

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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META PLATFORMS, INC.,  
Petitioner

v.

SITNET, LLC,  
Patent Owner

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Case IPR2024-00528  
U.S. Patent No. 8,249,932

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**PETITION FOR *INTER PARTES* REVIEW OF CLAIMS 1–11, 22, AND 23  
OF U.S. PATENT NO. 8,249,932**

***Mail Stop “PATENT BOARD”***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**PETITIONER'S EXHIBIT LIST**

| <b>Exhibit No.</b> | <b>Description</b>                                                                                                                                                                                                                                      |
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| 1001               | U.S. Patent No. 8,249,932 to Cona et al. (“’932 patent”)                                                                                                                                                                                                |
| 1002               | Prosecution History of U.S. Patent No. 8,249,932 (“Prosecution History”)                                                                                                                                                                                |
| 1003               | Declaration of Bernard J. Jansen, Ph.D.                                                                                                                                                                                                                 |
| 1004               | <i>Curriculum Vitae</i> of Bernard J. Jansen, Ph.D.                                                                                                                                                                                                     |
| 1005               | U.S. Publication No. 2006/0282312 to Carlson et al. (“Carlson”)                                                                                                                                                                                         |
| 1006               | U.S. Publication No. 2008/0092162 to Lundy et al. (“Lundy”)                                                                                                                                                                                             |
| 1007               | U.S. Patent No. 8,346,864 to Amidon et al. (“Amidon”)                                                                                                                                                                                                   |
| 1008               | U.S. Patent No. 9,195,996 to Walsh et al. (“Walsh”)                                                                                                                                                                                                     |
| 1009               | Ioannidis, J.P.A. et al., “Updated science-wide author databases of standardized citation indicators,” <i>PLOS Biology</i> (Oct. 2020)                                                                                                                  |
| 1010               | U.S. Provisional No. 60/839,683 to Lundy et al. (“’683 provisional”)                                                                                                                                                                                    |
| 1011               | U.S. Patent No. 7,263,614 to Roskind (“Roskind”)                                                                                                                                                                                                        |
| 1012               | Infringement Contentions, Exhibit 9, <i>SitNet, LLC v. Meta Platforms, Inc.</i> , Case No. 1:23-cv-06389 (S.D.N.Y.)                                                                                                                                     |
| 1013               | Zhang, P. et al., “Intelligent Delivery of Interactive Advertisement Content,” Bell Labs Technical Journal, 13(3):143-158 (Sept. 2008)                                                                                                                  |
| 1014               | U.S. Publication No. 2006/0095320 to Jones (“Jones”)                                                                                                                                                                                                    |
| 1015               | U.S. Patent No. 8,799,073 to Shahine et al. (“Shahine”)                                                                                                                                                                                                 |
| 1016               | “Why we’re buying DoubleClick” Google Blog, accessed at <a href="https://googleblog.blogspot.com/2007/06/why-were-buying-doubleclick.html">https://googleblog.blogspot.com/2007/06/why-were-buying-doubleclick.html</a> (June 26, 2007) (“Google Blog”) |
| 1017               | “What is a Web Browser” Tech Dictionary (Oct. 4, 2023) (“Tech Dictionary”)                                                                                                                                                                              |
| 1018               | “About Gmail,” Gmail by Google, accessed at <a href="https://www.google.com/mail/help/intl/en-GB/fightspam/spamexplained.html">https://www.google.com/mail/help/intl/en-GB/fightspam/spamexplained.html</a> (“About Gmail”)                             |
| 1019               | U.S. Publication No. 2006/0242234 to Counts et al. (“Counts”)                                                                                                                                                                                           |

| Exhibit No. | Description                                                                                                                                                                                                                                                                                                                                                            |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1020        | U.S. Patent No. 7,284,033 to Jhanji (“Jhanji”)                                                                                                                                                                                                                                                                                                                         |
| 1021        | “GPS Coordinates,” TechTarget (Aug. 2022)                                                                                                                                                                                                                                                                                                                              |
| 1022        | Handbook for the Palm V™ Organizer                                                                                                                                                                                                                                                                                                                                     |
| 1023        | U.S. Patent No. 7,321,920 to Washburn (“Washburn”)                                                                                                                                                                                                                                                                                                                     |
| 1024        | Tsang, M.M. et al., “Consumer Attitudes Toward Mobile Advertising: An Empirical Study,” International Journal of Electronic Commerce, 8(3):65-78 (2004)                                                                                                                                                                                                                |
| 1025        | Gidófalvi, G. et al., “Estimating the Capacity of the Location-Based Advertising Channel,” Sixth International Conference on the Management of Mobile Business (2007)                                                                                                                                                                                                  |
| 1026        | Bruner, R.E. et al., “Best Practices for Optimizing Web Advertising Effectiveness,” DoubleClick (May 2006)                                                                                                                                                                                                                                                             |
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| 1029        | “What is an ad server?,” Adjust, accessed at <a href="https://www.adjust.com/glossary/ad-server-definition/">https://www.adjust.com/glossary/ad-server-definition/</a>                                                                                                                                                                                                 |
| 1030        | “WAP (Wireless Application Protocol),” Tech-FAQ, accessed at <a href="https://www.tech-faq.com/wap-wireless-application-protocol.html">https://www.tech-faq.com/wap-wireless-application-protocol.html</a>                                                                                                                                                             |
| 1031        | <i>Intentionally Left Blank</i>                                                                                                                                                                                                                                                                                                                                        |
| 1032        | Complaint, <i>SitNet, LLC v. Meta Platforms, Inc.</i> , Case No. 1:23-cv-06389 (S.D.N.Y.)                                                                                                                                                                                                                                                                              |
| 1033        | “From the original banner to Tosh.0: The hits and misses of publisher ad plays,” Digiday, accessed at <a href="https://digiday.com/sponsored/001-328-347-628-gumgumbcs-timeline-how-publishers-monetized-their-pages-since-1988/">https://digiday.com/sponsored/001-328-347-628-gumgumbcs-timeline-how-publishers-monetized-their-pages-since-1988/</a> (Dec. 9, 2015) |

| Exhibit No. | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| 1034        | Hesterberg, K., “A Brief History of Online Advertising,” accessed at <a href="https://blog.hubspot.com/marketing/history-of-online-advertising">https://blog.hubspot.com/marketing/history-of-online-advertising</a> (Nov. 28, 2021)                                                                                                                                                                                                                                                                                        |
| 1035        | LaFrance, A., “The First-Ever Banner Ad on the Web,” accessed at <a href="https://www.theatlantic.com/technology/archive/2017/04/the-first-ever-banner-ad-on-the-web/523728/">https://www.theatlantic.com/technology/archive/2017/04/the-first-ever-banner-ad-on-the-web/523728/</a> (Apr. 21, 2017)                                                                                                                                                                                                                        |
| 1036        | Oberoi, A., “The History of Online Advertising,” Aspishup, accessed at <a href="https://www.adpushup.com/blog/the-history-of-online-advertising/">https://www.adpushup.com/blog/the-history-of-online-advertising/</a> (July 3, 2013)                                                                                                                                                                                                                                                                                       |
| 1037        | Glave, J., “PGP Lets You Take Charge of Your Cookies,” Wired, accessed at <a href="https://www.wired.com/1996/12/pgp-lets-you-take-charge-of-your-cookies/">https://www.wired.com/1996/12/pgp-lets-you-take-charge-of-your-cookies/</a> (Dec. 10, 1996)                                                                                                                                                                                                                                                                     |
| 1038        | Stokel-Walker, C., “How 20 years of Google’s AdSense changed the Internet,” Fast Company, accessed at <a href="https://www.fastcompany.com/90861689/how-20-years-of-googles-adsense-changed-the-internet#:~:text=%E2%80%9CIt%20allowed%20creators%20to%20monetize,totals%20more%20than%20%24100%20billion.">https://www.fastcompany.com/90861689/how-20-years-of-googles-adsense-changed-the-internet#:~:text=%E2%80%9CIt%20allowed%20creators%20to%20monetize,totals%20more%20than%20%24100%20billion.</a> (Mar. 29, 2023) |
| 1039        | “Google Acquires Applied Semantics,” Google, accessed at <a href="http://googlepress.blogspot.com/2004/04/google-acquires-applied-semantics.html">http://googlepress.blogspot.com/2004/04/google-acquires-applied-semantics.html</a> (April 23, 2003)                                                                                                                                                                                                                                                                       |
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| 1041        | “The Evolution of Google AdWords – A \$38 Billion Advertising Platform,” WordStream, accessed at <a href="https://www.wordstream.com/blog/ws/2012/06/05/evolution-of-adwords">https://www.wordstream.com/blog/ws/2012/06/05/evolution-of-adwords</a> (Dec. 18, 2023)                                                                                                                                                                                                                                                        |
| 1042        | Jansen, B.J. et al., “The Google Online Marketing Challenge,” Journal of Interactive Advertising, Vol. 9, accessed at <a href="https://jiad.org/article109/">https://jiad.org/article109/</a> (2018)                                                                                                                                                                                                                                                                                                                        |

| Exhibit No. | Description                                                                                                                                                                                                                                                                                                                                                    |
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| 1044        | U.S. Patent No. 5,774,670 to Montulli (“Montulli”)                                                                                                                                                                                                                                                                                                             |
| 1045        | Allen, C., “Stale Cookies,” ClickZ, accessed at <a href="https://www.clickz.com/stale-cookies/">https://www.clickz.com/stale-cookies/</a> (Dec. 28, 1999)                                                                                                                                                                                                      |
| 1046        | Rothenberg, R., “An Advertising Power, but Just What Does Doubleclick Do?,” The New York Times, accessed at <a href="https://www.nytimes.com/1999/09/22/technology/an-advertising-power-but-just-what-does-doubleclick-do.html">https://www.nytimes.com/1999/09/22/technology/an-advertising-power-but-just-what-does-doubleclick-do.html</a> (Sept. 22, 1999) |
| 1047        | Malhotra, A., “HTML Images,” Tech Altum, accessed at <a href="https://tutorial.techaltum.com/html-image.html">https://tutorial.techaltum.com/html-image.html</a> (May 27, 2023)                                                                                                                                                                                |
| 1048        | “Pop-up ads OK for Tripod,” CNET, accessed at <a href="https://www.cnet.com/tech/services-and-software/pop-up-ads-ok-for-tripod/">https://www.cnet.com/tech/services-and-software/pop-up-ads-ok-for-tripod/</a> (Dec. 22, 1997)                                                                                                                                |
| 1049        | Langheinrich, M., “Unintrusive customization techniques for Web advertising,” Computer Networks: The International Journal of Computer and Telecommunications Networking, 31(11-16):1259-72 (May 1999)                                                                                                                                                         |
| 1050        | Reiter, M.K., “Detecting Hit Shaving in Click-Through Payment Schemes,” Proceedings of the 3rd USENIX Workshop on Electronic Commerce (Aug. 31, 1998)                                                                                                                                                                                                          |
| 1051        | Civil Case Management Plan and Scheduling Order, <i>SitNet, LLC v. Meta Platforms, Inc.</i> , Case No. 1:23-cv-06389 (S.D.N.Y.), Document 35 (10/20/2023)                                                                                                                                                                                                      |
| 1052        | Plaintiff SitNet’s Disclosure of Asserted Claims and Infringement Contentions, <i>SitNet, LLC v. Meta Platforms, Inc.</i> , Case No. 1:23-cv-06389 (S.D.N.Y.)                                                                                                                                                                                                  |

## I. INTRODUCTION

Petitioner Meta Platforms, Inc. (“Petitioner”) petitions for *inter partes* review, seeking cancellation of claims 1-11 and 22-23 of U.S. Patent No 8,249,932 (“’932 patent”; EX1001), assigned to SitNet, LLC (“Patent Owner”). The Board should institute this proceeding because the ’932 patent claims nothing more than well-known techniques developed long before the ’932 patent’s earliest priority date. This Petition is supported by the declaration of Bernard J. Jansen (EX1003), who holds a Ph.D. in Computer Science and has more than 25 years of academic and industry experience in the fields of computer networking and digital advertising. Dr. Jansen has also written numerous books and papers on targeted advertising, web analytics, and social networking.

The ’932 patent claims purport to invent techniques for “presenting targeted advertising in a situational network.” EX1001, Claims 1, 12, 22. But the “situational network” of the ’932 patent provides no technical advancement. The claims recite little more than obtaining an occurrence of a situation, determining users affected by the situation, and transmitting alerts and advertisements to the users over a standard computer network (e.g., the Internet). A “situation” in the context of the patent may refer to anything from an emergency to a concert, school closing, or simply “the need for goods or services.” EX1001, 5:66-6:1, 30:23-25, 30:46-47. And a “situational network” is merely a network including the group of

people who will be targeted for advertisements related to the situation. Such techniques for delivering targeted advertisements in response to an event were well known long before the '932 patent, as illustrated in this Petition.

None of the prior art relied on in this Petition was previously before the Office. Accordingly, the Board should institute this proceeding and find the challenged claims unpatentable.

## **II. THE '932 PATENT AND ITS PROSECUTION HISTORY**

### **A. The '932 Patent**

The '932 patent issued on August 21, 2012 and claims a priority date of February 2, 2007.<sup>1</sup> The '932 patent is directed to “presenting targeted advertising in a situational network,” also referred to as a “SitNet.” EX1001, Abstract, 1:45-46. The patent explains, “a situational network [] is created when an occurrence or expected occurrence of an event or situation [] causes connections, also referred to as links, to be established between, within or among a set of participants.” *Id.*, 3:46-50. But the '932 patent’s “situational network” uses nothing more than a conventional “computer network,” *id.*, 3:50-53, 13:36-38. The patent does not claim or allege any new networking technology. EX1003, ¶¶31-32. And a “situation” in the context of the patent may refer to anything from an emergency to a concert, school closing, or simply “the need for goods or services.” EX1001,

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<sup>1</sup> Petitioner does not acquiesce to this priority date.

5:66-6:1, 30:23-25, 30:46-47; EX1003, ¶32.

The patent further describes using conventional user information to target advertisements to users, explaining that “targeted advertisements ... may be delivered to devices of users 254, 256 connected through a SitNet using profile and location information relat[ed] to the users.” EX1001, 27:19-25; EX1003, ¶¶33-34. The claims of the ’932 patent recite only well-known elements, such as “receiving a plurality of advertisements,” “obtaining an indication of an occurrence of a situation,” “connecting devices,” redirecting “a web browser application,” and “providing to each of the devices at least one of the plurality of advertisements.” EX1001, Claim 1. Each of these elements was well known and common in the art before the ’932 patent, as illustrated by the art applied in this Petition.

## **B. Prosecution History**

The application leading to the ’932 patent was rejected as obvious over two references: Shamp and Hollenberg. EX1002, 0077-80. In response, the applicant amended the claims, introducing, among other things, “*causing an automatic redirection of a web browser application operating on each of the devices to a webpage containing information related to the situation.*” EX1002, 0069.

The Examiner allowed the application following the applicant’s amendment and response, stating that the art of record failed to disclose at least “redirection of a website to a website containing information about a disaster,” and “providing

advertisements to each of the personal information aggregators based upon an affiliation of the user to the situation.” EX1002, 0048-49. The prior art presented here teaches these elements and was not before the Examiner during prosecution.

### **III. PERSON OF ORDINARY SKILL IN ART**

A person of ordinary skill in the art (“POSA”) at the time of the ’932 patent would have had a B.S. degree in Computer Science, Computer Engineering, or an equivalent field, as well as at least 2-3 years of academic or industry experience in computer networking and digital advertising, or comparable industry experience. EX1003, ¶37.

### **IV. CLAIM CONSTRUCTION**

Claims must be given their ordinary and customary meaning in light of the specification—“the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention.” *Phillips v. AWH Corp.*, 415 F.3d 1303, 1312-1313 (Fed. Cir. 2005) (en banc); *see also* 37 C.F.R. §42.100(b).

Petitioner believes that no claim term requires explicit construction and that all terms should be accorded their ordinary and customary meaning.<sup>2</sup>

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<sup>2</sup> Petitioner reserves the right to challenge validity under 35 U.S.C. §112 in other proceedings and forums.

**V. IDENTIFICATION OF THE CHALLENGE (37 C.F.R. §42.104(B))**

**A. Prior Art**

The grounds of unpatentability presented in this petition rely on the following prior-art references:

**U.S. Publication No. 2006/0282312** (EX1005; “Carlson”)

**U.S. Publication No. 2008/0092162** (EX1006; “Lundy”)

**U.S. Patent No. 8,346,864** (EX1007; “Amidon”)

**U.S. Patent No. 9,195,996** (EX1008; “Walsh”)

**U.S. Patent No. 7,263,614** (EX1011; “Roskind”)

**U.S. Publication No. 2006/0095320** (EX1014; “Jones”)

**U.S. Patent No. 8,799,073** (EX1015; “Shahine”)

The '932 patent was filed October 26, 2007, and claims priority to a provisional application filed February 2, 2007. Regardless of which date applies, the above-noted references qualify as prior art under 35 U.S.C. §102(e).

**1. Lundy is prior art as of August 24, 2006.**

Lundy claims priority to U.S. Provisional No. 60/839,683 (EX1010; “'683 provisional”). Lundy is prior art as of August 24, 2006, because the '683 provisional provides support for both the subject matter relied upon in this Petition and Lundy's claims.

*First*, the '683 provisional includes the same figures and description relied upon in §VII of this petition. *Compare* EX1006, ¶¶3, 27, 44, 51, 60-61, FIGs. 3-5,

with EX1010, ¶¶1, 27, 33, 40, 50-51, FIGs. 3-5; EX1003, ¶¶273-74.

*Second*, the '683 provisional provides support for Lundy's claims, as shown below. EX1003, ¶275. In fact, claim 8 of Lundy is identical to claim 8 of the '683 provisional. *Compare* EX1006, Claim 8, *with* EX1010, Claim 8.

| <b>Lundy Claim 8 (EX1006)</b>                                                                                                      | <b>Support in '683 provisional (EX1010)</b>                    |
|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| A method presenting content, comprising steps of:                                                                                  | EX1010, Abstract, Claim 8.                                     |
| obtaining dynamic real-time information when a predetermined condition is satisfied;                                               | EX1010, ¶¶33-36, Claim 8.                                      |
| including the dynamic real-time information in an advertisement;                                                                   | EX1010, Abstract, ¶¶33-36, 40, 49, 52, 58, Claim 8, FIGs. 3-4. |
| accessing a database that stores sponsor information in correspondence with a characteristic of the dynamic real-time information; | EX1010, ¶¶56-57, Claim 8.                                      |
| determining, based on information stored in the database, which sponsor corresponds with the dynamic real-time information;        | EX1010, ¶¶56-57, Claim 8.                                      |
| including the sponsor in the advertisement; and                                                                                    | EX1010, ¶¶40, 49, 52, 58, Claim 8, FIGs. 3-4, 6.               |
| presenting the advertisement to a user.                                                                                            | EX1010, ¶¶33-36, 40, 58, Claim 8, FIGs. 3-4, 6.                |

## **B. Statutory Grounds**

Petitioner requests IPR based on the grounds summarized below.

