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Filed on behalf of Dropbox, Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DROPBOX, INC.  
Petitioner

v.

MOTION OFFENSE, LLC  
Patent Owner

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IPR2024-00287  
U.S. Patent No. 11,611,520

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**PETITION FOR *INTER PARTES* REVIEW OF  
U.S. PATENT NO. 11,611,520  
CHALLENGING CLAIMS 9–16 and 22–24  
UNDER 35 U.S.C. § 312 AND 37 C.F.R. § 42.104**

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Dropbox, Inc. (“Petitioner” or “Dropbox”) respectfully requests *inter partes* review (“IPR”) of claims 9–16 and 22–24 of U.S. Patent (“USP”) No. 11,611,520 (the “’520 patent”) (EX1101) pursuant to 35 U.S.C. §§311–19 and 37 C.F.R. §42.1 *et seq.*

## **I. INTRODUCTION**

The ’520 patent focuses on techniques allowing a user to share a folder with another user (“folder sharing”) or request that another user upload a file (“file request”). This petition addresses the “file request” claims, 9–16 and 22–24 (the “challenged claims”), while the petition in IPR2024-00286 addresses the “folder sharing” claims, 1–8 and 17–21.

The ’520 patent is the latest-issued in a long-pending family of patents. Motion Offense already alleged infringement by Dropbox of six patents in the same family in *Motion Offense, LLC v. Dropbox, Inc.*, WDTX-6:20-cv-00251 (“MO-DB-1”), including both “file request” and “folder sharing” claims. After a jury trial in May 2023, all asserted claims at trial were found not infringed and *invalid*. See EX1013 (Jury Verdict Form, May 19, 2023, Dkt. 382).

The challenged claims describe user interfaces for requesting, uploading, and accessing files that were already well-known in the field before the ’520 patent’s earliest possible priority date. Indeed, this petition shows that others taught the same

interfaces before the '520 patent. Accordingly, the challenged claims should be cancelled.

## **II. MANDATORY NOTICES**

### **A. Real Party-in-Interest**

Under 37 C.F.R. §42.8(b)(1), Petitioner certifies that Dropbox, Inc. is the real party-in-interest.

### **B. Related Matters**

According to USPTO records, the '520 patent is owned by Motion Offense, LLC ("Patent Owner" or "PO"). PO asserted the '520 patent against Dropbox in a complaint filed on April 24, 2023 in *Motion Offense, LLC v. Dropbox, Inc.*, WDTX-6:23-cv-00303 ("MO-DB-2"), now pending. In its September 20, 2023 Preliminary Infringement Contentions, PO alleged infringement of twenty-three claims of the '520 patent's twenty-four total claims. PO had already alleged infringement by Dropbox of six patents in the same family as the '520 patent in MO-DB-1. After a jury trial in May 2023, all asserted claims were found not infringed and *invalid*. See EX1013. PO has stated that the claims of the '520 patent at issue in this petition and MO-DB-2 are "substantially similar" as those related claims already found invalid by a jury. EX1118, ¶31 (PO asserting that "the '520 patent included claims that were substantially similar to those being asserted at trial.").

**C. Counsel**

Under 37 C.F.R. §§42.8(b)(3)–(4), Petitioner identifies the following lead and backup counsel, to whom all correspondence should be directed.

Lead Counsel: Scott Bertulli (Reg. No. 75,886)

Backup Counsel: Gregory Lantier (*pro hac vice* to be filed)

Trishan Efram (Reg. No. 74,075)

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Petitioner consents to service by e-mail on lead and backup counsel.

**III. LEVEL OF ORDINARY SKILL**

A person of ordinary skill in the art (“POSITA”) at the time of the earliest claimed priority date of the ’520 patent (September 22, 2012) would have had at least the equivalent of a Bachelor’s degree in electrical engineering, computer

science, or a related field and two or more years of experience in a related field such as networked computer systems using Internet protocols. Less work experience may be compensated by a higher level of education, such as a Master's Degree, and vice versa. EX1102, ¶29.

#### **IV. CERTIFICATION OF GROUNDS FOR STANDING**

Petitioner certifies under 37 C.F.R. §42.104(a) that the patent for which review is sought is available for IPR and under 37 C.F.R. §§42.101(a)–(c) that Petitioner is not barred or estopped from requesting an IPR challenging the patent claims on the grounds identified in this petition.

#### **V. STIPULATION**

Consistent with the Director's guidance in USPTO Memorandum, Interim Procedure for Discretionary Denials in AIA Post Grant Proceedings with Parallel District Court Litigation (June 21, 2022) and commensurate in scope with a *Sotera* stipulation, if the Board institutes this IPR, Dropbox stipulates not to pursue, in the parallel proceeding identified under "Related Matters" above, the same grounds presented here or any grounds that could have reasonably been raised before the Board with respect to the claims challenged in this IPR. *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 (P.T.A.B. Dec. 1, 2020) (precedential as to §II.A).

## **VI. OVERVIEW OF CHALLENGE AND RELIEF REQUESTED**

Petitioner requests review of claims 9–16 and 22–24 of the '520 patent and cancellation of these claims as unpatentable over the prior art.

### **A. Prior Art**

The earliest claimed priority date of the '520 patent is September 22, 2012. EX1101 at 2.<sup>1</sup> Petitioner relies on the documents in the Table of Exhibits, including:

- USP Application Publication No. 2013/0046833 (“Riepling”) (EX1107), filed on August 16, 2011 and published on February 21, 2013, as §102(e) prior art;
- USP Application Publication No. 2010/0005138 (“Manzano”) (EX1105), published on January 7, 2010, as §102(b) prior art;

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<sup>1</sup> Dropbox reserves the right to argue in MO-DB-2 that the '520 patent is not entitled to application No. 13/624,906's September 22, 2012 filing date or application No. 13/626,635's September 25, 2012 filing date. Indeed, a jury already concluded that the asserted patents in MO-DB-1 are not. The Board does not need to resolve any priority date dispute in this proceeding because Dropbox relies only on prior art that predates September 22, 2012.

- USP Application Publication No. 2012/0278404 (“Meisels”) (EX1108), filed on April 28, 2011 and published on November 1, 2012, as §102(e) prior art; and
- USP No. 9,633,125 (“Garcia”) (EX1104), filed on August 10, 2012 and issued on April 25, 2017, as §102(e) prior art.

**B. Grounds on which the Challenge is Based**

Under 37 C.F.R. §§42.22(a)(1) and 42.104(b)(1)–(2), Petitioner requests cancellation of claims 9–16 and 22–24 of the ’520 patent on the following grounds:

| Ground | Basis | Claims           | References                             |
|--------|-------|------------------|----------------------------------------|
| 1      | §103  | 9, 10, 14, 15    | Riepling                               |
| 2      | §103  | 11–13, 16, 22–24 | Riepling and Manzano                   |
| 3      | §103  | 9, 10, 14, 15    | Riepling and Meisels                   |
| 4      | §103  | 11–13, 16, 22–24 | Riepling, Manzano, and Meisels         |
| 5      | §103  | 11–13, 16, 22–24 | Riepling, Manzano, and Garcia          |
| 6      | §103  | 11–13, 16, 22–24 | Riepling, Manzano, Meisels, and Garcia |

This petition, supported by the declaration of Dr. Mowry (EX1102), demonstrates that there is a reasonable likelihood Dropbox will prevail with respect to cancellation of at least one of the challenged claims. *See* 35 U.S.C. §314(a).

## VII. TECHNOLOGY BACKGROUND

### A. Internet-Based Data Storage Systems

As early as the year 2000, more than a decade before the earliest claimed priority date of the '520 patent, there was a burst in Internet-based (or “cloud”) data storage systems. *See, e.g.*, EX1115 (“O’Brien”), 1:10–3:4; EX1116 (“Do”), ¶¶1–4; EX1109 (“Kantor”), ¶1. As O’Brien explained, because personal computers were not easily transportable and laptops had fewer resources than desktops, there was a need for “means by which files and other data may be available worldwide through the Internet and not tied to a local computer.” EX1115, 2:42–3:1. EX1102, ¶30.

With widespread access to the Internet, computer users started to store “their electronic documents or files on remote computer servers that are geographically remote from the user.” EX1116, ¶1; *see also* EX1109, ¶1. Do noted that “[s]toring files on a remote server provides users with several benefits” such as backup copies of files, data recovery, and access to files “from any computer with an Internet connection.” EX1116, ¶2. Notably, users could share their files with others. *Id.*, ¶4; *see also* EX1115, 4:1–5 (“share files... with others.”); EX1109, ¶1 (“share content items from their online storage with others”). EX1102, ¶31.

As Riepling explained, it was particularly easy for users registered with an online storage provider to share data with one another. *See, e.g.*, EX1107, ¶4. However, to reduce the registration burden and to reinforce the security of a

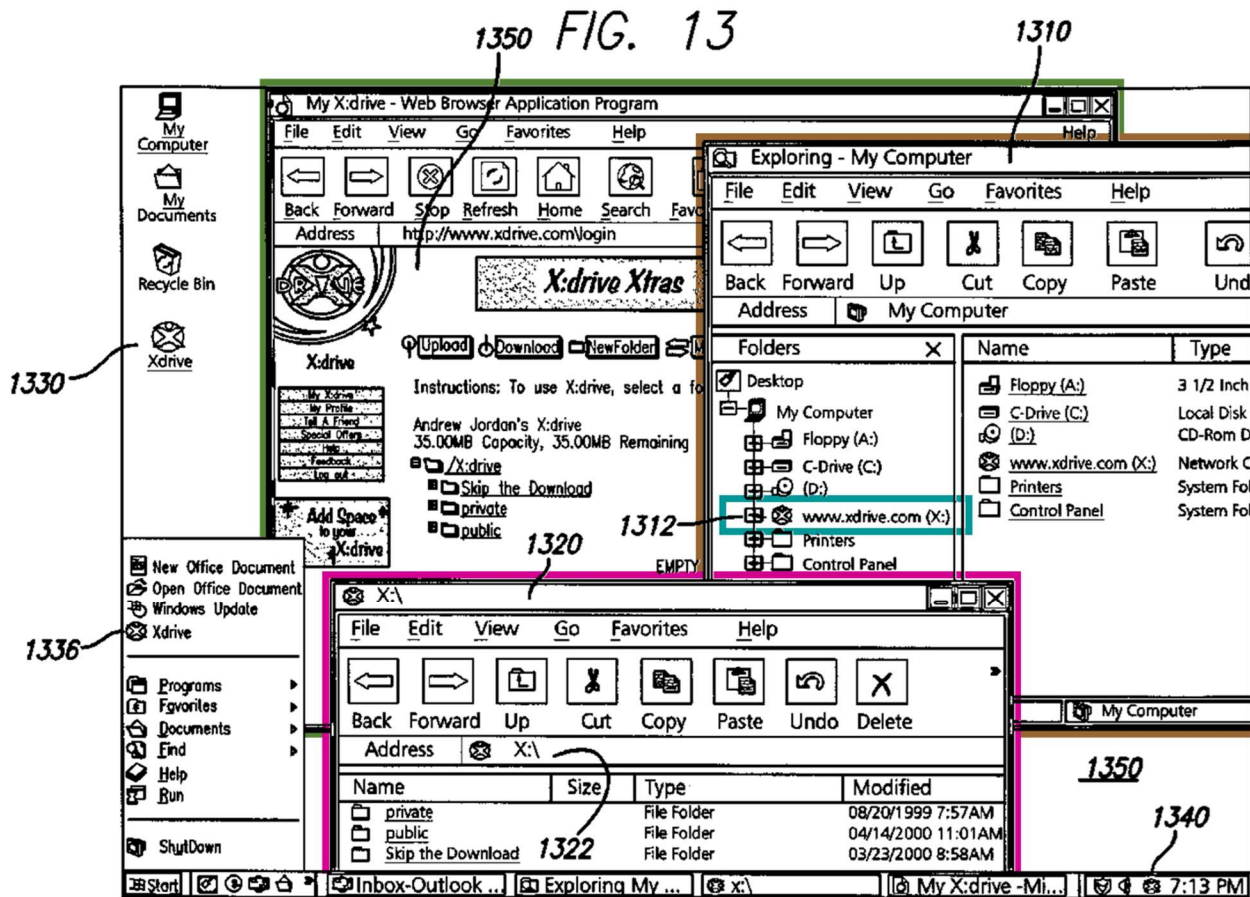
registered user's account, systems were known to allow a registered user to send to an unregistered user a digital invitation requesting that files be uploaded to the registered user's account. *See, e.g., id.*, ¶56. EX1102, ¶32.

**B. Accessing Internet-Based Data Storage Systems**

Accessing files stored in a remote server using not only a web-based application but also a client-based application was well known. For example, O'Brien describes an online storage system ("X:Drive") that is accessible from a "web-based application 1350," a "'My Computer' window 1310," and a "client-based application window 1320."<sup>2</sup> EX1115, 20:21–52. EX1102, ¶33.

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<sup>2</sup> Emphasis and annotations added throughout unless stated otherwise.



EX1115, FIG. 13

The “**My Computer**” window 1310 is part of the user computer’s operating system (e.g., Windows Explorer or File Explorer, Finder, etc.) and includes a “**drive at logical letter X: 1312**,” provided by a client application/program 102 from the online storage system provider. *Id.*, 20:25–31, 7:5–8; *see also* EX1103 (“Houston”), Figure 10 (“My Dropbox” folder 1002); EX1104, Figure 10 (virtual drive 1010), 7:22–24 (“a user interface 2170 (e.g., MAC FINDER or WINDOWS EXPLORER) which displays... the virtual drive user interface 2190.”). The **drive 1312** appears

among other local drives and “functions as any other drive.” EX1115, 20:29–31. EX1102, ¶34.

It was also well known that, because local storage on computers was limited, a file stored on a server and displayed in a client-based file explorer interface did not have to be downloaded from the server until the user clicks to open the file. *See, e.g.*, EX1104, 5:35–39 (“when a user double clicks on a file..., the server downloads its copy”); EX1105, ¶50 (“the icon 600 may be ghosted (i.e., semi-transparent)... to indicate the non-local status of the file.”), ¶51 (“a user may right-click... to request receipt or download of the associated file, at which time the icon 600 will become unghosted”). EX1102, ¶35.

## **VIII. OVERVIEW OF THE ’520 PATENT**

### **A. Alleged Invention**

The ’520 patent generally relates to “processing a data object identification request in a communication” between a “first node” and a “second node.” EX1101, Title, Abstract. Claims 9–16 and 22–24 are generally directed to file requests. EX1102, ¶36.

According to independent claims 9, 14, and 22, “a file request” is initiated from “a first node” to “a second node” via “at least one network.” *See* EX1101, claims 9, 14, and 22. At the first node, interfaces and user interface elements are displayed to receive “a file description,” “at least one email address,” and an

indication to initiate the file request. *See id.* A “first message” or “first email” is generated and sent to the second node. *See id.* The first message/email includes the file description and a user interface element. *See id.* In one embodiment, “an indication of at least one of a date or a time” is also received from the first node and included in the first message/email. *See id.*, claim 9. In another embodiment, “an indication of at least one of a date or a time” is received but not included in the email. *See id.*, claim 22. EX1102, ¶37.

At the second node, selecting the user interface element in the first message/email causes display of an interface and user interface elements that allow the requested file to be uploaded. *See* EX1101, claims 9, 14, and 22. Subsequently, a “second message” or “second email” that includes another user interface element and does not include a file attachment is sent to the first node. *See id.* Selecting the user interface element in the second message/email displays an interface that allows access to the uploaded file. *See id.* In certain embodiments, a “representation” of the uploaded file is created and displayed in “a file explorer interface of a client-based file explorer application.” *See id.*, claims 11, 16, and 22. EX1102, ¶38.

As the grounds below demonstrate, requesting, uploading, and accessing a file in such a fashion were well-known in the art before the ’520 patent’s earliest possible priority date. EX1102, ¶39.

## **B. Prosecution History**

The '520 patent issued from application No. 17/187,621, filed on February 26, 2021. The '520 patent is a continuation of USP No. 11,044,215, which is a continuation of USP No. 10,587,548, which is a continuation of USP No. 10,021,052, which is a continuation-in-part (CIP) of application No. 14/274,623, which is a CIP of application Nos. 13/626,635 and 13/624,906.<sup>3</sup> At no time during prosecution did the Examiner provide evaluation of the claims in view of any prior art. *See* EX1014, 194–220, 407–415, 539–553, 706–713, 868–872.

## **IX. CLAIM CONSTRUCTION**

During IPR, claims are construed according to the “*Phillips* standard.” *Phillips v. AWH Corp.*, 415 F.3d 1303 (Fed. Cir. 2005) (en banc); 83 Fed. Reg. 51341 (Oct. 11, 2018). The Board need only construe the claims when necessary to resolve the underlying controversy. *Toyota Motor Corp. v. Cellport Sys., Inc.*, IPR2015-00633, Paper No. 11 at 16 (Aug. 14, 2015); *Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co.*, 868 F.3d 1013, 1017 (Fed. Cir. 2017). Here,

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<sup>3</sup> The '215, '548, and '052 patents were asserted in MO-DB-1. The challenged claims share the same or similar scope as claims asserted in MO-DB-1. A jury found the asserted claims of all three patents invalid. The '215 patent was subject to IPR in IPR2022-01313, instituted on March 6, 2023.

given the close correlation between the asserted prior art and the claims of the '520 patent, the Board need not construe any terms of the claims to resolve the underlying controversy, as any reasonable interpretation of those terms consistent with their plain meaning (as would have been understood by a POSITA at the time of the invention, having taken into consideration the language of the claims, the specification, and the prosecution history of record) reads on the prior art.<sup>4</sup>

#### **X. SPECIFIC GROUNDS FOR UNPATENTABILITY**

Under 37 C.F.R. §42.104(b)(4)–(5), the following sections (as confirmed in Dr. Mowry's declaration, EX1102, ¶¶46–214) detail the grounds of unpatentability, the limitations of challenged claims, and how these claims are therefore obvious in view of the prior art.

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<sup>4</sup> Dropbox reserves all rights to raise claim construction and other arguments in this and other proceedings as relevant and appropriate. If PO, seeking to avoid the prior art, offers a specific construction or interpretation, Dropbox reserves the right to respond.

**A. Ground 1: Claims 9, 10, 14, and 15 are Obvious over Riepling**

**1. Claim 9**

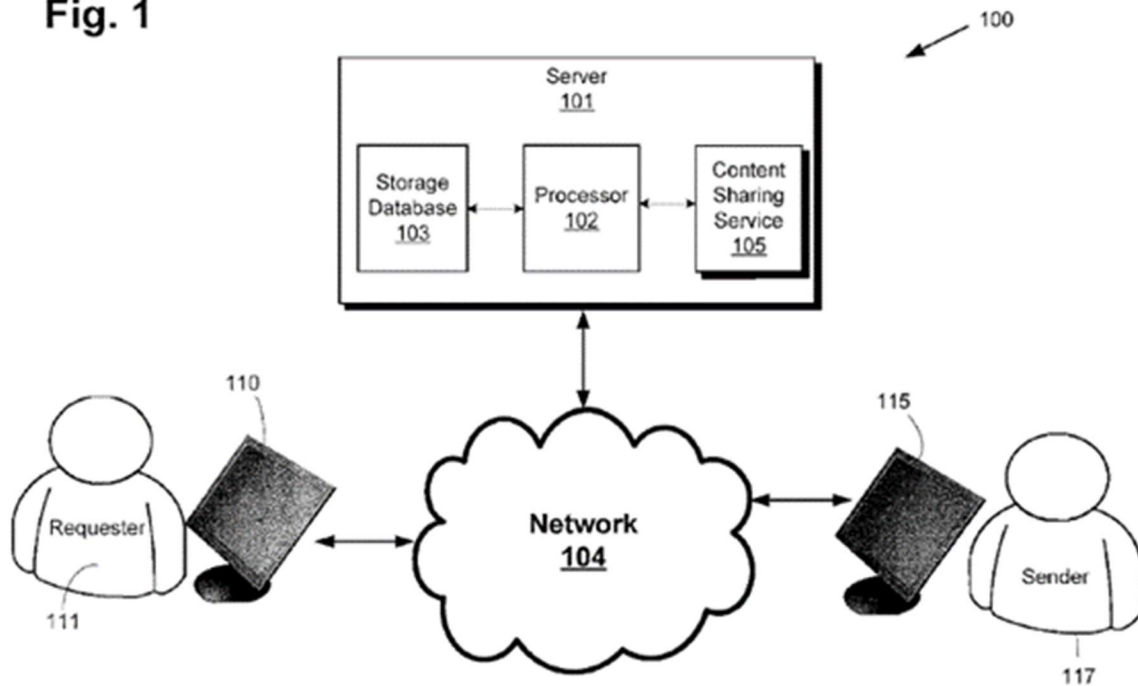
***a) 9[preamble]*<sup>5</sup>**

Regardless of whether the preamble is limiting, Riepling discloses it or at least renders it obvious. For example, Riepling discloses “a system for sending, to a contact, a digital invitation requesting a data upload.” EX1107, ¶19, Figure 1. Riepling’s system 100 includes a server 101, which in turn “includes processor 102, storage database 103, and content sharing service 105.” *Id.* “Server 101 may comprise any type of computing server” and “[p]rocessor 102 may comprise any type of server processor.” *Id.* “Processor 102 may be used to execute... the processes required by content sharing service 105.” *Id.* EX1102, ¶63.

