various criteria are satisfied. The displays may be mobile or non-mobile and the marketing content, or variations of the marketing content, may be displayed on both the mobile displays or non-mobile displays, either at the same time or at different times.

Felt et al.

(54) **METHOD AND SYSTEM FOR REALTIME DISPLAY OR DISTRIBUTION OF ADVERTISEMENTS**





Felt (Verizon)

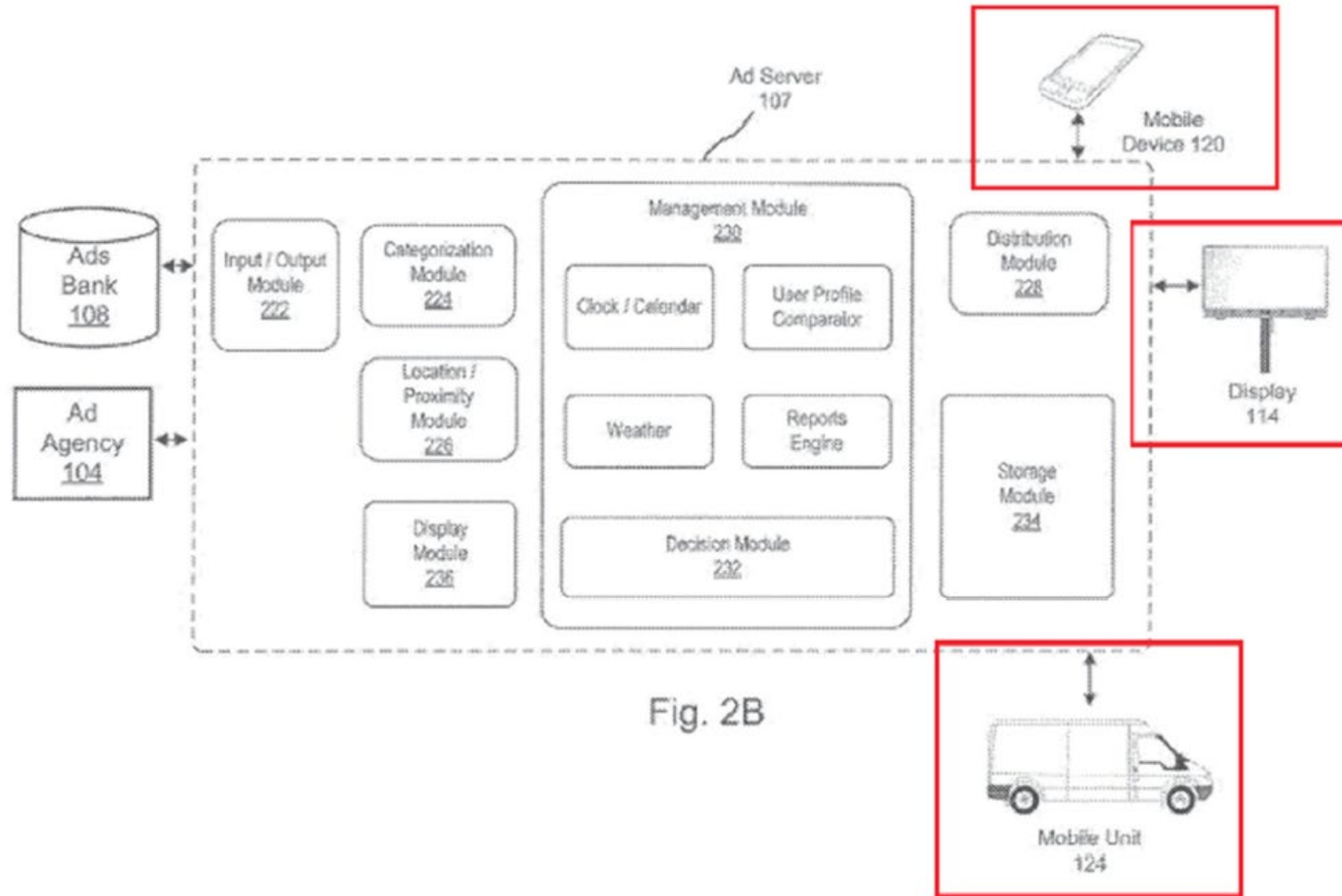


Fig. 2B



Felt (Verizon)

- **Ground 1 (Anticipation by Felt – Claims 1, 13, 20) - “specifying a content distribution campaign”**
- **Felt discloses specifying a content distribution campaign.**

Felt teaches a method of advertising to a mobile device and that the advertising is based on *geographical locations*. See, e.g., Ex. 1004 ¶¶ 2, 15, 28, 36, 38, 42, 65. In particular, Felt discloses, “The location data and/or proximity data may be used by decision module 212 in the determination of whether to display the marketing content and/or distribute the marketing content. *Id.* ¶ 36. Petitioner further submits the uncontroverted testimony of Dr. Goldberg to support a finding that Felt’s advertising campaign satisfies the recited “content distribution campaign.” See Ex. 1002 ¶¶ 139, 140.

ID. 19



Felt (Verizon)

- **Ground 1 (Anticipation by Felt – Claims 1, 13, 20) - “specifying ... rules”**
- **Felt discloses time and profile rules.**

As to the “first rule corresponding to a period of time,” Petitioner cites to Felt’s teaching of content rules corresponding to hours of store operation, such as 11am–7pm or during breakfast and lunch. *See* Pet. 7 (citing Ex. 1004 ¶¶ 28, 42, 58). Felt discloses,

The marketing content may be categorized or assigned criteria by ad agencies 104, 106 or by ad server 107 based on type of marketing content (such as apparel, food, service, for example), value (such as \$ or % off), business(es) associated with the marketing content and the corresponding contact information of the business, including address, telephone number, and website, and other information relevant to the business, *such as hours of operation*.

As to the “second rule corresponding to at least one element of profile data associated with a consumer,” Petitioner cites to Felt’s teaching of consumer’s “age, ethnicity, employment status, income, education, languages, identity.” Pet. 7 (citing Ex. 1004 ¶¶ 47–50, 53, 55, 56, 66, 67).