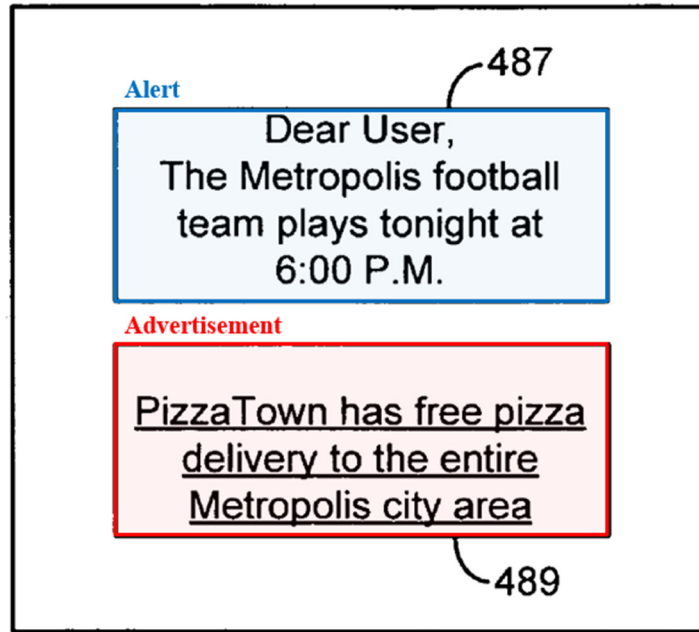
| <b>Ground</b> | <b>35 U.S.C. Section</b> | <b>Claims</b>    | <b>References</b>                    |
|---------------|--------------------------|------------------|--------------------------------------|
| 1             | §103(a)                  | 1-4, 6-11, 22-23 | Carlson and Shahine                  |
| 2             | §103(a)                  | 1-4, 6-11, 22-23 | Carlson, Shahine, and Lundy          |
| 3             | §103(a)                  | 5                | Carlson, Shahine, and Roskind        |
| 4             | §103(a)                  | 5                | Carlson, Shahine, Lundy, and Roskind |
| 5             | §103(a)                  | 1-11, 22-23      | Amidon, Walsh, and Shahine           |
| 6             | §103(a)                  | 8                | Amidon, Walsh, Shahine, and Jones    |

**VI. GROUND 1: CLAIMS 1-4, 6-11, AND 22-23 ARE OBVIOUS OVER CARLSON IN VIEW OF SHAHINE.**

**A. Independent Claim 1**

**1. [1.P] “A method of presenting targeted advertising...”**

To the extent limiting, Carlson teaches this element. Carlson is generally directed to “providing advertising to a user through an alert service.” EX1005, ¶2. Carlson discloses techniques in which “[a]dvertisements are incorporated into alerts generated for a user,” as shown in Figure 4B. EX1005, Abstract; EX1003, ¶75.



EX1005, FIG. 4B (annotated).

“A server-side alert delivery system can be used by a partner server, client device, or other server **to deliver an alert to a user about some event** the user has requested,” and “[a] relevant advertisement [(a ‘*targeted advertis[ement]*’)] is selected based upon the content of the alert and other data.” EX1005, Abstract<sup>3</sup>; *see also id.*, ¶6 (“A proactive **targeted advertising** system uses an alert delivery system to generate and deliver advertisements.”); EX1003, ¶76.

Figure 4A of Carlson “illustrates an embodiment of **a method 400** for partner-side retrieval of a relevant advertisement.” EX1005, ¶52. Figures 6 and 8 provide variations of this method, e.g., delivering an alert and targeted advertisement to “a mobile device.” EX1005, ¶¶63, 68.

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<sup>3</sup> Emphasis added unless otherwise noted.

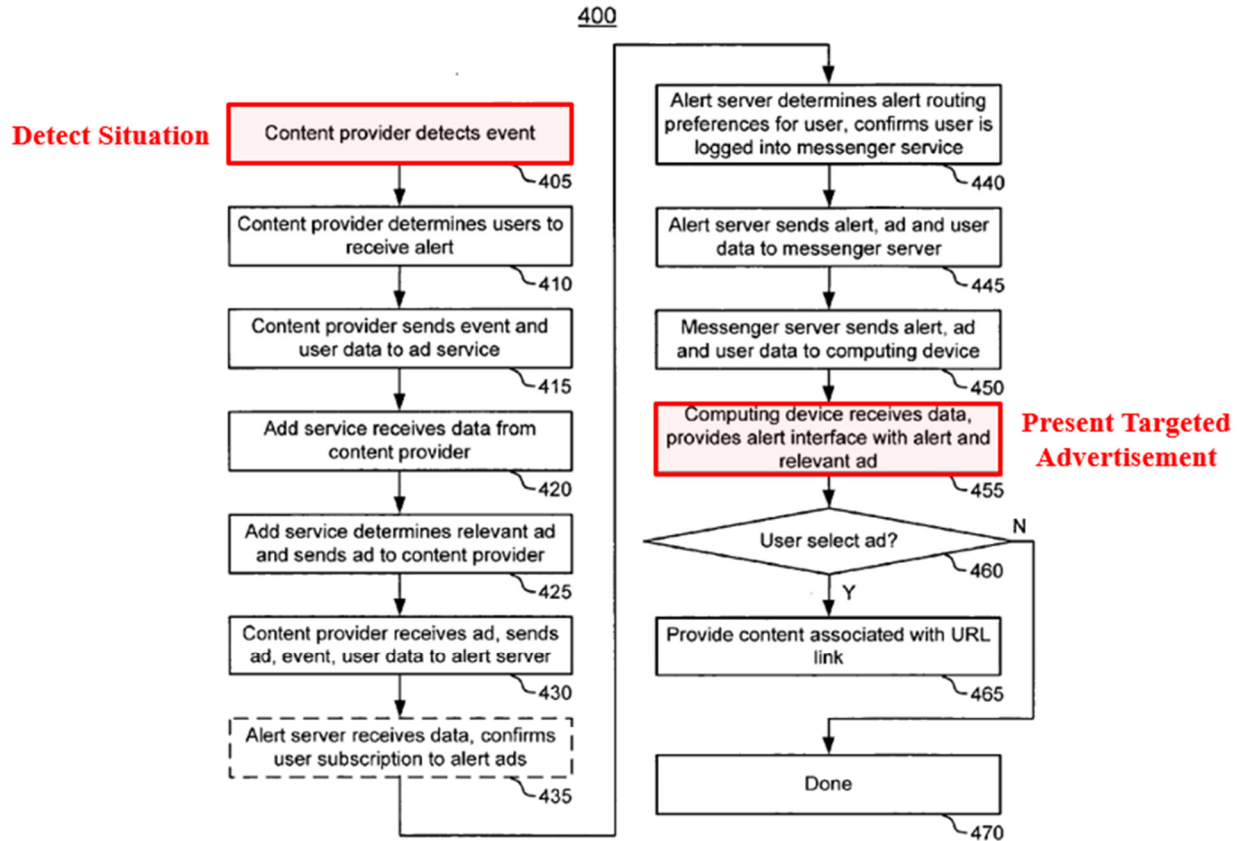


Figure 4A

EX1005, FIG. 4A (annotated).

As illustrated in Figure 4A, “[c]ontent provider 110 detects an event at step 405.” EX1005, ¶52. Carlson explains that “the event may be any event associated with a service the user has accepted or subscribed to,” for example “when bad weather is forecasted to occur in [a] user’s area, the content provider may detect an event associated with a notification for the bad weather.” *Id.* At step 410, “[c]ontent provider 110 determines users to receive an alert,” and “advertisement service 130 determines the relevant advertisement” that “corresponds to the user

and the event data received by advertisement service 130.” *Id.*, ¶53. At step 450, “the alert, advertisement, and user data [are sent] to computing device 145,” and at step 455, “an alert interface with the alert and relevant advertisement” is displayed to the user, for example, as shown in Carlson’s Figure 4B above. *Id.*, ¶¶58-59, FIG. 4B; EX1003, ¶¶77-78.

The ’932 patent explains that its “*situational network*” allows the “exchange [of] information over connections to or through a computer network [] regarding the event or situation.” EX1001, 3:50-53; EX1003, ¶79. Carlson similarly discloses that its techniques occur in the context of a “*situational network*” because the alerts and advertisements sent in response to a situation are sent over connections to a computer network. For example, Carlson discloses that its computing devices “may operate in a networked environment,” such as “the Internet.” EX1005, ¶49; *see also id.*, ¶25 (disclosing communication “over network 180,” which “may be the Internet”); EX1003, ¶79.

Therefore, Carlson teaches this element.

## **2. [1.A] “receiving a plurality of advertisements...”**

Carlson, alone or in view of Shahine, teaches this element for at least two reasons. *First*, Carlson teaches that its “content provider 110” and “alert server 120” each receives an advertisement from “advertisement service 130” for each user determined to receive an alert, i.e., “*receiving a plurality of advertisements*

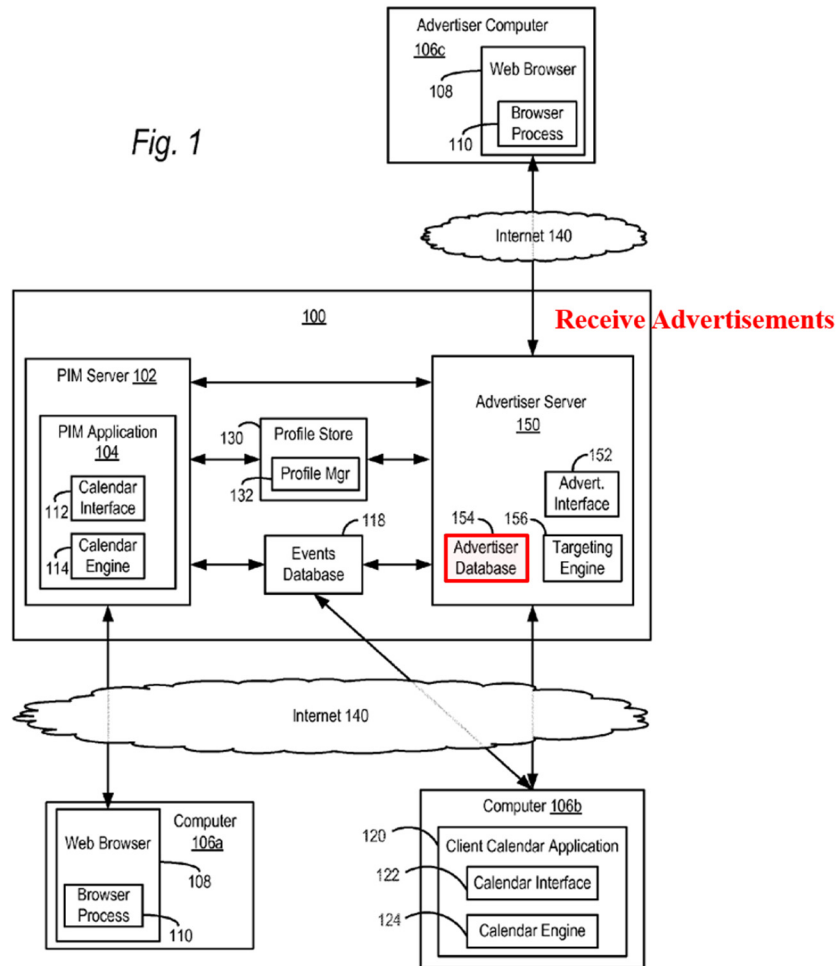
*from at least one advertising entity.*” EX1005, ¶53; EX1003, ¶¶80-81. For example, with reference to the method illustrated in Figure 4A, Carlson discloses “[c]ontent provider 110 determines users to receive an alert at step 410.” EX1005, ¶53. “Next, content provider 110 sends event and user data to advertisement service 130 at step 415.” *Id.* “The user data may include the name of the user, identification information for the user, and other meta-data for the user.” *Id.*

Then, for each user, “advertisement service 130 determines the relevant advertisement and **sends the advertisement to content provider 110** at step 425.” EX1005, ¶53. The “**advertisement is selected which corresponds to the user** and event data received by advertisement service 130.” *Id.* Carlson’s “content provider 10” in turn “**sends the relevant advertisement, event data, and user data to alert server 120.**” *Id.*, ¶56. Thus, Carlson discloses “*receiving a plurality of advertisements*” for users receiving an alert “*from at least one advertising entity*”—Carlson’s advertisement service 130. EX1003, ¶82.

*Second*, Carlson in view of Shahine teaches this element. Carlson discloses that its advertisement service 130 stores or otherwise has access to “*a plurality of advertisements*” associated with “different categories”: “[K]eywords are associated with different categories, such as geographical area, time and/or date, subject, etc.,” and “[e]ach keyword, or combination of keywords, may be associated with an advertisement.” EX1005, ¶54; EX1003, ¶83. These advertisements are also

associated with “*at least one advertising entity*,” such as services providing “pizza delivery,” “evening news updates,” and “travel services.” EX1005, ¶55.

To the extent argued that Carlson does not expressly disclose “*receiving*” the advertisements stored by advertisement service 130, Shahine discloses such an operation. EX1003, ¶¶84-85. Shahine relates to a “method of targeted advertising in association with the use of a calendar application.” EX1015, 14:27-28. Shahine discloses a “service provider system 100” that “include[s] an advertiser server 150 for receiving advertising content and targeting data from advertisers via a computing device.” *Id.*, 5:32-34.



EX1015, FIG. 1 (annotated).

An “[i]nterface 152 allows an advertiser to upload an advertisement including textual and/or graphical data, which data is then stored in an advertiser database 154 associated with advertiser server 150.” EX1015, 5:39-42.

Advertisements may then be sent “from the advertiser server 150 to the client application program in computing device 106b.” *Id.*, 6:36-39; EX1003, ¶85.

To the extent not already known, a POSA would have been motivated to look to Shahine for techniques allowing Carlson’s advertisement service 130 (or a

data store associated with advertisement service 130) to receive advertisements from various advertisers, such as the “pizza delivery service” disclosed in Carlson. EX1003, ¶86; EX1005, ¶¶31, 55. As Dr. Jansen explains, this is how advertising services at the time of the ’932 patent typically worked—employing ad servers like Shahine’s that received and stored advertisements corresponding to various entities. EX1003, ¶¶48-50, 86-88. A POSA would have been motivated to receive advertisements from advertisers to allow those advertisements to be later distributed to users. EX1003, ¶89. And a POSA would have had a reasonable expectation of success in doing so using well-known network communication and upload techniques. EX1003, ¶89. Therefore, Carlson in view of Shahine also renders obvious this claim element.

### 3. [1.B] “obtaining an indication...”

Carlson teaches this element. As illustrated in Figure 4A, Carlson discloses “[c]ontent provider 110 **detects an event at step 405.**” EX1005, ¶52. For example, “when bad weather is forecasted to occur in [a] user’s area, the content provider may detect an event associated with a notification for the bad weather.” *Id.* “Content provider 110” then sends the “event data” to “alert server 120 at step 430.” *Id.*, ¶56; EX1003, ¶¶91-92.

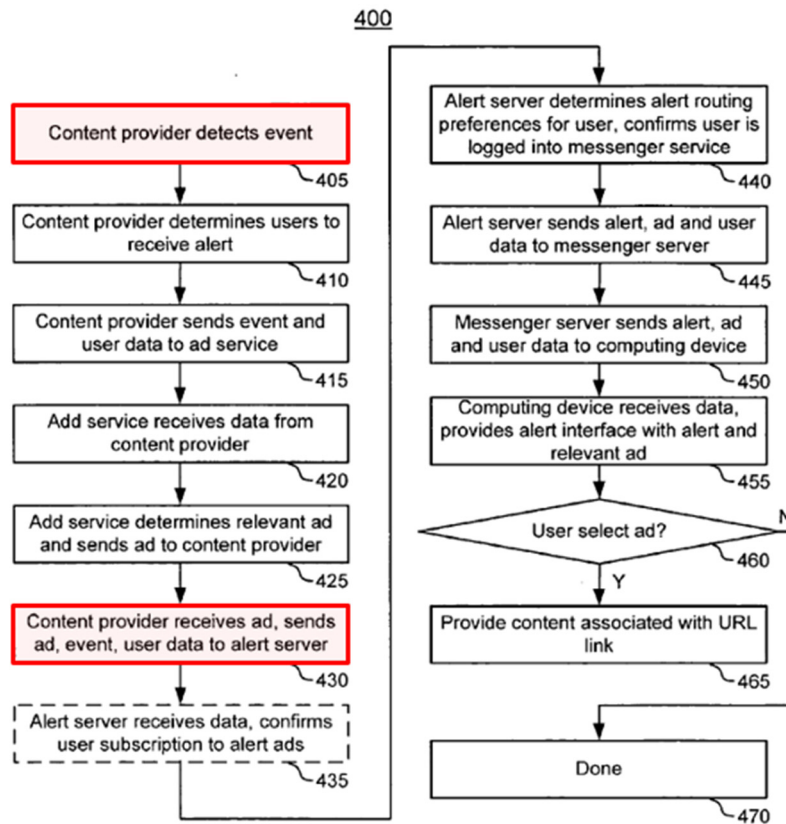


Figure 4A

EX1005, FIG. 4A (annotated).

4. [1.C] “automatically connecting devices...”

Carlson teaches this element because Carlson discloses an automated electronic process for “determin[ing] users to receive an alert” and “send[ing] the alert, advertisement, and user data” to the determined users in response to “detect[ing] an event.” EX1005, ¶¶52-53, 58; EX1003, ¶93. Each of the entities involved in Carlson’s automated electronic process are part of an electronic system and may be implemented by the example “computing environment 200” of Carlson’s Figure 2. EX1005, ¶40; EX1003, ¶93.

For example, Carlson’s “[c]ontent provider 110 detects an event at step 405,” and “[c]ontent provider 110 determines users to receive an alert at step 410.” *Id.*, ¶¶52, 53. “Users to receive the alert can include users that have indicated a preference to receive information regarding the event detected at step 405,” and “content provider 110 may access a database or mailing list to determine which users shall receive the alert.” *Id.* For example, Carlson discloses a “user data store 128” that stores information such as “user alert subscription information.” *Id.*, ¶30; EX1003, ¶94.

After an advertisement is selected, “[m]essaging server 140 receives the data and sends the alert, advertisement, and user data to computing device 145 at step 455.” EX1005, ¶58. Carlson teaches that the alert is sent “over network 180,” illustrated in Figure 1, which “may be the Internet.” *Id.*, ¶25. “Computing device 145 receives the alert, advertisement and user data and provides an alert interface with the alert and relevant advertisement at step 455.” *Id.*, ¶59; EX1003, ¶95. Thus, in response to a situation, Carlson’s process establishes connections from its system to devices of users determined to receive an alert. EX1003, ¶95.