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<sup>5</sup> See Appendix of Claim Listing.

**Fig. 1**



EX1107, FIG. 1

A POSITA would have known that processor 102 was in communication with at least one non-transitory memory storing instructions to execute processes required by content sharing service 105. *See, e.g.*, EX1105, ¶23 (“Computer storage media... for storage of information such as computer readable instructions....”); EX1108, ¶¶16–17. EX1102, ¶64.

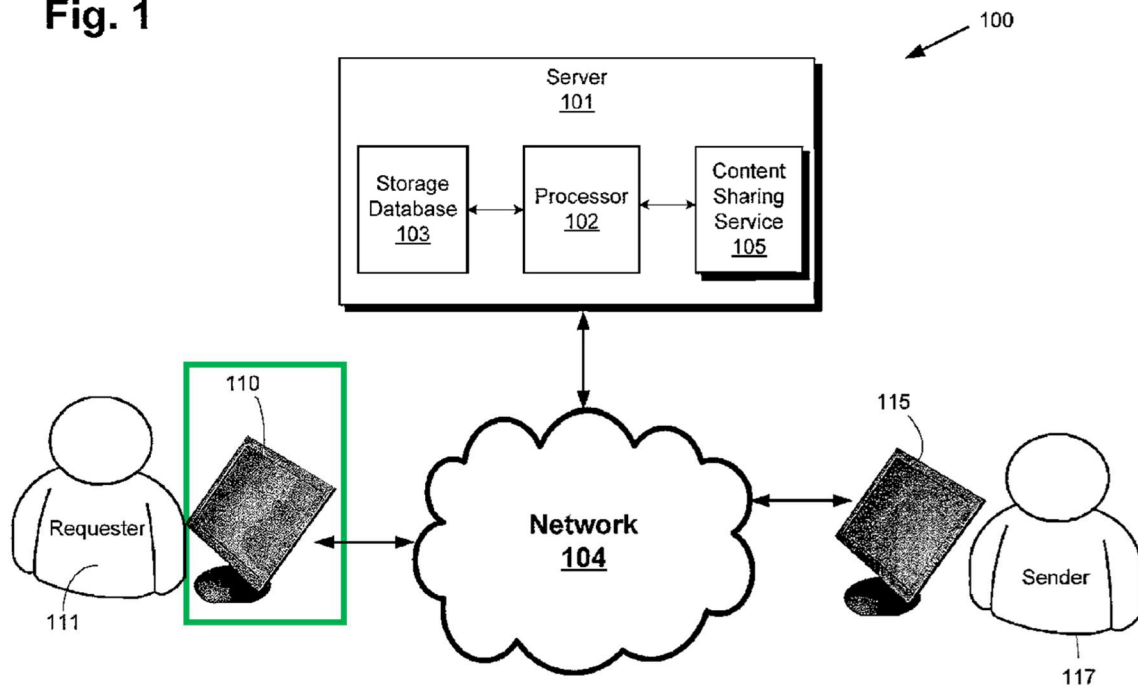
Riepling discloses or at least renders obvious the preamble of claim 9. *Id.*, ¶65.

***b) 9[a]***

Riepling discloses element 9[a]. For example, Riepling discloses that requester 111 interacts with content sharing service 105 via **request device 110** (*i.e.*,

“a first node”)<sup>6</sup> to send to sender 117 a digital invitation requesting a data upload into requester 111’s registered user account. EX1107, ¶¶18, 21, 22, Figure 1; *see also id.*, ¶4 (“data such as documents”). EX1102, ¶66.

**Fig. 1**

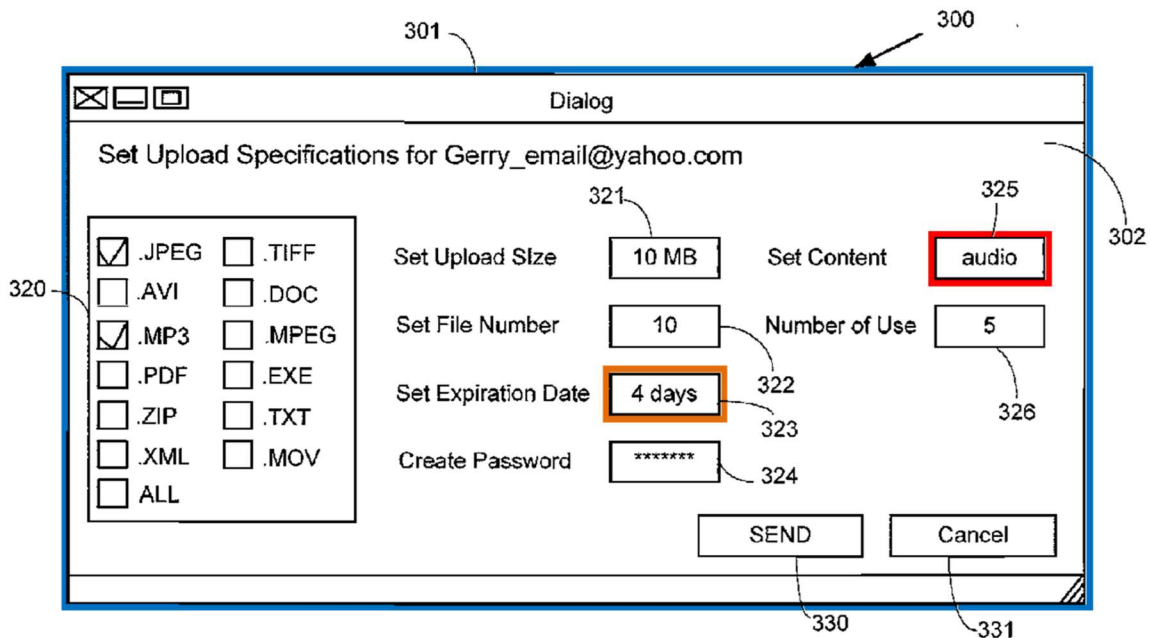


EX1104, FIG. 1

Content sharing service 105 uses processor 102 to “present upload parameter **dialog 301** on a display” of request device 110 to requester 111 (*i.e.*, “*cause, at a first node, display of a first interface... for use in creating a file request requesting at least one file*”). *Id.*, ¶29, Figure 3. **Dialog 301** “may be any type of dialog box” and “may also be shown within a browser.” *Id.* EX1102, ¶67.

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<sup>6</sup> Terms that appear in the challenged claims are italicized throughout.



EX1107, FIG. 3

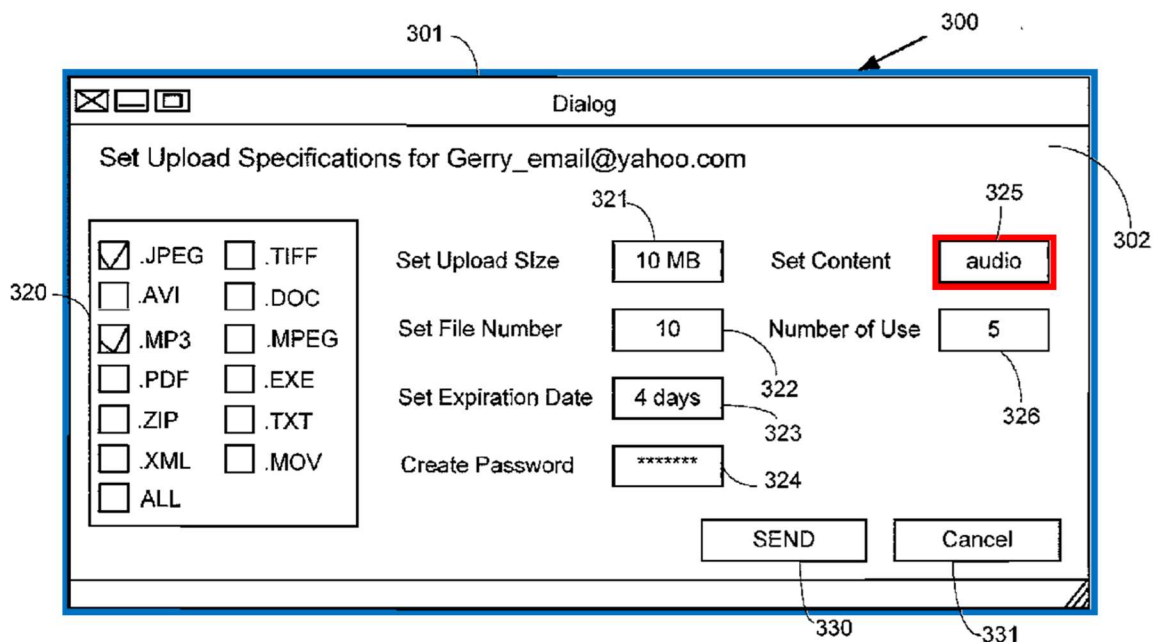
**Dialog 301** includes **content field 325** (i.e., “a first user interface element”) for describing the file requested, e.g., “audio.” **Dialog 301** also includes an **invitation expiration field 323** (i.e., “a second user interface element”) to specify how long the invitation will be valid. *Id.*, ¶33. EX1102, ¶68.

Riepling discloses element 9[a]. *Id.*, ¶69.

**c) 9[b]**

Riepling discloses element 9[b]. As discussed above for element 9[a], Riepling discloses **content field 325** (i.e., “the first user interface element”) in **dialog 301** (i.e., “the first interface”) for describing the requested file (e.g., “audio”) (i.e., “a file description via the first user interface element..., utilizing the first interface, the file description describing the at least one file in connection with the

*file request*”). EX1107, Figure 3. Just like Riepling discloses that size limit field 321, file number field 322, invitation expiration field 323, invitation password field 324, and number of use field 326 are “text field[s],” **content field 325** is a text field (*i.e.*, “*the first user interface element that includes a textbox*”). *See id.*, ¶¶31, 33. A POSITA would have understood that **content field 325** is a text field for describing requested content (*see id.*, Figure 3 (“Set Content”)) and thus would have allowed requester 111 to describe requested file(s) with a specificity level akin to the examples shown in the ’520 patent. *Cf.* EX1101, Figure 6D (“Please send whatever documents you have about your Uncle Joe.”). EX1102, ¶70.



EX1107, FIG. 3

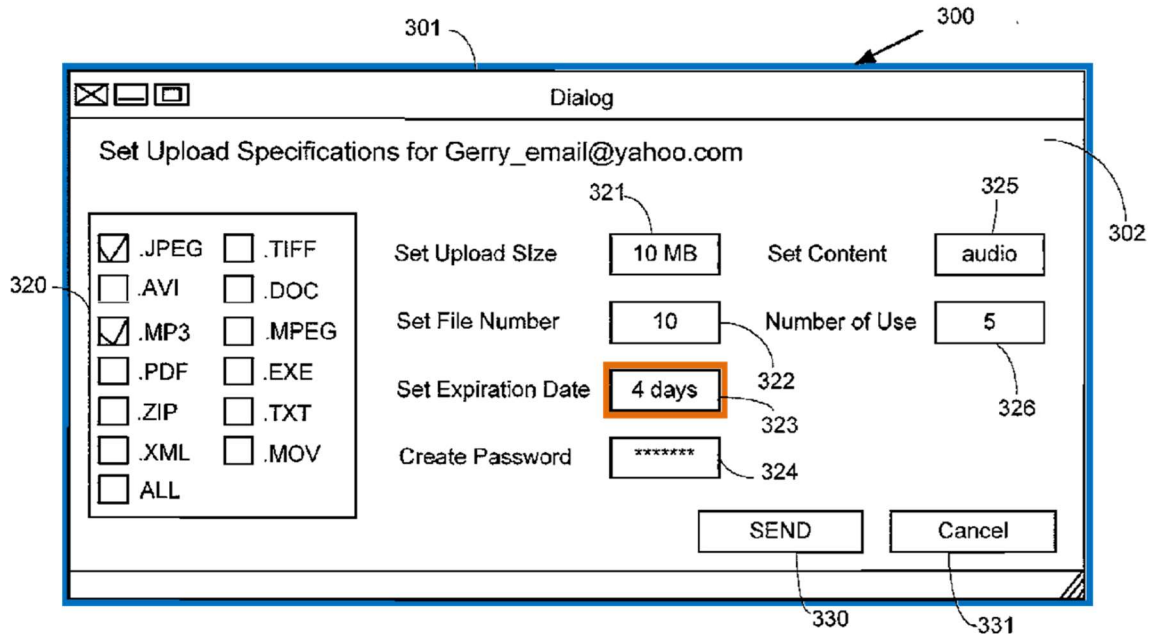
Moreover, Riepling discloses that “[c]ontent sharing service 105, using processor 102, may transmit, to a contact, the digital invitation... restricted by the

one or more upload parameters specified in upload parameter **dialog 301**.” EX1107, ¶34. Thus, server 101—including content sharing service 105 and processor 102—receives, from **request device 110** (*i.e.*, “*the first node*”) via network 104, the file description (*e.g.*, “audio”) entered in **content field 325** (*i.e.*, “*receive, from the first node via at least one network, a file description via the first user interface element*”). *See id.*, Figure 1. EX1102, ¶71.

Riepling discloses element 9[b]. *Id.*, ¶72.

*d) 9[c]*

Riepling discloses element 9[c]. As discussed above for element 9[a], Riepling discloses **invitation expiration field 323** (*i.e.*, “*the second user interface element*”) in **dialog 301** (*i.e.*, “*the first interface*”). EX1107, ¶33, Figure 3. **Invitation expiration field 323** “may be a text field used to specify an upload parameter comprising a valid time window of a data upload associated with the digital invitation.” *Id.*, ¶33. “For example, the text ‘4 days’ or ‘4’ may be entered into **invitation expiration field 323** to specify that the digital invitation will be valid for four (4) days after it is sent to the contact” or “[a]lternatively, a specific time period, such as from Jun. 1, 2011, 8:00 am PST until Jun. 5, 2011, 8:00 am PST, may be provided” (*i.e.*, “*an indication of at least one of a date or a time via the second user interface element*”). *Id.* EX1102, ¶73.



EX1107, FIG. 3

For at least the same reasons discussed above for element 9[b], server 101—including content sharing service 105 and processor 102—receives, from **request device 110** (*i.e.*, “*the first node*”) via network 104, at least one of a date or a time that requester 111 enters in **invitation expiration field 323** (*i.e.*, “*receive, from the first node via the at least one network, an indication of at least one of a date or a time*”). See *id.*, Figure 1. EX1102, ¶74.

Riepling discloses element 9[c]. *Id.*, ¶75.

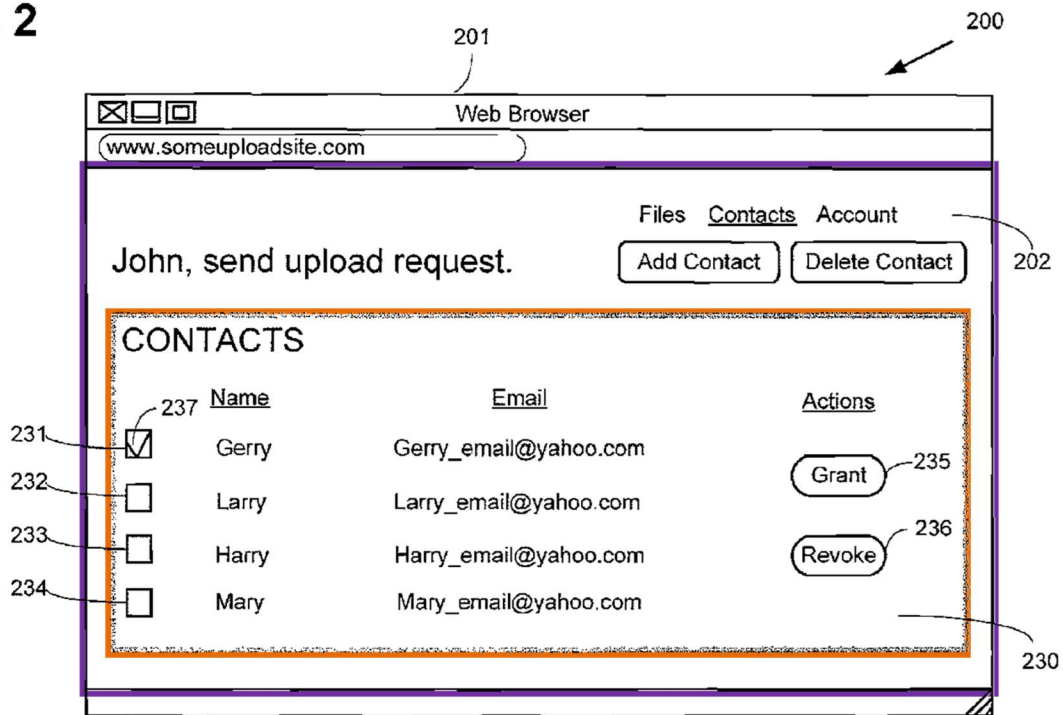
*e) 9[d]*

Riepling renders obvious element 9[d]. EX1102, ¶76.

**First**, Riepling discloses “a request interface for selecting a contact to receive a digital invitation requesting a data upload.” EX1107, ¶24, Figure 2. “**Request**

**interface 202** may be a graphical user interface (GUI) displaying within web browser 201,” which “may be shown on the display of request device 110.” *Id.*, ¶25. Thus, **request interface 202** is displayed at **request device 110** and is used for requesting a data upload (*i.e.*, “*at the first node, display of a second interface... for use in causing the file request to be sent*”). *See id.*, ¶4 (“data such as documents”). EX1102, ¶77.

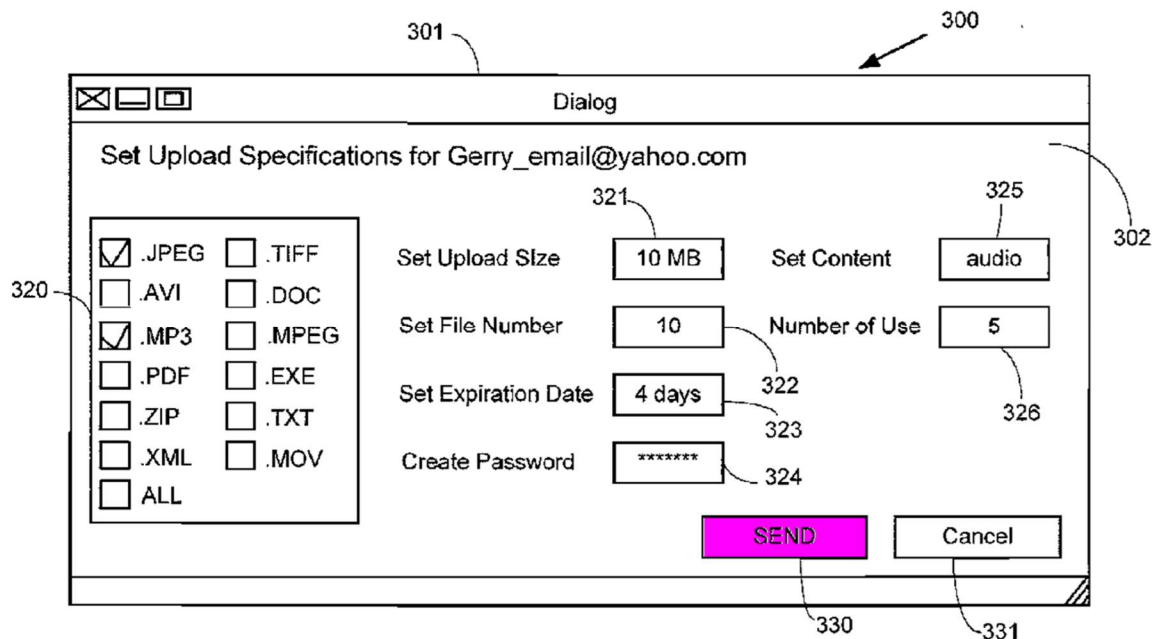
**Fig. 2**



EX1107, FIG. 2

*Second*, **request interface 202** includes a **list of contact information 230** (*i.e.*, “*a third user interface element*”) that allows a user (*e.g.*, requester 111) to select a contact to send the digital invitation requesting the data upload to. *See id.*, ¶¶25–26. EX1102, ¶78.