Felt discloses that “marketing content may be matched to a particular user using the user profile.” Ex. 1004 ¶ 47. Felt further discloses that

The user profile may also include social media hashtags associated with the user or various demographic data such as *age, ethnicity, employment status, home ownership status, income, education, or knowledge of languages*, for example.

Id. ¶ 48 (emphasis added). At this stage, we are persuaded that Felt’s

ID. 20



Felt (Verizon)

- **Ground 1 (Anticipation by Felt – Claims 1, 13, 20) - “specifying ... rules”**
- **Felt discloses course of travel.**

Location/Proximity module 206 may comprise a WiFi, 3G, 4G, or Bluetooth component, a GPS receiver/processor, and/or other components to track the location of the mobile unit and/or nearby mobile devices to yield location data. The respective location of the mobile unit and/or mobile devices may be compared to obtain proximity data. *The location data and/or proximity data may be used by decision module 212 in the determination of whether to display the marketing content and/or distribute the marketing content.*

Ex. 1004 ¶ 36 (emphasis added). At this stage, we are persuaded that Felt’s teaching of using location data “in the determination of whether to display the marketing content and/or distribute the marketing content” (*id.*) satisfies the “course of travel associated with the consumer.”

ID. 23



Felt (Verizon)

- **Ground 1 (Anticipation by Felt – Claims 1, 13, 20) - “receiving ... first indication”**
- **Felt discloses receiving a first indication.**

Felt discloses,

Location/Proximity module 206 may comprise a WiFi, 3G, 4G, or Bluetooth component, a *GPS receiver/processor*, and/or other components *to track the location of the mobile unit and/or nearby mobile devices to yield location data*. The respective location of the mobile unit and/or mobile devices may be compared to obtain proximity data. *The location data and/or proximity data may be used by decision module 212 in the determination of whether to display the marketing content and/or distribute the marketing content.*

Ex. 1004 ¶ 36 (emphases added). Importantly, Felt discloses the use of a GPS receiver to track the location of nearby *mobile devices to yield location data*. *Id.* Felt further discloses that the location data is used determine whether to display the marketing content. *Id.* Felt provides a specific example in which advertisements may be displayed “related to hotels, car

ID. 22-23.



Felt (Verizon)

- **Ground 1 (Anticipation by Felt – Claims 1, 13, 20) - “assessing ... profile data”**
- **Felt discloses assessing.**

Element 1(d) broadly recites, “assessing, in response to the first indication, the at least one element of profile data associated with the consumer.”

As discussed above in connection with Element 1(c), Felt discloses the use of a GPS receiver to track the location of nearby *mobile devices* to yield location data. Ex. 1004 ¶ 36. Felt further discloses that the location data is used to determine whether to display the marketing content. *Id.* Felt further provides a specific example in which advertisements may be displayed “related to hotels, car rentals, tourism, nearby restaurants open for breakfast” if the user is “traveling through or stationed at Newark Airport.” *Id.* ¶ 42.

Felt further discloses that its marketing system takes into account the user’s profile data, including age and gender, when marketing its content. *See, e.g.,* Ex. 1004 ¶ 48.

ID. 25.



Felt (Verizon)

- **Ground 1 (Anticipation by Felt – Claims 1, 13, 20)** - *“determining course of travel ... analysis of first and second locations”*
- **Felt discloses analysis of first and second locations by its real-time progression.**

[0036] Location/Proximity module 206 may comprise a WiFi, 3G, 4G, or Bluetooth component, a GPS receiver/processor, and/or other components to track the location of the mobile unit and/or nearby mobile devices to yield location data. The respective location of the mobile unit and/or mobile devices may be compared to obtain proximity data. The location data and/or proximity data may be used by decision module 212 in the determination of whether to display the marketing content and/or distribute the marketing content. Location/Proximity module 206 may also compare the location of mobile unit 124 to displays 114, such as billboards along the road or marketing displays at a particular business, to yield additional location or proximity data. Proximity data may comprise a radius around mobile unit 124 or display 114, such as a radius of 200', 100', 50', or 10'. Proximity may be

to yield additional location or proximity data. Proximity data may comprise a radius around mobile unit 124 or display 114, such as a radius of 200', 100', 50', or 10'. Proximity may be dependent on multiple factors including specifics of the ad providing unit (e.g., type, size, location, speed of the mobile unit/display) and other nearby ad providing units, of the ad receiving unit (e.g., speed/direction of travel of the mobile device, specifics of the mobile device user), and of environmental conditions (e.g., rain, high smog day). Other mobile units 124 and/or mobile devices 120 within this radius may be considered “proximate” to mobile unit 124 and/or display 114 around which the radius is defined. Any distance or radius may be used, such as from 3' to 30 miles, for example, depending on factors similar to the above. Displaying par-



Felt (Verizon)

- **Grounds 1 and 2 (Anticipation/Obviousness over Felt – Claims 1, 13, 20) - “determining course of travel ... analysis of first and second locations”**
- **Felt discloses analysis of first and second locations by speed, direction, proximity and manner.**

268. In my opinion, a POSITA would have appreciated Verizon’s location tracking system, using GPS, to discuss comparison of discrete locations indicating course of travel, or would have implemented it as an application of known techniques to yield predictable results. *Id.*, ¶¶[0027], [0036]. Specifically, I understand that, to the extent Verizon does not disclose its tracking to include comparison of first and second locations, a POSITA would have appreciated Verizon’s implicit disclosure of speed and location tracking via known technologies such as GPS to disclose this detail. A POSITA, would have appreciated that tracking technologies, using GPS, commonly compare discrete location point differences to determine course such as by speed and direction. Specifically, such systems will

EX1002, [268]; PET. 11-12.