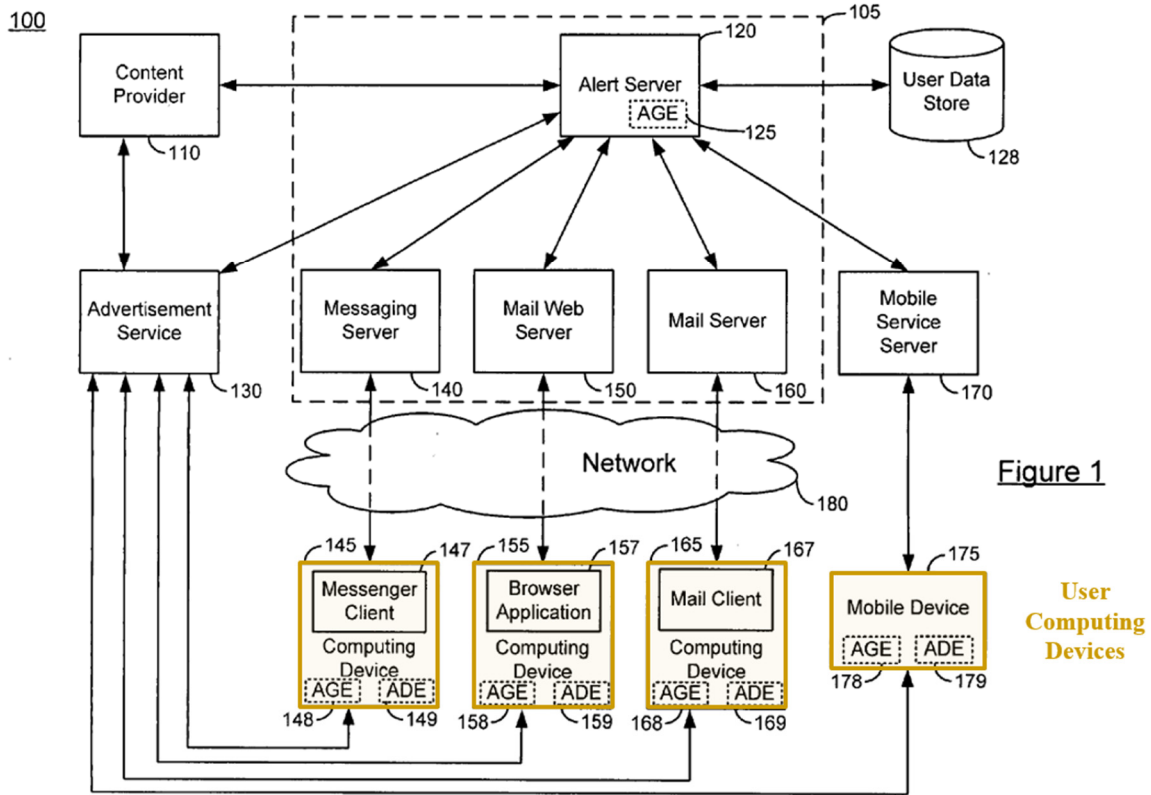
Carlson’s operation is also consistent with Patent Owner’s infringement contentions in the parallel litigation. Specifically, Patent Owner alleges that the accused products meet the “*automatically connecting devices*” limitation by defining and building a target audience to which advertisements may be sent. *See*

EX1012, 7-9; EX1003, ¶96; *see Amazon.com, Inc. v. Barnesandnoble.com, Inc.*, 239 F.3d 1343, 1351 (Fed. Cir. 2001) (“A patent may not, like a ‘nose of wax,’ be twisted one way to avoid [invalidity] and another to find infringement.” (quoting *Sterner Lighting, Inc. v. Allied Elec. Supply, Inc.*, 431 F.2d 539, 544 (5th Cir. 1970))); *Google Inc. v. Intellectual Ventures II LLC*, IPR2014-01031, Paper 41 at 11 (P.T.A.B. Dec. 7, 2015). As described above, Carlson similarly determines users to which an alert should be sent and transmits the alert and advertisements to the users. EX1003, ¶96.

Accordingly, Carlson teaches this claim element.

**5. [1.D] “causing an automatic redirection...”**

Carlson teaches this element. Carlson discloses user computing devices 145-175 that may receive alerts and advertisements, as shown in Figure 1. EX1005, ¶¶35-38; EX1003, ¶97.



EX1005, FIG. 1 (annotated).

Carlson discloses these different devices to illustrate multiple ways in which a user may receive alerts and advertisements on the user's device. EX1005, ¶¶35-38; EX1003, ¶98. For example, as discussed for element [1.C], Carlson discloses automatically displaying an alert received by the user's device: "Computing device 145 receives the alert, advertisement and user data and provides an alert interface with the alert and relevant advertisement at step 455." EX1005, ¶59. Carlson also discloses a "[c]omputing device 155 [that] **includes browser application 157**" ("*a web browser application operating on each of the devices*") and "[a] user having an account with a web-based mail service provider may access their mail through

browser application 157.” *Id.*, ¶36. “**Alerts may be delivered to the user’s web-based mail account and accessed through browser application 157,**” and the browser application may “display ads using ADE 159.” *Id.* Carlson further explains that “[t]his may be performed **in a similar manner to that discussed with respect to computing device 145** in FIGS. 3-6.” *Id.*; EX1003, ¶98. Carlson thus discloses “*a webpage containing information related to the situation*” in the form of an alert delivered “through browser application 157.” EX1005, ¶36; EX1003, ¶99.

A POSA would have understood from Carlson’s disclosure that alerts received by Carlson’s computing device 155 can cause “*automatic redirection*” of the device’s web browser to the “*webpage containing information related to the situation,*” i.e., the alert. EX1003, ¶100. As Dr. Jansen explains, such techniques for displaying pushed alerts through a web browser were well known at the time of the ’932 patent. EX1003, ¶¶51-52, 101 (citing EX1020, EX1023). And a POSA would have been motivated to employ such techniques for automatically displaying the alert at Carlson’s computing device (“*causing an automatic redirection*”) to ensure the alert is timely received by the device user. EX1003, ¶¶102-03. Therefore, this element would have been obvious in view of Carlson’s disclosure.

Additionally, Patent Owner’s infringement contentions in the parallel

litigation contend, “[w]hen the user clicks on the presented ad, they are automatically redirected to a webpage ... for information related to the situation.” EX1012, 10. In other words, Patent Owner contends that the claimed “automatic redirection” may be initiated by a click. *Id.* To the extent such operation satisfies the claim language (to which Petitioner does not acquiesce), Carlson also teaches this element under Patent Owner’s interpretation.

Particularly, a POSA would have understood that when a user attempts to access an alert sent to their “web-based mail account,” EX1005, ¶36, for example by selecting the alert, this action “*caus[es] an automatic redirection of a web browser application operating on each of the devices to a webpage containing information related to the situation.*” EX1003, ¶¶104-05. As Dr. Jansen explains, this is how web-based mail systems operated at the time of the ’932 patent. EX1003, ¶¶105-06. For instance, when a user clicks an email within their inbox, the browser automatically redirects to a new webpage displaying the email (which, in Carlson, would include the delivered alert). *Id.*

**6. [1.E] “providing to each of the devices at least one of the plurality of advertisements...”**

Carlson teaches “*providing to each of the devices at least one of the plurality of advertisements for display on the webpage.*” Carlson discloses that for each user determined to receive the alert, “[m]essaging server 140 receives the data and sends the alert, advertisement, and user data to computing device 145 at step 455,”

and “[c]omputing device 145 receives the alert, advertisement and user data and provides an alert interface with the alert and relevant advertisement at step 455.”

EX1005, ¶¶58-59, ¶66 (“The alert interface includes an alert based on the detected event, as well as the relevant advertisement selected from the event data.”).

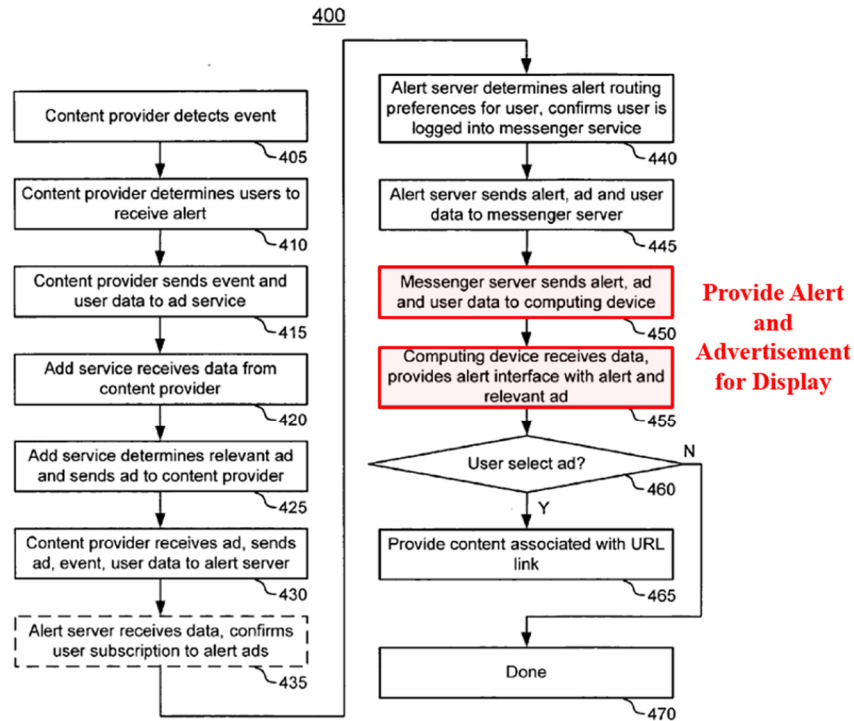
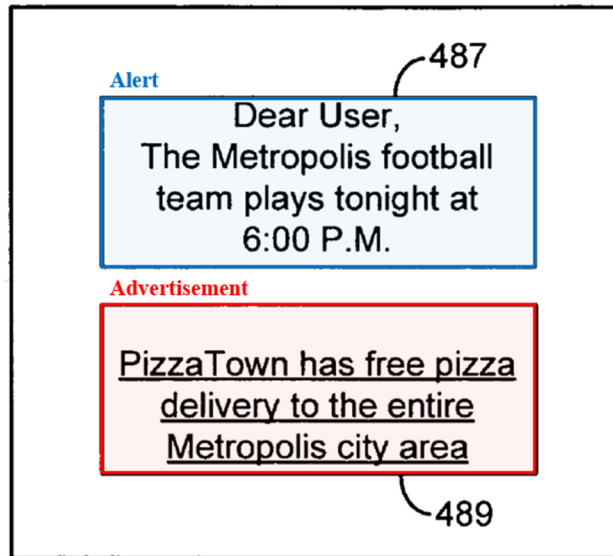


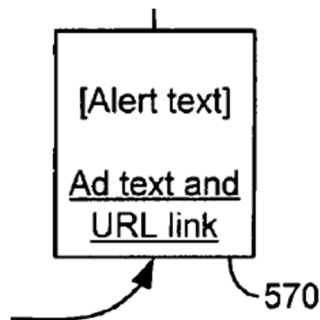
Figure 4A

EX1005, FIG. 4A (annotated).

An example display of the advertisement is shown in Figures 4B and 5.



EX1005, FIG. 4B (annotated).



EX1005, FIG. 5 (excerpted).

As discussed for element [1.D], Carlson provides the “*advertisements for display on the webpage*,” e.g., when delivering the alert “to the user’s web-based mail account.” EX1005, ¶36; EX1003, ¶¶107-08.

Carlson also teaches that advertisements are “*provid[ed] ... based on determining an affiliation of the corresponding individual to the situation, wherein the affiliation is based at least in part on an effect of the situation on the corresponding individual or their property*,” for at least three reasons. *First*,

Carlson’s advertisement can be provided based on the location of the user: “In some cases, the time of day of the alert and/or **the location to which the alert is delivered may be considered in selecting the advertisement.**” EX1005, ¶21; *see also id.*, ¶24 (disclosing “user location” as a relevancy metric “used by the advertisement targeting system to determine an advertisement for a user”). Carlson’s operation is consistent with the ’932 patent, which describes that “[a]n **affiliation** that a user has with the situation **is used as a basis for delivering the targeted advertisements.**” EX1001, 27:25-26; EX1003, ¶110. And a POSA would have understood that the location of a user, for example with respect to a weather event, relates to the “*effect of the situation on the corresponding individual or their property.*” EX1003, ¶110.

*Second*, Carlson discloses that the advertisement can be provided based on a user’s subscription to a particular event service, indicating “*an effect of the situation [(i.e., the event)] on the corresponding individual or their property.*” EX1003, ¶111. Carlson discloses “the event may be any event associated with **a service the user has accepted or subscribed to,**” “[f]or example, **a user may have subscribed to a weather service.**” EX1005, ¶52; *see also id.*, ¶30 (storing “user alert subscription information”). “In this case, when bad weather is forecasted to occur in [a] user’s area, the content provider may detect an event associated with a notification for the bad weather.” *Id.* Carlson then discloses “**one**

**or more relevant advertisements can be determined based on a textual analysis of the event** and other data.” *Id.*, ¶54.

*Third*, Carlson discloses that advertisements are provided based on a number of “[r]elevancy metrics,” including “user metadata, ... a device on which the alert is displayed, user location, user actions, or other information associated with the user.” EX1005, ¶24. “Metadata may include data related to the categorization of the type of content being sent, such as sports, travel, weather, information about categories of other alerts the user subscribes to, or other data.” *Id.*; *see also id.*, ¶53 (“Other meta-data may include information from a user profile, other alerts the user has subscribed to, address information for user, or other information.”). Since the advertisement may be provided based on various user information, such as alert categories to which the user subscribes, a POSA would have understood the advertisement for a particular user to be provided based on “*an effect of the situation of the corresponding individual.*” EX1003, ¶112.

Moreover, Patent Owner’s infringement contentions in the parallel litigation contend that a user clicking an ad indicates “*an effect of the situation on the corresponding individual or their property.*” *See* EX1012, 17 (“Individuals and those with property that will be affected by the situation or event corresponding to the ‘objective’ of an Ad Campaign will be those who have already taken the desired action. **The very fact that such individuals have taken the desired**

**[action]** indicates they perceive the situation effects them personally and/or **their property.**”). To the extent such operation satisfies the claim language (to which Petitioner does not acquiesce), Carlson similarly discloses that a user may click an ad, indicating “*an effect of the situation on the corresponding individual or their property*”: “**If input is received indicating the user has selected the advertisement** at step 670, additional content is provided at step 675. In one embodiment, the additional content may be provided in a separate window as a result of the user's selection of a URL link.” EX1005, ¶66; EX1003, ¶113.

Accordingly, Carlson teaches this element.

## **B. Independent Claim 22**

### **1. [22.P] “A system for presenting targeted advertising...”**

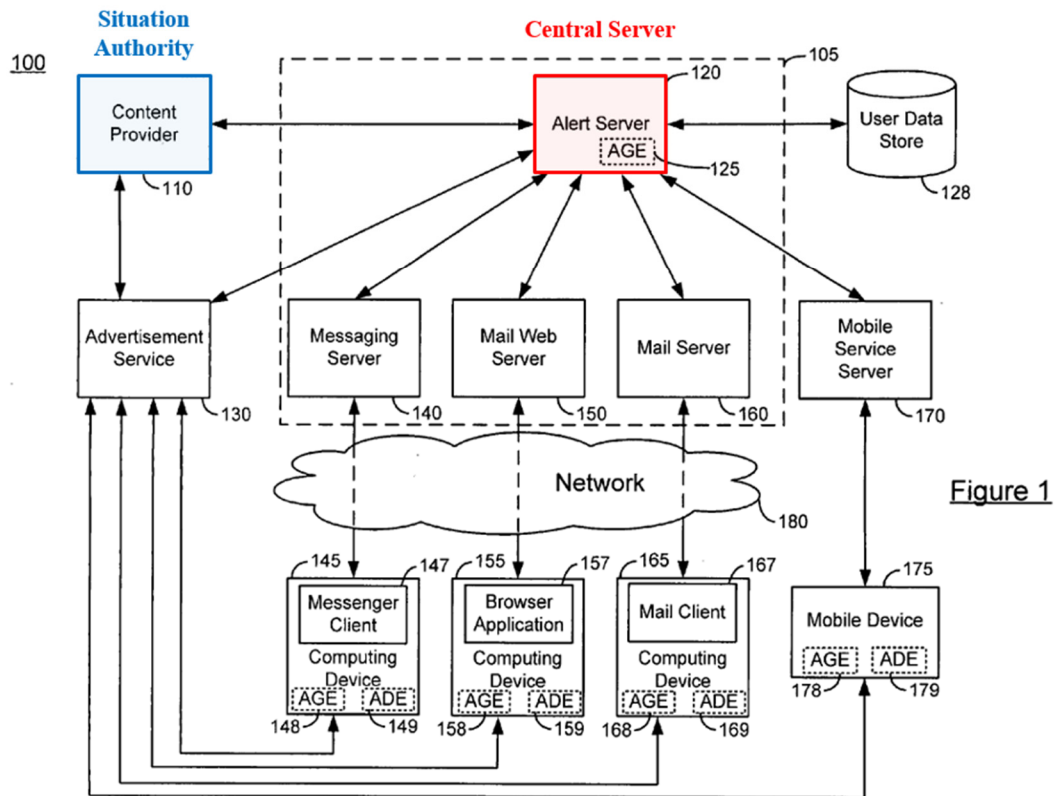
To the extent limiting, Carlson teaches this element for the reasons discussed for element [1.P]. *See* §VI.A.1; EX1003, ¶114; *see also* EX1005, ¶¶6 (disclosing “[a] proactive targeted advertising **system...**”), 8.

### **2. [22.A] “a central server...”**

Elements [22.B]-[22.F] are identical to elements [1.A]-[1.E]. Element [22.A] merely adds that “*a central server, corresponding to a situation authority, [is] configured to*” perform elements [22.B]-[22.F]. The ’932 patent explains, “in a centralized architecture embodiment, user devices 402 in the SitNet 3012 corresponding to users 250 are connected using centralized connections 3013 to a situation authority server 3011 associated with a situation authority 207.” EX1001,

6:17-21. Thus, the '932 patent informs that the claimed “*central server*,  
*corresponding to a situation authority*,” refers to a server (or centralized  
architecture) associated with a “*situation authority*” but need not be the “*situation  
authority*” itself. EX1003, ¶¶115-16.

Carlson teaches such an architecture, disclosing a centralized “[a]lert server  
120” (“*a central server*”) associated with a “[c]ontent provider 110” (“*a situation  
authority*”). EX1005, ¶¶28-29, FIG. 1; EX1003, ¶117.



EX1005, FIG. 1 (annotated).

Carlson discloses “[c]ontent provider 110” is associated with “alert server  
120” because it “may send and receive messages with alert server 120” for the

purpose of “transmit[ting] alerts to users.” EX1005, ¶¶28-29; EX1003, ¶118.

Carlson’s “content provider 110” provides a “*situation authority*” because it is “associated with a service the user has accepted or subscribed to,” such as “a weather service” or “sporting news service,” “provid[ing] event data” to alert server 120. EX1005, ¶¶52, 28 (“For example, **content provider 110 may provide event data** regarding the weather, such as forecasts and current weather conditions.”), 56 (“Content provider 110 ... sends the relevant advertisement, **event data**, and user data to alert server 120”). The ’932 patent provides similar examples of “*situation authorit[ies]*,” including, among others, “news organizations” and “weather agencies.” EX1001, 3:63-4:3. Thus, Carlson’s architecture, including Carlson’s content provider and alert server, provides this claim element. EX1003, ¶118.