*Third*, Riepling discloses a **send button 330** (i.e., “a fourth user interface element”), which “may be used to send a digital invitation.” EX1107, ¶34, Figure 3. Although the **send button 330** is part of dialog 301, a POSITA would have found it obvious to implement Riepling’s interfaces such that dialog 301 preceded **request interface 202** and the **send button 330** was placed within **request interface 202**. With such an implementation, (1) requester 111 would have specified upload parameters in dialog 301 prior to selecting a contact in **request interface 202** and (2) the **send button 330** to initiate the file request would have been part of **request interface 202**. EX1102, ¶79.



EX1107, FIG. 3

Implementing Riepling’s interfaces as discussed above would have been obvious for a POSITA to try. *See* M.P.E.P. §2143(I)(E). About a year before the

'520 patent's earliest possible priority date, Riepling had recognized "a need to overcome the drawbacks and deficiencies in the art by providing a way for a registered user of a content sharing service to receive content from an unregistered user in a convenient and secure manner." EX1107, ¶7. Riepling disclosed one solution to this recognized need: display, to a first user (requester 111), a first interface (request interface 202) to collect contact information of a second user (sender 117) followed by a second interface (dialog 301) to collect upload parameters, allowing the second user to share content with the first user. Others disclosed another solution: display a first interface to collect parameters followed by a second interface to collect contact information—simply reversing the order of collecting two pieces of information. For example, Houston disclosed a first interface (200 or 300) for a first user to specify a name of a new folder or choose an existing folder to share with a second user, followed by a second interface 400 for the first user to enter an email address for the second user. *See* EX1103, Figures 2–4, 3:40–43. Similarly, Kantor disclosed a second interface 1202 "presented responsive to selection of the 'Send a Link' object" in a first interface 302 and "to input email addresses or other contact information for selected recipients." EX1109, Figures 3, 12, ¶¶39–41, 101–103. A POSITA would have pursued these potential solutions with a reasonable expectation of success because the analysis would have simply involved trying each one of these finite solutions—indeed, the number and

order of ways to collect two pieces of information (parameters and contact information) in user interfaces are few. *See, e.g., CRFD Research, Inc. v. Matal*, 876 F.3d 1330, 1347 (Fed. Cir. 2017) (“[A] person of ordinary skill would have two predictable choices... providing [the] person of ordinary skill with a simple design choice” of choosing one solution or the other); *Perfect Web Technologies, Inc. v. InfoUSA, Inc.*, 587 F.3d 1324, 1329 (Fed. Cir. 2009) (Court finding that obviousness analysis can “include recourse to logic, judgment, and common sense available to the person of ordinary skill that do not necessarily require explication in any reference or expert opinion.”). A POSITA would also have readily implemented Riepling’s interfaces as discussed above by using basic computer programming principles, which would have been well within the POSITA’s knowledge and skillset. EX1102, ¶80.

Furthermore, as Dr. Mowry explains, because there is no dependency—temporal or otherwise—between the upload parameters entered in dialog 301 and the list of contact information 230 in request interface 202, the order in which these two interfaces are presented to the user does not affect the end result of Riepling’s data upload request. In particular, implementing Riepling’s interfaces as discussed above would have been the same—the digital invitation would have been restricted by the upload parameters specified in dialog 301 and sent to the contact selected in request interface 202 when requester 111 clicked the send button 330. *See, e.g.,*

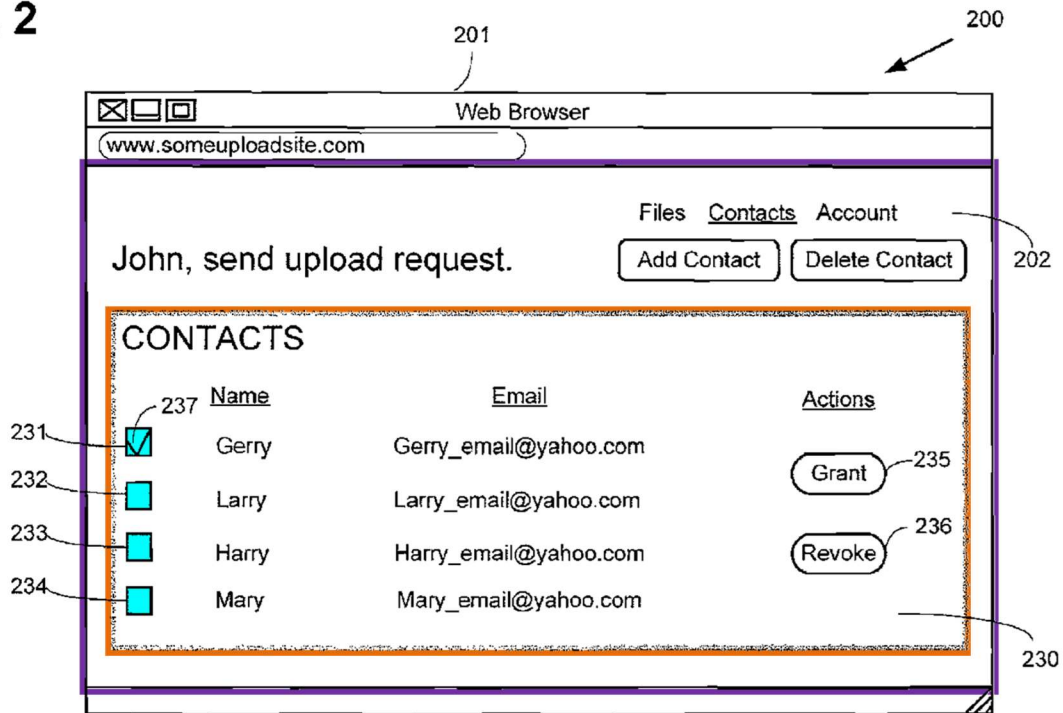
EX1107, ¶57 (“a [POSITA] would recognize that changes can be made in form and detail without departing from the spirit and the scope of the invention”). Accordingly, because there is no dependency in the order of the interfaces, a POSITA would have been motivated to implement them in the two possible ways, and choosing one implementation or the other would be no more than a matter of user preference, using “familiar elements according to known methods [and] is likely to be obvious when it does no more than yield predictable results.” *KSR*, 550 U.S. at 416. EX1102, ¶81.

Riepling renders element 9[d] obvious. *Id.*, ¶82.

*f) 9[e]*

Riepling discloses element 9[e]. As discussed above for element 9[d], Riepling discloses a **list of contact information 230** (*i.e.*, “a third user interface element”) in **request interface 202** (*i.e.*, “the second interface”) that allows a user to select a contact to send the digital invitation requesting the data upload to. EX1107, ¶¶25–26. The **list of contact information 230** includes **selection boxes 231–234**, which “may be associated with a contact, for example an e-mail address.” *Id.*, ¶25. “[C]heck box 231 may be associated with the contact ‘Geny\_email@yahoo.com,’ which may be an email address for a person named ‘Gerry.’” *Id.* Any of the **selection boxes 231–234** is an “*indicia associated with at least one email address.*” EX1102, ¶83.

**Fig. 2**



EX1107, FIG. 2

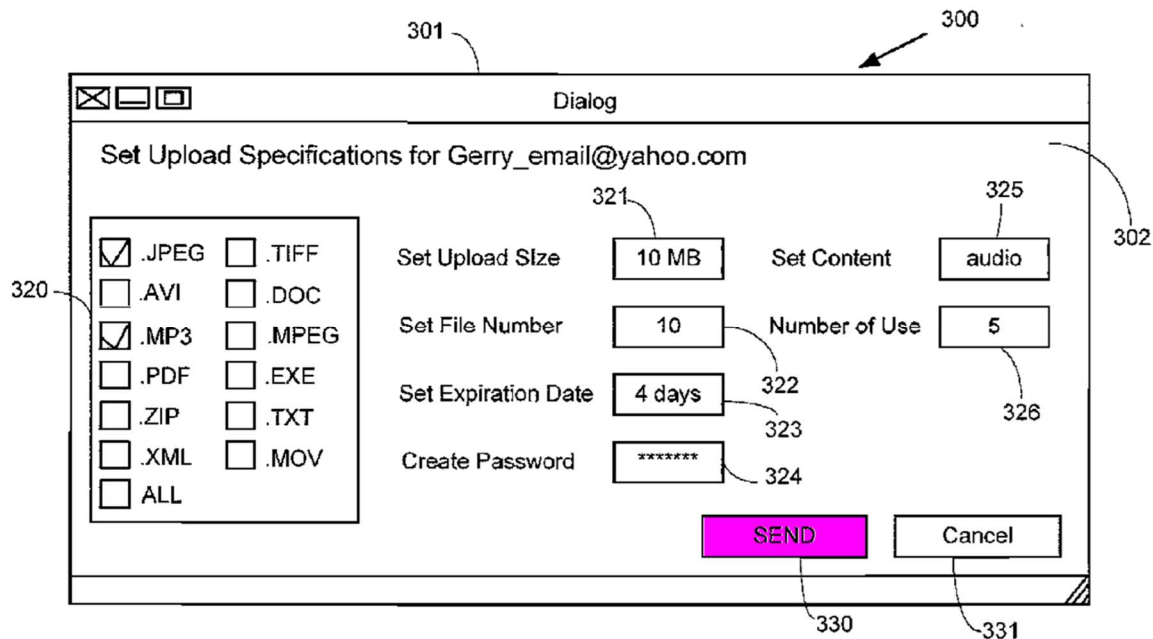
Riepling discloses that “[b]y selecting ‘Gerry\_email@yahoo.com,’ the user has selected a contact to receive a digital invitation.” *Id.*, ¶26. “Content sharing service 105, using processor 102, may transmit, to a contact, the digital invitation.” *Id.*, ¶34. Thus, server 101 receives, from **request device 110** (i.e., “the first node”) via network 104, the indicia associated with an email address that requester 111 selects in the **list of contact information 230** in **request interface 202**, and uses the email address to send the digital invitation requesting a data upload (i.e., “receive, from the first node via the at least one network, indicia associated with at least one email address via the third user interface element, utilizing the second interface, the

at least one email address for being used to send the file request”). See *id.*, Figure 1; see also *id.*, ¶4 (“data such as documents”). EX1102, ¶84.

Riepling discloses element 9[e]. *Id.*, ¶85.

***g) 9[f]***

Riepling renders obvious element 9[f]. As discussed above for element 9[d], Riepling discloses a **send button 330** (*i.e.*, “the fourth user interface element”), and it would have been obvious for a POSITA to implement Riepling’s interfaces such that the **send button 330** is part of **request interface 202** (*i.e.*, “the second interface”). EX1102, ¶86.



EX1107, FIG. 3

The **send button 330** “may be used to send a digital invitation” requesting the data upload and that “[c]ontent sharing service 105, using processor 102, may

transmit, to a contact, the digital invitation.” *Id.*, ¶34. Thus, the server 101 transmits the digital invitation in response to receiving, from **request device 110** (i.e., “the first node”) via network 104, an indication of requester 111 clicking the **send button 330** (i.e., “receive, from the first node via the at least one network, an indication of a selection of the fourth user interface element, ... where the receipt of the indication of the selection of the fourth user interface element indicates that the file request is to be caused to be sent”). EX1102, ¶87.

Riepling renders element 9[e] obvious. *Id.*, ¶88.

***h) 9[g] and 9[h]***

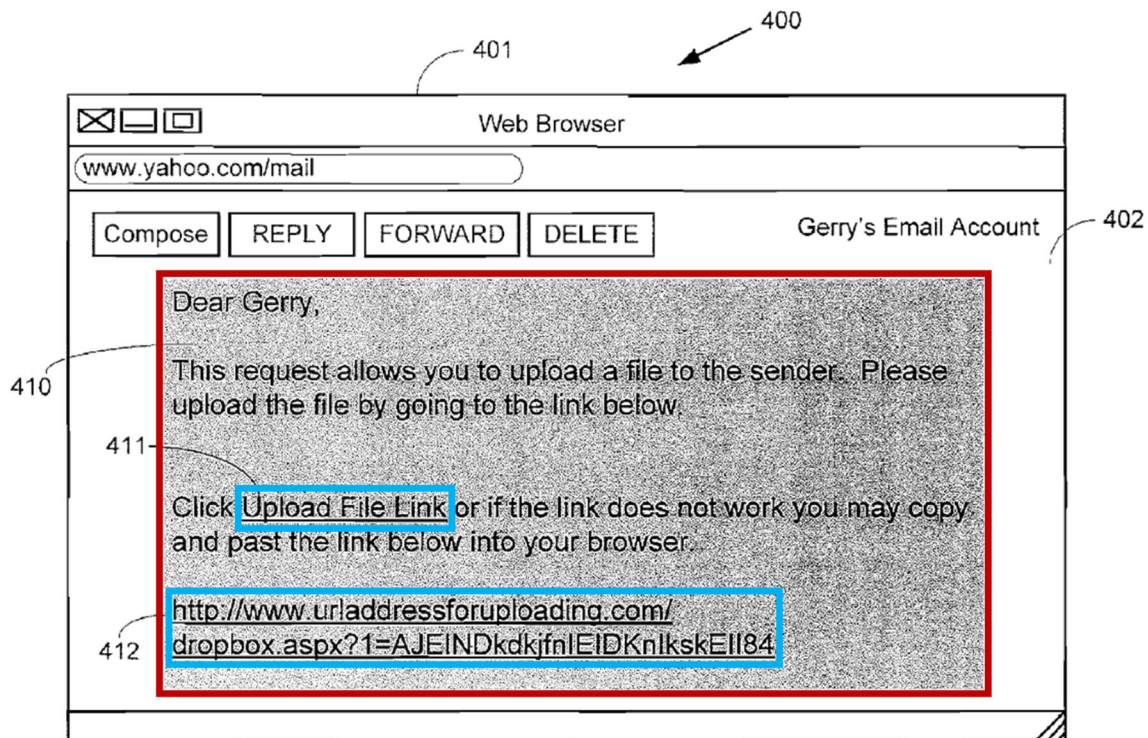
Riepling discloses or at least renders obvious elements 9[g] and 9[h]. EX1102, ¶89.

***First***, as discussed for element 9[f], Riepling discloses “receipt of the indication of the selection of the fourth user interface element.” EX1102, ¶90.

***Second***, as discussed above for elements 9[b], 9[c], and 9[e], Riepling discloses “the file description, the indication of the at least one of the date or the time, and the indicia associated with the at least one email address.” EX1102, ¶91.

***Third***, Riepling discloses that the **send button 330** (i.e., “the fourth user interface element”) “may be used to send a digital invitation.” EX1107, ¶34. Riepling discloses an exemplary **digital invitation 410** (i.e., “a first message”) in an “email interface 402” associated with “Gerry’s Email Account” accessed at

“www.yahoo.com/mail” in “web browser 401.” *Id.*, ¶35, Figure 4. A POSITA would have understood that **digital invitation 410** was addressed to the email address that requester 111 selected from the **list of contact information 230** in **request interface 202** (*i.e.*, “Gerry\_email@yahoo.com”). *See id.*, Figure 2; Section X.A.1.f. EX1102, ¶92.



EX1107, FIG. 4

*Fourth*, **digital invitation 410** includes the file request (*e.g.*, “This request allows you to upload a file to the sender. Please upload the file by going to the link below.”). EX1102, ¶93.

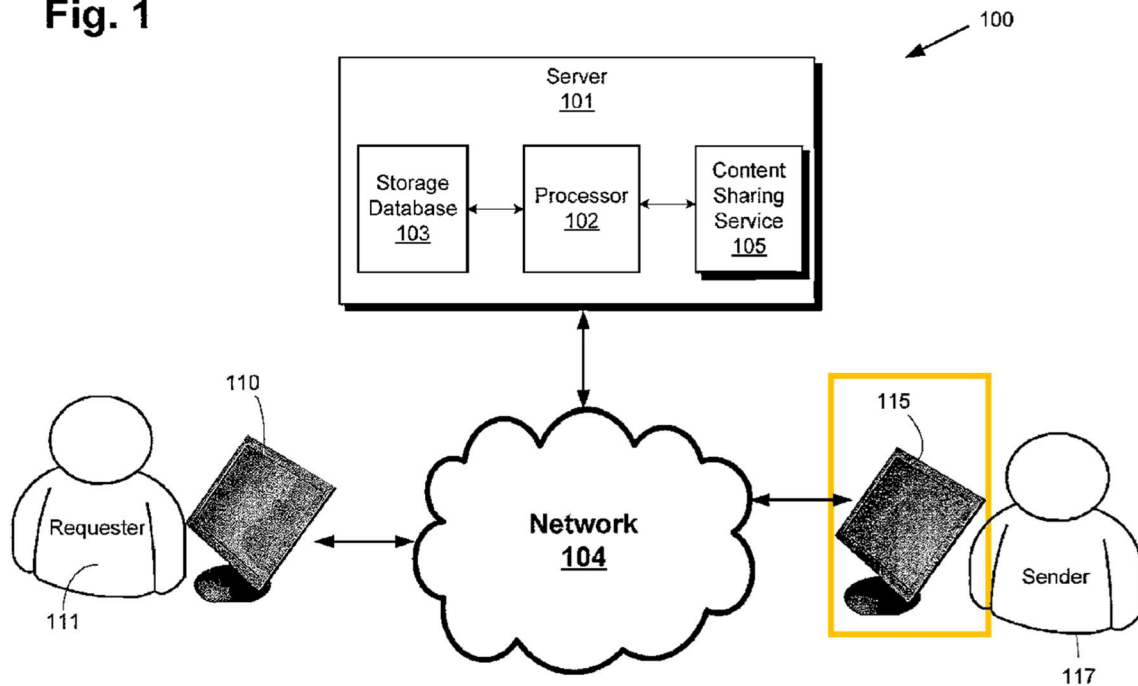
*Fifth*, “[d]igital invitation 410 includes unique location identifiers 411 and 412 of content sharing service 105 of FIG. 1.” EX1107, ¶35. “Unique location identifier 411 may be a clickable textual link that may be presented as a set of keywords masking a destination web address. Unique location identifier 412 may display an actual destination web address. Both unique location identifiers 411 and 412 in FIG. 4 may link to the same web destination address.” *Id.*, ¶36. Thus, either one of unique location identifiers 411 and 412 corresponds to “a fifth user interface element.” EX1102, ¶94.

*Sixth*, Riepling’s illustration of exemplary digital invitation 410 does not explicitly indicate “the at least one of the date or the time on which the file request is based” and does not explicitly include “at least one sentence including the file description describing the at least one file in connection with the file request.” However, Riepling explicitly discloses that a digital invitation may be “restricted by the one or more upload parameters specified in upload parameter dialog 301.” EX1107, ¶34; *see also id.*, Figure 3. As discussed above for elements 9[b] and 9[c], the one or more upload parameters include “the file description describing the at least one file in connection with the file request” (e.g., “audio”) and “the at least one of the date or the time” (e.g., “4 days” or “Jun. 1, 2011, 8:00 am PST until Jun. 5, 2011, 8:00 am PST”), respectively. EX1102, ¶95.

Thus, a POSITA would have understood that Riepling's digital invitation was not limited to **digital invitation 410** in Figure 4 and would further include one or more upload parameters shown in dialog 301, including "*the file description describing the at least one file in connection with the file request*" (e.g., "audio") and "*the at least one of the date or the time*" (e.g., "4 days" or "Jun. 1, 2011, 8:00 am PST until Jun. 5, 2011, 8:00 am PST"). A POSITA would have found it an obvious design choice to include these pieces of information in the digital invitation in order to inform sender 117 of the kind of file requester 111 is requesting and by when requester 111 would like to receive the file. EX1102, ¶96.