Felt (Verizon)

- **Grounds 4 & 5 (Obviousness over Felt with Creemer or Scofield and Geer – Claims 1, 13, 20) - “determining course of travel ... analysis of first and second locations”**
- **Creemer discloses course of travel and analysis of first and second locations.**

¶¶[0062]-[0064], FIG. 8. For example, Creemer discloses applying first and second user positions and times to determine rate of travel “along the user’s path,” and also averages “for the overall journey.” *Id.*, ¶¶[0062], [0063] (user’s direction “along the user’s path.”), [0064] (“user’s rate and direction of travel”). Creemer further discloses consideration of mode of transportation (e.g., walking or in a vehicle) in content distribution (Creemer, ¶[0066], FIG. 8) and “estimated future position” in content provisioning which can be based on the path information already available. *Id.*, ¶[0068]; *see also id.*, ¶[0071]. Creemer illustrates Verizon’s speed/direction, proximity, and/or manner of travel to disclose the consumer’s path. Nevertheless,

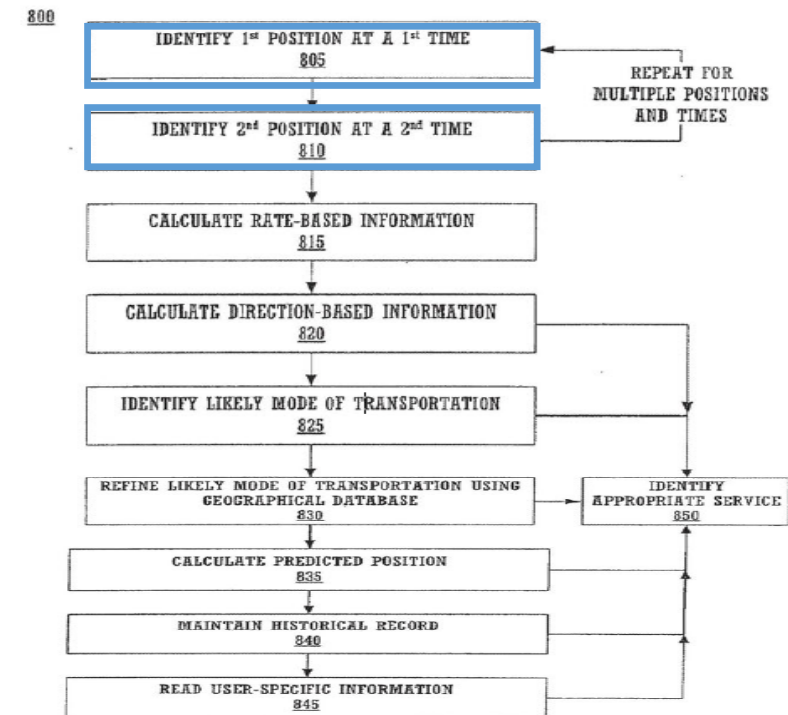


FIGURE 8

EX1006; PET. 31-32; ID, 36.



Felt (Verizon)

- **Grounds 4 & 5 (Obviousness over Felt with Creemer or Scofield and Geer – Claims 1, 13, 20) - “determining course of travel ... analysis of first and second locations”**
- **Scofield discloses course of travel and analysis of first and second locations.**

Alternatively, in the same area of technology, Scofield discloses the recited rule of course of travel through traffic patterns, navigational paths, and/or user trails to provide content. *E.g.*, Scofield, Cols. 3:42-47 (navigational paths and/or user trails for directing advertising content), 4:43-55, 5:23-32 (order in which locations visited), 5:33-54 (paths), 5:64-67 (“how (e.g., by what geographic path, trail, or avenue) a mobile device user is traveling between locations”), 6:19-36 (path/time/location), 6:48-56, 8:42-45, 9:15-45, 11:40-12:24 (deviations), 14:42-50, 16:39-63 (different paths, weighting), 17:34-41, 18:40-47, 19:1-28, 20:16-48, 21:21-25. For example, Scofield applies the user’s path (or “trail”) to determine desirable advertisements. Cols. 4:43-55, 5:17-32. Scofield expansively considers such paths as consumer courses of travel including the user’s movements generally. *Id.*, Cols.

EX1006; PET. 31-32; ID, 36.



Felt (Verizon)

- **Grounds 4 & 5 (Obviousness over Felt with Creemer or Scofield and Geer – Claims 1, 13, 20) - “determining course of travel ... analysis of first and second locations”**
- **Creemer/Scofield discloses course of travel and analysis of first and second locations.**

252. In my opinion, Creemer illustrates Verizon's speed/direction, proximity, and/or manner of travel as course of travel. A POSITA would have been motivated to implement Creemer's more complete consideration of the consumer's path of travel into Verizon to promote precision, consideration of user circumstances, refinement of information, and/or otherwise to improve accuracy, reduce noise, and/or promote efficiency in targeted communications. *See* Creemer, Abstract, ¶¶[0010]-[0015];.

of advertising and to increase visibility for businesses. In my opinion, a POSITA would have been motivated to incorporate such course of travel specifics into the system of Verizon to increase accuracy, reduce noise, and/or otherwise promote efficiency in targeted communications. Scofield, Col. 4:56-5:16.



Felt (Verizon)

- **Grounds 1-5 (Obviousness over Felt, with Creemer or Scofield – Claim 13) - “tracking ... in response to ...the first indication”**
- **Felt discloses tracking the consumer in response to the first indication of the consumer within radius of the geolocation of interest.**

range for the desired products or services. The user profile may also retain information on previous marketing content acted upon by the user, such as coupons previously used. For

products or services. Such “wishlist” or “historical actions” information may be taken into account by ad server 10 or mobile unit 124 before delivering marketing content to mobile device 120, or before displaying marketing content on mobile unit 124 or display 114. For example, such information may be weighted more heavily than, for example, demographic information, when determining which marketing content to distribute or display. User settings and profiles may be continuously monitored by ad server 107 and used by ad server 107 or mobile device 124 when making the determination of how to distribute and/or display particular marketing content to particular users on the go. For example, each time a user setting or profile is changed, the change may be sent in a data message to ad server 107 via network 102 and stored in a record related to the particular user. Other information relevant to a particular user may be stored in such a user record within a database at ad server 107.

