

INFRINGEMENT OF U.S. PATENT NO. 9,427,662 BY PLR'S HOMESCAPES

Plaintiff Flip Phone Games Inc. (“FPG”) contends that PLR Worldwide Sales Limited (“PLR”) makes, uses, sells, offers for sale, and/or imports into the United States gaming systems, software, and/or methods for controlling devices and games including the Homescapes mobile game, which acts infringe claims 1-5, 7-10, 12-16, 18-20 of U.S. Patent No. 9,427,662, as set forth below. The specific components, systems, and constructs identified in this chart are for exemplary purposes only and FPG reserves all rights to supplement or amend these disclosures as additional components, systems, and constructs become known through discovery, as well as after PLR produces documents and source code and/or the Court construes any terms from the claims of the ’662 patent. PLR induces infringement of the asserted claims by providing instructions or information, for example on publicly available websites to explain how to use Homescapes in an infringing manner including, *inter alia*, the PLR website.

See e.g., <https://playrix.helpshift.com/hc/en/14-homescapes/>

PLR indirectly infringes the ’662 Patent by contributing to the direct infringement by end users by providing Homescapes which is especially made for use on end-user devices in a manner that infringes and has no substantial non-infringing uses.

[U.S. 9,427,662](#) to Hartwell, Methods and Systems for Providing In-Game Hot Spots
Compared to: Homescapes¹

U.S. 9,427,662	Homescapes by Playrix
[claim 1, preamble] A method for retrieving and displaying a hot spot associated with a video game operable on a mobile communication device, comprising:	To the extent the preamble is limiting, Homescapes provides a method for retrieving and displaying a hot spot associated with a video game operable on a mobile communication device.  The screenshot shows a tropical island environment with palm trees, a beach, and a body of water. In the center, a character is standing near a hot spot icon, which is a blue square with a white location pin and the number 26. A red dashed box highlights the hot spot icon, and a red arrow points from a blue box labeled 'Hot Spot' to it. The interface includes various UI elements: a top bar with a coin icon, the number 11751, a blue location pin icon, and the number 2; a top right bar with a clock icon, the text '14d 15h', and an information icon; a bottom left bar with a green circular icon containing a white arrow; a bottom right bar with a green circular icon containing the number 190; and several other icons and text elements scattered throughout the scene, including a 'SALE' banner and a 'Full' button.

¹ [Homescapes — Playrix](#) (“Help Austin the Butler bring warmth and comfort back to his family's wonderful mansion. Come on in — adventures await you in this Scapes™ sequel from the moment you step inside!”)



“Welcome to Homescapes, the most heartwarming game from Playrix's Scapes™ series! Solve match-3 puzzles to restore a wonderful mansion on a verdant street. Exciting adventures start at the doorstep! Beat colorful match-3 levels to renovate and decorate rooms in the mansion, unlocking ever more chapters in the exciting family story along the way! What are you waiting for? Make yourself at home! [Homescapes on the App Store \(apple.com\)](https://apple.com/games/homescapes)

[1a] contacting a server for hot spot information to download, comprising providing the server with at least one of: a game for which hot spot information is desired, a scene for which hot spot information is desired, an element for which hot spot information is

Homescapes is a mobile device game, which is in communication with a game server. On information and belief, each time the user logs into the game, and at various points throughout gameplay, the Homescapes game connects to the server and receives data. As a player progresses through the game, Homescapes communicates with the server to obtain hot spot information.

As shown below, Homescapes contacts a server for hot spot information to download, comprising providing the server with at least one of (1) the game for which hot spot information is desired (Homescapes); (2) a scene for which hot spot information is desired; (3) the model type of the mobile communication device; or (4) the location of the mobile communication device.

desired, the model type of the mobile communication device, the service plan to which the mobile device belongs, the service provider for the mobile communications device, the base location of the mobile communication device, the current location of the mobile communication device, a version identifier for hot spot information currently on the mobile communication device, user-identification information, preset location, amount of game-play time, game score, and level of play;

On information and belief, Homescapes also provides at least one of (1) the service plan to which the mobile device belongs; (2) the service provider for the mobile communications device; (3) the base location of the mobile communication device; (4) a version identifier for hot spot information currently on the mobile communication device; (5) user identification information, (6) game score; and (7) level of play. Pursuant to Paragraph 3(a)(i) of the Discovery Order, further verification of this feature requires review of the server and client side source code or other internal documents and information for the Homescapes game, which is not publicly available to FPG. As such, FPG reserves the right to supplement these contentions as discovery progresses and after Playrix produces source code and/or other internal documents and information relevant to this claim element.