***Seventh***, Riepling discloses that "[c]ontent sharing service 105, using processor 102, may transmit, to a contact, the digital invitation comprising a unique location identifier of content sharing service 105 of FIG. 1." EX1107, ¶34, Figure 1. "A user such as sender 117 in FIG. 1 may use **receive device 115** to click on either of unique location identifiers 411 and 412." *Id.*, ¶37, Figure 1. **Receive device 115** corresponds to "*a second node*." Thus, server 101 generates and sends the digital invitation to **receive device 115** via the network 104 (*i.e.*, "*generate a first message...; send, to a second node via the at least one network, the first message*"). EX1102, ¶97.

**Fig. 1**



EX1107, Figure 1

Riepling discloses or at least renders obvious elements 9[g] and 9[h].  
EX1102, ¶98.

**i) 9[i]**

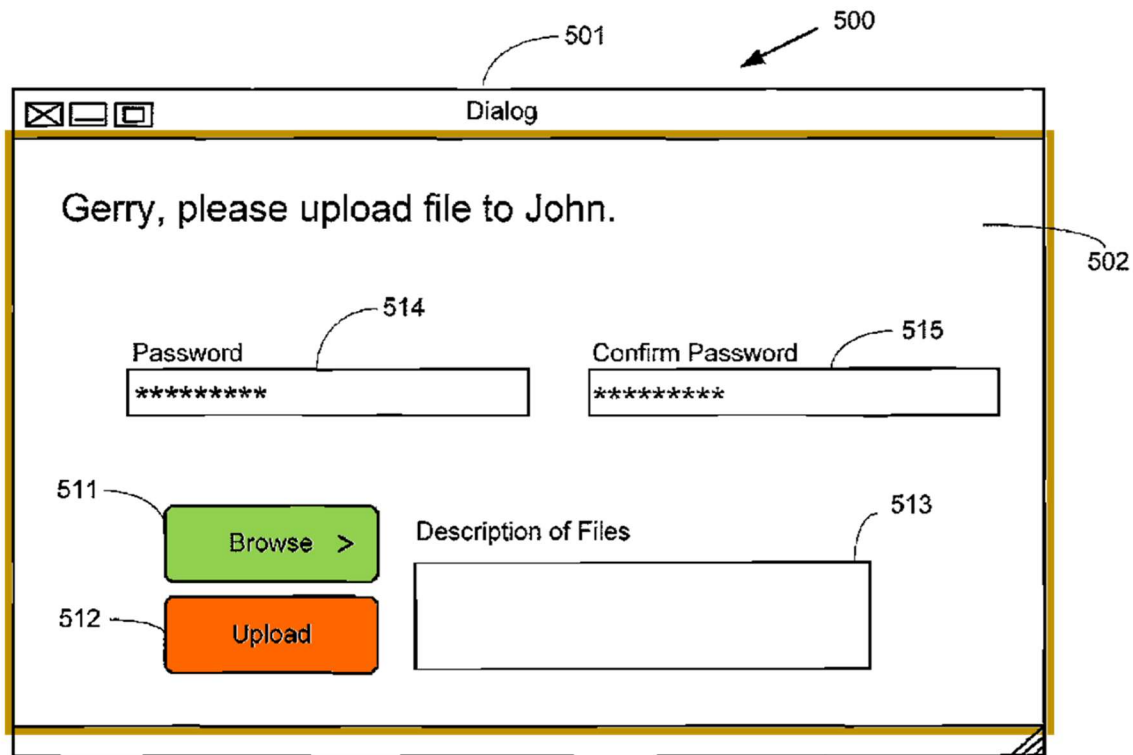
Riepling discloses element 9[i]. Riepling discloses that “[a] user such as sender 117 in FIG. 1 may use **receive device 115** to click on either of **unique location identifiers 411 and 412**” in **digital invitation 410**, “in which instance content sharing service 105 of FIG. 1, using processor 102 of FIG. 1, may **receive a request to access the unique location identifiers 411 and 412**” (*i.e.*, “*receive, from the second node via the at least one network, an indication of a selection of the fifth user interface element of the first message*”). EX1107, ¶37. Further, “a **file upload**

dialog such as file upload dialog 501 may be presented in response to content sharing service 105 of FIG. 1 receiving a request to access the **unique location identifier** within **digital invitation 410**.” *Id.*, ¶42. Thus, sender 117 clicking one of the **unique location identifiers 411 and 412** in **digital invitation 410** is an indication of sender 117’s intention to upload the requested file. EX1102, ¶99.

Riepling discloses element 9[i]. *Id.*, ¶100.

*j) 9[j]*

Riepling discloses element 9[j]. As discussed above for element 9[i], Riepling discloses “*the receipt of the indication of the selection of the fifth user interface element.*” In response, file upload dialog 501 (*i.e.*, “*a third interface*”) may be presented to sender 117, for example, via web browser 401 at **receive device 115** (*i.e.*, “*at the second node*”). EX1107, ¶¶37, 42. Riepling discloses **upload interface 502** (*i.e.*, “*a third interface*”) “displayed within file upload dialog 501.” *Id.*, ¶42. EX1102, ¶101.



EX1107, FIG. 5

**Upload interface 502** includes a **browse button 511** (i.e., “a sixth user interface element”) and an **upload button 512** (i.e., “a seventh user interface element”). See *id.*, ¶43. “**Browse button 511**, which may be a graphical button, may be used to select one or more data files for uploading” and “[u]pload button 512 may be used to perform a data upload by uploading the selected files into the registered user account.” *Id.* Thus, **browse button 511** and **upload button 512** are “for use in uploading the at least one file in response to the file request.” EX1102, ¶102.

Riepling discloses element 9[j]. *Id.*, ¶103.

***k) 9[k]***

Riepling discloses element 9[k]. As discussed above for element 9[j], Riepling discloses **upload button 512** (*i.e.*, “*the seventh user interface element*”) in **upload interface 502** (*i.e.*, “*the third interface*”). “Using **upload button 512** to upload the one or more data files may cause content sharing service 105 of FIG. 1, using processor 102 of FIG. 1, to receive a data upload in response to an uploading from file upload dialog 501.” EX1107, ¶43. Thus, server 101 receives, from **receive device 115** (*i.e.*, “*the second node*”) via network 104, an indication of sender 117 clicking the **upload button 512**. EX1102, ¶104.

Riepling discloses element 9[k]. *Id.*, ¶105.

***l) 9[l]***

Riepling renders obvious element 9[l]. EX1102, ¶106.

**First**, as discussed above for element 9[k], Riepling discloses “*the receipt of the indication of the selection of the seventh user interface element.*” *Id.*, ¶107.

**Second**, Riepling discloses that “content sharing service 105, using processor 102, may notify one or more user accounts within content sharing service 105 in response to receiving a data upload in the registered user account.” EX1107, ¶45. “[O]ne or more user accounts may receive an alert message or any other type of notification message alerting the other accounts of the data upload.” *Id.* The alert

or notification message corresponds to “*a second message... indicating that the file request has been responded to.*” EX1102, ¶108.

**Third**, Riepling discloses that “[t]he notification messages may permit the downloading of the uploaded data through the one or more user accounts.” EX1107, ¶45. Although Riepling does not explicitly disclose that its notification message (*i.e.*, “*second message*”) “*includes an eighth user interface element*” and “*does not include a file attachment,*” Riepling expressly describes including “**unique location identifier 411**,” which may be a clickable link, in its digital invitation 410 (*i.e.*, “*first message*”), as described in element 9[g]. Accordingly, it would have been obvious to a POSITA to implement Riepling’s notification message the same way that Riepling expressly taught for the digital invitation 410 to include a link that would permit the owner of a user account to access and download the uploaded data without inclusion of a file attachment. EX1102, ¶109.

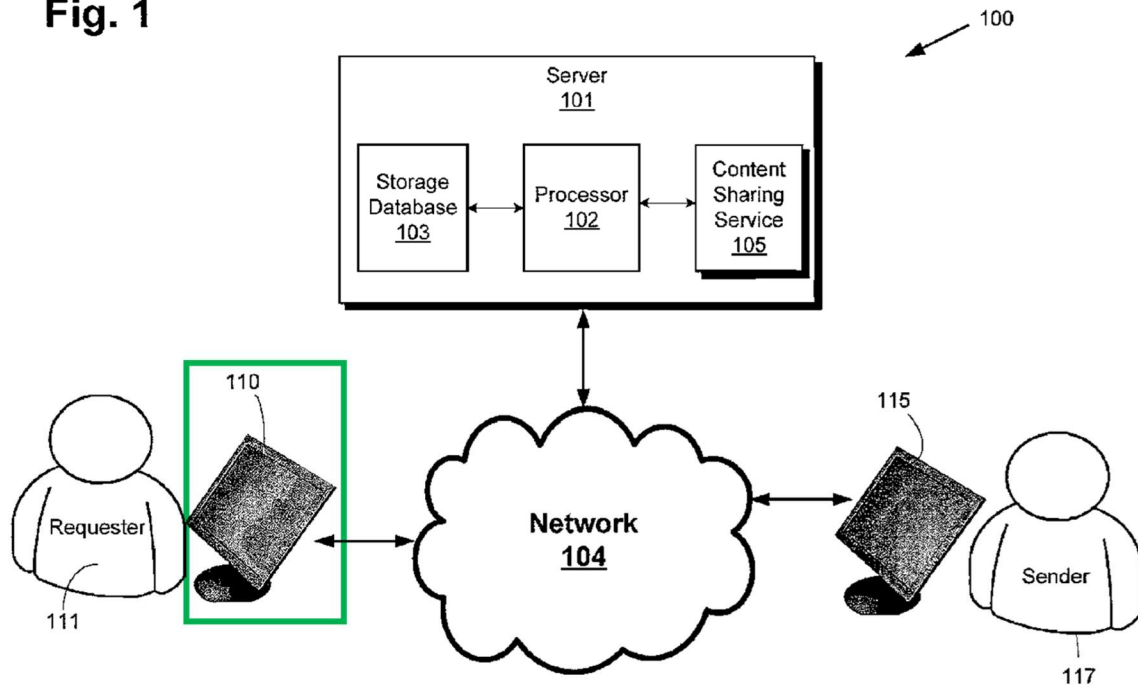
Riepling renders obvious element 9[l]. *Id.*, ¶110.

***m) 9[m]***

Riepling discloses element 9[m]. Riepling discloses that “content sharing service 105, using processor 102, may notify one or more user accounts within content sharing service 105 in response to receiving a data upload in the registered user account.” EX1107, ¶45. “[O]ne or more user accounts may receive an alert message or any other type of notification message alerting the other accounts of the

data upload” and that “[t]he owner of the registered user account may specify which **other** user accounts are to receive the notifications automatically or manually.” *Id.* Thus, in addition to other user accounts, the owner of the registered user account (*i.e.*, requester 111 at **request device 110**—“*the first node*”) also receives the notification. Thus, server 101 sends, to **request device 110** via network 104, the notification message. See EX1107, Figure 1. EX1102, ¶111.

**Fig. 1**



EX1104, FIG. 1

Riepling discloses element 9[m]. EX1102, ¶112.

*n) 9[n]*

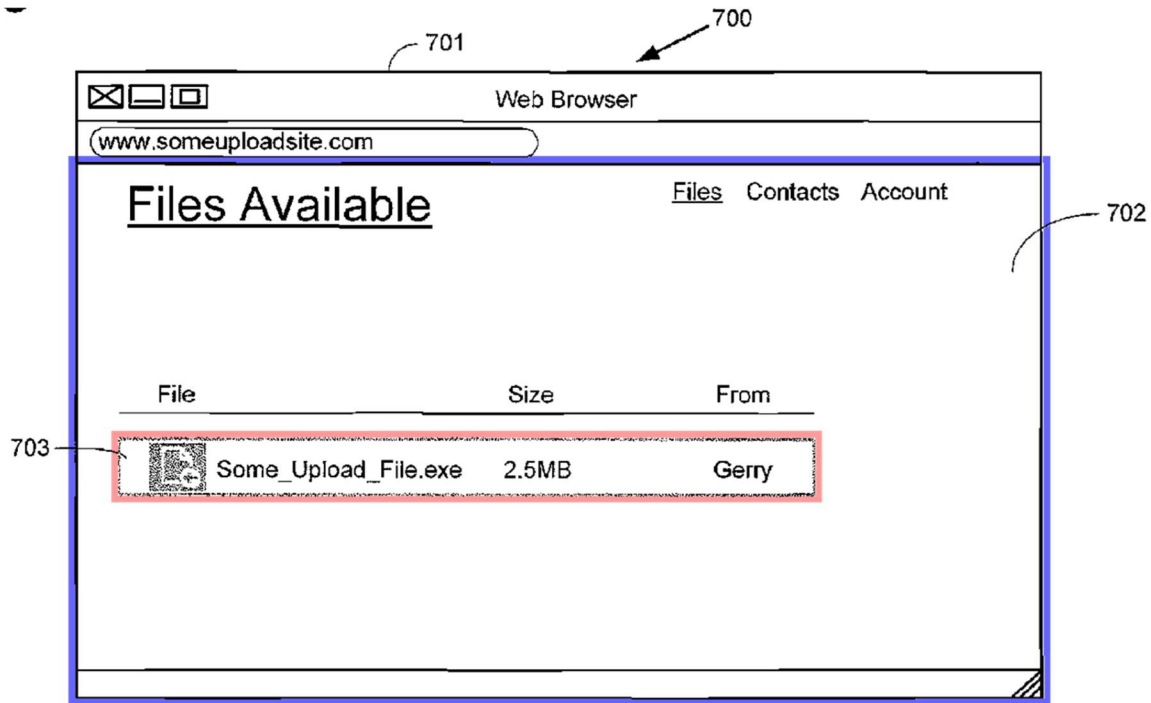
Riepling renders obvious element 9[n]. As discussed above for element 9[l], Riepling discloses “*the second message*” and renders obvious “*the eighth user*”

*interface element.*” Because Riepling discloses that “[t]he notification messages may permit the downloading of the uploaded data” (EX1107, ¶45), a POSITA would have understood that, when requester 111 clicked on a user interface element (*i.e.*, “*the eighth user interface element*”) in the notification message (*i.e.*, “*the second message*”), server 101 would have received an indication of the click and allowed access to the uploaded data. EX1102, ¶113.

Riepling renders obvious element 9[n]. *Id.*, ¶114.

*o) 9[o]*

Riepling renders obvious element 9[o]. As discussed above for element 9[n], Riepling renders obvious “*the receipt of the indication of the selection of the eighth user interface element of the second message.*” Riepling discloses **data availability interface 702** (*i.e.*, “*at least one fourth interface*”), “which may be shown on a display of request device 110” (*i.e.*, “*the first node*”). EX1107, ¶49, Figure 7. Further, **data availability interface 702** includes a **file entry link 703**, which “may be a clickable link associated with the uploaded data” and “may be used to open or download the actual data file” (*i.e.*, “*a reference to the at least one file for allowing access to the at least one file*”). *Id.* EX1102, ¶115.



EX1107, FIG. 7

Riepling renders obvious element 9[o]. EX1102, ¶116.

For the above reasons, Riepling renders claim 9 obvious. *Id.*, ¶117.

## 2. Claim 10

Riepling renders obvious claim 9, as discussed above. Riepling discloses the additional limitation of claim 10. Riepling's invitation expiration field 323 is "used to specify an upload parameter comprising a **valid time window** of a data upload associated with the digital invitation." EX1107, ¶33. "For example, **the text '4 days' or '4' may be entered into invitation expiration field 323 to specify that the digital invitation will be valid for four (4) days after it is sent to the contact**" or "[a]lternatively, a specific time period, such as from Jun. 1, 2011, 8:00 am PST

until Jun. 5, 2011, 8:00 am PST, may be provided.” *Id.* Thus, the digital invitation remains valid and sender 117 can upload the requested file only during the time period specified by the date and/or time entered in invitation expiration field 323. The date and/or time is a criterion dictating whether the file is received. EX1102, ¶118.

Riepling renders claim 10 obvious. *Id.*, ¶119.

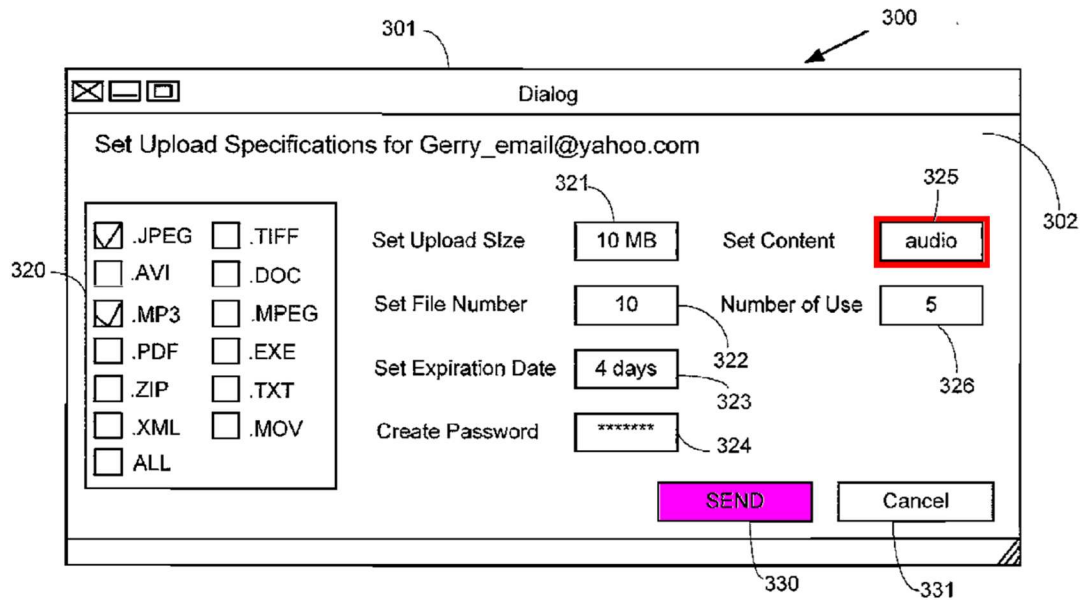
### 3. Claim 14

#### *a) 14[preamble]*

Regardless of whether the preamble is limiting, Riepling discloses it for at least the same reasons discussed above for element 9[preamble]. EX1102, ¶120.

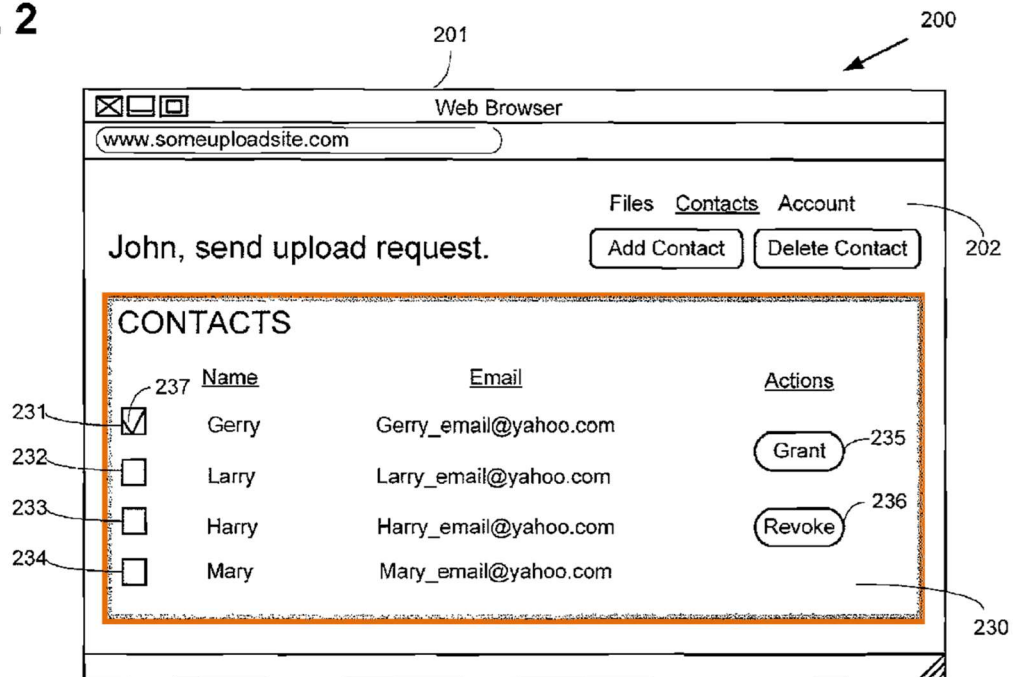
#### *b) 14[a]*

Riepling discloses element 14[a]. Riepling discloses **content field 325** (i.e., “a first user interface element”), a **list of contact information 230** (i.e., “a second user interface element”), and a **send button 330** (i.e., “a third user interface element”). See EX1107, ¶¶4, 18, 21–22, 24–26, 29, 33–34, Figures 2–3. For at least the same reasons discussed above for elements 9[a] and 9[d], Riepling’s **content field 325**, **list of contact information 230**, and **send button 330** are displayed at **request device 110** (i.e., “a first node”) and are “for use in creating a file request requesting one or more desired files.” EX1102, ¶121.