wishlist, and may allow a user to save, search, delete, or share marketing content. Marketing content may be considered “acted upon” if the user purchased a good or service advertised in the marketing content, or if the user obtained more information on the advertised good or service by linking to a website relating to the good/service, adding the good/service to a digital shopping cart within the business’s website or within the “Store” in the application, mapped the location of the business offering the good/service, or physically traveling to that location. The user may be enabled to search marketing



Felt (Verizon) with Geer

- **Grounds 3 & 5 (Alternative - Obviousness over Felt with Geer))** - *“tracking ... in response to ...the first indication”*
- **Geer further bolsters tracking the consumer in response to the first indication of the consumer within radius of the geolocation of interest.**

[0064] FIG. 10 is a flowchart that illustrates how zones 830 might be used to reduce battery 580 usage when GPS 571 is used for geolocation, while geographically limiting ENSs 1500 to only fans 200 who have qualified to receive them. After the start 1000, FNMS 310 detects 1010 that fan 200 is within OZ 833. Such detection will require that PSD 320 is powered on, and that FNA 510 is executing on PSD 320. FNMS 310 transmits 1020 an instruction to FNA 510 to use HIRES tracking. FNA 510 demands 1030 the geolocation

HIRES tracking is no longer needed. FNA 510, in turn, indicates 1075 to FNA 510 that it no longer needs HIRES tracking. If geolocation system 570 is not using HIRES tracking for some other PSD 320 purpose, it would ordinarily turn off HIRES tracking, conserving battery 580 life. At some later

Geer, ¶¶[0064], [0074]; PET. 15-16; REPLY, 13-14



Felt (Verizon) with Geer

- **Grounds 3 & 5 (Alternative - Obviousness over Felt with Geer))** - *“tracking ... in response to ...the first indication”*
- **Geer further bolsters tracking the consumer in response to the first indication of the consumer within radius of the geolocation of interest.**

communications, I understand that Geer discloses activation of high-resolution tracking (“HIRES”) when a user crosses a geofence boundary for increased precision near the location of interest, while reducing phone battery consumption farther away from that location. *E.g.*, Geer, ¶[0064] (“FNMS 310 detects 1010 that fan 200 is

338. In my opinion, a POSITA would have been motivated to incorporate the location-responsive user tracking disclosed in Geer into Verizon, to adjust resolution appropriately, to reduce data loads, and/or to save power consumption.

EX1002, [337]-[338]; PET. 34-35



Felt (Verizon)

- **Grounds 1 & 4 (Obviousness over Felt, with Creemer or Scofield – Claim 20) - “associating a first message [and] second message”**
- **Felt discloses tracking the consumer in response to the first indication of the consumer within radius of the geolocation of interest.**

range for the desired products or services. The user profile may also retain information on previous marketing content acted upon by the user, such as coupons previously used. For

products or services. Such “wishlist” or “historical actions” information may be taken into account by ad server 10 or mobile unit 124 before delivering marketing content to mobile device 120, or before displaying marketing content on mobile unit 124 or display 114. For example, such information may be weighted more heavily than, for example, demographic information, when determining which marketing content to distribute or display. User settings and profiles may be continuously monitored by ad server 107 and used by ad server 107 or mobile device 124 when making the determination of how to distribute and/or display particular marketing content to particular users on the go. For example, each time a user setting or profile is changed, the change may be sent in a data message to ad server 107 via network 102 and stored in a record related to the particular user. Other information relevant to a particular user may be stored in such a user record within a database at ad server 107.

wishlist, and may allow a user to save, search, delete, or share marketing content. Marketing content may be considered “acted upon” if the user purchased a good or service advertised in the marketing content, or if the user obtained more information on the advertised good or service by linking to a website relating to the good/service, adding the good/service to a digital shopping cart within the business’s website or within the “Store” in the application, mapped the location of the business offering the good/service, or physically traveling to that location. The user may be enabled to search marketing



Felt (Verizon)

- Grounds 1-5
- Felt's entire disclosure concerns on-going "realtime" ads.

Patent Owner argues that Felt's individual rules aren't used together. RESP., 17-19. Patent Owner reads Felt in vacuum-isolated sections. But, Felt's disclosure is cumulative to its overall realtime targeted-ad program. *See* Felt, Title ("REAL TIME DISPLAY OR DISTRIBUTION OF ADVERTISEMENTS"), ¶¶[0015] ("marketing content...updated based on geography and/or time.", [0020] ("realtime location of individuals, and the temporal nature of the marketing content."), [0060] ("marketing content...updated...as the user travels.") (emphasis



Felt (Verizon)

- **Grounds 1-5**
- **Felt’s entire disclosure concerns on-going “realtime” ads.**

added). Felt applies the user’s profile while walking towards a business location (¶¶[0050], [0053], [0047]). Receiving ads while walking during business hours facilitates Felt’s ongoing ad program (¶¶[0028], [0042]), and its rules collectively target the user moving in time/location and personalized by profile to provide user-specific realtime ads in Felt’s walking scenario. *See* Felt, ¶¶[0001]-[0002] (realtime), [0040]-[0041], [0047]-[0049] (profile-based content determination), [0064]-[0068]. Patent Owner’s attempt to silo Felt’s teachings is illogical, and ignores Felt’s ongoing time/location/profile program for realtime user-targeted advertising.

REPLY, 4



Felt (Verizon)

- Grounds 1-5
- Felt's on-going “realtime” ads apply to both mobile devices and vehicles.

