IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DIGITALDOORS, INC., Plaintiff, v. INTERNATIONAL BUSINESS MACHINES CORPORATION, Defendant.	Civil Action No. 2:22-CV-00457-JRG-RSP **JURY TRIAL DEMANDED**

DEFENDANT'S INVALIDITY CONTENTIONS

Pursuant to Local Patent Rule 3-3 and the Court's Amended Docket Control Order (D.I. 29), International Business Machines Corporation ("IBM") hereby sets forth its Invalidity Contentions concerning U.S. Patent Nos. 7,313,825 ("the '825 Patent"), 7,322,047 ("the '047 Patent"), 7,349,987 ("the '987 Patent"), 7,552,482 ("the '482 Patent"), 7,721,344 ("the '344 Patent"), 7,958,268 ("the '268 Patent") and 8,468,244 ("the '244 Patent") (collectively, the "Asserted Patents"). Plaintiff DigitalDoors, Inc. ("DigitalDoors") has asserted claim 81 of the '825 Patent, claims 1, 2, 10, 15, 16, 19, 33, 34, 42, 47, 48, and 51 of the '047 Patent, claims 1, 6, 9, 10, 11, 15, 16, 21-23, and 27 of the '987 Patent, claims 1, 5, 25, 26, 30, and 50 of the '482 Patent, claims 1-5, 8, 16, 39-41, 43, 52, 53, 55, 79, 80, 82, 106, 107, and 113 of the '344 Patent, claims 31, 36, and 41 of the '268 Patent, and claim 1 of the '244 Patent (collectively, the "Asserted Claims"). IBM contends that each of the Asserted Claims is invalid under at least one or more of 35 U.S.C. §§ 101, 102, 103, and 112.

I. SCOPE OF THESE INVALIDITY CONTENTIONS

These Invalidity Contentions: (i) identify each prior art reference IBM is currently aware of that either anticipates or renders obvious one or more of the Asserted Claims; (ii) specify

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will continue until a time-out is reached. The host continues to request state observations to get a fix on the unauthorized client location."); For the Record at 95–96 ("Location-based controls can help define the access perimeter of information systems by preventing any users lacking appropriate authorizations from accessing a system from a location not reasonably associated with a need for that data."); Cromer at Abstract ("A data processing system and method are disclosed for disabling a portable computer in response to the portable computer being moved outside of an authorized area of use. An authorized, geographical area of use is established. The authorized, geographical area is any geographical area capable of being defined. The geographical area is not limited to areas within an enclosure, and is not bounded by a transmitter's broadcast range. A determination is made regarding whether the portable computer is located outside of the authorized area. If the portable computer is moved outside of the authorized area, the portable computer is disabled. The portable computer is inoperable when disabled."); Ho at 1:18–25 ("In order to protect outsiders from accessing the confidential data, fire walls and encryption systems are often used to prevent unauthorized access to the data. Examples of traditional systems and methods used to prevent unauthorized access to sensitive data include such mechanisms as user authentication, access location restriction, and user level access controls.").

5. Exemplary '047 Patent Obviousness Combinations

Below is a list of examples of certain combinations of prior art references that a person of ordinary skill in the art would have been motivated to combine around the time of the alleged invention of the '047 Patent. The combinations listed below are meant to provide additional clarity on motivations to combine some of the references, but is not meant to list every possible combination and is not an admission that unlisted combinations would not have been obvious to a person of ordinary skill in the art. IBM reserves the right to amend or add exemplary obviousness combinations as discovery continues and after any change in DigitalDoors' positions.

technology allow access and sharing of vast amounts of information, and that controls on the spread of such information can be important.

The additional limitations of the Asserted Claims are merely obvious variations of the systems and methods disclosed in the various prior art references. For example, DigitalDoors has added recitations of generic computer components such as a computer system, computers, memories, communications networks, and computer readable storage media. Likewise, DigitalDoors has added recitations of generic data and software operations such as securing data, implementing security clearances, extracting content and/or data, storing data, permitting data access based on security clearances, and data mining. As discussed below and in the prior art references, all of these were well-known, conventional technologies prior to the Asserted Patents. The Asserted Patents do not purport to have invented any of these technologies; rather, DigitalDoors has simply tacked on these conventional prior art approaches to conventional and generic known computer components. As such, the Asserted Claims merely incorporate the knowledge of a person of ordinary skill in the art. The mere amalgamation of such conventional technologies here is not inventive—it is simply combining or substituting well-known, conventional prior art elements according to known methods to yield predictable results. Some specific examples are discussed below, and further examples and discussion are provided in the attached charts for these references.

For example, a skilled artisan would have been motivated to combine one or more file storage references listed above (e.g., Merenda, Kohane, Singhal, Thuraisingham I, Bossemeyer, Thuraisingham II, Kou, Chiganti, Fujitsu SafeFile, Honeywell LDV, MITRE Inference Controller, Unisys SDDM, GPFS, Legato Networker) with each other and/or with one or more additional references (e.g., Shimada, Carpenter, Glick, Carmichael, McDOnnell, Clark, Hastings, Piccionelli,

Respectfully submitted,

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