EX1107, FIG. 3

**Fig. 2**



EX1107, FIG. 2

Riepling discloses element 14[a]. EX1102, ¶122.

*c) 14[b]*

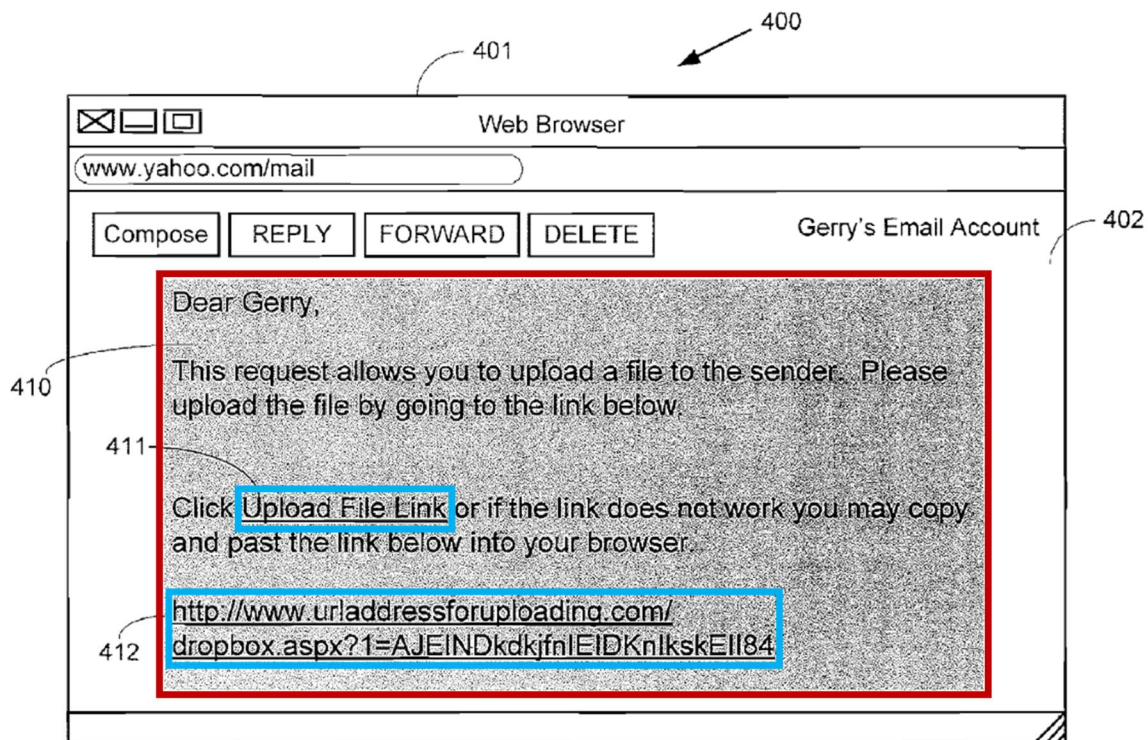
Riepling discloses element 14[b] for at least the same reasons discussed above for element 9[b]. EX1102, ¶123.

*d) 14[c]*

Riepling discloses element 14[c] for at least the same reasons discussed above for element 9[e]. Any one of the **selection boxes 231–234** corresponds to “*an object associated with at least one email address.*” EX1102, ¶124.

*e) 14[d] and 14[e]*

Riepling discloses or at least renders obvious elements 14[d] and 14[e]. Riepling discloses a **digital invitation 410** (*i.e.*, “*a first message addressed to the at least one email address and including the file request*”), which includes **unique location identifiers 411 and 412**, either of which corresponds to “*a fourth user interface element.*” See EX1107, ¶¶34–36, Figure 4. EX1102, ¶125.



EX1107, FIG. 4

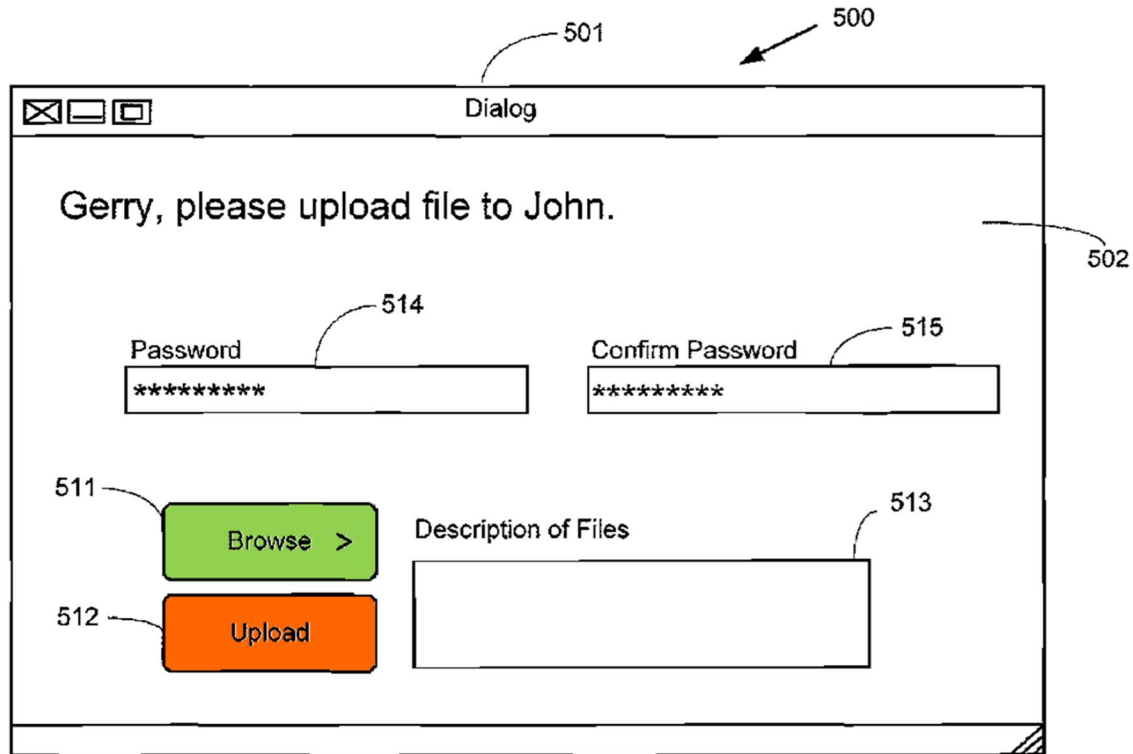
For at least the same reasons discussed above for elements 9[g] and 9[h], Riepling (1) renders obvious “*the first message including... the text associated with the one or more desired files describing the one or more desired files in connection with the file request*” and (2) discloses generating and sending **digital invitation 410** to **receive device 115** (i.e., “*a second node*”) via network 104 (i.e., “*at least one network*”). EX1102, ¶126.

*f) 14[f]*

Riepling discloses element 14[f] for at least the same reasons discussed above for elements 9[i], 14[d], and 14[e]. EX1102, ¶127.

*g) 14[g]*

Riepling discloses element 14[g]. Riepling's content sharing service 105 receives a request to access unique location identifiers 411 and 412 and, in response, presents file upload dialog 501 at **receive device 115** (*i.e.*, "*the second node*"). EX1107, ¶¶37, 42, Figure 5. A POSITA would have understood that, for content sharing service 105 to present the file upload dialog 501 at the **receive device 115**, it would have had to send a communication over network 104 (*i.e.*, "*send a first communication over the at least one network that results in display, at the second node*"). As explained above for element 9[j], file upload dialog 501 includes **browse button 511** and **upload button 512** (*i.e.*, "*a fifth user interface element*") "*for use in uploading the at least one file in response to the file request.*" EX1102, ¶128.



EX1107, FIG. 5

Riepling discloses element 14[g]. EX1102, ¶129.

*h) 14[h]*

Riepling discloses element 14[h]. “**Browse button 511**... may be used to select one or more data files for uploading” and “may function like a conventional file browsing and selection button.” EX1107, ¶43. “Using **upload button 512** to upload the one or more data files may cause content sharing service 105... to receive a data upload in response to an uploading from file upload dialog 501.” *Id.* Thus, the server 101 receives, from **receive device 115** (i.e., “the second node”) via

network 104, “*a message associated with a selection at least one file.*” EX1102, ¶130.

Riepling discloses element 14[h]. EX1102, ¶131.

***i) 14[i]***

Riepling discloses element 14[i] for at least the same reasons discussed above for elements 9[k] and 14[g]. EX1102, ¶132.

***j) 14[j]***

Riepling renders obvious element 14[j]. For at least the same reasons discussed above for element 9[l], Riepling (1) discloses “*a second message... indicating that the file request has been responded to*” and (2) renders obvious that the second message “*includes a sixth user interface element*” and “*does not include a file attachment.*” EX1102, ¶133.

***k) 14[k]***

Riepling discloses element 14[k] for at least the same reasons discussed above for element 9[m]. EX1102, ¶134.

***l) 14[l]***

Riepling renders obvious element 14[l] for at least the same reasons discussed above for element 9[n]. EX1102, ¶135.

***m) 14[m] and 14[n]***

Riepling renders obvious elements 14[m] and 14[n] for at least the same reasons discussed above for element 9[o]. A POSITA would have understood that,

for content sharing service 105 to present data availability interface 702 at **request device 110** (*i.e.*, “*the first node*”), it would have had to send a communication over network 104 (*i.e.*, “*send a second communication over the at least one network that results in display, at the first node*”). EX1102, ¶136.

For the above reasons, Riepling renders claim 14 obvious. *Id.*, ¶137.

#### 4. Claim 15

##### *a) 15[a]*

Riepling renders obvious claim 14, as discussed above. Riepling discloses or at least renders obvious the additional limitation of element 15[a]. Riepling discloses that **digital invitation 410** (*i.e.*, “*the first message*”) “may be a textual email message.” EX1107, ¶36. Riepling further discloses that “one or more user accounts may receive an alert message or... notification message alerting... of the data upload.” *Id.*, ¶45. A POSITA would have understood that notification messages would have included email messages as was conventional, just like Riepling’s **digital invitation 410**. See EX1106, ¶4 (“E-mail is so popular ...”). EX1102, ¶138.

Riepling renders obvious element 15[a]. *Id.*, ¶139.

##### *b) 15[b]*

Riepling discloses element 15[b]. As discussed above for elements 9[e] and 14[c], Riepling discloses that requester 111 selects a contact to send the digital

invitation requesting the data upload to by selecting, from the **list of contact information 230**, one or more of **selection boxes 231–234** (*i.e.*, “*the object*”), which “may be associated with a contact, for example an e-mail address.” EX1107, ¶¶25–26. Any one of **selection boxes 231–234** identifies a contact’s email address and thus corresponds to “*an alias associated with the at least one email address.*” *Cf.* EX1101, 19:18–19 (“ ‘communicant alias’... refers to an identifier of a communicant”). EX1102, ¶140.

Riepling renders obvious element 15[b]. *Id.*, ¶141.

*c) 15[c]*

Riepling discloses or at least renders obvious element 15[c]. Riepling discloses that “content sharing service 105... may notify one or more user accounts... in response to receiving a data upload.” EX1107, ¶45. “[U]ser accounts may receive an alert message or any other type of notification message... of the data upload.” *Id.* A POSITA would have known that a notification message would be automatically generated by content sharing service 105 and would have been at least partially pre-written. EX1102, ¶142.

Riepling renders obvious element 15[c]. *Id.*, ¶143.

*d) 15[d]*

Riepling discloses element 15[d] for at least the same reasons discussed above for claim 10. EX1102, ¶144.

For the above reasons, Riepling renders claim 15 obvious. *Id.*, ¶145.

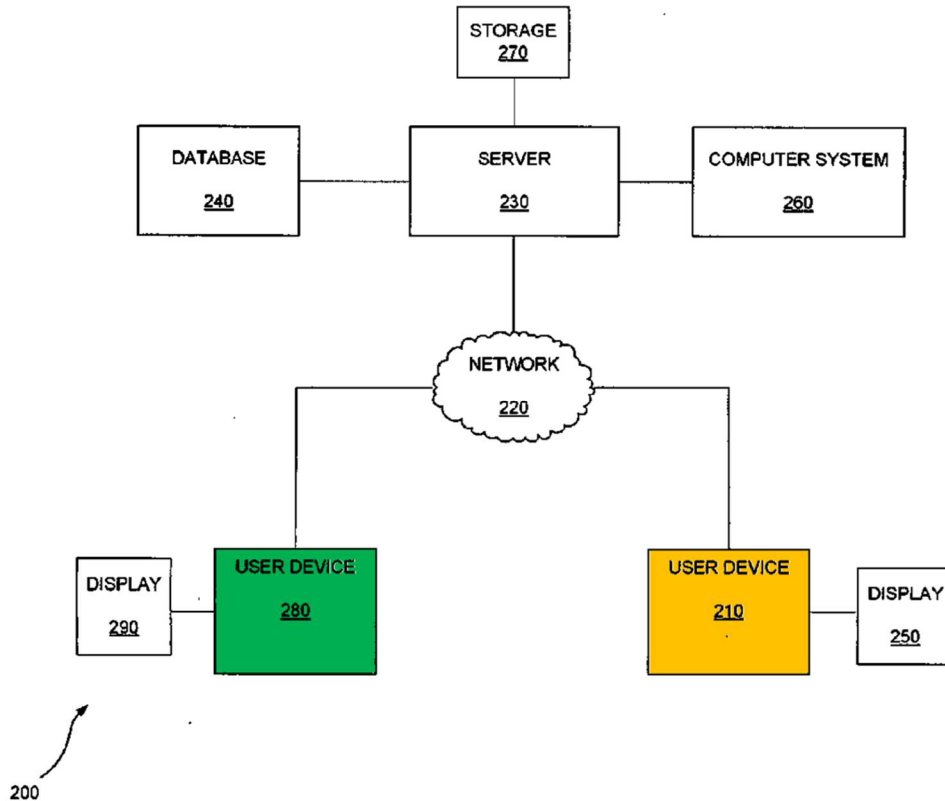
**B. Ground 2: Claims 11–13, 16, and 22–24 are Obvious over Riepling and Manzano**

**1. Claim 11**

Riepling renders obvious claim 9, as discussed above in Ground 1. The combination of Riepling and Manzano renders obvious the additional limitation of claim 11. EX1102, ¶146.

As discussed above in Ground 1 for elements 9[l]–9[o], Riepling renders obvious “*the at least one file is accessible via... the second message.*” Manzano teaches the additional features of claim 11. *Id.*, ¶¶147–148.

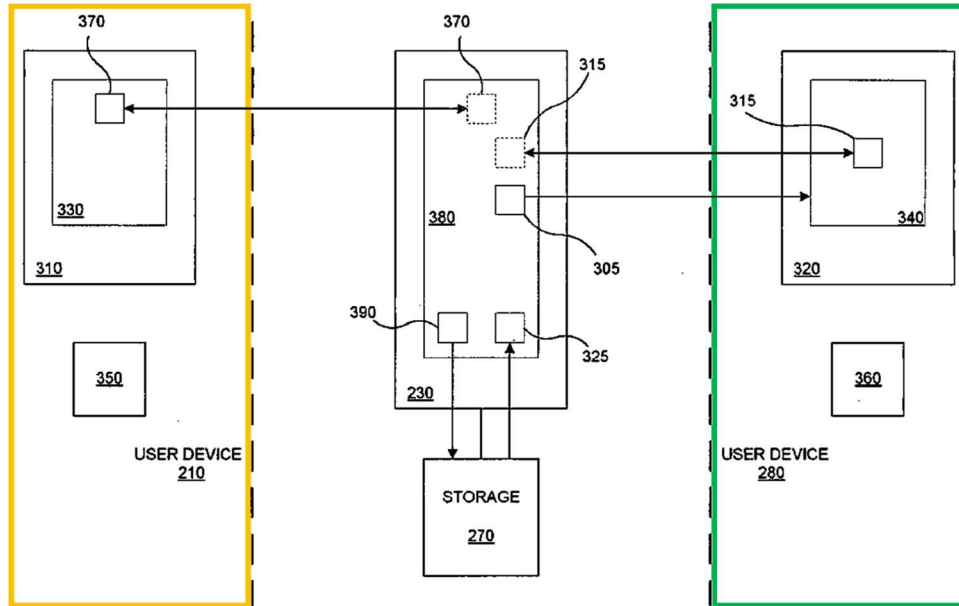
**First**, Manzano relates “to sharing of electronic files among electronic devices.” EX1105, ¶2. Manzano discloses a server 230 linked to user devices 210, 280 via a network 260. *Id.*, ¶29, Figure 2. **User device 210** corresponds to “*the second node*” of claim 9 and **user device 280** to “*the first node.*” “User devices 210, 280 include... a computer screen or display 250, 290, respectively.” *Id.*, ¶30. EX1102, ¶149.



EX1105, FIG. 2

*Second*, Manzano teaches transferring “a file-transfer application” from server 230 to user devices 210, 280 and, “[o]nce installed on the user devices 210, 280, the file-transfer application provides file-transfer clients 310, 320 executable by the user devices 210, 280, respectively.” *Id.*, ¶32; *see also id.*, Figure 3. “Also included in the file-transfer application are user interfaces 350, 360 that are displayable on the displays 250, 290, respectively” and “correspond to respective electronic folders or windows into which files may be placed.” *Id.* Manzano’s file-transfer application (including its file-transfer client 310 or 320 and user interface

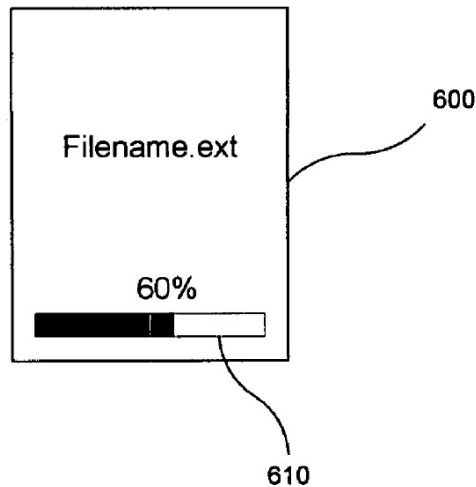
350 or 360) corresponds to “a client-based file explorer application” that provides “a file explorer interface that is not a web page.” EX1102, ¶150.



EX1105, FIG. 3

*Third*, similar to how a user at **receive device 115** (i.e., “the second node”) uploads a file into the registered user account in Riepling (elements 9[j]–9[k]), Manzano discloses that a user of **user device 210** (i.e., “the second node”) may share a file with **user device 280** (i.e., “the first node”) by placing a file into the folder “with which the user device 280 has been associated as a recipient.” *Id.*, ¶33. In response, the file gets transferred to and stored at server 230. *See id.*, ¶¶34–38. Server 230 communicates with **user device 280** and “instructs the recipient client 320 to set up an electronic file folder into which the transferred file will be placed.” *Id.*, ¶41. EX1102, ¶151.

Manzano further discloses that “file icons, such as the icon 600, in a workspace displayed on display device 290 can visually indicate whether a corresponding file (such as a file, the transfer of which may be as is discussed herein with reference to FIG. 3) has been downloaded to or is otherwise stored on (i.e., is local to)... **user device 280**.” EX1105, ¶50, Figure 6; *see also id.*, ¶52 (“‘workspace’ corresponds to a respective electronic folder”). If a shared file “is not local to **user device 280**, the icon 600 may be ghosted (i.e., semi-transparent)... to indicate the non-local status of the file.” *Id.*, ¶50. Manzano’s ghosted icon 600 corresponds to “*a representation of the at least one file.*” Moreover, a POSITA would have understood that icon 600 would be displayed “*among one or more folders*” in Manzano’s file-transfer application. EX1102, ¶152.



EX1105, FIG. 6

At the request of a user of **user device 280**, the file may be downloaded, after which the icon 600 will become “unghosted.” *Id.*, ¶51 (“[A] user may right-click...

the icon 600... to request receipt or download of the associated file, at which time the icon 600 will become unghosted... to indicate the pending-local or local status of the file.”). EX1102, ¶153.