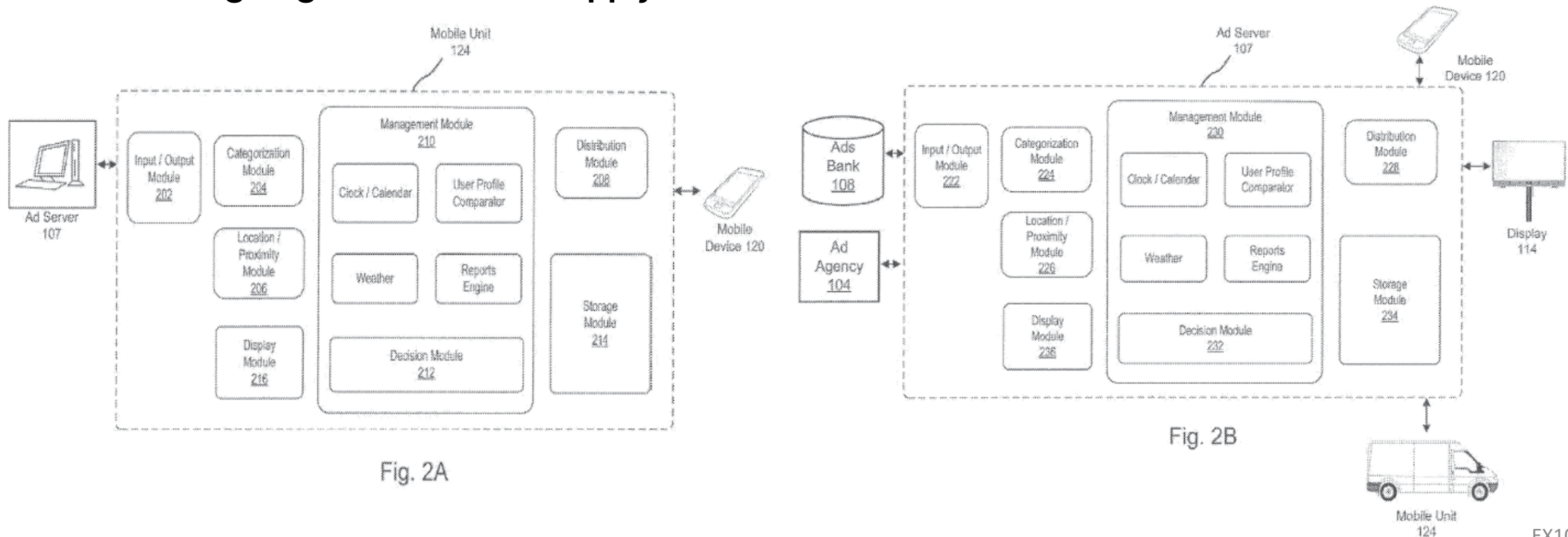


Fig. 2A

Fig. 2B

EX1004



Felt (Verizon)

- Grounds 1-5
- Felt's on-going “realtime” ads apply to both mobile devices and vehicles.

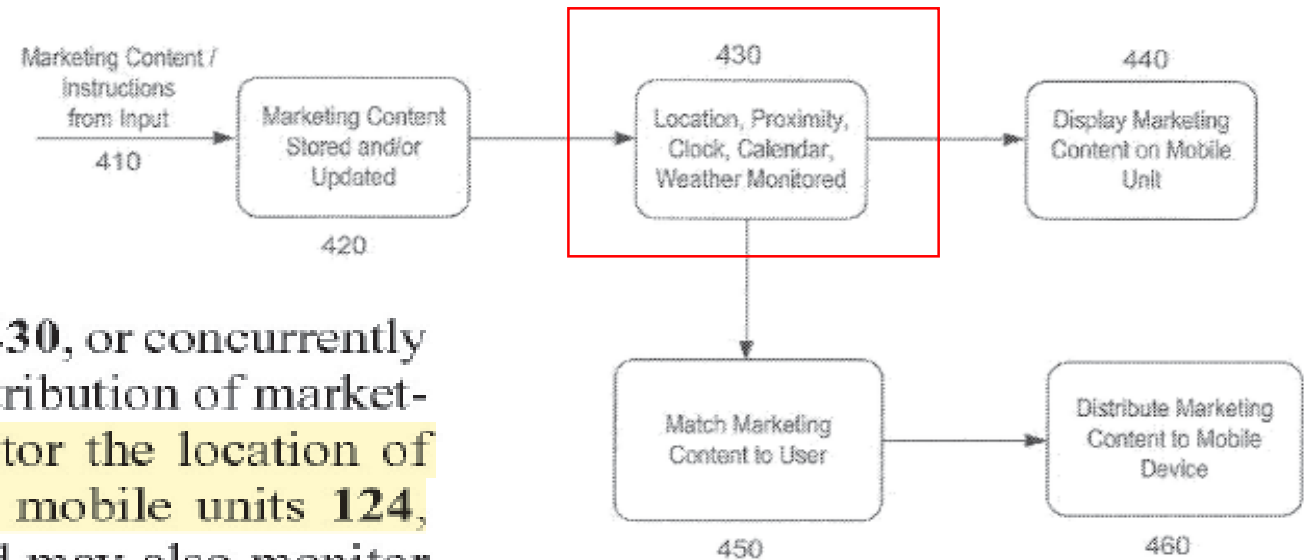
[0040] Importantly, the decision module may take into account user profiles and/or user settings before distributing marketing content to various mobile devices 120, as discussed in more detail below. The distribution module 208 of mobile unit 124 may distribute marketing content via network 201 from the mobile unit 124 to various mobile devices 120 or displays 114, such as nearby mobile devices 120 or displays 114. Ad server 107 may also distribute marketing content via network 102 directly to mobile units 124, mobile devices 120, and/or displays 114 via network 102, using similar modules to those explained above, and as shown in FIG. 2B. The distribution module 208 of mobile unit 124 may instruct ad server 107 to distribute marketing content to particular mobile devices 120 or displays 114 based on local information known to mobile unit 124, such as location data, proximity data, weather data, for example. A number of mobile



Felt (Verizon)

- Grounds 1-5
- Felt's on-going “realtime” ads apply to both mobile devices and vehicles.

400



already stored in storage module 214. At 430, or concurrently with the reception and/or display and distribution of marketing content, mobile unit 124 may monitor the location of mobile unit 124, its proximity to other mobile units 124, mobile devices 120, or displays 114, and may also monitor the clock, calendar, and current or forecasted weather.