**3. [22.B] “receive a plurality of advertisements...”**

Carlson, alone or in view of Shahine, teaches this element for the reasons discussed for element [1.A]. *See* §VI.A.2; EX1003, ¶120.

**4. [22.C] “obtain an indication...”**

Carlson teaches this element for the reasons discussed for element [1.B]. *See* §VI.A.3; EX1003, ¶121.

**5. [22.D] “automatically connect devices...”**

Carlson teaches this element for the reasons discussed for element [1.C]. *See* §VI.A.4; EX1003, ¶122.

**6. [22.E] “cause an automatic redirection...”**

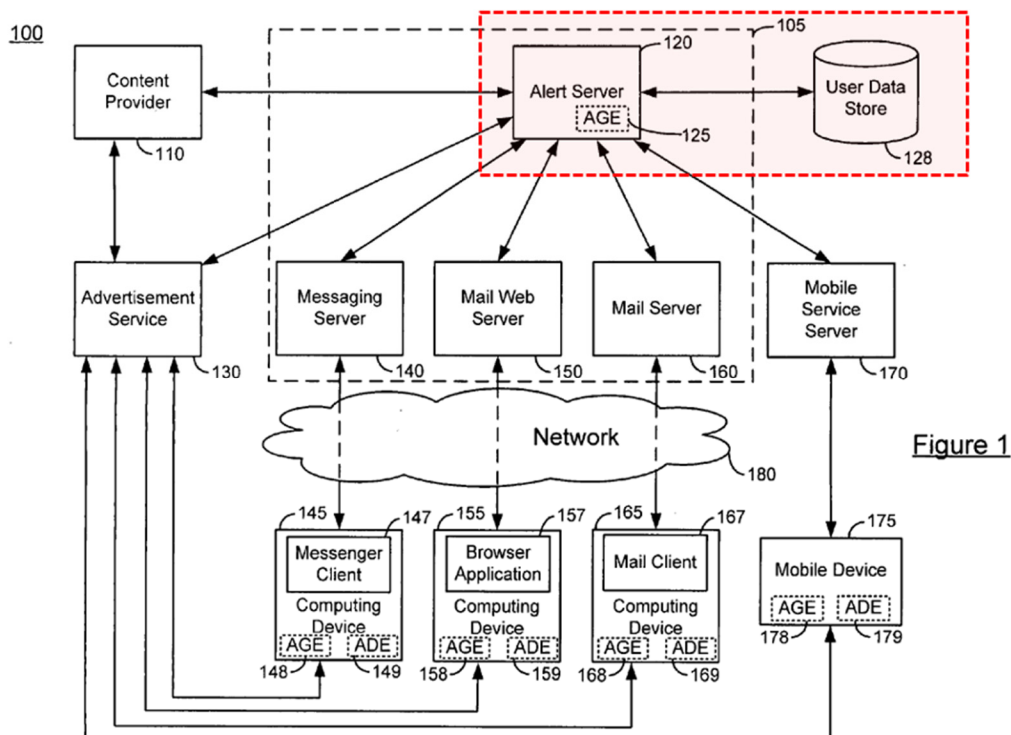
Carlson teaches this element for the reasons discussed for element [1.D]. *See* §VI.A.5; EX1003, ¶123.

**7. [22.F] “provide at least one of the plurality of advertisements...”**

Carlson teaches this element for the reasons discussed for element [1.E]. *See* §VI.A.6; EX1003, ¶124.

**8. [22.G] “a database...”**

Carlson teaches this element. For example, Carlson discloses a “user data store 128” (“*a database*”) storing user subscription information to location-based services, such as a weather service. EX1005, ¶¶30, 52; EX1003, ¶¶125-26. User data store is “*associated with the central server,*” as shown in Figure 1, because “[a]lert server 120 may transmit and receive messages from user data store 128.” EX1005, ¶29; EX1003, ¶¶125-26.



EX1005, FIG. 1 (annotated).

Carlson discloses “[u]ser data store 128 stores data and other information for users of the relevant advertisement generation system 105,” including “**user alert subscription information.**” EX1005, ¶30. “For example, a user may have subscribed to **a weather service,**” and “**when bad weather is forecasted to occur in [a] user’s area,** the content provider may detect an event associated with a notification for the bad weather.” *Id.*, ¶52. That users are subscribed to a service associated with particular locations indicates the “*availability of a service at a plurality of service locations affected by the situation.*” EX1003, ¶127.

Additionally, Carlson discloses an “advertisement service 130” that is “associated with the central server”: “Alert server 120 may transmit and receive

**messages from** user data store 128, content provider 110, **advertisement service 130 ....**” EX1005, ¶29; EX1003, ¶128. Carlson teaches advertisement service 130 stores or otherwise has access to information about the “*availability of a service at a plurality of service locations affected by the situation.*” EX1003, ¶128. For example, Carlson discloses “[t]he advertisement service can select an advertisement associated with [the] event data,” such as a “pizza delivery service,” and “[t]he service can be selected such that it is available within the user’s **geographic area** during the time of the sporting event mentioned in the alert.” EX1005, ¶31. Carlson also discloses comparing event data “to one or more advertisement keywords” as part of selecting an advertisement, which may be “associated with different categories, such as **geographical area.**” EX1005, ¶54. A POSA would have therefore understood that Carlson’s advertisement service 130 contains or otherwise accesses “*a database ... for storing information related to availability of a service at a plurality of service locations affected by the situation.*” EX1003, ¶128.

**9. [22.H] “a plurality of devices...”**

Carlson teaches this element for the reasons discussed for elements [1.C] and [1.E]. *See* §§VI.A.4, VI.A.6; EX1003, ¶129.

**C. Claim 2**

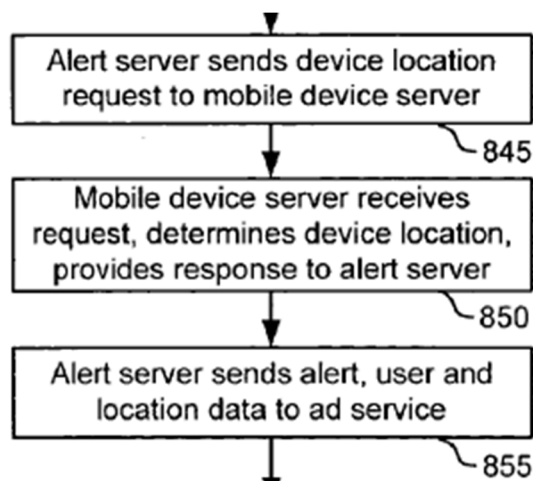
As discussed for element [1.E], Carlson discloses “**the location to which**

**the alert is delivered may be considered in selecting the advertisement.”**

EX1005, ¶21; *see also id.*, ¶24 (disclosing “user location” as a relevancy metric “used by the advertisement targeting system to determine an advertisement for a user”). Because the user location relates the user to the situation (e.g., a weather event occurring in the user’s area), Carlson discloses “*wherein the affiliation is based at least in part on the location of the at least one individual.*” EX1003, ¶131.

#### **D. Claim 3**

Similar to Carlson’s Figures 4A and 6, Figure 8 of Carlson “illustrates an embodiment of a method 800 for server-side retrieval of an advertisement for an alert.” EX1005, ¶68. “Method 800 is similar to method 600 except that the user receives an alert through a mobile device and **mobile device location data is determined before selecting a relevant advertisement.**” *Id.*



EX1005, FIG. 8 (excerpted).

Carlson discloses “[a]lert server 120 sends a device location request to

mobile service server 170 at step 845.” EX1005, ¶¶69. “Mobile service server 170 receives the request, **determines the user device location**, and provides a response to alert server 120 at step 850.” *Id.* Carlson explains, “**the mobile service server may determine the mobile device's location using GPS information inherent in the mobile device.**” *Id.* “For example, most modern cell phones utilize GPS information and are capable of transmitting this information to a mobile service server.” *Id.* “**The location data is then provided** to advertising service 130 **for selection of a relevant ad.**” *Id.*, ¶¶67, 70; EX1003, ¶¶133-34.

As Dr. Jansen explains, a POSA would have understood the “GPS information inherent in the mobile device” would include “*positional coordinates obtained from the connected device.*”<sup>4</sup> EX1003, ¶135. Thus, Carlson teaches this element. *Id.*

Additionally, to the extent challenged by Patent Owner, a POSA would have understood that both mobile and non-mobile computing devices at the time of the ’932 patent included browser applications capable of accessing “web-based mail,” as Carlson discusses. EX1005, ¶36; EX1003, ¶136. This understanding is consistent with Carlson’s disclosure that the same exemplary “computing

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<sup>4</sup> The phrase “*the connected device*” has no antecedent basis to claims 1 or 2. For purposes of this proceeding, Petitioner interprets the phrase to refer to an individual’s device.

environment 200 may be used to implement ... computing devices 145-165, and mobile device 175.” EX1005, ¶40. Thus, a POSA would have understood any of Carlson’s disclosed alert/advertisement delivery methods may be applied to both mobile and non-mobile devices. EX1003, ¶136.

#### **E. Claim 4**

Carlson discloses that relevancy “[m]etrics are used by the advertisement targeting system to determine an advertisement for a user.” EX1005, ¶24.

“Relevancy metrics may include ... **user metadata**, the time an alert is generated and/or delivered, a device on which the alert is displayed, user location, user actions, or other information associated with the user.” *Id.* And Carlson expressly discloses the “**meta-data may include information from a user profile**,” which is sent to advertisement service 130 to “determine[] the relevant advertisement” for a user. *Id.*, ¶53. Moreover, a POSA would have understood relevancy metrics such as “a device on which the alert is displayed, user location, user actions, [] other information associated with the user,” and “categories of other alerts the user subscribes to,” EX1005, ¶24, are part of a user profile (“*a profile for the at least one individual*”). EX1003, ¶¶138-39. A POSA would have further understood user profile information can relate the user to the situation, such as the user’s location or categories of alerts the user subscribes to, and thus Carlson teaches “*wherein the affiliation is based at least in part on a profile for the at least one individual.*”

EX1003, ¶139.

**F. Claim 6**

Carlson teaches this element for at least two reasons. *First*, Carlson teaches this element for the reasons discussed for element [22.A]. *See* §VI.B.2.

Particularly, Carlson teaches that its “content provider 110” provides a “*situation authority*” because it is “associated with a service the user has accepted or subscribed to,” such as “a weather service” or “sporting news service.” EX1005, ¶52. Carlson further discloses “[c]ontent provider 110 detects an event” and “provide[s] event data” to alert server 120. *Id.*, ¶¶52, 28, 56; EX1003, ¶141.

*Second*, Carlson’s “alert server 120” provides a “*situation authority*” because it generates events “from the event data received from the content provider” and provides alerts or other information regarding the event to users. EX1005, ¶58; EX1003, ¶142. Particularly, Carlson discloses “[t]he event data [provided by content provider 110] may be used **to generate an event by alert server 120.**” EX1005, ¶28; *see also id.*, ¶58 (“**[A]lert server 120 generates the alert from the event data** received from the content provider.”). “The alert server then sends the alert, advertisement, and user data to messaging server 140,” which in turn is sent “to computing device 145.” EX1005, ¶58. A POSA therefore would have understood that Carlson’s “alert server 120” provides a “*situation authority*,” “provid[ing] comprehensive information related to the situation.” EX1001, 3:59-

63; EX1003, ¶142.

**G. Claim 7**

Carlson teaches the elements of claim 7. *First*, Carlson teaches “*a multi-dimensional personal information network*.” The ’932 patent explains, “[a]n N-dimensional social network (NDSN), also called a multi-dimensional personal information network, captures and manages multi-dimensional relationships between persons and other entities that are users of the network.” EX1001, 14:10-13. Carlson teaches “*a multi-dimensional personal information network*” in which users are connected through multiple relationships. EX1003, ¶144.

As one example, Carlson discloses that its network manages and captures relationships of users through various alert subscriptions. EX1003, ¶145. “For example, **a user may have subscribed to a weather service**”; “In another example, **the user may have subscribed to a sporting news service**.” EX1005, ¶52. Carlson further discloses “[u]ser data store 128 stores data and other information for users,” including “user alert subscription information.” *Id.*, ¶30. Thus, Carlson’s network captures and manages relationships in the form of subscription information. EX1003, ¶145.

As another example, Carlson discloses capturing and managing relationships of users based on “**a preference to receive information regarding the event detected**.” EX1005, ¶53; EX1003, ¶146. “In one embodiment, content provider

110 may access a database or **mailing list** to determine which users shall receive [an] alert.” EX1005, ¶53. As a third example, Carlson discloses “[u]ser data store 128” stores “user contact lists,” which a POSA would have understood to relate the user to other users on the contact list. EX1005, ¶30; EX1003, ¶147. Accordingly, Carlson teaches “*a multi-dimensional personal information network.*” EX1003, ¶147.

*Second*, Carlson teaches that “*the devices include personal information aggregators, each personal information aggregator corresponding to a node in the multi-dimensional personal information network.*” The ’932 patent describes, “[a] Personal Information Aggregator (PIA) provides a user with the ability to store, organize and control personal information.” EX1001, 7:52-54. The patent further explains, “[t]he PIA 400 or CIA may be implemented on a variety of hardware and software platforms, e.g., **a handheld device, a personal computer** or a dedicated appliance,” and “**a mobile phone** may be configured to provide the additional functions of a PIA.” EX1001, 12:61-63, 13:16-17. A PIA in the context of the ’932 patent is therefore little more than a personal computer or mobile device participating in the network. EX1003, ¶148.

Like the ’932 patent, Carlson discloses user devices in the form of “computing devices 145-165, and mobile device 175” that communicate with Carlson’s system “over network 180.” EX1005, ¶25. These devices provide

“*personal information aggregator[s]*” because they allow access to personal information such as “user location, user actions, or other information associated with the user.” *Id.*, ¶24; *see also id.*, ¶34 (“Mobile server 170 sends and receives information with alert server 120 and mobile device 175.”); EX1003, ¶149. As one example, Carlson discloses its user devices provide GPS information associated with the user:

In one embodiment, **the mobile service server may determine the mobile device's location using GPS information inherent in the mobile device.** For example, most modem **cell phones utilize GPS information and are capable of transmitting this information to a mobile service server.**

EX1005, ¶69; EX1003, ¶149. Moreover, as Dr. Jansen explains, personal computing devices and cell phones at the time of the '932 patent provided users the ability to store, organize, and control numerous types of personal information. EX1003, ¶150.

*Third*, Carlson teaches “*wherein the situation authority establishes an event node in a multi-dimensional personal information network corresponding to the situation.*” EX1003, ¶151. The '932 patent provides that “[t]he situation or event itself may also be associated with a node on the SitNet, known as the event node for the SitNet.” EX1001, 7:31-33. “For example, an entity ... establishes an event node in an NDSN that propagates up-to-date information on the situation to PIAs.”

*Id.*, 7:33-38.

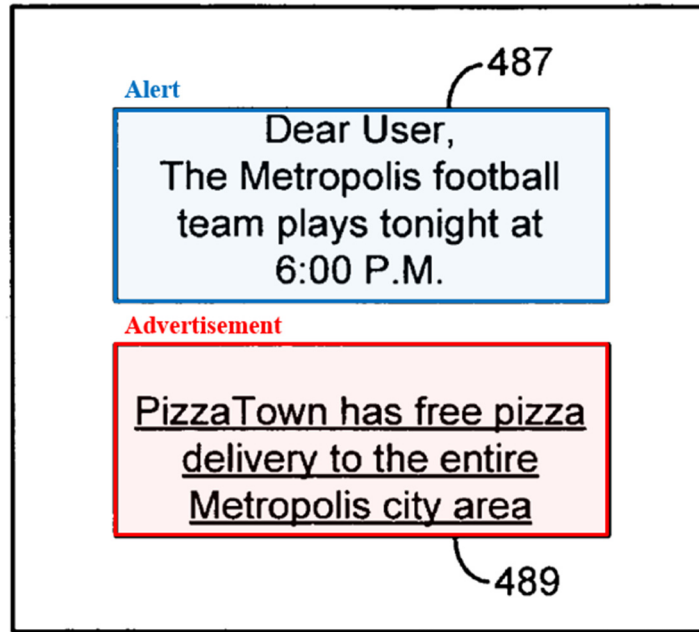
Carlson, for example, discloses “alert server 120” generates an event (i.e., “*an event node*”) from event data received from “content provider 110.” EX1005, ¶28 (“The event data [provided by content provider 110] may be used **to generate an event by alert server 120.**”). The generated event, in turn, is used to propagate up-to-date information to user devices in the form of alerts. EX1005, ¶¶53, 58 (“[A]lert server 120 generates the alert from the event data,” which is sent to user devices determined to receive the alert.); EX1003, ¶152.

#### **H. Claim 8**

Carlson discloses, for example, “a user may have subscribed to a weather service.” EX1005, ¶52. “In this case, **when bad weather is forecasted to occur in user's area**, the content provider may **detect an event associated with a notification for the bad weather**,” i.e., “*a weather phenomenon.*” *Id.*; EX1003, ¶154.

#### **I. Claim 9**

Carlson discloses “the advertisement provided with the alert is determined to be relevant to the alert.” EX1005, ¶24. For example, Figure 4B provides an alert regarding a sporting event (“*the situation*”) and an advertisement providing a “*notification[] about services relevant to the situation.*” *Id.*, ¶60, FIG. 4; EX1003, ¶156.



EX1005, FIG. 4B (annotated).

Carlson explains, “[i]n particular, the alert provides information of a sporting event within the user's area at a particular time,” and “[t]he **advertisement provides a related service, a food delivery service**, in the user's area when the subject of the alert occurs.” EX1005, ¶60; *see also id.*, ¶31; EX1003, ¶157.

#### **J. Claim 10**

The '932 patent describes that a “*projection*” simply refers to a subset of users or devices within a network. EX1003, ¶159. The patent describes, “[a] user might desire to work with a ‘**projected**’ view, i.e., a **subset of the nodes**, of the NDSN 100.” EX1001, 16:8-9; *see also id.*, 14:35-37 (“a ‘projected’ view of a subset of the members of the NDSN...”); EX1003, ¶159.

Carlson teaches this element in at least two ways. *First*, as discussed for claim 2, Carlson discloses providing advertisements to a subset of users based on their geographic location. EX1003, ¶160. For example, “**the location** to which the alert is delivered **may be considered in selecting the advertisement**,” and “[t]he **service** [of the advertisement] **can be selected such that it is available within the user’s geographic area**.” EX1005, ¶¶21, 31. Thus, Carlson’s provision of advertisements is based on determining users “*having the same affiliation with the situation*”—the subset of users within the same geographic area. EX1003, ¶160.

*Second*, Carlson discloses providing advertisement to a subset of users affiliated with the event based on subscription to a particular event service. EX1003, ¶161. Carlson discloses “the event may be any event associated with a **service the user has accepted or subscribed to**,” “[f]or example, a **user may have subscribed to a weather service**.” EX1005, ¶52; *see also id.*, ¶53. Carlson then discloses “one or more relevant advertisements can be determined based on a textual analysis of the event.” *Id.*, ¶54. Thus, Carlson’s provision of advertisements is also based on a subset of users affiliated with an event through the same subscription. EX1003, ¶161.