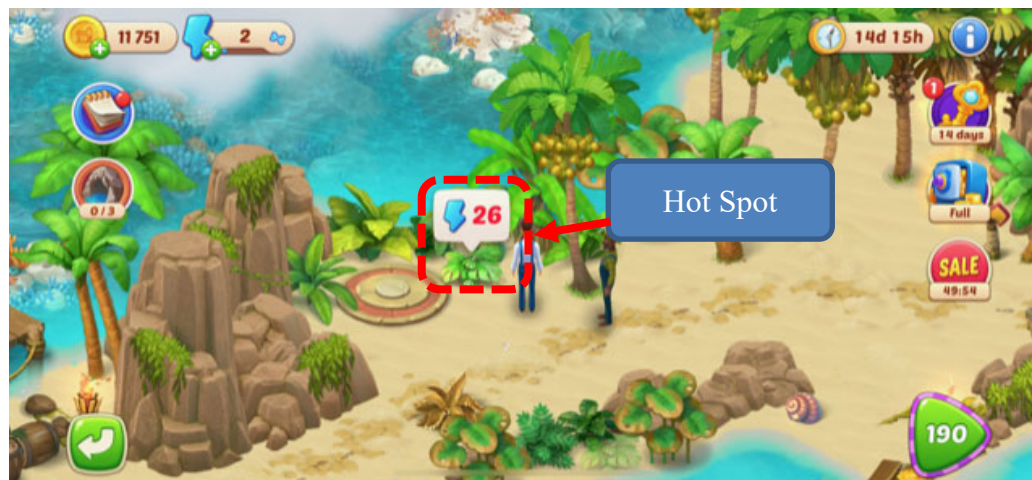
In this first example, Homescapes contacts the server for information, including hot spot information, that is desired.



Once the hot spot information is downloaded from the server to Homescapes and the user interacts with the activation element of the hot spot, the associated hidden content is shown. This hidden content is the “Golden Ticket” pop up depicted in the image below.



In a second example, Homescapes communicates with a server to download a scene and the scene's associated hotspot information. The scene is depicted below. When the user taps on the activation element for the hot spot depicted by the plant, the hidden content is a popup that displays the energy cost of removing that plant.



Once the user interacts with the plant hot spot indicating a desire to spend 26 energy to remove the plant, if the user doesn't have enough energy for this transaction then the hotspot triggers another piece of hidden content which is the promotional "Energy Shop" popup depicted below.



On information and belief, Homescapes also contacts a server for hot spot information to download based on the model type of the mobile communication device. See, e.g., analysis of this claim element with respect to Gardenscapes. Pursuant to Paragraph 3(a)(i) of the Discovery Order, further verification of this feature requires review of the server and client side source code or other internal documents and information for the Homescapes game, which is not publicly available to FPG. As such, FPG reserves the right to supplement these contentions as discovery progresses and after Playrix produces source code and/or other internal documents and information relevant to this claim element.