Fig. 4



Felt (Verizon)

- Grounds 1-5
- Felt's on-going “realtime” ads apply to both mobile devices and vehicles.

400

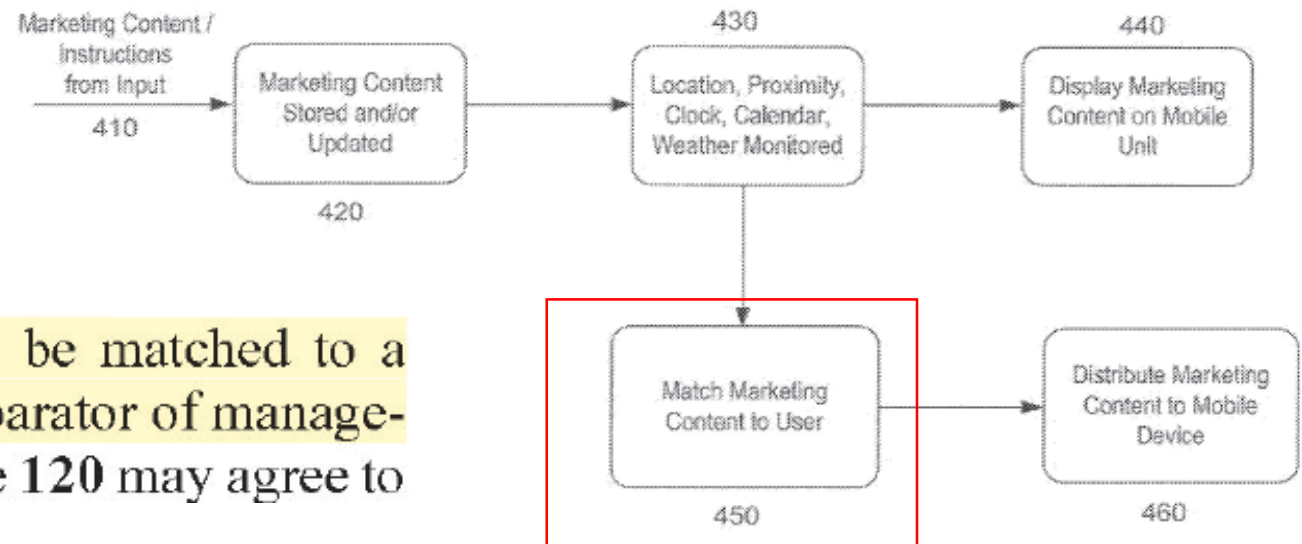


Fig. 4

[0047] At 450, marketing content may be matched to a particular user using the user profile comparator of management module 210. A user of mobile device 120 may agree to



Grounds 6 & 7

‘108 CHART		
Ground	Challenged Claims	Statutory Ground and Prior Art
Ground 1	1-23	Anticipated under 35 U.S.C. §102 by Verizon (Ex. 1004)
Ground 2	1-23	Obvious under 35 U.S.C. §103 over Verizon
Ground 3	13-19	Obvious under 35 U.S.C. §103 over Verizon in view of Geer (Ex. 1005)
Ground 4	1-23	Obvious under 35 U.S.C. §103 over Verizon in view of Creemer (Ex. 1006) or Scofield (Ex. 1007)
Ground 5	13-19	Obvious under 35 U.S.C. §103 over Verizon and Creemer or Scofield, further in view of Geer
Ground 6	1-23	Obvious under 35 U.S.C. §103 over Alcatel (Ex. 1008) in view of Verizon
Ground 7	13-19	Obvious under 35 U.S.C. §103 over Alcatel and Verizon, further in view of Geer



Adharapurapu (Alcatel)

- **Ground 6 (Obviousness over Adharapurapu with Felt (Verizon))**
 - Adharapurapu discloses all aspects of claims 1, 13, and 20, and Felt further bolsters:
 - *“profile data” (e.g., user age)*
 - *consumer actions*
- **Ground 7 (Alternative - Obviousness over Adharapurapu and Felt with Geer)**
 - Claim 13:
 - Geer further bolsters responsive tracking (“tracking ... in response to”)



Adharapurapu (Alcatel)



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GR HR HU IE IS IT LI LT LU LV MC MK MT NL NO
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(54) Content delivery based on direction of mobility

(57) A system capable of delivering content to a mobile device based on the direction of mobility of the device is disclosed. The system keeps track of the direction of travel of the mobile device through locations of predefined tracker base stations passed by the mobile device. Contents from content publishers and mobility history of the mobile device are stored. The contents are defined by a set of rules stored in the rules processor. The rules are based on locations of the tracker base stations and content publishers requirements. Based on the mobility history of a mobile device, contents available and rules processor, the system decides on content to be sent to the mobile device.

(54) Content delivery based on direction of mobility

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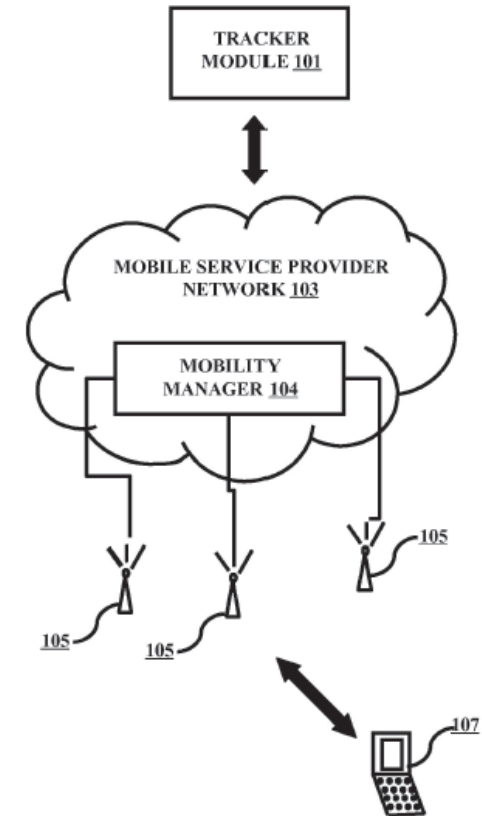