#### **K. Claim 11**

Carlson teaches this element for the reasons discussed for claim 10. *See* §VI.J.

**L. Claim 23**

Carlson teaches this element for the reasons discussed for claim 7. *See*

§VI.G.

**VII. GROUND 2: CLAIMS 1-4, 6-11, AND 22-23 ARE OBVIOUS OVER CARLSON-SHAHINE IN VIEW OF LUNDY.**

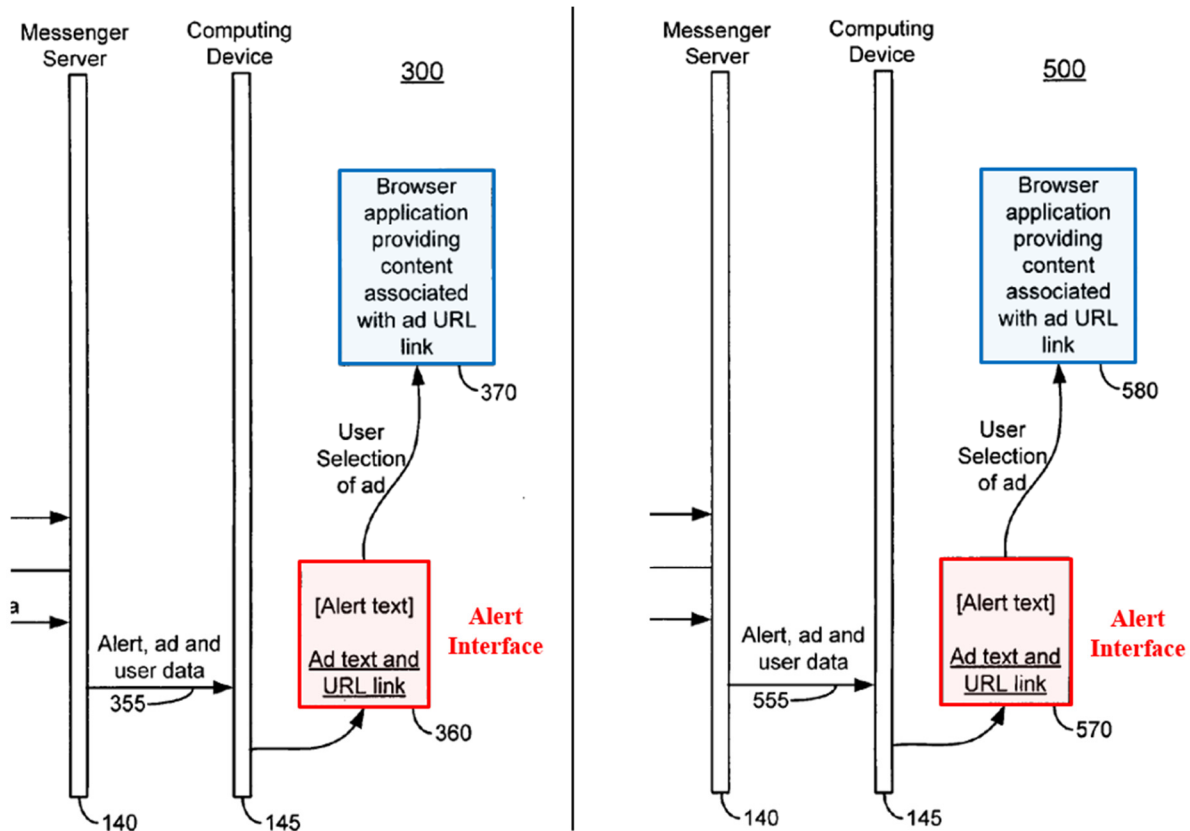
**A. Overview of Ground 2**

As discussed in Ground 1, Carlson-Shahine renders obvious every element of claims 1-4, 6-11, and 22-23. To the extent argued that Carlson does not teach elements [1.D] and [22.E], the combination of Carlson-Shahine and Lundy teaches these elements under Patent Owner’s interpretation set forth in its infringement contentions. As noted above, Patent Owner’s infringement contentions contend, “[w]hen a user clicks on the presented ad, they are automatically redirected to a webpage ... for information related to the situation.” EX1012, 10. Under this interpretation (to which Petitioner does not acquiesce), Lundy explicitly teaches “*causing an automatic redirection of a web browser application operating on each of the devices to a webpage containing information related to the situation,*” as recited in elements [1.D] and [22.E].

**B. Elements [1.D], [22.E], and Motivation to Combine Carlson and Lundy**

As discussed in Ground 1, Carlson discloses providing an alert and advertisement to a user device. EX1005, ¶¶52-58; EX1003, ¶168. Carlson’s user device “receives the alert, advertisement and user data and provides an alert

interface with the alert and relevant advertisement.” EX1005, ¶¶59. An example “alert interface is illustrated as alert 360 of FIG. 3” and “alert interface 570 of FIG. 5,” as shown below. EX1005, ¶¶59, 66.



EX1005, FIGs. 3, 5 (excerpted and annotated).

Carlson explains that if the user “select[s] the advertisement” in the alert interface, “[a]dditional content associated with the selected advertisement is provided,” “illustrated as content page 370 of FIG. 3” and “content page 580 of FIG. 5.” EX1005, ¶¶61, 66. The advertisement may be “a link associated with a URL,” “[f]or example, in the case of a pizza delivery service, the URL may be a website providing more information for the company providing the pizza

delivery.” *Id.*, ¶61. Therefore, under Patent Owner’s interpretation of the claims, a user’s click of an advertisement in Carlson’s alert interface “*caus[es] an automatic redirection of a web browser application operating on each of the devices to a webpage containing*” information associated with the advertisement. EX1003, ¶169.

Carlson, however, does not explicitly disclose techniques for allowing a user to access *additional* information regarding a situation, beyond the information provided with the alert. In the case of a more serious event, such as “when bad weather is forecasted to occur in user’s area,” as Carlson teaches, EX1005, ¶52, a POSA would have been recognized the benefits to allowing the user to access additional information regarding the event. EX1003, ¶170. This would have led a POSA to search for and locate Lundy, which expressly discloses such operation. *Id.*

Lundy is directed to “distributing Dynamic Content Alerts (DCA) to end users that are consuming IP enabled content.” EX1006, ¶3.

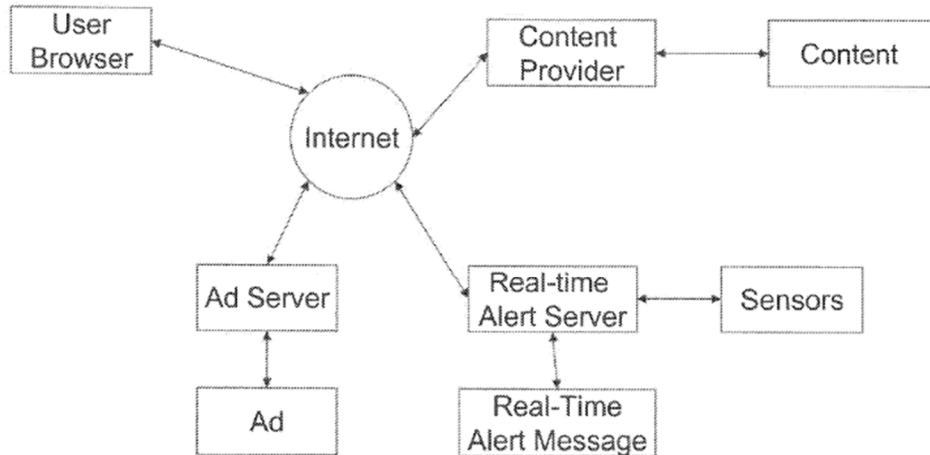


Fig. 2A

EX1006, FIG. 2A.

Lundy discloses “[a] user (not shown) uses browser 102 to connect to the Internet,” and [b]rowser 102 sends a request to content provider 120.” *Id.*, ¶44. “Content provider 120, in response to the request, constructs a web page including content 121 and ad tags,” and “[a]d server 108 uses the ad tags to insert ad 109 into content 121 by providing ad 109 to browser 102.” *Id.* When Lundy’s “DCA server 150 detects the occurrence of an event,” “DCA server 150 sends an automatic insertion order to ad server 108.” *Id.* “The automatic insertion order causes the ad server to add DCA message [(i.e., an alert message)] 152 to ad 109.” *Id.*; EX1003, ¶¶171-72.

An example “screen shot of a web page that includes an alert message” is illustrated in Figure 3. EX1006, ¶51.

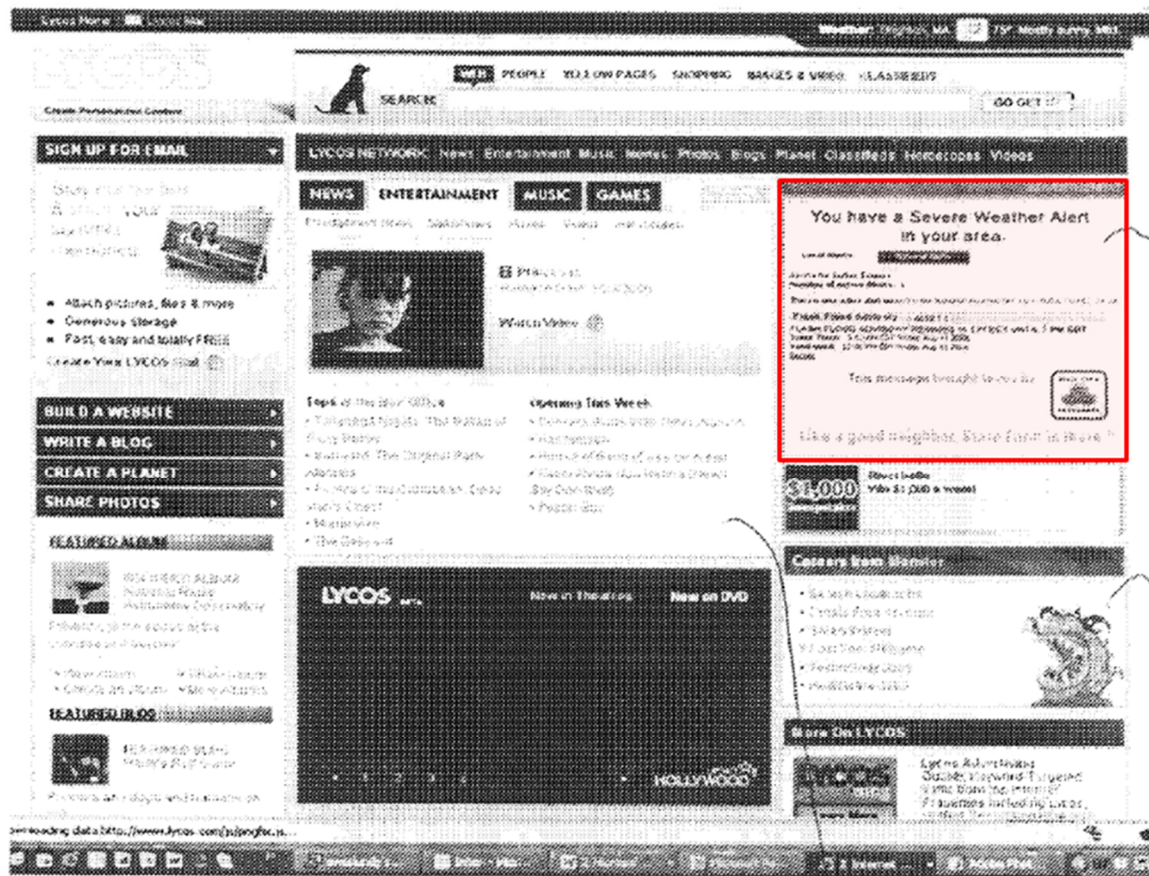


Fig. 3

EX1006, FIG. 3 (annotated).

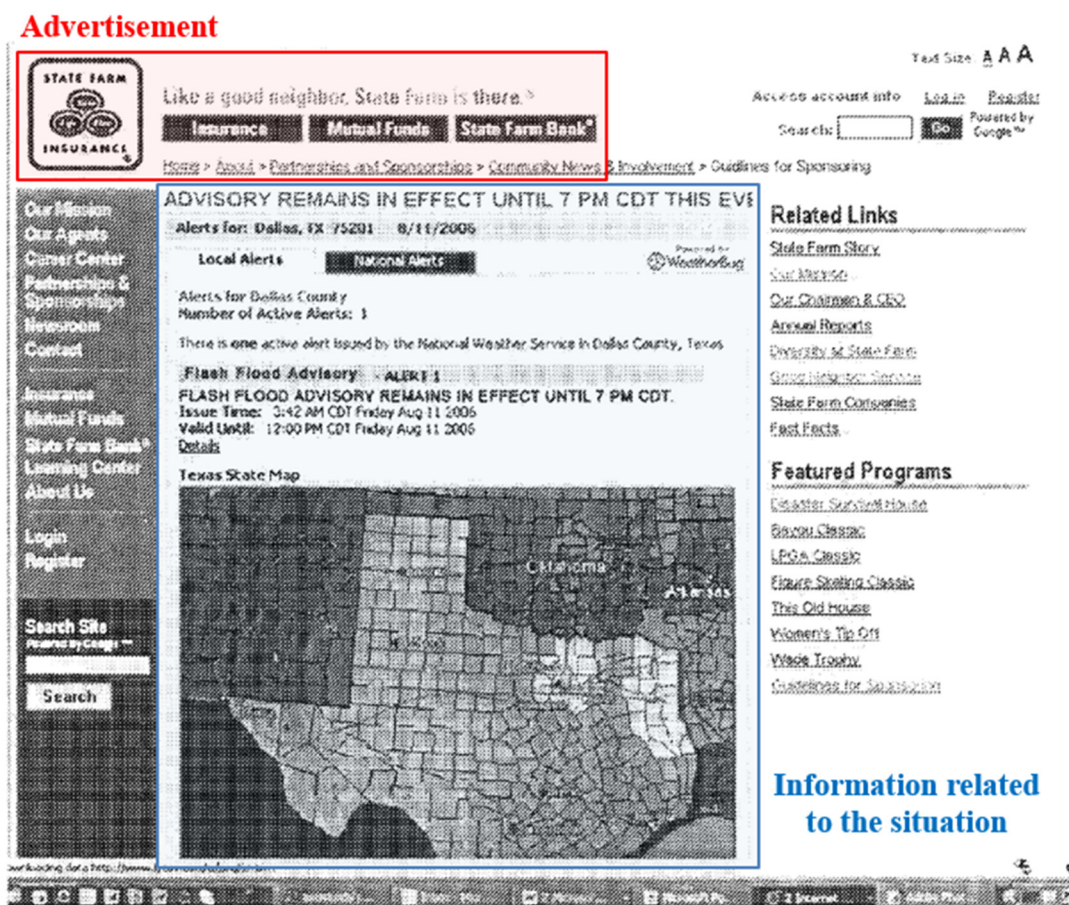
The alert, along with an advertisement for sponsor “State Farm,” is illustrated in “IFrame 300.” EX1006, ¶51; EX1003, ¶¶173-74. In this example, “there is a severe weather alert in the geographic area of the user that retrieves the web page 300, as indicated by the inserted message ‘You have a severe weather alert in your area. This message is brought to you by State Farm.’” EX1006, ¶51.

Figure 4 similarly shows “an example of the advertisement that includes alert message.” EX1006, ¶51.

|                                                                                                                                                                                                                                                     |                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| YOU HAVE A SEVERE WEATHER ALERT IN YOUR AREA                                                                                                                                                                                                        |                 |
| Local Alerts                                                                                                                                                                                                                                        | National Alerts |
| Alerts for Dallas county<br>Number of active alerts: 1<br>FLASH FLOOD WARNING<br>Flash Flood Advisory remains in effect until 7:00 pm<br>Issue Time: 3:42 am<br><br><u>Details</u><br><br>This message is brought to you by<br>State Farm Insurance |                 |

EX1006, FIG. 4.

“The name of Company D [(e.g., State Farm)] shown in the advertisement may be a hyperlink,” and “[i]f the user clicks the hyperlink ... **the website of Company D may provide the user with additional information regarding the dynamic real-time information included in the advertisement.**” EX1006, ¶60. “FIG. 5 shows an example of a webpage served by Company D’s website.” *Id.*, ¶61.



EX1006, FIG. 5 (annotated).

“As shown in FIG. 5, the State Farm website provides the user with additional information about the severe weather alert included in the advertisement shown in FIGS. 3 and 4,” as well as an advertisement for State Farm. EX1006, ¶61; EX1003, ¶177. Therefore, when a user selects an advertisement, Lundy discloses “causing an automatic redirection of a web browser application operating on each of the devices to a webpage containing information related to the situation” under Patent Owner’s interpretation of the claims. EX1012, 10; EX1003, ¶¶175-77.

A POSA would have been motivated to incorporate Lundy's techniques of redirecting a web browser to a website with additional information into Carlson-Shahine's system to allow a user to quickly access such information and remain up-to-date on the situation. EX1003, ¶178. And a POSA would have had a reasonable expectation of success because this would amount to nothing more than incorporating well-known techniques (redirecting a browser to a website containing particular content) into Carlson's known system. *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 419-421 (2007).

Carlson already discloses that when a user selects an advertisement, a browser is redirected to "a website providing more information for the company." EX1005, ¶61, FIG. 3 (element 370); EX1003, ¶179. Lundy's "website provid[ing] the user with additional information about the severe weather alert," EX1006, ¶61, is no different technically from Carlson's; it simply provides additional, useful event information. EX1003, ¶179. Moreover, Carlson and Lundy are both directed to the same field of delivering alerts to users and address the same types of situations (e.g., severe weather events). EX1003, ¶179.

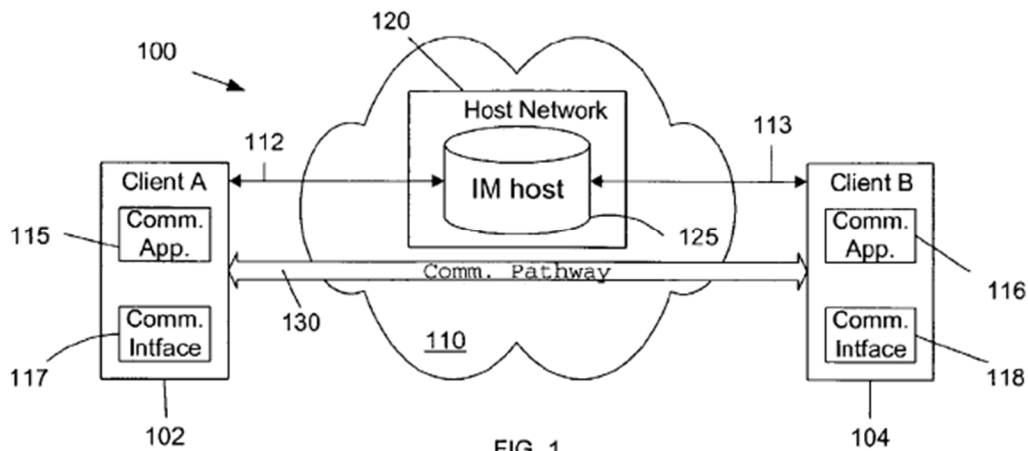
**VIII. GROUNDS 3 AND 4: CLAIM 5 IS OBVIOUS OVER CARLSON-SHAHINE OR CARLSON-SHAHINE-LUNDY IN VIEW OF ROSKIND.**

Claim 5 recites, "*wherein the profile is stored on the connected device.*" Carlson-Shahine, or Carlson-Shahine-Lundy, in view of Roskind, teaches this

element.