[1b] downloading hot spot information from the server to the mobile

On information and belief, Homescapes downloads hot spot information from the server to be displayed on the mobile communication device which comprises hidden content that is presented to the user when the hotspot is activated as well as coordinate information. Pursuant to Paragraph 3(a)(i) of the Discovery

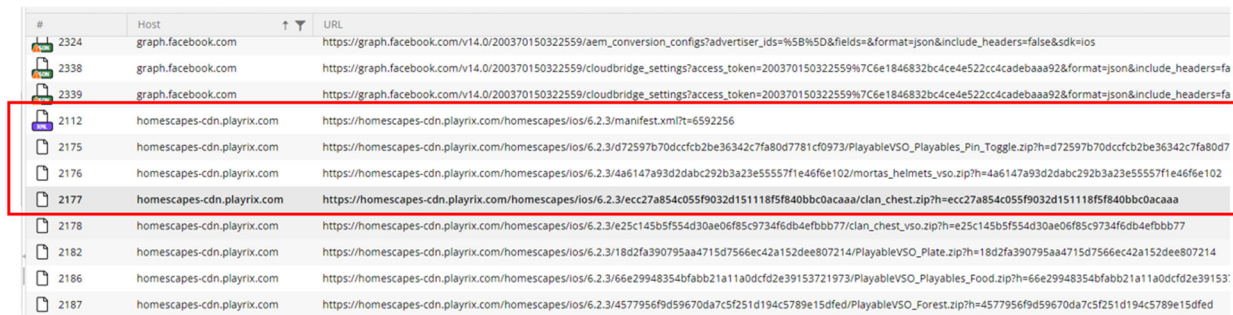
communication device,
the hot spot information
comprising:

1) hidden content for
presenting to the user
when the hot spot is
activated; and

2) coordinate
information;

Order, further verification of this feature requires review of the server and client side source code or other internal documents and information for the Homescapes game, which is not publicly available to FPG. As such, FPG reserves the right to supplement these contentions as discovery progresses and after Playrix produces source code and/or other internal documents and information relevant to this claim element.

The HTTPS traffic between the mobile device and the game server has been captured using the program Fiddler Everywhere over a wireless (WiFi) network. When the game application is opened while the game is updating, the following screenshots detail the communications sent from the mobile device for iOS devices. The server, identified here as the Host (homescapes-cdn.playrix.com) is accessed with a URL request and the Get method. On information and belief, Homescapes operates in a same or similar manner on Android.



#	Host	URL
2324	graph.facebook.com	https://graph.facebook.com/v14.0/200370150322559/aem_conversion_configs?advertiser_id=%5B%5D&fields=&format=json&include_headers=false&sid=ios
2338	graph.facebook.com	https://graph.facebook.com/v14.0/200370150322559/cloudbridge_settings?access_token=200370150322559%7C6e1846832bc4ce4e522cc4c4adebaaa92&format=json&include_headers=fa
2339	graph.facebook.com	https://graph.facebook.com/v14.0/200370150322559/cloudbridge_settings?access_token=200370150322559%7C6e1846832bc4ce4e522cc4c4adebaaa92&format=json&include_headers=fa
2112	homescapes-cdn.playrix.com	https://homescapes-cdn.playrix.com/homescapes/ios/6.2.3/manifest.xml?t=6592256
2175	homescapes-cdn.playrix.com	https://homescapes-cdn.playrix.com/homescapes/ios/6.2.3/d72597b70dccc2b2be36342c7fa80d7781cf0973/PlayableVSO_Playables_Pin_Toggle.zip?h=d72597b70dccc2b2be36342c7fa80d7
2176	homescapes-cdn.playrix.com	https://homescapes-cdn.playrix.com/homescapes/ios/6.2.3/4a6147a93d2dabc292b3a23e5557f1e46f6e102/mortars_helmets_vso.zip?h=4a6147a93d2dabc292b3a23e5557f1e46f6e102
2177	homescapes-cdn.playrix.com	https://homescapes-cdn.playrix.com/homescapes/ios/6.2.3/ecc27a854c055f9032d151118f5f840bbc0acaaa/scan_chest.zip?h=ecc27a854c055f9032d151118f5f840bbc0acaaa
2178	homescapes-cdn.playrix.com	https://homescapes-cdn.playrix.com/homescapes/ios/6.2.3/e25c145b5f554d30ae06f85c9734f6db4efbb77/clan_chest_vso.zip?h=e25c145b5f554d30ae06f85c9734f6db4efbb77
2182	homescapes-cdn.playrix.com	https://homescapes-cdn.playrix.com/homescapes/ios/6.2.3/18d2fa390795aa4715d7566ec42a152dee807214/PlayableVSO_Plate.zip?h=18d2fa390795aa4715d7566ec42a152dee807214
2186	homescapes-cdn.playrix.com	https://homescapes-cdn.playrix.com/homescapes/ios/6.2.3/66e29948354bfabb21a11a0dcfd2e3915371973/PlayableVSO_Playables_Food.zip?h=66e29948354bfabb21a11a0dcfd2e391537
2187	homescapes-cdn.playrix.com	https://homescapes-cdn.playrix.com/homescapes/ios/6.2.3/4577956f9d59670da7c5f251d194c5789e15dfed/PlayableVSO_Forest.zip?h=4577956f9d59670da7c5f251d194c5789e15dfed