Thus, Manzano discloses “*a creation of a representation of the at least one file is caused, at the first node, in a location among one or more folders on a file explorer interface that is not a web page and utilizes a client-based file explorer application, such that the at least one file is accessible via... the file explorer interface.*” EX1102, ¶154.

***i. Motivation to Combine Riepling and Manzano***

A POSITA would have been motivated to modify Riepling’s system 100 according to and informed by Manzano’s teachings such that Riepling’s system would include, at least at request device 110, a file-transfer application that would display a ghosted icon of the uploaded file until requester 111 requests that the file be downloaded. EX1102, ¶155.

***First***, Riepling and Manzano are from the same field of endeavor. *See, e.g., Medtronic, Inc. v. Cardiac Pacemakers, Inc.*, 721 F.2d 1563, 1574–75 (Fed. Cir. 1983); M.P.E.P. §2141. Both references are directed to sharing files among electronic devices over a network. For example, Riepling relates to “data sharing” and “digital invitations for data uploads” between request device 110 and receive device 115 via network 104. *See, e.g.,* EX1107, ¶¶2, 19, Figure 1; *see also id.*, ¶4

(“data such as documents”). Manzano relates “to sharing of electronic files among electronic devices” using a computer network system. EX1105, ¶¶2, 29, Figure 2. Thus, both references are directed to sharing files among electronic devices over a network. Accordingly, a POSITA would have understood that Manzano’s teachings were directly applicable to the Riepling’s system. EX1102, ¶156.

**Second**, implementing in Riepling’s system to include, at least at request device 110, a file-transfer application that would display a ghosted icon of the uploaded file until requester 111 requests that the file be downloaded, as taught by Manzano, would have yielded expected, predictable results. *KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 416 (2007); M.P.E.P. §2143(I)(A). Riepling’s system includes request device 110 via which requester 111 is to access a requested file, uploaded by sender 117. *See* elements 9[j]–9[o]. Manzano discloses a file-transfer application that is installed and executed at a node and that displays a ghosted icon of an uploaded file until a user requests that the file be downloaded. *See* EX1105, ¶¶32–38, 41, 50–52. A POSITA would have combined the elements taught by Riepling and Manzano using known and routine computer programming principles to modify Riepling’s system such that a file-transfer application would be installed on and executed by request device 110 to display a ghosted icon of the uploaded file until requester 111 requests that the file be downloaded. This result would have been readily predictable and recognized by a POSITA. EX1102, ¶157.

**Third**, the modification of Riepling's system to include Manzano's teachings of a file-transfer application that displays a ghosted icon of an uploaded file until the user requests the file be downloaded would have been readily implemented by simply modifying Riepling's system such that a file-transfer application is installed on and executed by request device 110 to display a ghosted icon of a file uploaded by sender 117 until requester 111 requests that the file be downloaded. A POSITA would have implemented this modification using basic computer programming principles to modify Riepling's system to include Manzano's teachings of a file-transfer application that displays a ghosted icon of an uploaded file until the user requests the file be downloaded. This modification would have been well within the knowledge and skillset of a POSITA. EX1102, ¶158.

**Fourth**, a POSITA would have recognized the benefit of not storing a file at a node until a user requests the file be downloaded. For instance, such a feature would have allowed requester 111 to have more control over when and whether to download the uploaded file, rather than letting the system download any file automatically onto request device 110. *Id.*, ¶159.

***ii. Reasonable Expectation of Success in Combining Riepling and Manzano***

A POSITA would also have had a reasonable expectation of success. The combination of Riepling and Manzano represents a straight-forward implementation

of modifying Riepling's system such that a file-transfer application is installed on and executed by request device 110 to display a ghosted icon of the uploaded file until requester 111 requests the file be downloaded, which a POSITA would have been familiar with and been able to implement. The reasons a POSITA would have expected success parallel those that provide motivation for this combination—including because Riepling and Manzano are both directed to sharing files among electronic devices over a network. EX1107, ¶¶2, 19; EX1105, ¶¶2, 29; *see also* Section X.B.1.i. Moreover, a POSITA would have had a reasonable expectation of success in modifying Riepling's system such that a file-transfer application is installed on and executed by request device 110 to display a ghosted icon of the uploaded file until requester 111 requests that the file be downloaded because Riepling's underlying specification was designed to be extensible and flexible in its application. *See* EX1107, ¶57 (“changes can be made in form and detail without departing from the spirit and the scope of the invention;” “embodiments are to be considered in all respects as illustrative and not restrictive;” “the invention is not limited to the particular embodiments described herein”). EX1102, ¶160.

Accordingly, Riepling in view of Manzano renders claim 11 obvious and a POSITA would have been motivated to combine their teachings and would have had a reasonable expectation of success. *Id.*, ¶161. For these same reasons, a

POSITA would have been motivated to combine their teachings for all subsequently discussed claims and limitations in this Ground. *Id.*

## 2. Claim 12

The combination of Riepling and Manzano renders obvious claim 11, as discussed above. The combination of Riepling and Manzano renders obvious the additional limitation of claim 12. EX1102, ¶162.

Riepling renders obvious “*the second message is sent without including the at least one file as an attachment of the second message,... both for avoiding the at least one file from having to be communicated to and stored at the first node until the at least one file is requested by a user at the first node using... the reference*” for at least the same reasons discussed above in Ground 1 for elements 9[l]–9[o]. *Id.*, ¶163.

The combination of Riepling and Manzano renders obvious “*a storage at the first node does not store the at least one file when the creation of the representation of the at least one file is caused, both for avoiding the at least one file from having to be communicated to and stored at the first node until the at least one file is requested by a user at the first node using the representation*” for at least the same reasons discussed above for claim 11. *Id.*, ¶164.

Riepling in view of Manzano renders claim 12 obvious. *Id.*, ¶165.

### 3. Claim 13

The combination of Riepling and Manzano renders obvious claim 12, as discussed above. Riepling discloses at least one of the additional limitations that are recited in the alternative by claim 13—“*the file description is not received separately from the indication of at least one of the date or the time.*” As discussed above in Ground 1 for elements 9[b] and 9[c], Riepling discloses receiving “*the file description*” (e.g., “audio”) entered in content field 325 and “*the indication of at least one of the date or the time*” (e.g., “4 days” or “a specific time period, such as from Jun. 1, 2011, 8:00 am PST until Jun. 5, 2011, 8:00 am PST”) entered in the invitation expiration field 323, both via the dialog 301 (i.e., “*the first interface*”). Server 101 receives “*the file description*” and “*the indication of at least one of the date or the time*” concurrently when the user clicks the send button 330. EX1102, ¶166.

To the extent PO contends that Riepling does not disclose “*the file description is not received separately from the indication of at least one of the date or the time,*” then Riepling discloses “*the file description is received separately from the indication of at least one of the date or the time,*” as recited in the alternative by claim 13. *Id.*, ¶167.

Riepling in view of Manzano renders claim 13 obvious.<sup>7</sup> *Id.*, ¶168.

**4. Claim 16**

Riepling renders obvious claim 15, as discussed above in Ground 1. The combination of Riepling and Manzano renders obvious the additional limitation of claim 16 for at least the same reasons discussed above for claims 11 and 12. EX1102, ¶169.

Riepling in view of Manzano renders claim 16 obvious. *Id.*, ¶170.

**5. Claim 22**

***a) 22[preamble]***

Regardless of whether the preamble is limiting, Riepling discloses it. Riepling discloses “[a] method for sending, to a contact, a digital invitation requesting an uploading of data.” EX1107, claim 1, ¶¶17, 50–56, Figure 8; *see also* Section X.A.1.a. EX1102, ¶171.

***b) 22[a]***

Riepling discloses element 22[a] for at least the same reasons discussed above in Ground 1 for elements 9[a] and 9[b]. EX1102, ¶172.

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<sup>7</sup> *See Brown v. 3M*, 265 F.3d 1349, 1352 (Fed. Cir. 2001) (construing a claim limitation reciting “at least one of” followed by a list of elements ending with “or” as only requiring at least one of the elements in the list).

***c) 22[b]***

Riepling discloses element 22[b] for at least the same reasons discussed above in Ground 1 for elements 9[a] and 9[c]. EX1102, ¶173.

***d) 22[c]***

Riepling discloses element 22[c] for at least the same reasons discussed above in Ground 1 for elements 9[d], 9[e], 14[a], 14[c], and 15[b]. EX1102, ¶174.

***e) 22[d]***

Riepling renders obvious element 22[d] for at least the same reasons discussed above in Ground 1 for elements 9[d] and 9[f]. EX1102, ¶175.

***f) 22[e]***

Riepling discloses or at least renders obvious element 22[e] for at least the same reasons discussed above in Ground 1 for elements 9[g] and 9[h]. EX1102, ¶176.

***g) 22[f]***

Riepling discloses element 22[f] for at least the same reasons discussed above in Ground 1 for elements 9[i] and 9[j]. EX1102, ¶177.

***h) 22[g]***

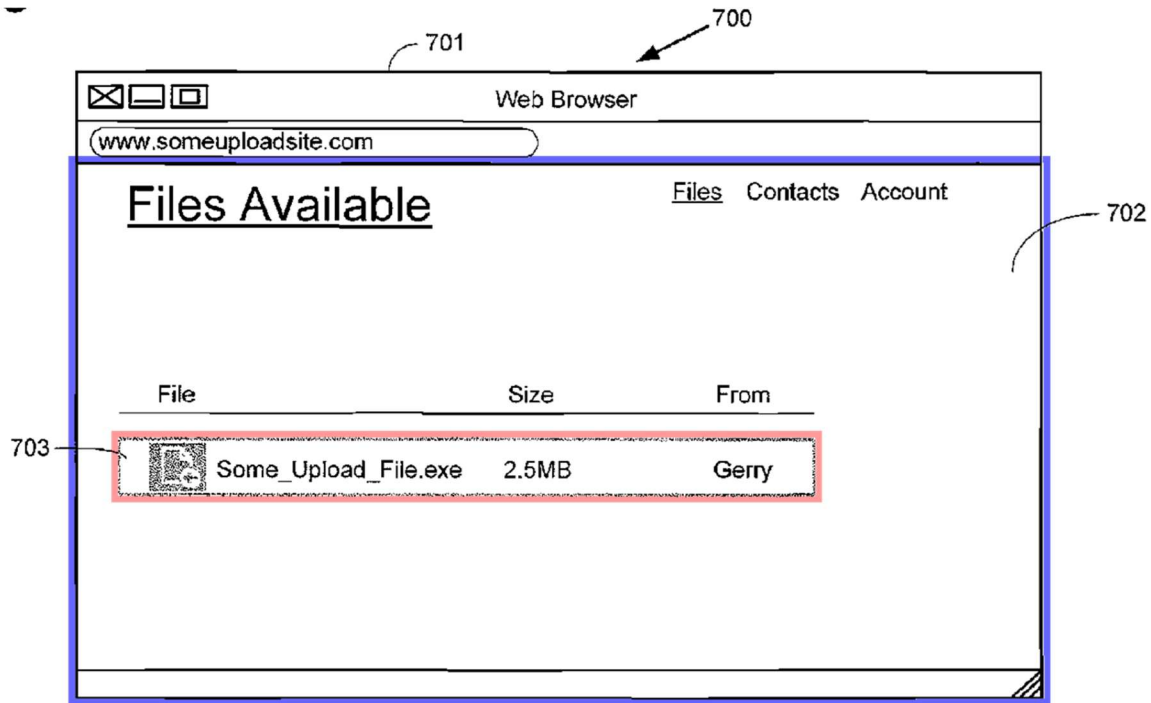
Riepling discloses element 22[g] for at least the same reasons discussed above in Ground 1 for elements 9[j] and 9[k]. EX1102, ¶178.

***i) 22[h]***

Riepling renders obvious element 22[h]. EX1102, ¶179.

**First**, Riepling discloses a file upload dialog 501 with an upload interface 502 having an upload button 512, displayed at **receive device 115** (*i.e.*, “*the second node*”). EX1107, ¶¶41–43, Figure 5. “Upload button 512 may be used to perform a data upload by uploading the selected files into the registered user account” of requester 111, causing “content sharing service 105 of FIG. 1, using processor 102 of FIG. 1, to receive a data upload in response.” *Id.*, ¶43. Moreover, “processor 102 may store the uploaded data into the registered user account that transmitted the digital invitation.” *Id.* Thus, Riepling’s server 101 receives and stores a file uploaded from **receive device 115**. EX1102, ¶180.

**Second**, Riepling discloses and illustrates in Figure 7 a **data availability interface 702** (*i.e.*, “*at least one web page*”), “which may be shown on a display of request device 110” (*i.e.*, “*the first node*”). EX1107, ¶49. Further, **data availability interface 702** includes **file entry link 703**, which “may be a clickable link associated with the uploaded data” and “used to open or download the actual data file.” *Id.* The **file entry link 703** corresponds to “*a first representation of the at least one file.*” EX1102, ¶181.



EX1107, FIG. 7

*Third*, although Riepling does not explicitly disclose or illustrate **file entry link 703** “in a location among one or more folders, that is stored at the at least one server,” Riepling discloses that the file is uploaded into the registered user account of requester 111. *See* EX1107, ¶43. A POSITA would have understood or at least found it obvious that, if requester 111 already had folders stored in its registered user account, **file entry link 703** would have been “in a location among one or more folders, that is stored at the at least one server.” EX1102, ¶182.

Riepling renders obvious element 22[h]. *Id.*, ¶183.

***j) 22[i]***

Riepling renders obvious element 22[i] for at least the same reasons discussed above in Ground 1 for elements 9[l], 9[n], 14[j], 14[l], 15[a], and 15[c]. A POSITA would have understood that, “*the indication of the selection of the seventh user interface element*” is detected when the indication is received. In addition, because Riepling does not expressly require user’s approval for an email to be sent or received, a POSITA would have known that the second email would have automatically been received by a receiving node (*e.g.*, request device 110) to which the email is addressed, without any user involvement, as was the norm. *See, e.g.*, EX1008, ¶40 (“an email application on a computing device may be configured to receive emails from one or more different services”). EX1102, ¶184.

***k) 22[j]***

Riepling renders obvious element 22[j] for at least the same reasons discussed above for element 22[h]. In addition, a file among one or more folders corresponds to “*a file structure.*” EX1102, ¶185.

***l) 22[k]***

The combination of Riepling and Manzano renders obvious element 22[k] for at least the same reasons discussed above for claim 11 and element 22[g]. Manzano explicitly discloses that its “file-transfer application” is transferred from the server 230 and installed on user devices 210, 280. *See* EX1105, ¶32, Figure 3. In addition,

a POSITA would have understood or at least found it obvious that, in addition to displaying a ghosted icon of the uploaded file (*i.e.*, “*a second representation of the at least one file*”), Riepling’s system 100 as modified by Manzano (the “Riepling-Manzano system”) would have displayed, in a client-based file explorer interface at request device 110, other folders that are stored in requester 111’s registered user account and/or stored locally onto request device 110. As such, the ghosted icon of the uploaded file would have been displayed among these other folders. EX1102, ¶186.

For the above reasons, Riepling in view of Manzano renders obvious claim 22. *Id.*, ¶187.

#### **6. Claim 23**

Riepling in view of Manzano renders obvious claim 22, as discussed above. The combination of Riepling and Manzano renders obvious the additional limitation of claim 23 for at least the same reasons discussed above for elements 22[h] and 22[k]. EX1102, ¶188.

Riepling in view of Manzano renders claim 23 obvious. *Id.*, ¶189.

#### **7. Claim 24**

Riepling in view of Manzano renders obvious claim 22, as discussed above. Riepling discloses the additional limitation of claim 24 for at least the same reasons discussed above in Ground 1 for claim 10. To the extent PO contends that “*access*

*to the at least one file is allowed based on whether a date-related criterion or a time-related criterion is met*” in claim 24 is different from “*the indication of the at least one file is received based on whether the criterion is met*” in claim 10, it was well known to allow access to a file based on whether a date-related or time-related criterion is met. *See, e.g.*, EX1119, ¶32 (“calculate an elapsed time and set the expiration settings to cause a file to be deleted after a certain amount of time has elapsed”); EX1120, Abstract (“[D]etermining whether data has been stored on a first non-volatile storage for a specified period of time. If so, then the data on the first non-volatile storage is deleted...”); EX1121, Abstract (“deleting data including backup or snapshots upon expiration”); EX1122, Abstract (“designating and deleting expired files includes a means for storing expiration dates along with file identification data maintained by the file system”). EX1102, ¶190.

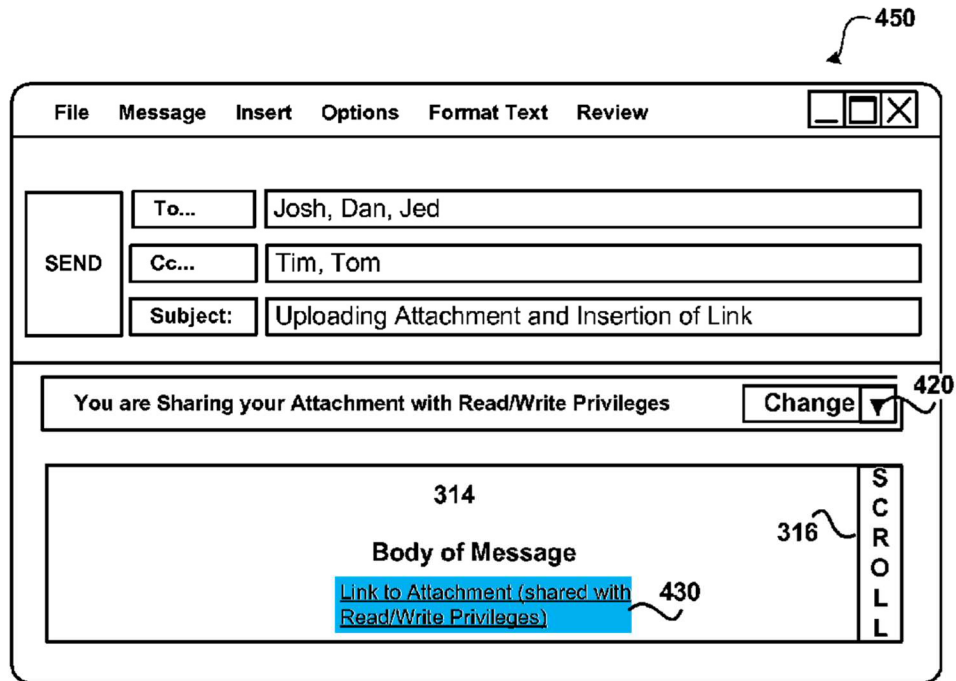
Riepling in view of Manzano renders claim 24 obvious. *Id.*, ¶191.

**C. Grounds 3 and 4: Claims 9, 10, 14, and 15 are Obvious over Riepling and Meisels, and claims 11–13, 16, and 22–24 are Obvious over Riepling, Manzano, and Meisels**

As explained above in Section X.A, Riepling renders obvious claims 9, 10, 14, and 15 and, in Section X.B, the combination of Riepling and Manzano renders obvious claims 11–13, 16, and 22–24. However, to the extent PO contends that Riepling or the combination of Riepling and Manzano does not disclose, teach, suggest, or render obvious (1) “*a second message that includes an eighth user*

*interface element*” as recited by element 9[l], (2) “*a second message that includes a sixth user interface element*” as recited by element 14[j], or (3) “*the second email: includes an eighth user interface element*” as recited by element 22[i], Meisels teaches these features. EX1102, ¶192.

Meisels discloses that, instead of attaching a file to an electronic message, the attachment to the electronic message may be uploaded “to a shared location (e.g. network share, online service, and the like)” and a link to the shared location may be inserted into the electronic message in place of the attachment. EX1108, ¶¶3, 41–45; *see also id.*, ¶56 (“electronic messages are email messages”). Meisels explains that “[t]he term ‘link’ refers to an address that represents a location of content,” “a link may be in the form of a Uniform Resource Locator (URL) that specifies a network location of where the content is stored,” and “[u]sing the link generally retrieves the content that is pointed to by the link.” *Id.*, ¶23. Meisels illustrates the generation of an exemplary electronic message 450 with a **link to attachment 430** in Figure 4. *See id.*, ¶43; *see also id.*, ¶54, Figure 7. EX1102, ¶193.