As discussed for claim 4, Carlson discloses the use of “meta-data [that] may include information from a **user profile**,” which is sent to advertisement service 130 to “determine[] the relevant advertisement” for a user. EX1005, ¶53. Carlson does not explicitly disclose that its user profile information “*is stored on the connected device*” (i.e., the user device), but Roskind discloses this operation.

Roskind discloses a “communications system 100 includes a client A device 102 and a client B device 104 that are associated with users A and B.” EX1011, 2:56-58; EX1003, ¶¶182-83. “Once a client device 102 or 104 has connected to the IM host 120, the communications applications 115 and 116 may send and receive messages.” EX1011, 3:2-5.



EX1011, FIG. 1.

Roskind further discloses storing “user profile data,” which “includes, for example, a user list, identified interests, a geographic location, an Internet protocol

address associated with the client device, a general account, and demographic information.” EX1011, 5:29-37. “The user may enter, edit and/or delete profile data using an installed IM application on the client device.” *Id.*, 5:37-38; EX1003, ¶¶184-85. **“The user profile data also may be saved locally on a client device,”** in which case, “the client device may provide the user profile or user profile data to the host network 120 at specified times or when requested.” EX1011, 5:49-52. Alternatively, **“the user profile may be stored locally at the client A device 102** *[a]nd* at the host network 120 and may be periodically synchronized (e.g., at login).” *Id.*, 5:52-55. Thus, Roskind discloses “*the profile is stored on the connected device.*” EX1003, ¶185.

A POSA would have recognized that storing Carlson’s user profile data on the user’s device or at a remote location are merely obvious variations of one another. *ACCO Brands Corp. v. Fellowes, Inc.*, 813 F.3d 1361, 1367 (Fed. Cir. 2016) (Where an “ordinary artisan would ... be left with two design choices ... [e]ach of these two design choices is an obvious combination.”); *Electronic Arts Inc. v. Terminal Reality, Inc.*, IPR2016-00928, Paper 48 (FWD) at 22-23 (P.T.A.B. Oct. 23, 2017) (“[D]esign changes that [do] not ‘result in a difference in function or give unexpected results’ [are] ‘no more than obvious variations....’”); *see also KSR*, 550 U.S. at 416 (“[M]ere substitution of one element for another known in the field” to “yield a predictable result” is sufficient to render obvious a claim

element.); EX1003, ¶186. Moreover, a POSA would have recognized that storing Carlson's user profile data on the user computing device would enable a user to edit profile information at any time, even without a network connection. EX1003, ¶186.

A POSA would have had a reasonable expectation of success storing user profile data on the client device. EX1003, ¶187. For example, Carlson discloses its user devices have "storage media" for "storage of information." EX1005, ¶45; EX1003, ¶187. And, as Roskind discloses, the user profile data could either be stored solely on Carlson's client device or synchronized periodically with Carlson's alert server (e.g., through storage in user data store 128). EX1003, ¶187 (citing EX1011, 5:52-55). Since advertisement service 130 is connected to both Carlson's alert server and user devices (illustrated in Figure 1), user profile data could be communicated from either location to the advertisement service. EX1005, FIG. 1; EX1003, ¶187.

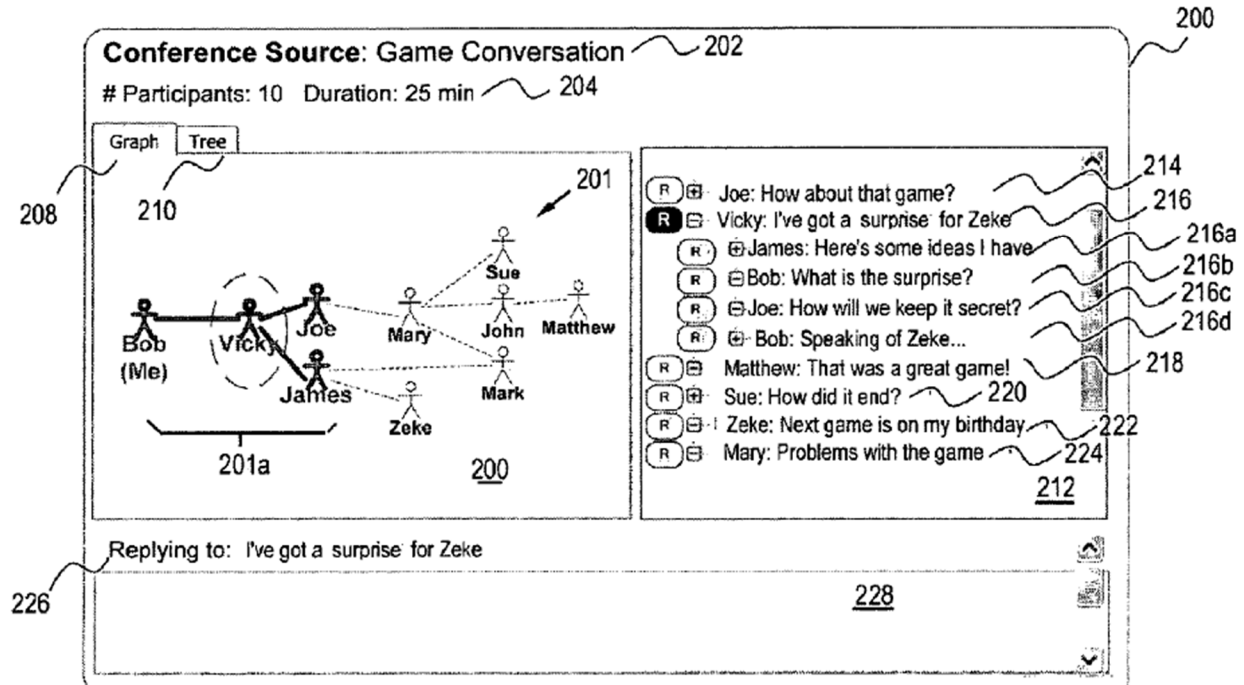
**IX. GROUND 5: CLAIMS 1-11 AND 22-23 ARE OBVIOUS OVER AMIDON IN VIEW OF WALSH AND SHAHINE.**

**A. Motivation to Combine Amidon, Walsh, and Shahine**

Amidon and Walsh are related patents having the same inventors. EX1007, Cover (75); EX1008, Cover (75). Amidon is directed to "providing systems and methods for users to conduct online conferences based on underlying social network structures." EX1007, 2:54-56. "Using the presently disclosed technology,

a user can specify the nature and extent of a conference amongst members of a social network based on various parameters,” and “[o]nce a conference has been initiated, users participating in the conference can direct messages to desired users.” *Id.*, 2:57-63; EX1003, ¶189.

Figure 4 of Amidon “illustrates an exemplary user interface which may be used by one or more users participating in social network conferences.” EX1007, 16:65-67.

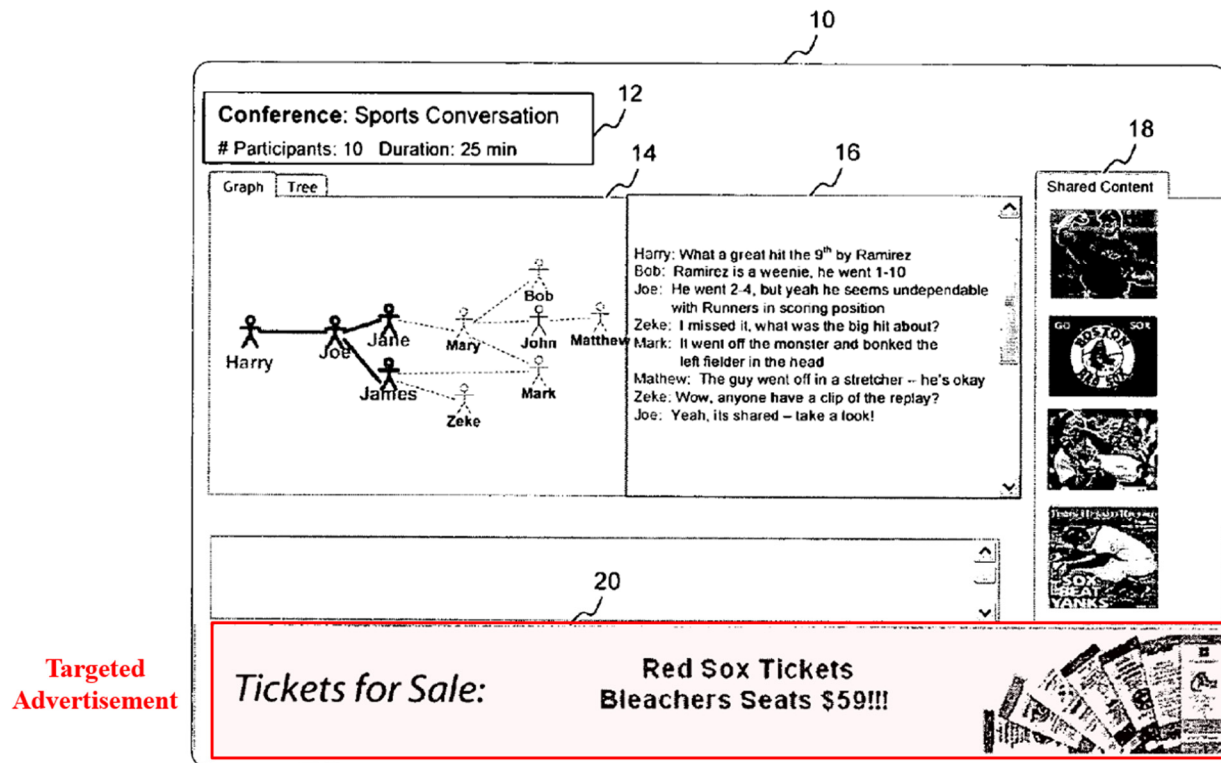


EX1007, FIG. 4.

Conference window 200 includes a “[t]itle bar 202 [that] provides a description of the presently-selected conference (‘Game Conversation’), while area 204 includes conference metadata (in this example, the number of participants and

duration of the conference).” EX1007, 17:2-7. “Window 200 further includes conference thread display area 212,” which includes “data (messages, content, etc.) exchanged amongst the members of conference 201.” *Id.*, 17:21-26; EX1003, ¶¶190-91.

Walsh’s disclosure relates to “communication sessions (e.g., a messaging conference) of social network users” and is based on the same general system disclosed by Amidon. EX1008, 1:7-12; EX1003, ¶192. For example, Figure 1 of Walsh illustrates the same conference interface disclosed by Amidon, with the addition of “an advertisement display 20.” EX1008, 5:1-8.



EX1008, FIG. 1 (annotated).

“Shared content display 18 as well as the advertisement display 20 are

customized by the subject session profiling service to provide content and/or ads,” and “[t]his specialized customization for a given user display **will vary user to user depending on the session profile relative to each different user.**” EX1008, 6:9-17. “Thus, available content and/or **ads** or other information **may be particularly selected for each user** participating in the social network communication session.” EX1008, 6:9-20; EX1003, ¶¶193. Accordingly, Walsh discloses incorporation of advertisements targeted to users participating in a messaging conference. EX1003, ¶193.

Although Amidon does not explicitly disclose providing targeted advertisements within its social network conferences, a POSA would have recognized the well-known benefits of doing so, such as generating ad revenue. EX1003, ¶¶39-47, 194. Indeed, the inventors of Amidon themselves recognized the benefits of including advertisements within social network conferences, disclosing such operation in Walsh. EX1003, ¶194. A POSA considering Amidon would have thus been motivated to seek out a reference such as Walsh for specific targeted advertising techniques. EX1003, ¶194.

A POSA would have had a reasonable expectation of success incorporating Walsh’s advertising techniques into Amidon’s conference system because this would amount to nothing more than incorporating well-known techniques (selecting and displaying relevant advertisements to a user) into Amidon’s known

conferencing system. *KSR*, 550 U.S. at 419-421; EX1003, ¶195. Walsh, in fact, discloses how to make this combination, illustrating Amidon's conference interface with an incorporated advertisement display. *See* EX1008, FIG. 1; EX1003, ¶195. Therefore, a POSA would have been motivated to combine, with a reasonable expectation of success, Amidon and Walsh, and the results of the combination would have been predictable. EX1003, ¶195.

Additionally, to the extent argued that Amidon and Walsh do not expressly disclose “*receiving a plurality of advertisements from at least one advertising entity*,” a POSA would have been motivated to look to a reference such as Shahine. As discussed for Ground 1, Shahine discloses techniques that allow “an advertiser to upload an advertisement including textual and/or graphical data, which data is then stored in an advertiser database 154.” EX1015, 5:39-42. A POSA would have been motivated to receive and store advertisements in Amidon-Walsh's system, as in Shahine, to allow selection and distribution of advertisements to users. EX1008, 6:9-20, FIG. 1; EX1003, ¶196. And a POSA would have had a reasonable expectation of success in doing so using well-known network communication and upload techniques. EX1003, ¶196.

**B. Independent Claim 1**

**1. [1.P]**

To the extent limiting, Amidon-Walsh teaches this element. Amidon

discloses “systems and **methods** for users to conduct online conferences based on underlying social network structures.” EX1007, 2:54-56. Amidon’s architecture provides a “*situational network*” because, like the ’932 patent, it “allows the participants [] to interact and exchange information over connections to or through a computer network [] regarding [an] event or situation.” EX1001, 3:50-53; EX1003, ¶197. Amidon discloses “[t]he present disclosure [] refers to the relay of communicated data over a network such as the Internet,” and “[u]sers may participate in social network conferences by way of any suitable communication technique(s).” EX1007, 3:4-5, 6:11-12. An example architecture is illustrated in Figure 2 in which “each client 30a, 30b, and 30c interfaces with messaging server via respective links 114a, 114b, and 114c.” *Id.*, 8:36-40.

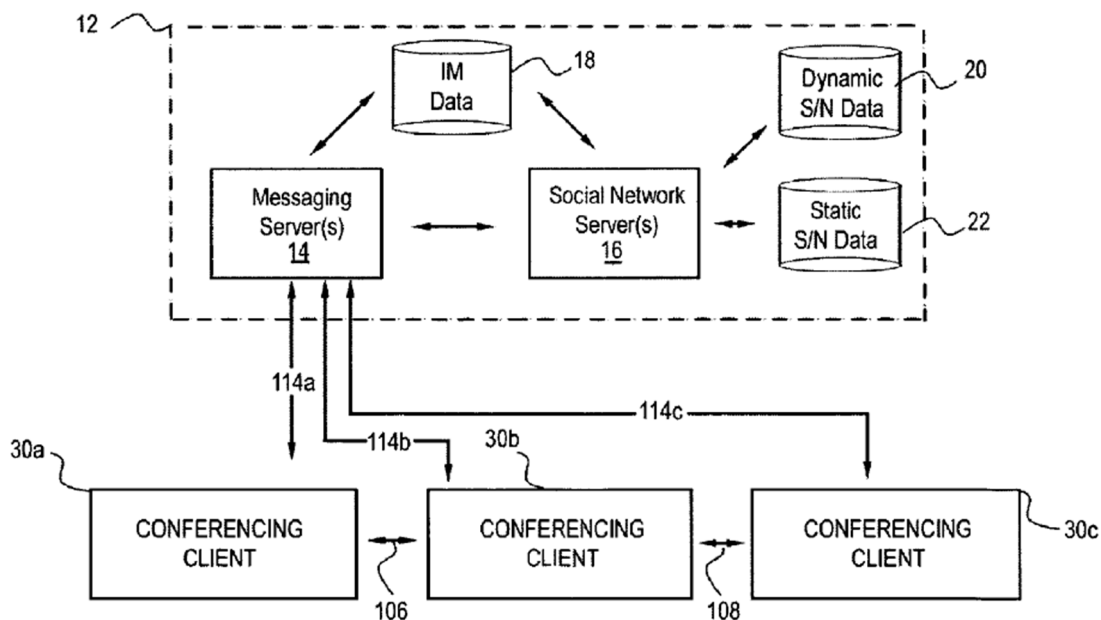
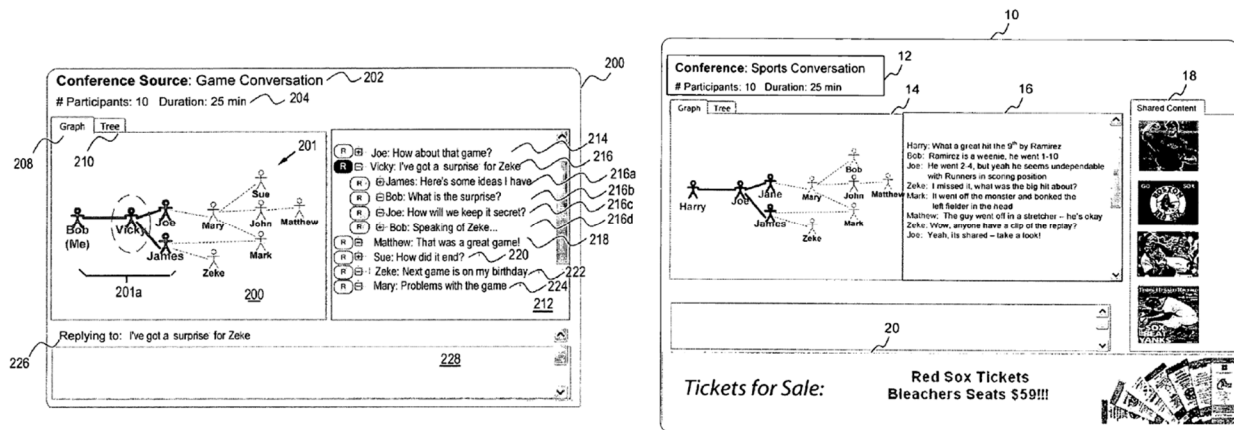


FIGURE 2

EX1007, FIG. 2.

In Amidon's system, "a user can specify the nature and extent of a conference amongst members of a social network," and "[o]nce a conference has been initiated, users participating in the conference can direct messages to desired users in the conference." EX1007, 2:57-63. As both Amidon and Walsh disclose, each conference relates to a situation<sup>5</sup> ("the nature ... of a conference," *id.*), such as a particular game, sporting event, or request to "talk about vacation." EX1007, 21:35-38, FIG. 4 ("Game Conversation": users discussing a game that previously occurred); EX1008, FIG. 1 ("Sports Conversation": users discussing a Red Sox baseball game); EX1003, ¶¶198-99.