iOS Homescapes – Manifest then updates (Red Box)

On information and belief, Homescapes operates in a same or similar manner on Android. Pursuant to Paragraph 3(a)(i) of the Discovery Order, further verification of this feature requires review of the server and client side source code or other internal documents and information for the Homescapes game, which is not publicly available to FPG. As such, FPG reserves the right to supplement these contentions as discovery progresses and after Playrix produces source code and/or other internal documents and information relevant to this claim element.

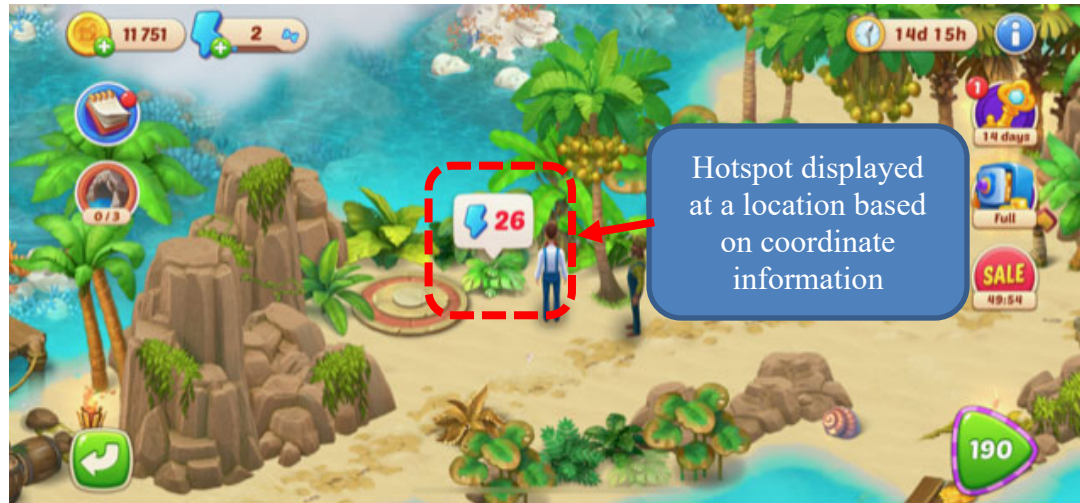
In the first example, on information and belief, Homescapes downloads hot spot information from the server related to the Golden Ticket. This is displayed in a specific area within Homescapes.



Once the hot spot is activated, the user is presented with hidden content.



In the second example, Homescapes downloads hot spot information from the server related to the energy required to remove a plant as well as coordinate information on where to position the plant.



Once the user activates the hotspot by interacting with the activation element, because the user does not possess the 26 energy points required to remove the plant, the user is presented the hidden content to obtain energy.