EX1108, FIG. 4 (excerpted)

*i. Motivation to Combine Riepling and Meisels or Riepling, Manzano, and Meisels*

A POSITA would have been motivated to further modify Riepling's system 100 or the Riepling-Manzano system according to and informed by Meisels's teachings such that Riepling's system or the Riepling-Manzano system would generate a second message/email that includes a link (*i.e.*, “an eighth user interface element” in elements 9[l] and 22[i] or “a sixth user interface element” in element 14[j]) pointing to an uploaded file. EX1102, ¶194.

**First**, Riepling, Manzano, and Meisels are all from the same field of endeavor. *See, e.g., Medtronic*, 721 F.2d at 1574–75; M.P.E.P. §2141. These references are directed to sharing files over a network. For example, Riepling relates to “data

sharing” and “digital invitations for data uploads” between request device 110 and receive device 115 via network 104. *See, e.g.*, EX1107, ¶¶2, 19, Figure 1; *see also id.*, ¶4 (“data such as documents”). Manzano relates “to sharing of electronic files among electronic devices” using a computer network system. EX1105, ¶¶2, 29, Figure 2. Meisels discloses uploading a file to a shared location rather than attaching the file to an electronic message. EX1108, ¶¶3, 41–45. Thus, all three references are directed to sharing files over a network. Accordingly, a POSITA would have understood that Meisels’s teachings were directly applicable to Riepling’s system or the Riepling-Manzano system. EX1102, ¶195.

***Second***, implementing in Riepling’s system or the Riepling-Manzano system generating a second message/email that includes a link pointing to an uploaded file, as taught by Meisels, would have yielded expected, predictable results. *KSR*, 550 U.S. at 416; M.P.E.P. §2143(I)(A). Riepling’s system and the Riepling-Manzano system generate a notification message in response to a file upload to a server. *See* Sections X.A.1.1, X.A.3.j and X.B.5.j. Meisels discloses inserting, in an electronic message/email, a link to a shared location where a file is uploaded. EX1108, ¶¶ 3, 41–45, 56, Figure 4. A POSITA would have combined the elements of Riepling’s system or the Riepling-Manzano system with the elements taught by Meisels—namely, the notification message of Riepling’s system or the Riepling-Manzano system, and the use of a link in an electronic message/email pointing to a file

uploaded in a shared location as taught by Meisels—using known and routine computer programming principles to modify Riepling’s system or the Riepling-Manzano system to generate a second message/email that includes a link pointing to an uploaded file. This result would have been readily predictable and recognized by a POSITA. EX1102, ¶196.

**Third**, the modification of Riepling’s system or the Riepling-Manzano system to generate a second message/email that includes a link pointing to an uploaded file would have been readily implemented by simply modifying Riepling’s system or the Riepling-Manzano system to include a link pointing to the uploaded file in the notification message. A POSITA would have implemented this modification using basic computer programming principles to modify Riepling’s system or the Riepling-Manzano system to include Meisels’s teachings of inserting, in an electronic message/email, a link to a shared location where a file is uploaded. This modification would have been well within the knowledge and skillset of a POSITA. EX1102, ¶197.

**Fourth**, Meisels suggested a benefit of inserting, in an electronic message/email, a link to a shared location where a file is uploaded. For instance, including a link to an attachment, instead of the attachment itself, in an electronic email prevents multiple copies of a file from existing at multiple locations. *See* EX1108, ¶1. A POSITA would have recognized other benefits, such as sending

links to one file to multiple recipients and managing permissions on an individual recipient basis. *See* EX1109, ¶3 (“The sharing links may provide recipients with access to shared items online from storage associated with the sender. The sender is able to manage permissions associated with different sharing links sent to different recipients on an individual basis.”). EX1102, ¶198.

***ii. Reasonable Expectation of Success in Combining Riepling and Meisels or Riepling, Manzano, and Meisels***

A POSITA would also have had a reasonable expectation of success. The combination of Riepling’s system or the Riepling-Manzano system with Meisels represents a straight-forward implementation of inserting, in a message/email, a link to a shared location where a file is uploaded, which a POSITA would have been familiar with and been able to implement. The reasons a POSITA would have expected success parallel those that provide motivation for this combination. *See* Section X.C.i. Moreover, a POSITA would have had a reasonable expectation of success in implementing in Riepling’s system or the Riepling-Manzano system generating a second message/email that includes a link pointing to an uploaded file because each of Riepling’s and Manzano’s underlying specifications was designed to be extensible and flexible in their application. *See* EX1107, ¶57 (“changes can be made in form and detail without departing from the spirit and the scope of the invention;” “embodiments are to be considered in all respects as illustrative and not

restrictive;” “the invention is not limited to the particular embodiments described herein”); EX1105, ¶40 (“the invention is not limited to the details thereof;” “substitutions and modifications are intended to be embraced within the scope of the invention”). EX1102, ¶199.

Accordingly, the combination of Riepling and Meisels renders claims 9, 10, 14, and 15 obvious, the combination of Riepling, Manzano, and Meisels renders claims 11–13, 16, and 22–24 obvious, and a POSITA would have been motivated to combine the teachings of these references. *Id.*, ¶200.

**D. Grounds 5 and 6: Claims 11–13, 16, and 22–24 are Obvious over Riepling, Manzano, and Garcia or Riepling, Manzano, Meisels, and Garcia**

As explained above in Sections X.B and X.C, the combination of Riepling and Manzano and the combination of Riepling, Manzano, and Meisels render obvious claims 11–13, 16, and 22–24, respectively. However, to the extent PO contends that these combinations do not disclose, teach, suggest, or render obvious (1) “*in a location among one or more folders on a file explorer interface*” as recited by claims 11 and 16, (2) “*in a location among one or more folders, that is stored at the at least one server and that is displayable via at least one web page*” as recited by element 22[h], (3) “*display, ... via the at least one web page, of a file structure*” as recited by element 22[j], (4) “*one or more folders, that is stored at the first node and that is displayable via the file explorer interface of the client-based file explorer*

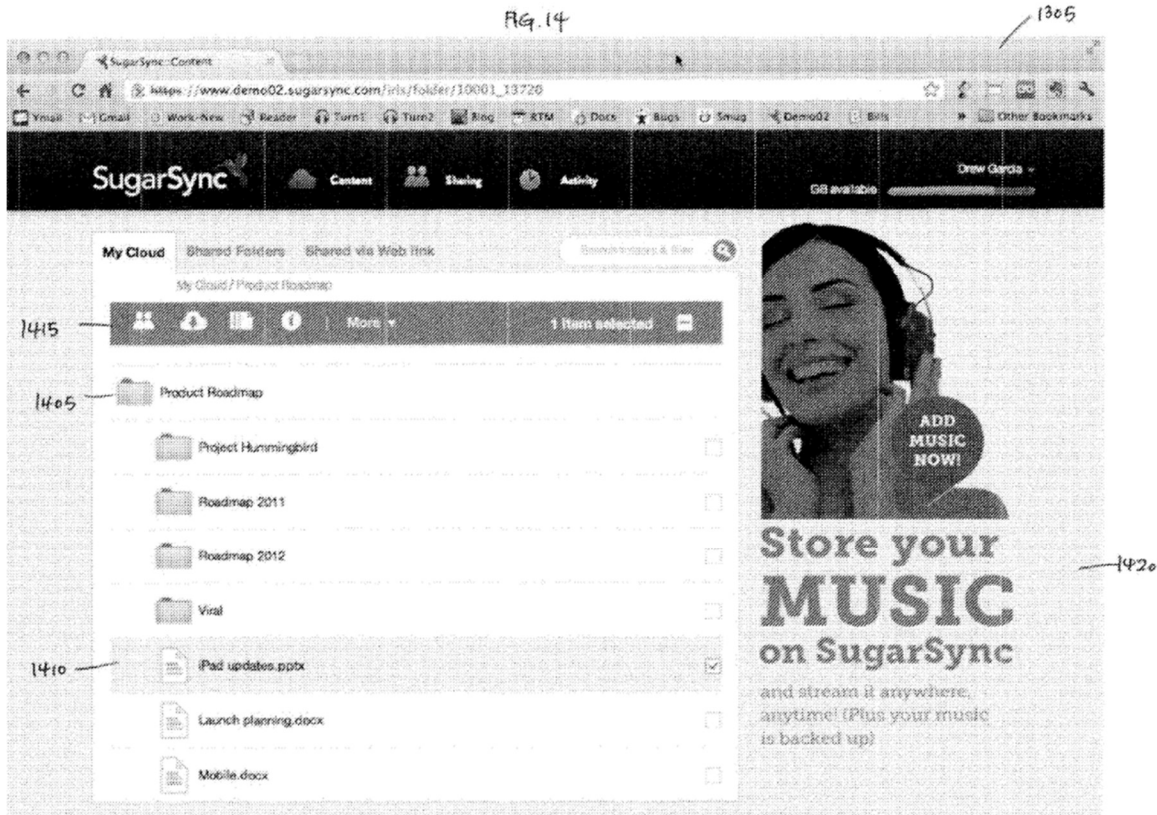
*application*” as recited by element 22[k], (5) “*one or more representations for the one or more folders that is stored at the at least one server already exist in the location among the one or more folders that is stored at the first node*” as recited by claim 23, Garcia teaches these features. EX1102, ¶201.

**First**, Garcia discloses a web interface 1305 (*i.e.*, “*at least one web page*”) for its synchronization system. EX1104, 11:44–45, Figure 13; *see also id.*, Figure 2. Garcia further discloses, within the web interface 1305, a My Cloud tab 1330 and a Shared Folders tab 1335. *Id.*, 11:48–50, Figure 13. Within the MyCloud tab 1330, Garcia discloses and illustrates “a list of folders 1345 from any of the synchronized client devices” (*i.e.*, “*one or more folders, that is stored at the at least one server*”). *Id.*, 11:50–52. EX1102, ¶202.



EX1104, FIG. 13 (excerpted)

Garcia further discloses that the user can click on a particular folder 1405 and select a particular folder or file 1410, all within the web interface 1305. *Id.*, 11:53–55, Figure 14. A POSITA would have known that the user would have similarly clicked through folders and select files in the Shared Folders tab 1335. EX1102, ¶203.

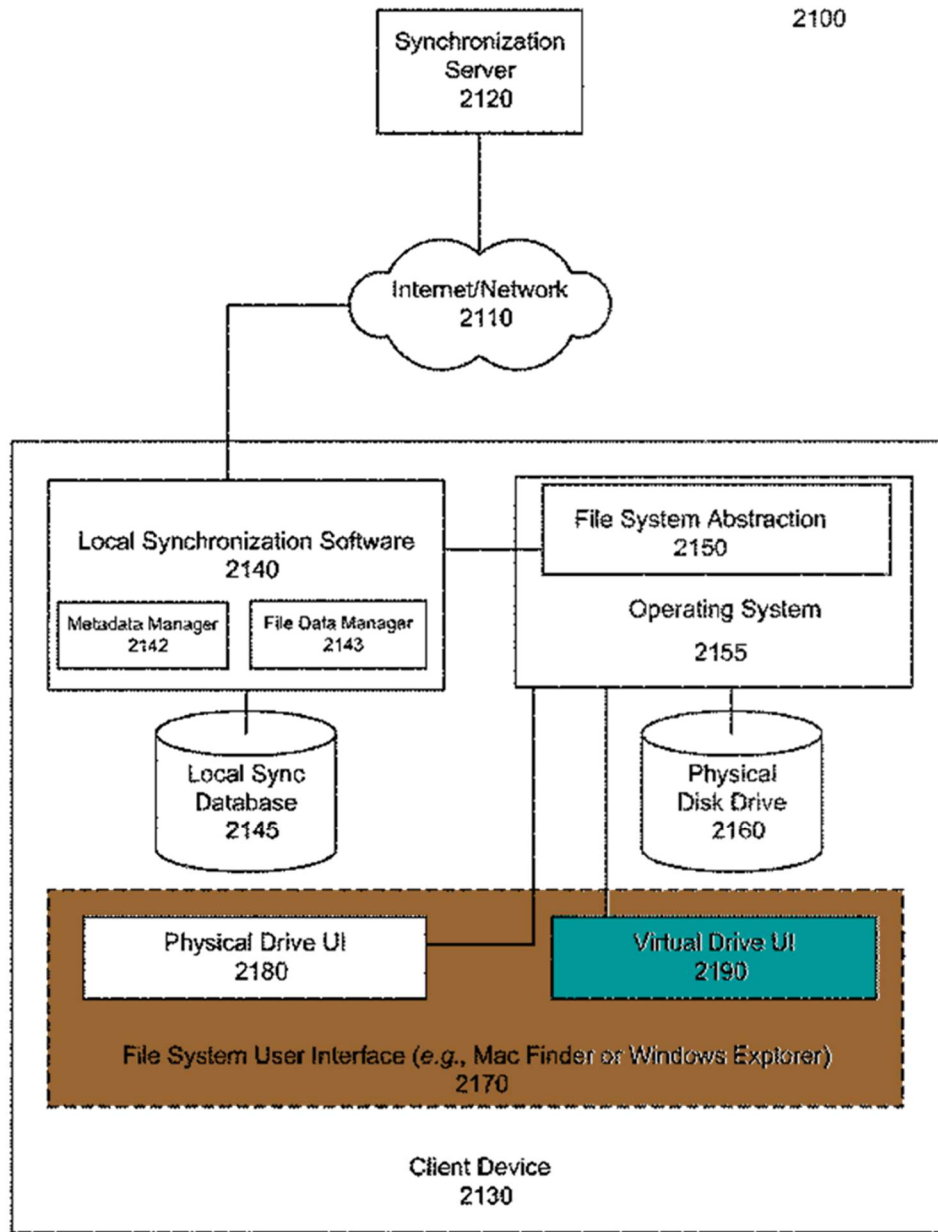


EX1104, FIG. 14

Thus, Garcia discloses “*in a location among one or more folders, that is stored at the at least one server and that is displayable via at least one web page*” and “*display, ... via the at least one web page, of a file structure.*” EX1102, ¶204.

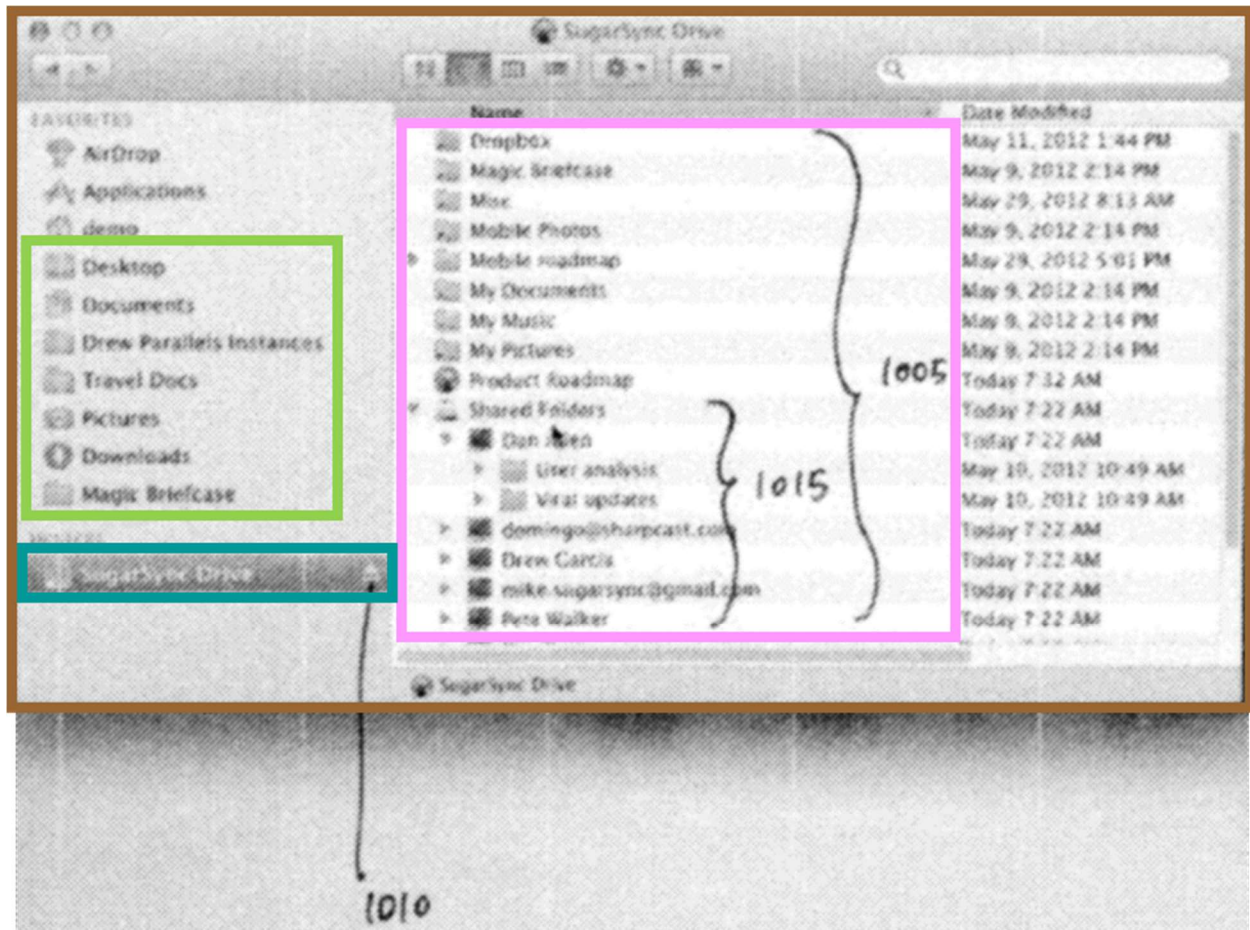
**Second**, Garcia discloses a synchronization system 2100 that includes a synchronization server 2120 in communication with a client device 2130 via an internet/network 2110. *See* EX1104, 6:36–67, Figure 21. Garcia describes that “all synchronized objects between a user’s client devices and between users are stored on server 2120 and are accessible from any client device having access to the server 2120.” *Id.*, 6:45–48; *see also id.*, 2:37–41 (“access, via user interface, a virtual drive

on the local device, where... a user is able to access items (e.g., files) in any object (e.g., folders), including objects located only on a remote device.”). Garcia explains that “[w]ithin client device 2130 is local synchronization client software 2140.” *Id.*, 7:1–2. The local synchronization client software 2140 “functions to synchronize client device 2130 with the synchronization server 2120.” *Id.*, 7:2–3. “The local synchronization software 2140 is operatively coupled to a file system abstraction module 2150, within operating system 2155” of the client device 2130. *Id.*, 7:22–24. The operating system 2155 is “connected to a **user interface 2170** (e.g., MAC FINDER or WINDOWS EXPLORER) which displays the physical drive user interface 2180 and the **virtual drive user interface 2190.**” *Id.*, 7:25–29. The **user interface 2170** thus corresponds to “*a file explorer interface of the client-based file explorer application.*” EX1102, ¶205.



EX1104, FIG. 21

Consistent with its description of Figure 21, Garcia illustrates a **virtual drive 1010** in an **interface** (i.e., “file explorer interface”) in Figure 10. EX1102, ¶206.



EX1104, FIG. 10 (excerpted)

Garcia explains that “any file in **folders 1005** in the synchronization system may be accessed through [the] **virtual drive 1010**, including folders located only on a remote device (e.g., work computer 240) or folders located only on the synchronization server 220.” *Id.*, 10:60–64. **Folders 1005**, including Shared Folders 1015, correspond to “*the one or more folders that is stored at the at least one server.*” Moreover, Garcia illustrates, in the **interface** of Figure 10, **folders 1005** among other **conventional folders** (e.g., “Desktop,” “Documents,” “Downloads,” etc.; *i.e.*, “*one or more folders that is stored at the first node*”), which

are local to the client device. A POSITA would have understood that, at a moment in time, representations of older synchronized folders among the **folders 1005**, as opposed to a folder or a file synchronized at that moment, would have already existed among the other **conventional folders**. EX1102, ¶207.

Thus, Garcia discloses “*in a location among one or more folders on a file explorer interface,*” “*one or more folders, that is stored at the first node and that is displayable via the file explorer interface of the client-based file explorer application,*” and “*one or more representations for the one or more folders that is stored at the at least one server already exist in the location among the one or more folders that is stored at the first node.*” *Id.*, ¶208.