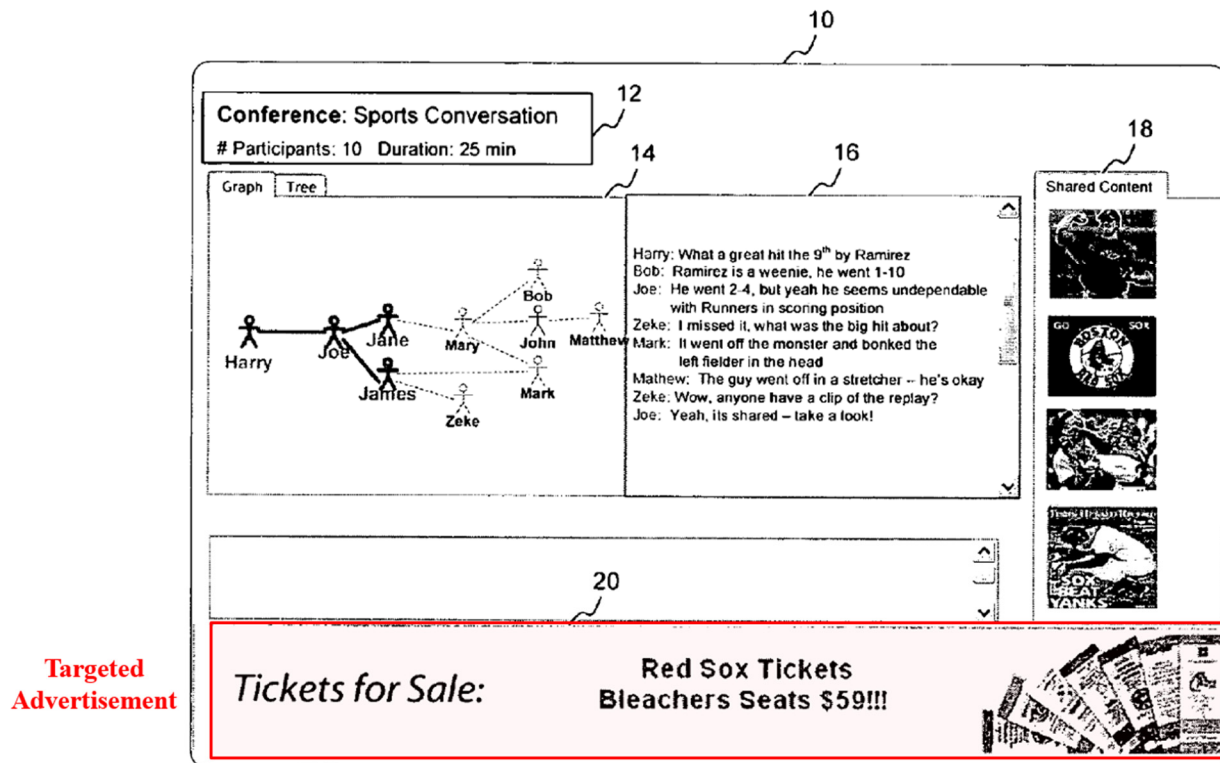


EX1007, FIG. 4; EX1008, FIG. 1.

Walsh further discloses "[a] method of presenting targeted advertising"

<sup>5</sup> In the context of the '932 patent, a "situation" may refer to anything from an emergency to a concert, school closing, or simply "the need for goods or services." EX1001, 5:66-6:1, 30:23-25, 30:46-47.

within Amidon's "*situational network*." EX1003, ¶200. Walsh discloses "providing improved **methods** and systems of classifying communication sessions among users in a social network." EX1008, 2:16-20. As part of those systems and methods, Walsh discloses "computing a session profile," which "represents a snapshot of the communication classification (e.g., a conferencing classification) at a given moment in time." EX1008, 6:21-25. "Advertisements may [] be selected by comparison of available ads to the session profile and provided to a user in the advertisement display portion 20 of user interface 10," as shown in Figure 1. EX1008, 13:30-33; EX1003, ¶200.



EX1008, FIG. 1 (annotated).

The selected advertisements are also individually targeted to each user:

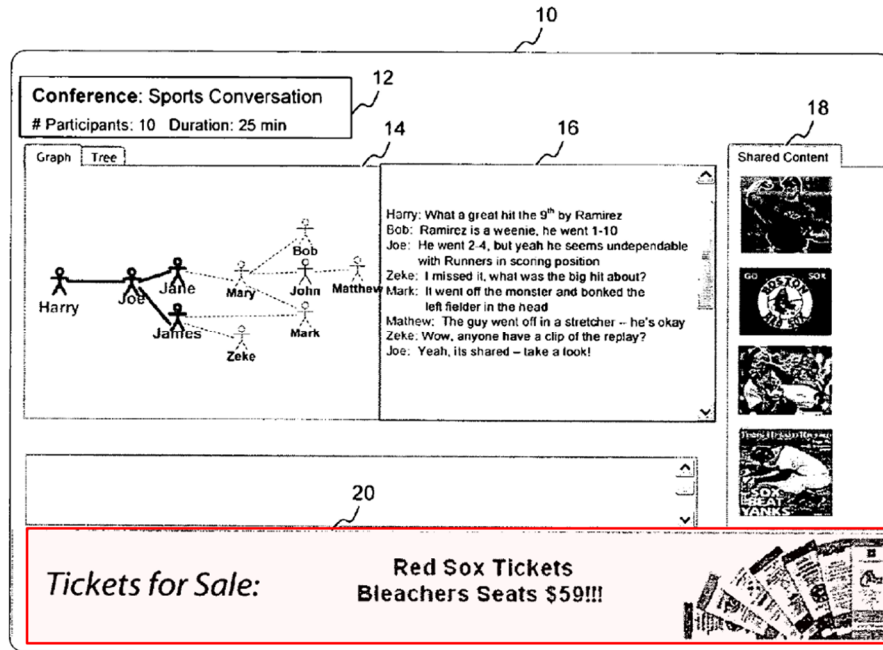
This specialized customization for a given user display **will vary user to user depending on the session profile relative to each different user**. Thus, available content and/or **ads** or other information **may be particularly selected for each user participating in the social network communication session**.

EX1008, 6:15-20; EX1003, ¶¶201-02.

Amidon-Walsh therefore teaches this element.

## 2. [1.A]

Amidon-Walsh, alone or in view of Shahine, teaches this element. Walsh explains, “[a]dvertisements may [] be selected by **comparison of available ads** to the session profile and provided to a user in the advertisement display portion 20 of user interface 10,” as shown in Figure 1. EX1008, 13:30-33, 6:17-20 (“[A]ds” (plural) “may be particularly selected for each user participating in the social network communication session.”); EX1003, ¶203. Walsh thus discloses “*a plurality of advertisements*” available for selection and distribution to users. EX1003, ¶203.



EX1008, FIG. 1 (annotated).

A POSA would have also understood from Walsh's disclosure that Walsh's "available ads," such as the advertisement for "Red Sox Tickets" illustrated in Figure 1, would be "associated with at least one advertising entity," e.g., an organization selling Red Sox tickets. EX1003, ¶204. Further, as discussed in §IX.A, Shahine expressly discloses receiving advertisements from various advertisers for storage and distribution to users. EX1015, 5:39-42; EX1003, ¶205. A POSA would have been motivated to incorporate such operation into Amidon-Walsh's system so that Walsh's "comparison of available ads to the session profile" may be performed. EX1008, 13:30-33; EX1003, ¶205. Indeed, at the time of the '932 patent, advertising services such as Walsh's typically employed ad servers that received and stored advertisements for distribution to users. EX1003,

¶¶48-50, 205.

Therefore, Amidon-Walsh-Shahine teaches this element.

**3. [1.B]**

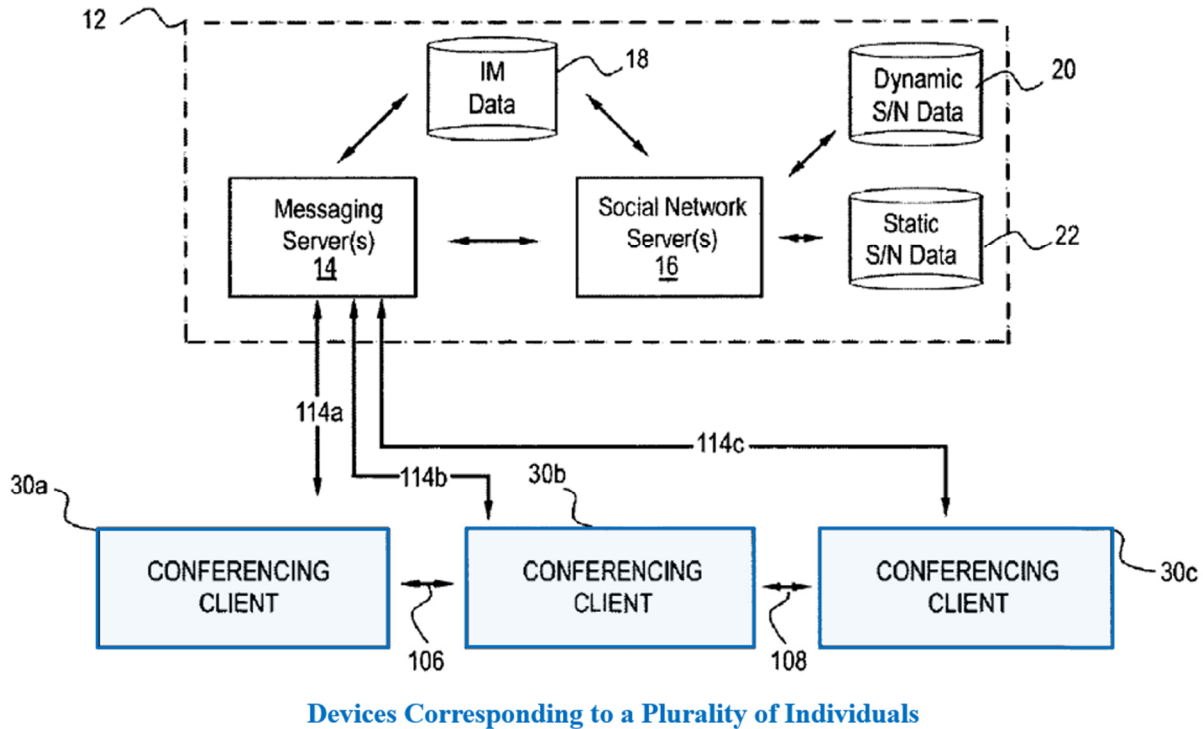
Amidon-Walsh teaches this element. Amidon discloses “clients 30 support **transmitting metadata to social network conferencing system 12 to define one or more social network conferences.**” EX1007, 9:57-61, 10:25-33 (“[T]he conference metadata is sent to messaging server 14” to initiate a conference.). “For example, a user may provide for formation of conferences based on content metadata—for instance, a user may provide for the system to automatically form a conference including all users currently listening to the same song, music by the same artist, music of the same genre, etc.” *Id.*, 13:66-14:3. The metadata transmitted to the conferencing system thus provides “*an indication of an occurrence of a situation,*” e.g., “users currently listening to the same song,” which is “*obtain[ed]*” by Amidon’s “social network conferencing system 12.” EX1007, 9:57-61, 13:66-14:3; EX1003, ¶206.

**4. [1.C]**

Amidon-Walsh teaches this element. Amidon discloses that when a user seeks to initiate a conference, “conference metadata is sent to messaging server 14 using link 114a,” and “[d]ata defining the social network conference, including the participant list, is then stored in computer-readable form.” EX1007, 10:32-41. The

participants included in the conference may be determined based on the conference metadata. For example, the conference initiator may specify to include users within “a degree of separation,” or “based on geographical parameters, such as users within a certain distance, users from a particular location, and so on.” *Id.*, 10:11-24, 12:59-65; *see also id.*, 3:33-36 (“Based on the social network data and the distribution parameter(s), multiple other users may be identified for inclusion in a social network conference.”), 3:40-47, 4:5-9; EX1003, ¶207.

Amidon then “*automatically connect[s] devices corresponding to a plurality of individuals to the situational network established in response to the situation*” by connecting the participants to the conference. EX1003, ¶208. For example, Amidon discloses “conferencing clients 30a, 30b, and 30c,” as illustrated in Figure 2. EX1007, 8:12-13.



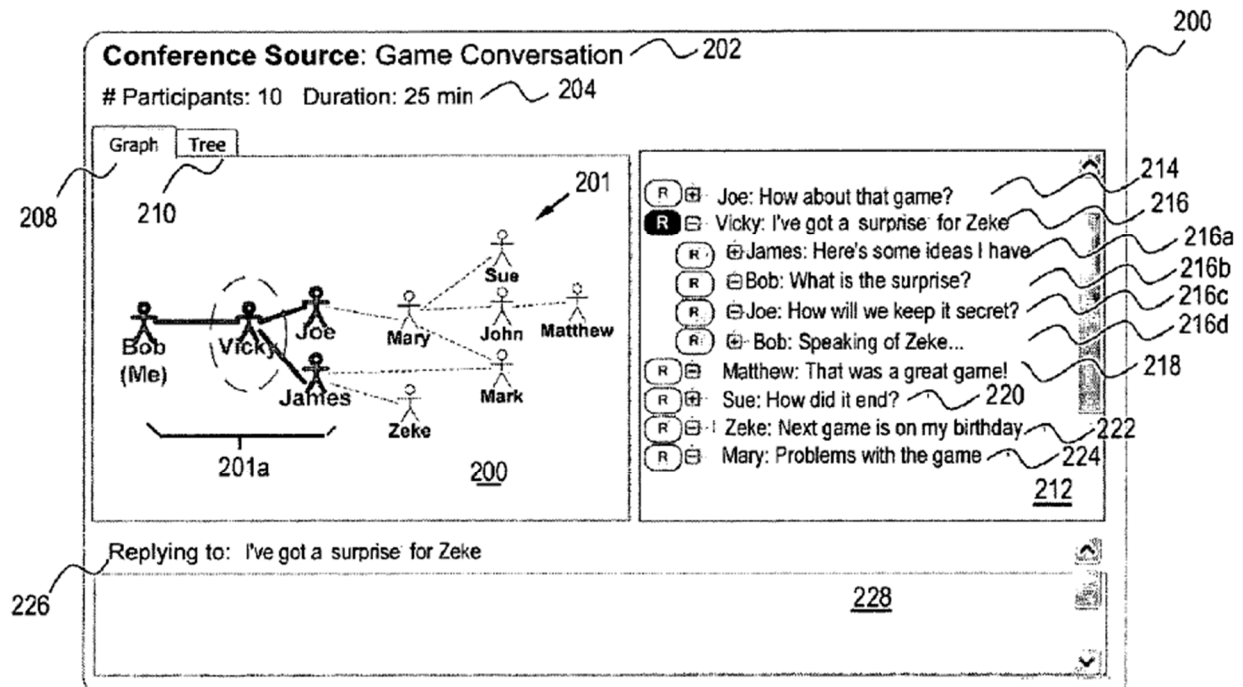
EX1007, FIG. 2 (annotated).

**“Each conferencing client 30 comprises one or more computing devices** each accessing instructions that configure client 30 to provide messaging functionality, **interact with one or more users of the device**, and interface with one or more computing devices comprising social network conferencing system 12.” EX1007, 8:14-19, 19:54-61 (“FIG. 6B illustrates a plurality of **networked computing devices**,” and “[e]ach user K through P is associated with one or more social network conferencing system clients 330.”), FIG. 6B. And “[o]nce a conference has been initiated, users participating in the conference can direct messages to desired users in the conference,” EX1007, 2:60-63—that is, Amidon automatically connects user devices participating in the conference such that users

may communicate with one another. EX1003, ¶209.

5. [1.D]

Amidon-Walsh teaches this element. Figure 4 of Amidon “illustrates an exemplary user interface which may be used by one or more users participating in social network conferences.” EX1007, 16:65-67.



EX1007, FIG. 4.

Amidon explains, “window 200 is rendered by conferencing client 30 based on data including data sent to and from social network conferencing system 12.”

EX1007, 16:67-17:2; EX1003, ¶¶210-11.

Amidon further discloses “**all or part of conferencing client functionality** may be provided by one or more network-based applications or processes running

on computing devices interfaced to each client computing device.” EX1007, 8:27-

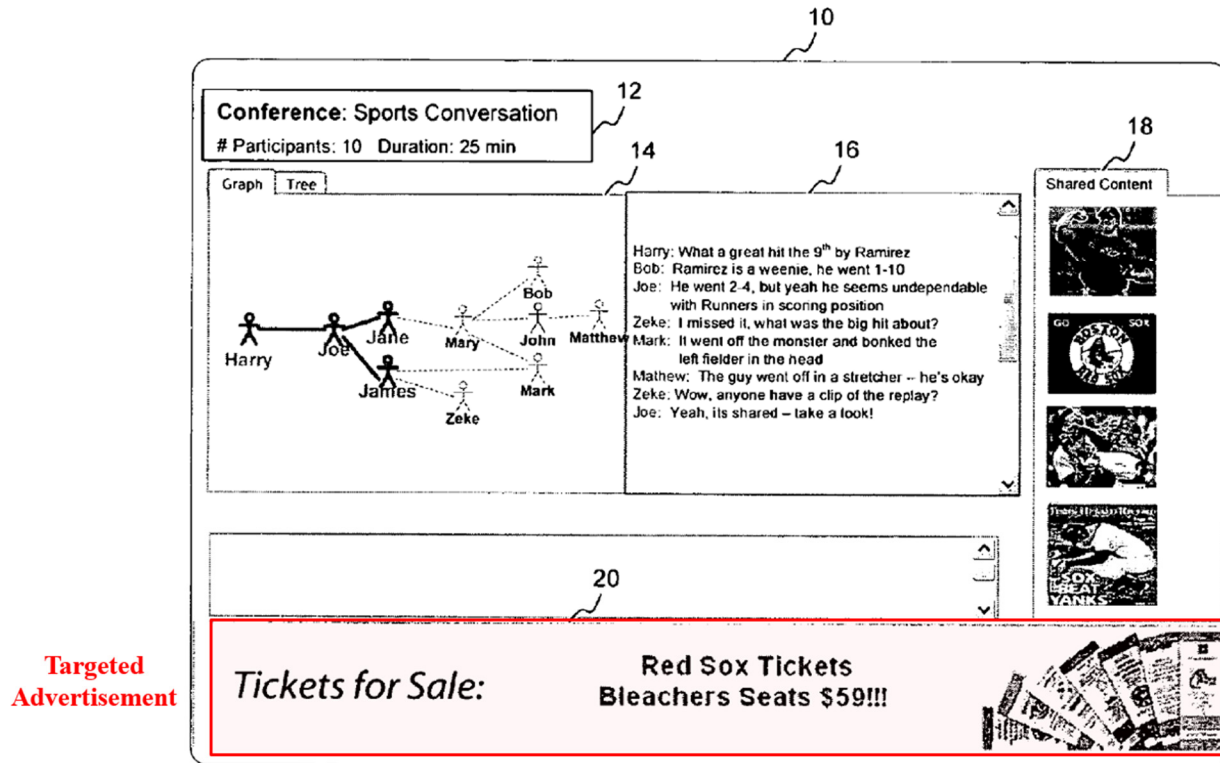
31. “For example, **messaging and/or social network functionality may be provided through web-based applications, with client 30 providing the user interface (i.e. rendering web page displays and/or running client-side applications, scripts, and the like).**” *Id.*, 8:31-35. A POSA would have thus understood that Amidon teaches providing its user interface, illustrated in Figure 4, as a “web page” via “*a web browser application operating on each of the devices.*” *Id.*; EX1003, ¶¶211-12.