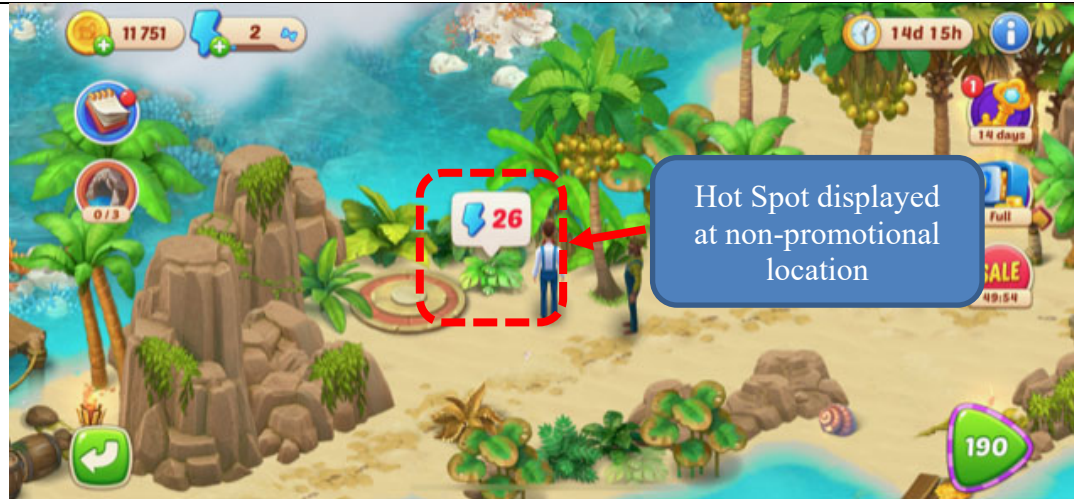
	
[1c] designating a non-promotional location in-game associated with activating the hot spot based on the coordinate information;	On information and belief, Homescapes designates a non-promotional location in-game associated with activating the hot spot based on coordinate information. Pursuant to Paragraph 3(a)(i) of the Discovery Order, further verification of this feature requires review of the server and client side source code or other internal documents and information for the Homescapes game, which is not publicly available to FPG. As such, FPG reserves the right to supplement these contentions as discovery progresses and after Playrix produces source code and/or other internal documents and information relevant to this claim element. In the first example, the non-promotional location associated with activating the hot spot is the location of the cartoon shown here.



As shown below, the hotspot is activated once a user interacts with the activation element.



In the second example, the non-promotional location associated with activating the hot spot is the location of the plant.



The user may interact with the hot spot activation element associated with the plant hotspot by tapping on the plant. And if the user doesn't have enough energy, this results in the hidden content being shown in the images below.

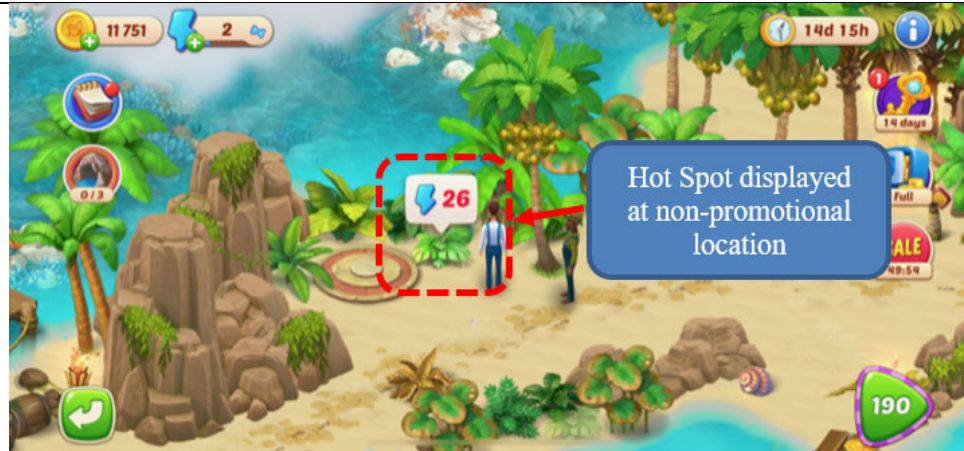




[1d] displaying an object at the designated non-promotional location; and

Homescaping displays an object at the designated non-promotional location.





[1e] displaying the hidden content when the user activates the hot spot.