***i. Motivation to Combine Riepling, Manzano, and Garcia  
or Riepling, Manzano, Meisels, and Garcia***

A POSITA would have been motivated to further modify the Riepling-Manzano system or the Riepling-Manzano system as modified by Meisels (the “Riepling-Manzano-Meisels” system) according to and informed by Garcia’s teachings such that the Riepling-Manzano system or the Riepling-Manzano-Meisels system would (1) display the first representation of the uploaded file among folders stored at the server and via the web page and (2) display the second representation of the uploaded file among folders stored at the first node in the file explorer interface, wherein representations of the folders stored at the server already existed

among the folders stored at the first node. This modification would have provided the requester with intuitive, easy-to-use ways of interacting with and viewing uploaded files, in integrated, streamlined interfaces. This modification would also have provided the added benefit of allowing the requester to have more control over what is downloaded from the server and when, rather than letting the server download any uploaded file automatically onto the requester's device. EX1102, ¶209.

**First**, Riepling, Manzano, Meisels, and Garcia are all from the same field of endeavor. *See, e.g., Medtronic*, 721 F.2d at 1574–75; M.P.E.P. §2141. These references are directed to sharing electronic content over a network. For example, Riepling relates to “data sharing” and “digital invitations for data uploads” between request device 110 and receive device 115 via network 104. *See, e.g., EX1107*, ¶¶2, 19, Figure 1; *see also id.*, ¶4 (“data such as documents”). Manzano relates “to sharing of electronic files among electronic devices” using a computer network system. EX1105, ¶¶2, 29, Figure 2. Meisels discloses uploading a file to a shared location rather than attaching the file to an electronic message. EX1108, ¶¶3, 41–45. Garcia discloses a system “for enabling a user to synchronize, manage, and share files and folders across a plurality of client devices and a synchronization server.” EX1104, Abstract, Figure 2. Thus, all four references are directed to sharing electronic content over a network. Accordingly, a POSITA would have understood

that Garcia's teachings were directly applicable to the Riepling-Manzano system or the Riepling-Manzano-Meisels system. EX1102, ¶210.

**Second**, implementing the Riepling-Manzano system or the Riepling-Manzano-Meisels system to (1) display the first representation of the uploaded file among folders stored at the server and via the web page and (2) display a second representation of the uploaded file among folders stored at the first node in the file explorer interface, wherein representations of the folders stored at the server already existed among the folder stored at the first node, as taught by Garcia, would have yielded expected, predictable results. *KSR*, 550 U.S. at 416; M.P.E.P. §2143(I)(A). The Riepling-Manzano system and the Riepling-Manzano-Meisels system cause display of a first representation of the uploaded file in a web page and a second representation of the uploaded file in a file explorer interface. *See* Sections X.B.5.i and X.B.5.l. Garcia discloses a synchronization system that displays folders stored at a synchronization server 220 in a web interface 1305 and folders stored at a client device in a file explorer interface. *See* EX1104, 10:52–11:10, Figure 10, 11:44–61, Figures 13–14. A POSITA would have combined the elements of the Riepling-Manzano system or the Riepling-Manzano-Meisels system and the elements taught by Garcia using known and routine computer programming principles to modify the Riepling-Manzano system or the Riepling-Manzano-Meisels system to (1) display the first representation of the uploaded file among folders stored at the server and

via the web page and (2) display a second representation of the uploaded file among folders stored at the first node in the file explorer interface, wherein representations of the folders stored at the server already existed among the folder stored at the first node. This result would have been readily predictable and recognized by a POSITA. EX1102, ¶211.

**Third**, the modification of the Riepling-Manzano system or the Riepling-Manzano-Meisels system to include Garcia’s teachings of displaying folders stored at a server via a web page and displaying folders stored at the first node in a file explorer interface—such that the representation of the uploaded file is “*among one of more folders*”—would have been readily implemented by simply modifying the Riepling-Manzano system or the Riepling-Manzano-Meisels system to display folders stored at a server via the web page and displaying folders stored at the first node in the file explorer interface. A POSITA would have implemented this modification using basic computer programming principles to modify the Riepling-Manzano system or the Riepling-Manzano-Meisels system to include Garcia’s teachings of displaying folders stored at a server via a web page and displaying folders stored at the first node in a file explorer interface. This modification would have been well within the knowledge and skillset of a POSITA. EX1102, ¶212.

***ii. Reasonable Expectation of Success in Combining Riepling, Manzano, and Garcia or Riepling, Manzano, Meisels, and Garcia***

A POSITA would also have had a reasonable expectation of success. The combination of the Riepling-Manzano system or the Riepling-Manzano-Meisels system and Garcia represents a straight-forward implementation of displaying folders stored at a server via a web page and displaying folders stored at the first node in a file explorer interface, which a POSITA would have been familiar with and been able to implement. The reasons a POSITA would have expected success parallel those that provide motivation for this combination—including because Riepling, Manzano, Meisels, and Garcia are all directed to sharing electronic content over a network. EX1107, ¶¶2, 19; EX1105, ¶¶2, 29; EX1108, ¶¶3, 41–45; *see also* Section X.D.i. Moreover, a POSITA would have had a reasonable expectation of success in implementing the Riepling-Manzano system or the Riepling-Manzano-Meisels system to display folders stored at a server via the web page and displaying folders stored at the first node in the file explorer interface because each of Riepling’s, Manzano’s, and Meisels’s underlying specification was designed to be extensible and flexible in their application. *See* EX1107, ¶57 (“changes can be made in form and detail without departing from the spirit and the scope of the invention;” “embodiments are to be considered in all respects as illustrative and not restrictive;” “the invention is not limited to the particular embodiments described herein”);

EX1105, ¶40 (“the invention is not limited to the details thereof,” “substitutions and modifications are intended to be embraced within the scope of the invention”); EX1108, ¶65 (“the invention can be made without departing from the spirit and scope of the invention”). EX1102, ¶213.

Accordingly, the combination of Riepling, Manzano, and Garcia and the combination of Riepling, Manzano, Meisels, and Garcia render claims 11–13, 16, and 22–24 obvious and a POSITA would have been motivated to combine the teachings of these references. *Id.*, ¶214.

## **XI. CONCLUSION**

Petitioner requests institution of an *inter partes* review of the ’520 patent and cancellation of claims 9–16 and 22–24.

Respectfully Submitted,

Dated: January 22, 2024

/Scott Bertulli/  
Scott Bertulli, Lead Counsel  
Registration No. 75,886

## **XII. APPENDIX OF CLAIM LISTING<sup>8</sup>**

### **Independent Claim 9**

9[preamble]: An apparatus, comprising: at least one non-transitory memory storing instructions; and one or more processors in communication with the at least one non-transitory memory, wherein the one or more processors execute the instructions to:

9[a]: cause, at a first node, display of a first interface with a first user interface element and a second user interface element, the first interface for use in creating a file request requesting at least one file;

9[b]: receive, from the first node via at least one network, a file description via the first user interface element that includes a textbox, utilizing the first interface, the file description describing the at least one file in connection with the file request;

9[c]: receive, from the first node via the at least one network, an indication of at least one of a date or a time via the second user interface element, utilizing the first interface;

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<sup>8</sup> 37 C.F.R. §42.24(a)(1) (“The word count... does not include... appendix of exhibits or claim listing.”)

9[d]: cause, at the first node, display of a second interface with a third user interface element and a fourth user interface element, the second interface for use in causing the file request to be sent;

9[e]: receive, from the first node via the at least one network, indicia associated with at least one email address via the third user interface element, utilizing the second interface, the at least one email address for being used to send the file request;

9[f]: receive, from the first node via the at least one network, an indication of a selection of the fourth user interface element, utilizing the second interface, where the receipt of the indication of the selection of the fourth user interface element indicates that the file request is to be caused to be sent;

9[g]: in response to the receipt of the indication of the selection of the fourth user interface element and based on the file description, the indication of the at least one of the date or the time, and the indicia associated with the at least one email address; generate a first message addressed to the at least one email address and including the file request, the first message indicating the at least one of the date or the time on which the file request is based, and further including a fifth user interface element and at least one sentence including the file description describing the at least one file in connection with the file request;

9[h]: send, to a second node via the at least one network, the first message;

9[i]: receive, from the second node via the at least one network, an indication of a selection of the fifth user interface element of the first message, where the receipt of the indication of the selection of the fifth user interface element indicates that the at least one file is to be uploaded in response to the file request;

9[j]: in response to the receipt of the indication of the selection of the fifth user interface element, cause, at the second node, display of a third interface with a sixth user interface element and a seventh user interface element, the third interface for use in uploading the at least one file in response to the file request;

9[k]: receive, from the second node via the at least one network, an indication of a selection of the seventh user interface element, utilizing the third interface;

9[l]: in response to the receipt of the indication of the selection of the seventh user interface element, generate a second message that includes an eighth user interface element, and that does not include a file attachment with the second message, the second message indicating that the file request has been responded to;

9[m]: send, to the first node via the at least one network, the second message;

9[n]: receive, from the first node via the at least one network, an indication of a selection of the eighth user interface element of the second message;

9[o]: in response to the receipt of the indication of the selection of the eighth user interface element of the second message, cause, at the first node, display of at

least one fourth interface with a reference to the at least one file for allowing access to the at least one file at the first node.

**Dependent Claim 10**

The apparatus of claim 9, wherein the apparatus is configured such that the at least one of the date or the time of the indication of the at least one of the date or the time is a criterion, and the indication of the at least one file is received based on whether the criterion is met.

**Dependent Claim 11**

The apparatus of claim 9, wherein the apparatus is configured such that, in response to the receipt of the indication of the selection of the seventh user interface element, a creation of a representation of the at least one file is caused, at the first node, in a location among one or more folders on a file explorer interface that is not a web page and utilizes a client-based file explorer application, such that the at least one file is accessible via both the second message and the file explorer interface.

**Dependent Claim 12**

The apparatus of claim 11, wherein the apparatus is configured such that the second message is sent without including the at least one file as an attachment of the

second message, and a storage at the first node does not store the at least one file when the creation of the representation of the at least one file is caused, both for avoiding the at least one file from having to be communicated to and stored at the first node until the at least one file is requested by a user at the first node using the representation or the reference.

### **Dependent Claim 13**

The apparatus of claim 12, wherein the apparatus is configured such that at least one of: the file description is received separately from the indication of at least one of the date or the time; the file description is not received separately from the indication of at least one of the date or the time; the apparatus is configured to control the file description; the apparatus is configured to not control the file description; the apparatus is configured to control the file description such that the file description describes the at least one file in connection with the file request; the apparatus is configured to not control the file description such that the file description describes the at least one file in connection with the file request; the apparatus is configured to control the file description; the apparatus is not configured to control the file description; the apparatus is configured to control the file description such that the file description describes the at least one file in connection with the file request; the apparatus is not configured to control the file description such that the file

description describes the at least one file in connection with the file request; the apparatus is configured to control whether the storage at the first node stores or does not store the at least one file; the apparatus is configured to not control whether the storage at the first node stores or does not store the at least one file; the code is configured to control whether the storage at the first node stores or does not store the at least one file; or the code is configured to not control whether the storage at the first node stores or does not store the at least one file.

**Independent Claim 14**

14[preamble]: An apparatus, comprising: at least one non-transitory memory storing instructions; and one or more processors in communication with the at least one non-transitory memory, wherein the one or more processors execute the instructions to:

14[a]: display, at a first node, of a first user interface element, a second user interface element, and a third user interface element, the first user interface element, the second user interface element, and the third user interface element for use in creating a file request requesting one or more desired files;

14[b]: receive, from the first node via at least one network, text associated with one or more desired files via the first user interface element that includes a

textbox, the text describing the one or more desired files in connection with the file request;

14[c]: receive, from the first node via the at least one network, an object associated with at least one email address via the second user interface element, the at least one email address for being used to send the file request;

14[d]: based on the text associated with the one or more desired files and the object associated with the at least one email address; generate a first message addressed to the at least one email address and including the file request, the first message including a fourth user interface element and the text associated with the one or more desired files describing the one or more desired files in connection with the file request;

14[e]: send, to a second node via the at least one network, the first message;

14[f]: receive, from the second node via the at least one network, a message associated with a selection of the fourth user interface element of the first message for indicating that at least one file is to be uploaded in response to the file request;

14[g]: in response to the receipt of the message associated with the selection of the fourth user interface element, send a first communication over the at least one network that results in display, at the second node, of a fifth user interface element for use in uploading the at least one file in response to the file request;

14[h]: receive, from the second node via the at least one network, a message associated with a selection at least one file for being used to upload the at least one file in response to the file request;

14[i]: receive, from the second node via the at least one network, a message associated with a selection of the fifth user interface element;

14[j]: in response to the receipt of the message associated with the selection of the fifth user interface element, generate a second message that includes a sixth user interface element, and that does not include a file attachment with the second message, the second message indicating that the file request has been responded to;

14[k]: send, to the first node via the at least one network, the second message;

14[l]: receive, from the first node via the at least one network, a message associated with a selection of the sixth user interface element of the second message;

14[m]: in response to the receipt of the message associated with the selection of the sixth user interface element of the second message, send a second communication over the at least one network that results in display, at the first node, of a reference to the at least one file; and

14[n]: allow access, at the first node, to the at least one file via the reference.

**Dependent Claim 15**

15[a]: The apparatus of claim 14, wherein the apparatus is configured such that: the first message and the second message are email messages;

15[b]: the object includes the at least one email address or an alias associated with the at least one email address;

15[c]: the second message is at least partially pre-written and is automatically generated without user involvement after the receipt of the message associated with the selection of the fifth user interface element; and

15[d]: the message associated with the at least one file is conditionally received based on whether a date-related criterion or a time-related criterion is met.

**Dependent Claim 16**

The apparatus of claim 15, wherein the apparatus is configured such that, in response to the receipt of the indication of the selection of the fifth user interface element, a creation of a representation of the at least one file is caused, at the first node, in a location among one or more folders on a file explorer interface that is not a web page and is displayed utilizing a client-based file explorer application, such that the at least one file is accessible via both the second message and the file explorer interface, wherein the apparatus is further configured such that the second message is sent without including the at least one file as an attachment of the second

message, and a storage at the first node does not store the at least one file when the creation of the representation of the at least one file is caused, both for avoiding the at least one file from having to be communicated to and stored at the first node until the at least one file is requested by a user at the first node using the representation or the reference.

**Independent Claim 22**

22[preamble]: A method, comprising:

22[a]: causing, at a first node, display of: a first user interface element that includes a textbox, for collecting a file request description for at least one file,

22[b]: a second user interface element, for enabling collection of an indication of at least one of a date or a time,

22[c]: a third user interface element, for collecting at least one object associated with at least one email address, the at least one object associated with at least one email address being the at least one email address or an alias associated with the at least one email address, and

22[d]: a fourth user interface element, for detecting an indication of a selection thereof to cause an initiation of a request for the at least one file;

22[e]: causing generation of a first email, based on the file request description for the at least one file, the at least one object associated with the at least one email

address, and the detection of the indication of the selection of the fourth user interface element to cause the initiation of the request for the at least one file, where the first email includes: at least one sentence including the file request description for the at least one file, and a fifth user interface element for detecting an indication of a selection thereof;

22[f]: based on the detection of the indication of the selection of the fifth user interface element of the first email, causing, at the second node, display of: a sixth user interface element, for collecting an indication of at least one file, and

22[g]: a seventh user interface element, for detecting an indication of a selection thereof;

22[h]: receiving, from the second node and at at least one server, a signal for causing creation of a first representation of the at least one file, in a location among one or more folders, that is stored at the at least one server and that is displayable via at least one web page;

22[i]: causing generation of a second email, based on the detection of the indication of the selection of the seventh user interface element, where the second email: includes an eighth user interface element for detecting an indication of a selection thereof, does not include a file attachment, for permitting avoidance of the at least one file from being communicated to and stored at the first node via the second email, is at least partially pre-written, and is automatically caused to be

received without requiring further user involvement after the detection of the indication of the selection of the seventh user interface element;

22[j]: causing, at the first node, receipt of the at least one web page, that results in display, at the first node and via the at least one web page, of a file structure that permits access to the first representation of the at least one file that is stored at the at least one server;

22[k]: causing, at the first node, receipt of code for storage at the first node and cooperation with a file explorer interface of a client-based file explorer application, for being utilized to: based on the detection of the indication of the selection of the seventh user interface element, cause creation of a second representation of the at least one file, in a location among one or more folders, that is stored at the first node and that is displayable via the file explorer interface of the client-based file explorer application.

### **Dependent Claim 23**

The method of claim 22, wherein, at a time of sending, to the at least one server, of the signal, one or more representations for the one or more folders that is stored at the at least one server already exist in the location among the one or more folders that is stored at the first node.

**Dependent Claim 24**

The method claim 22, wherein the access to the at least one file is allowed at the first node based on whether a date-related criterion or a time-related criterion is met in connection with a receipt of the at least one file.

**TABLE OF EXHIBITS**

| <b>Exhibit</b> | <b>Description</b>                                                                                          |
|----------------|-------------------------------------------------------------------------------------------------------------|
| 1101           | U.S. Patent No. 11,611,520                                                                                  |
| 1102           | Declaration of Dr. Todd Mowry                                                                               |
| 1103           | U.S. Patent No. 8,825,597 (“Houston”)                                                                       |
| 1104           | U.S. Patent No. 9,633,125 (“Garcia”)                                                                        |
| 1105           | U.S. Patent Application Publication No. 2010/0005138 (“Manzano”)                                            |
| 1106           | U.S. Patent Application Publication No. 2007/0011246 (“Wu”)                                                 |
| 1107           | U.S. Patent Application Publication No. 2013/0046833 (“Riepling”)                                           |
| 1108           | U.S. Patent Application Publication No. 2012/0278404 (“Meisels”)                                            |
| 1109           | U.S. Patent Application Publication No. 2013/0067303 (“Kantor”)                                             |
| 1110           | [Reserved]                                                                                                  |
| 1111           | [Reserved]                                                                                                  |
| 1112           | [Reserved]                                                                                                  |
| 1113           | <i>Motion Offense, LLC v. Dropbox, Inc.</i> , WDTX-6:20-cv-00251, Jury Verdict Form, May 19, 2023, Dkt. 382 |
| 1114           | ’520 Patent File History                                                                                    |
| 1115           | U.S. Patent No. 6,351,776 (“O’Brien”)                                                                       |
| 1116           | U.S. Patent Application Publication No. 2008/0320397 (“Do”)                                                 |
| 1117           | [Reserved]                                                                                                  |

Petition for *Inter Partes* Review  
of U.S. Patent No. 11,611,520

| Exhibit | Description                                                                                                                                          |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1118    | <i>Motion Offense, LLC v. Dropbox, Inc.</i> , WDTX-6:23-cv-00303, First Amended Complaint for Patent Infringement, July 26, 2023, Dkt. 22            |
| 1119    | U.S. Patent Application Publication No. 2004/0267705 (“Lemus”)                                                                                       |
| 1120    | U.S. Patent No. 6,304,948 (“Motoyama”)                                                                                                               |
| 1121    | U.S. Patent No. 7,559,088 (“Cohen”)                                                                                                                  |
| 1122    | U.S. Patent Application Publication No. 2003/0182332 (“McBrearty”)                                                                                   |
| 1123    | <i>Motion Offense, LLC v. Dropbox, Inc.</i> , WDTX-6:23-cv-00303, Plaintiff’s Disclosure of Preliminary Infringement Contentions, September 20, 2023 |

**CERTIFICATE UNDER 37 CFR § 42.24(d)**

Under the provisions of 37 CFR § 42.24(d), the undersigned hereby certifies that the word count for the foregoing Petition for *Inter Partes* Review totals 13,991, which is less than the 14,000 words allowed under 37 CFR § 42.24(a)(1)(i).

Respectfully submitted,

Dated: January 22, 2024

/Scott Bertulli/  
Scott Bertulli  
Reg. No. 75,886

**CERTIFICATE OF SERVICE**

I hereby certify that on January 22, 2024, I caused a true and correct copy of  
the foregoing materials:

- Petition for *Inter Partes* Review of U.S. Patent No. 11,611,520 under 35 U.S.C. § 312 and 37 C.F.R. § 42.104
- Appendix of Claim Listing
- Exhibit List
- Exhibits for Petition for *Inter Partes* Review of U.S. Patent No. 11,611,520 (EX1101–1109, EX1113–1116, EX1118–1123)
- Petitioner’s Ranking and Explanation of Material Differences Between Petitions
- Power of Attorney
- Fee Authorization
- Word Count Certification Under 37 CFR § 42.24(d)

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with a courtesy copy via electronic mail on the following counsel and litigation  
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DATED: January 22, 2024

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