FIG. 1

EX1008

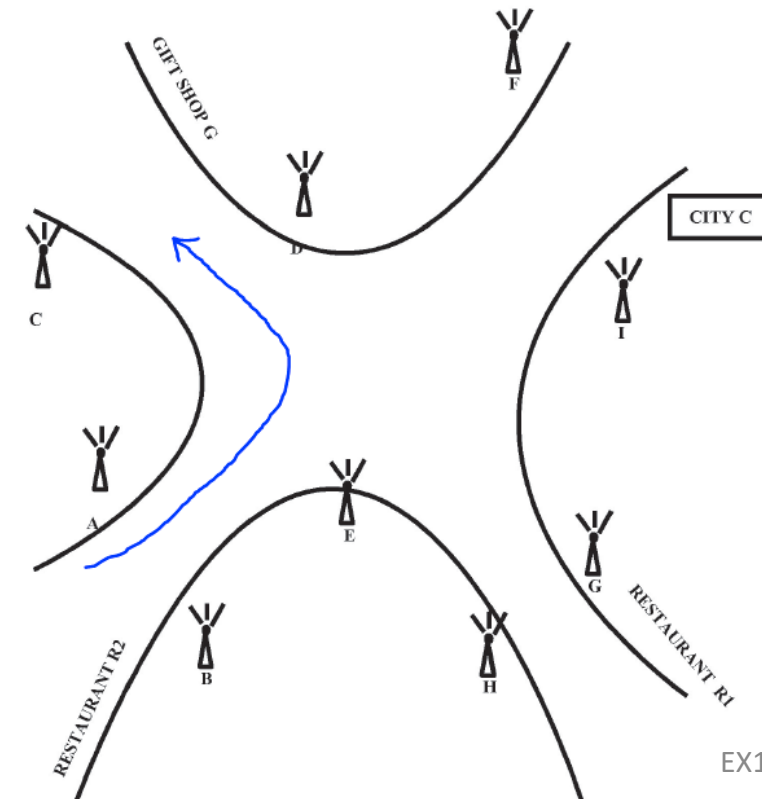


Adharapurapu (Alcatel)

- **Grounds 6 & 7** - “a *plurality of rules*” or “*set of rules*”
- **Adharapurapu discloses associating content with the user/consumer based on the user/recipient’s course of travel.**

Rule 1: When a mobile device 107 travels in the direction defined by base stations= A - > D-> C| and between time =0900-1800 hrs, all days except Sunday, advertisement content of the gift shop G is sent to the mobile device 107. The advertisement content

Rule 2: When a mobile device 107 travels in the direction = |->E OR I->G AND NOT (H->G) AND between time=0800-2130 hrs, all days of the week, ad-



DEMONSTRATIVE EXH. – NOT EVIDENCE

EX1008, [0020]; PET. 61-62

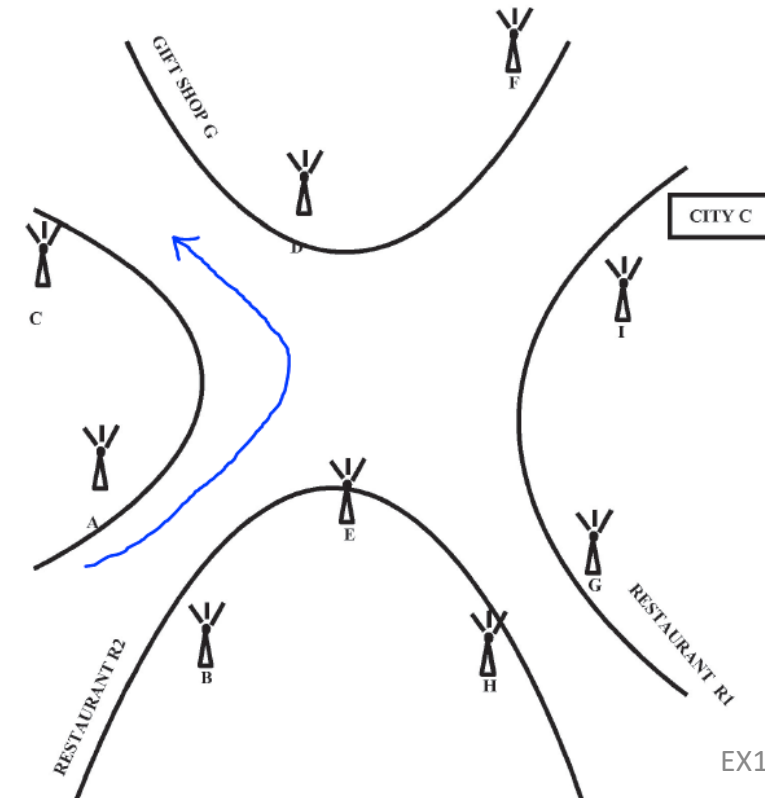
btlaw.com | 31



Adharapurapu (Alcatel)

- **Grounds 6 & 7** - “first” and “second” indications/locations/messages
- **Adharapurapu discloses first and second indications/locations of claim 1.**

Rule 1: When a mobile device 107 travels in the direction defined by base stations= A - > D-> C| and between time =0900-1800 hrs, all days except Sunday, advertisement content of the gift shop G is sent to the mobile device 107. The advertisement content



DEMONSTRATIVE EXH. – NOT EVIDENCE

EX1008, [0020]; PET. 61-62

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Adharapurapu (Alcatel) with Felt