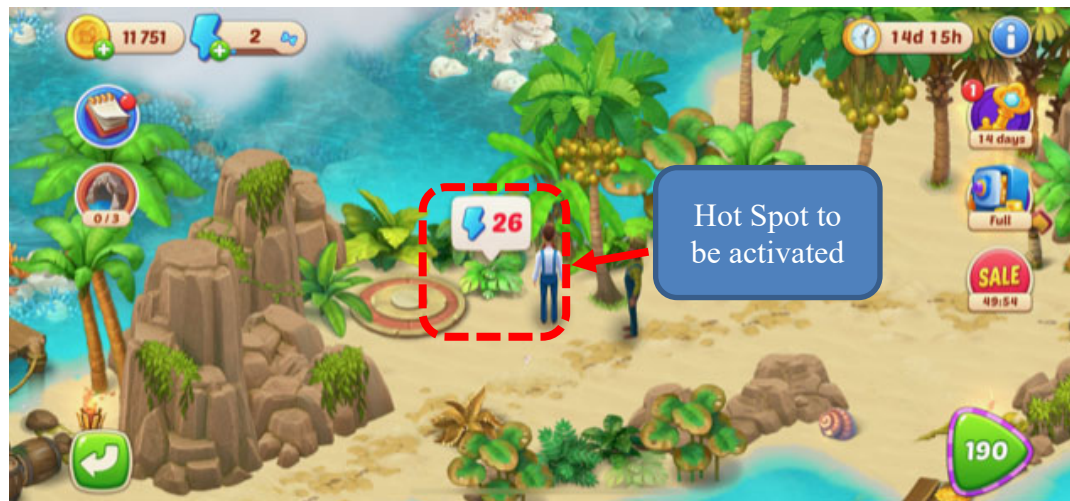
Homescapes displays hidden content once the hot spot is activated.

In the first example, when the user activated the hot spot, hidden content is displayed.





In the second example, when the user interacts with the hot spot activation element associated with the plant hotspot, it can clear the plant if it has enough energy points. If the user does not, hidden content is displayed as depicted below.





[Claim 2] The method of claim 1, wherein the hidden content is promotional.

FPG incorporates by reference its analysis of Claim 1.

The hidden content Homescapes provides once a hot spot is activated is promotional. The two images below depict promotional hidden content provided by Homescapes.



	
[Claim 3] The method of claim 1, wherein the coordinate information comprises time information for placing the hot spot in-game.	FPG incorporates by reference its analysis of Claim 1. Homescapes provides a method wherein the coordinate information comprises time information for placing the hot spot in-game.

	
[Claim 4] The method of claim 1, wherein the coordinate information comprises one or more predefined in-game locations.	FPG incorporates by reference its analysis of Claim 1. On information and belief, Homescapes provides coordinate information comprising one or more predefined in-game locations. Pursuant to Paragraph 3(a)(i) of the Discovery Order, further verification of this feature requires review of the server and client side source code or other internal documents and information for the Homescapes game, which is not publicly available to FPG. As such, FPG reserves the right to supplement these contentions as discovery progresses and after Playrix produces source code and/or other internal documents and information relevant to this claim element.
[Claim 5] The method of claim 1, wherein the hot spot information further comprises an object to be displayed in-game at the non-promotional location.	FPG incorporates by reference its analysis of Claim 1. The hot spot information comprises an object to be displayed in-game at the non-promotional location. Pursuant to Paragraph 3(a)(i) of the Discovery Order, further verification of this feature requires review of the server and client side source code or other internal documents and information for the Homescapes game, which is not publicly available to FPG. As such, FPG reserves the right to supplement these contentions as discovery progresses and after Playrix produces source code and/or other internal documents and information relevant to this claim element.



[Claim 7] The method of claim 1, further comprising saving on the mobile communication

FPG incorporates by reference its analysis of Claim 1.

On information and belief, Homescapes comprises a method for saving on the mobile communication device a version identifier for the downloaded hot spot information. Pursuant to Paragraph 3(a)(i) of the

device a version identifier for the downloaded hot spot information.	Discovery Order, further verification of this feature requires review of the server and client side source code or other internal documents and information for the Homecapes game, which is not publicly available to FPG. As such, FPG reserves the right to supplement these contentions as discovery progresses and after Playrix produces source code and/or other internal documents and information relevant to this claim element.
[Claim 8] The method of claim 1, wherein the hidden content comprises one or more objects selected from the group consisting of messages, graphics, animations, and sounds.	FPG incorporates by reference its analysis of Claim 1. The hidden content comprises graphics, sounds, and animations. 



[Claim 9] The method of claim 8, wherein the hidden content is promotional.

FPG incorporates by reference its analysis of Claim 1 and 8.

The hidden content is promotional.





[Claim 10] The method of claim 1, wherein the hidden content is displayed in a pop-up window.

FPG incorporates by reference its analysis of Claim 1.

The hidden content is displayed in a pop-up window.



		
[Claim 12] The method of claim 1, wherein the hidden content comprises a second hot spot.	On information and belief, Homescapes provides a method wherein the hidden content comprises a second hot spot. See, e.g., analysis of this claim element with respect to Gardenscapes. Pursuant to Paragraph 3(a)(i) of the Discovery Order, further verification of this feature requires review of the server and client side source code or other internal documents and information for the Homescapes game, which is not publicly available to FPG. As such, FPG reserves the right to supplement these contentions as discovery progresses and after Playrix produces source code and/or other internal documents and information relevant to this claim element.	
[Claim 13 -preamble] A method for retrieving and displaying a hot spot associated with a video game operable on a	See claim [1-preamble]	

mobile communication device, comprising:	
[13a] contacting a server for hot spot information to download, comprising providing the server with user-identification information;	On information and belief, Homescapes provides hotspot information to download; comprising providing the server with user-identification information. Pursuant to Paragraph 3(a)(i) of the Discovery Order, further verification of this feature requires review of the server and client side source code or other internal documents and information for the Homescapes game, which is not publicly available to FPG. As such, FPG reserves the right to supplement these contentions as discovery progresses and after Playrix produces source code and/or other internal documents and information relevant to this claim element. Homescapes distributes promotions based “on many things such as your current game progress, location and so on.” https://playrix.helpshift.com/hc/en/14-homescapes/faq/5657-why-don-t-i-have-a-special-offer-but-my-friend-does/?l=en Thus, Homescapes must check user-identification information regarding the “current game progress, location and so on” to determine whether the user’s communications device should receive the updated offer (i.e., the updated video-game content).
[13b] downloading hot spot information from the server to the mobile communication device, the hot spot information comprising: 1) hidden promotional content for presenting to the user when the hot spot is activated; and 2) coordinate information;	See claim [1b].
[13c] designating a non-promotional location in-game associated with activating the hot spot	See claim [1c].

based on the coordinate information;	
[13d] displaying an object at the designated non-promotional location; and	See claim [1d].
[13e] displaying the hidden promotional content when the user activates the hot spot.	See claim [1e].
[Claim 14] The method of claim 13, wherein the hidden content is promotional.	FPG incorporates by reference its analysis of Claim 13. <i>See</i> Claim 2.
[Claim 15] The method of claim 13, wherein the coordinate information comprises time information for placing the hot spot in-game.	FPG incorporates by reference its analysis of Claim 13. <i>See</i> Claim 3.
[Claim 16] The method of claim 13, wherein the hot spot information further comprises an object to be displayed in-game at the non-promotional location.	FPG incorporates by reference its analysis of Claim 13. <i>See</i> Claim 5.
[Claim 18] The method of claim 13, wherein the hidden content comprises	FPG incorporates by reference its analysis of Claim 13. <i>See</i> Claim 6.

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one or more objects selected from the group consisting of messages, graphics, animations, and sounds.	
[Claim 19] The method of claim 13, wherein the hidden content is displayed in a pop-up window.	FPG incorporates by reference its analysis of Claim 13. <i>See</i> Claim 10.
[Claim 20] The method of claim 13, wherein the hidden content comprises a second hot spot.	FPG incorporates by reference its analysis of Claim 13. <i>See</i> Claim 12.