- **Grounds 6 & 7** - “action performed by the consumer” – Claim 20
- **Felt further bolsters a consumer action as an interaction with content and updating.**

range for the desired products or services. The user profile may also retain information on previous marketing content acted upon by the user, such as coupons previously used. For

products or services. Such “wishlist” or “historical actions” information may be taken into account by ad server 10 or mobile unit 124 before delivering marketing content to mobile device 120, or before displaying marketing content on mobile unit 124 or display 114. For example, such information may be weighted more heavily than, for example, demographic information, when determining which marketing content to distribute or display. User settings and profiles may be continuously monitored by ad server 107 and used by ad server 107 or mobile device 124 when making the determination of how to distribute and/or display particular marketing content to particular users on the go. For example, each time a user setting or profile is changed, the change may be sent in a data message to ad server 107 via network 102 and stored in a record related to the particular user. Other information relevant to a particular user may be stored in such a user record within a database at ad server 107.

wishlist, and may allow a user to save, search, delete, or share marketing content. Marketing content may be considered “acted upon” if the user purchased a good or service advertised in the marketing content, or if the user obtained more information on the advertised good or service by linking to a website relating to the good/service, adding the good/service to a digital shopping cart within the business’s website or within the “Store” in the application, mapped the location of the business offering the good/service, or physically traveling to that location. The user may be enabled to search marketing



Adharapurapu (Alcatel) with Felt

- **Grounds 6 & 7** - “action performed by the consumer” – Claim 20
- **Felt further bolsters a consumer action as an interaction with content and updating.**

[0043] Alternatively, AD 2 and/or AD 3 may be substantially similar to AD 1, but have minor modifications. For example, AD 1 may advertise for a business having a several distinct locations. AD 1 may contain content referring to a particular location of such a business and/or a particular incentive or discount for that location or additional locations. Then at time 2 and location 2, AD 2 may still advertise for the same business, but now contain content referring to another location of that business and/or a different incentive or discount, and may include a different discount code. AD 3, displayed at time 3 and location 3, may contain similar changes to the marketing content. Other changes to the marketing content may include the particular good/service advertised, based on what is popular at a particular location. Such

EX1002, [0412]; PET. 60-62; REPLY 25-28



Adharapurapu (Alcatel) with Felt

- **Grounds 6 & 7** - “action performed by the consumer” – Claim 20
- **Felt further bolsters a consumer action as an interaction with content and updating.**

412. In my opinion, a POSITA would have been motivated to incorporate Verizon’s updates including modifications to provide improved accuracy, reduced noise, and/or efficiency in tailored communication including real-time and/or user specific considerations.



Adharapurapu (Alcatel) with Felt

- **Ground 6 (Obviousness over Adharapurapu with Felt)** - *“tracking ... in response to ...the first indication”* – Claim 13
- **Adharapurapu discloses tracking the consumer in response to the first indication of the consumer within radius of the geolocation of interest.**

steps in an embodiment of the present invention. When a mobile device 107 is detected (401) by a tracker base station 105, the tracker base station 105 checks (402) if the mobile device user has subscribed to content delivery based on direction of mobility service. If the mobile device 107 subscriber has not subscribed to the content delivery based on direction of mobility service, location information of the mobile device 107 is not noted. The tracker

Geer, ¶¶[0064], [0074]; PET. 15-16; REPLY, 13-14



Adharapurapu (Alcatel) with Felt and Geer

- **Ground 7 (Alternative - Obviousness over Adharapurapu with Felt and Geer) - “tracking ... in response to ...the first indication” – Claim 13**
- **Geer further bolsters tracking the consumer in response to the first indication of the consumer within radius of the geolocation of interest.**

[0064] FIG. 10 is a flowchart that illustrates how zones 830 might be used to reduce battery 580 usage when GPS 571 is used for geolocation, while geographically limiting ENSs 1500 to only fans 200 who have qualified to receive them. After the start 1000, FNMS 310 detects 1010 that fan 200 is within OZ 833. Such detection will require that PSD 320 is powered on, and that FNA 510 is executing on PSD 320. FNMS 310 transmits 1020 an instruction to FNA 510 to use HIRES tracking. FNA 510 demands 1030 the geolocation

HIRES tracking is no longer needed. FNA 510, in turn, indicates 1075 to FNA 510 that it no longer needs HIRES tracking. If geolocation system 570 is not using HIRES tracking for some other PSD 320 purpose, it would ordinarily turn off HIRES tracking, conserving battery 580 life. At some later

Geer, ¶¶[0064], [0074]; PET. 15-16; REPLY, 13-14



Adharapurapu (Alcatel) with Felt and Geer

- **Ground 7 (Alternative - Obviousness over Adharapurapu with Felt and Geer) - “tracking ... in response to ... the first indication” – Claim 13**
- **Geer further bolsters tracking the consumer in response to the first indication of the consumer within radius of the geolocation of interest.**

communications, I understand that Geer discloses activation of high-resolution tracking (“HIRES”) when a user crosses a geofence boundary for increased precision near the location of interest, while reducing phone battery consumption farther away from that location. *E.g.*, Geer, ¶[0064] (“FNMS 310 detects 1010 that fan 200 is

338. In my opinion, a POSITA would have been motivated to incorporate the location-responsive user tracking disclosed in Geer into Verizon, to adjust resolution appropriately, to reduce data loads, and/or to save power consumption.

EX1002, [337]-[338]; PET. 34-35



Adharapurapu (Alcatel) with Felt and Geer

- **Ground 7 (Alternative - Obviousness over Adharapurapu with Felt and Geer) - “tracking ... in response to ... the first indication” – Claim 13**
- **Geer further bolsters tracking the consumer in response to the first indication of the consumer within radius of the geolocation of interest.**

[0065], FIG. 8. As I have already mentioned, Verizon teaches to consider a user's physical travel to a business as a consumer action to be tracked (e.g., Verizon at ¶¶[0050], [0053]). Verizon affords additional importance to this consumer travel action, which would benefit from the additional resolution in location tracking that Geer teaches. In my opinion, a POSITA would have been motivated to incorporate such location-responsive user tracking in Alcatel/Verizon to adjust resolution appropriately, to reduce data loads, and/or to save power consumption.

EX1002, [337]-[338]; PET. 34-35



Questions?