Amidon also teaches “*causing an automatic redirection of a web browser application operating on each of the devices to a webpage containing information related to the situation*” for users included in a conference. EX1003, ¶213. Amidon discloses its system can “automatically form a conference including [selected] users.” EX1007, 14:26-27, 13:58-60 (“[S]ystem 12 may support automatic conference formation...”). “For example, the system may be configurable to automatically convert a plurality of IM communication sessions (or other type(s) of communication sessions) into a conference....” *Id.*, 13:60-64. As another example, “a user may provide for the system to automatically form a conference including all users currently listening to the same song, music by the same artist, music of the same genre, etc.” *Id.*, 13:66-14:3. In Amidon’s “web-based” embodiments, a POSA would have understood that when a user is included in the conference, the

browser operating on their device would be “*automatically redirect[ed]*” to a web page rendering the conference interface, e.g., the user interface depicted in Amidon’s Figure 4. EX1007, 8:27-35, 16:65-17:2; EX1003, ¶214. And, as shown in Amidon’s Figure 4, the “*webpage contain[s] information related to the situation,*” such as “data (messages, content, etc.) exchanged amongst the members of the conference” related to the situation, “a description of the presently-selected conference,” and users participating in the conference. EX1007, 17:3-14, 17:21-26; EX1003, ¶214.

**6. [1.E]**

Amidon-Walsh teaches this element. Walsh teaches, “[a]dvertisements may [] be selected by comparison of available ads to the session profile **and provided to a user in the advertisement display portion 20 of user interface 10,**” as shown in Figure 1. EX1008, 13:30-33; EX1003, ¶215.



EX1008, FIG. 1 (annotated).

Walsh further teaches, “ads ... may be particularly selected for each user participating in the social network communication session.” EX1008, 6:17-20.

Thus, Amidon-Walsh teaches “providing to each of the devices at least one of the plurality of advertisements for display on the webpage.” EX1003, ¶216.

Walsh also teaches that advertisements are “provid[ed] ... based on determining an affiliation of the corresponding individual to the situation, wherein the affiliation is based at least in part on an effect of the situation on the corresponding individual or their property.” EX1003, ¶217. Walsh discloses a “method of computing a session profile,” and that “[a]dvertisements may [] be selected by comparison of available ads to the session profile....” EX1008,

6:21-23, 13:30-33; *see also id.*, 6:9-15 (“[S]hared content display 18 as well as the **advertisement display 20 are customized by the subject session profiling service to provide content and/or ads....**”). “In general, a session profile represents a snapshot of the communication classification (e.g., a conferencing classification) at a given moment in time.” EX1008, 6:23-25. Walsh further explains that session profiles are computed for each user: “[T]he subject session profiling system **personalizes analysis for each user in a session based on their social network information.**” EX1008, 9:16-19; *see also id.*, 2:60-64 (“**providing personalized classifications for each user** (or various selected users) participating in a communication session based on their individual respective social network information”); EX1003, ¶218.

In Walsh’s process, “keywords in conversation messages and content metadata [(e.g., a ‘content description’)] may be detected and scored.” EX1008, 6:45-48, 6:65-67. These scores are then adjusted for each user based on relevance to that user. EX1003, ¶219. For example, Walsh’s session profiling process “enables keyword scores associated with a given message or content item to be adjusted based on the **geographic location** of its contributing user.” EX1008, 10:58-61. For instance, “messages and content associated with users in the same state as the target user (e.g., North Carolina) may be assigned a [higher] multiplier.” *Id.*, 11:5-8.

Thus, Walsh discloses “*determining an affiliation of the corresponding individual to the situation*” by scoring information related to the situation (e.g., messages and shared content) based on the user’s location. EX1003, ¶220. Walsh’s process therefore allows “ads” to “be particularly selected for each user,” such as providing an advertisement for Boston Red Sox tickets to a user within the Boston area, as illustrated in Figure 1 of Walsh. EX1008, 6:17-20, FIG. 1; EX1003, ¶220. A POSA therefore would have understood the location of a user may indicate “*an effect of the situation on the corresponding individual or their property*.” EX1003, ¶220.

As another example, Walsh discloses, as part of its session profile service, “a user can select a message or piece of content and can rate it on a scale from 1-5 (or by selection from some other predetermined rating definitions).” EX1008, 8:62-65. “This user feedback rating can also be used to modify or scale the initial rating associated with a given message or content item.” *Id.*, 8:65-67. Walsh further discloses “an ultimate session profile may include a plurality of adjusted ratings for each message and/or content item,” and “[a]dvertisements may [] be selected by comparison of available ads to the session profile.” *Id.*, 12:44-47, 13:30-33. As the messages and content items shared within a conference provide information related to the situation (*see* element [1.D]), a POSA would have understood the user’s rating of messages and content items indicates an “*effect of the situation on the*

*corresponding individual or their property,”* allowing more relevant ads to be provided to the user. EX1008, 6:9-20; EX1003, ¶¶221-22.

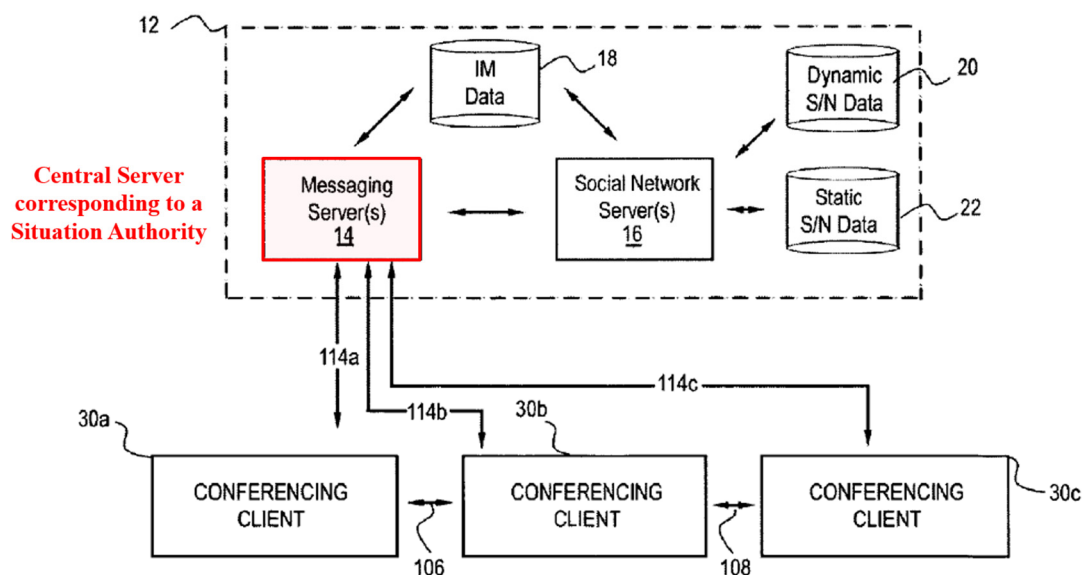
## C. Independent Claim 22

### 1. [22.P]

To the extent limiting, Amidon-Walsh teaches this element for the reasons discussed for element [1.P]. *See* §IX.B.1; EX1003, ¶223; *see also* EX1007, 2:54-56 (disclosing “systems and methods for users to conduct online conferences based on underlying social network structures”).

### 2. [22.A]

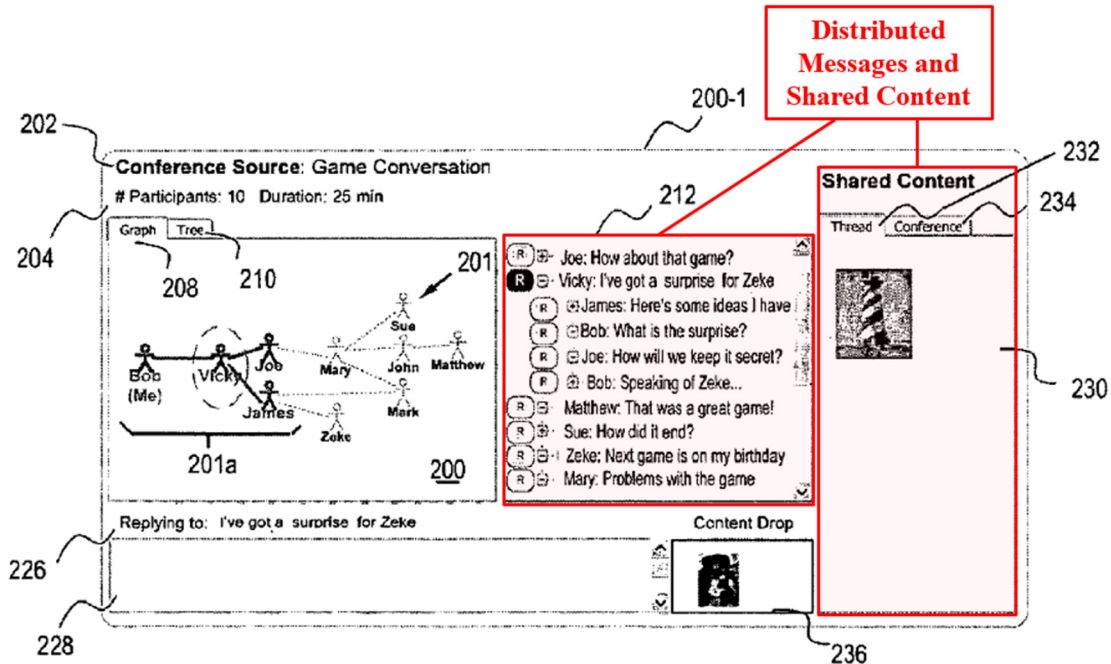
Amidon-Walsh discloses this element. Amidon discloses “a system 12 that supports social network based conferencing,” which includes a “messaging server 14” (a “*central server*”) connected to other components of system 12, as shown in Figure 2. EX1007, 8:1-5; EX1003, ¶224.



EX1007, FIG. 2 (annotated).

“[E]ach client 30a, 30b, and 30c interfaces with messaging server via respective links 114a, 114b, and 114c,” and “[u]sers of clients 30a, 30b, and 30c may then send messages, such as instant messages, to one another via server 14 using links 114.” EX1007, 8:36-40, 8:49-51. Thus, Amidon’s “messaging server 14” provides a “*central server*” connecting client devices and other network resources. EX1003, ¶225. And because client devices interface with Amidon’s conferencing system via “messaging server 14,” as illustrated in Figure 2, a POSA would have understood “messaging server 14” would provide conference data (e.g., messages, shared content, and advertisements) to clients during a conference. EX1007, 8:31-40, 8:44-59; EX1003, ¶226.

Amidon’s “messaging server 14” also “*correspond[s] to a situation authority*” because it is “able to aggregate and provide comprehensive information related to the situation.” EX1001, 3:59-63. For example, Amidon’s “messaging server 14” receives messages/content (information related to the situation) from, and distributes messages/content to, users participating in a conference and aggregates messages within a “web-based application[,]” as illustrated in Figure 5. EX1007, 8:31-35, 8:49-51, 18:63-19:3; EX1003, ¶227.



EX1007, FIG. 5 (annotated).

Additionally, when a user seeks to initiate a conference, “conference metadata is sent to messaging server 14 using link 114a,” “[m]essaging server 14 is configured to recognize the conference metadata,” and “[d]ata defining the social network conference, including the participant list, is then stored in computer-readable form.” EX1007, 10:32-41. Thus, “messaging server 14” provides a “central server, corresponding to a situation authority,” configured to facilitate Amidon’s social network conferences. EX1003, ¶228.

### 3. [22.B]-[22.F]

Amidon-Walsh-Shahine teaches these elements for the reasons discussed for elements [1.A]-[1.E]. See §§IX.B.2-IX.B.6; EX1003, ¶¶229-33.

4. [22.G]

Amidon discloses “user devices and/or the conferencing system may support location-based services such that the location of particular users can be determined.” EX1007, 12:59-61. “Based on the user location data, **conference participation can be determined based on geographical parameters**, such as users within a certain distance, users from a particular location, and so on.” *Id.*, 12:62-65; EX1003, ¶234.

Amidon also discloses “users can specify one or more rules or parameters defining participation in a conference,” such as location-based parameters, and the user’s “[c]lient 30 then sends the conference metadata to the conferencing system 12.” EX1007, 13:35-39. “Messaging server 14 is configured to recognize the conference metadata,” and ultimately “[d]ata defining the social network conference, including the participant list, is then stored in computer-readable form.” *Id.*, 10:33-41. “For example, **data defining social network conferences may be maintained in one or more additional databases** accessible by social network conferencing system 12.” *Id.*, 10:41-44; *see also id.*, 15:6-17, FIG. 3; EX1003, ¶235.

A POSA would have thus understood that when a user specifies conference participation parameters including multiple geographic locations (e.g., multiple cities or a distance covering multiple locations), the “[d]ata defining the social

network conference” (e.g., the participation parameters and participant list) indicate the “*availability of a service [(e.g., a social network conference)] at a plurality of service locations affected by the situation.*” EX1003, ¶236. And, as noted above, Amidon discloses this data is stored in “*a database associated with the central server.*” EX1007, 10:41-44; EX1003, ¶236.

**5. [22.H]**

Amidon-Walsh teaches this element for the reasons discussed for elements [1.C], [1.E], and [22.A]. See §§IX.B.4, IX.B.6, IX.C.2; EX1003, ¶237.

**D. Claim 2**

Amidon discloses “user devices and/or the conferencing system may support location-based services such that **the location of particular users can be determined,**” and “[t]he location of a particular user may therefore be used to provide conferencing functionality....” EX1007, 12:59-61, 16:23-25. Walsh further discloses, as part of its session profile computation, “**keyword scores** associated with a given message or content item [can] be **adjusted based on the geographic location** of its contributing user.” EX1008, 10:58-61; EX1003, ¶239. “For example, in one embodiment **keyword scores may be increased for messages and content received from users that are geographically closer to a target user.**” EX1008, 10:66-11:1; EX1003, ¶239.

Because Walsh provides advertisements based on “the session profile

relative to each different user,” EX1008, 6:15-20, which is “*based at least in part on the location of the at least one individual*,” Amidon-Walsh-Shahine teaches this element. EX1003, ¶240.

**E. Claim 3**

Amidon discloses “user devices and/or the conferencing system may support location-based services such that **the location of particular users can be determined**,” and “[s]uch devices may include cellular telephones or other devices with **GPS capability**.” EX1007, 12:59-61, 16:16-22. As discussed for Ground 1, a POSA would have understood “GPS” information of the user’s device would include “*positional coordinates obtained from the connected device*.” See §VI.D; EX1003, ¶¶242-43.

**F. Claim 4**

As discussed for element [1.E], Walsh discloses “computing a session profile,” and that “[a]dvertisements may [] be selected by comparison of available ads to the session profile....” See §IX.B.6; EX1008, 6:21-23, 13:30-33. To compute the “session profile,” “keywords in conversation messages and content metadata may be detected and scored” and then adjusted based on “various parameters ... such as user participation and social network characterization.” EX1008, 6:65-67, 7:43-51; EX1003, ¶245. And Walsh discloses that ads are provided based on “**the session profile relative to each different user**,” i.e.,

“based at least in part on a profile for the at least one individual.” EX1008, 6:9-20; EX1003, ¶245.

#### G. Claim 5

Walsh discloses “the [session] profile may be stored in a profile database **located at the user’s client system** or at a server” (“*wherein the profile is stored on the connected device*”). EX1008, 13:2-4; *see also id.*, 14:17-21 (“[A]lthough the profiling functionality is illustrated as occurring in a server 40 separate from each client 41, **the presently disclosed profiling methodology may alternatively be performed by a profile application provided at each client 41.**”); EX1003, ¶247.

#### H. Claim 6

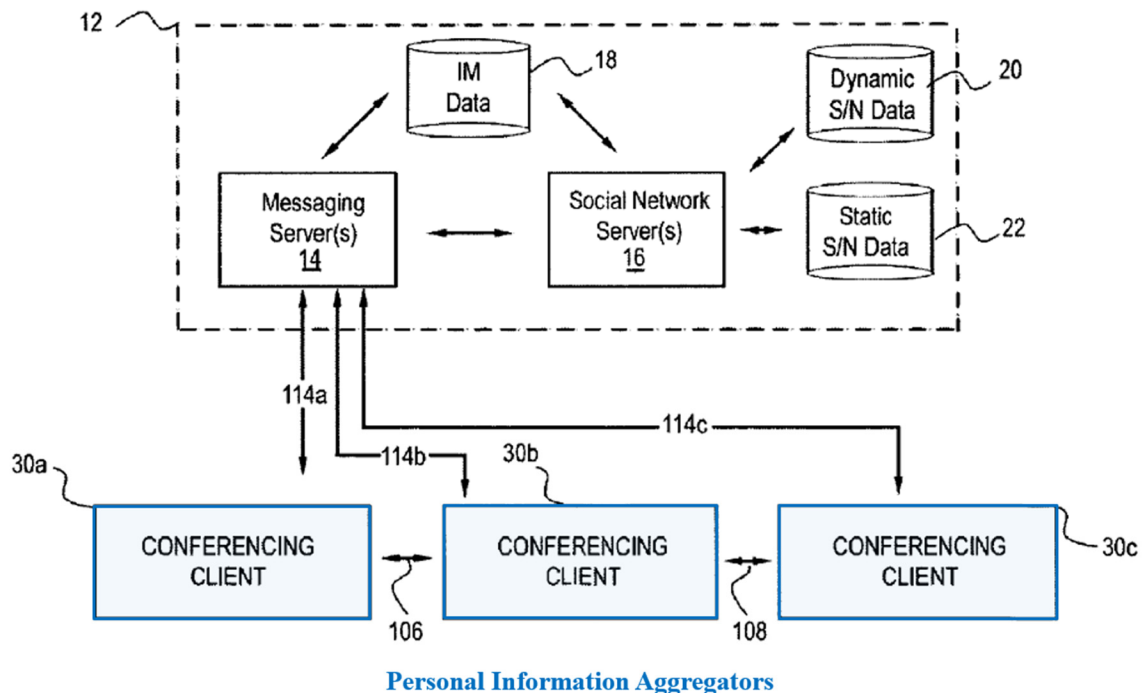
Amidon-Walsh-Shahine teaches this element for the reasons discussed for elements [1.B] and [22.A]. *See* §§IX.B.3, IX.C.2; EX1003, ¶249.

#### I. Claim 7

Amidon-Walsh-Shahine teaches this element. *First*, Amidon teaches “a *multi-dimensional personal information network*.” EX1003, ¶251. Amidon discloses a “[s]ocial network server 16 [that] stores data defining one or more social networks, social network member data, and other social network data in one or more stores 22.” EX1007, 9:23-25. “For example, store 22 may comprise one or more databases identifying, social network users, **characteristics for each user (profile information, etc.), relationships between each user....**” *Id.*, 9:25-30.

These relationships span multiple dimensions, “such as grouping members by common interest, age or other demographic information, etc.” *Id.*, 9:32-38; EX1003, ¶251.

*Second*, Amidon teaches “the devices include personal information aggregators, each personal information aggregator corresponding to a node in the multi-dimensional personal information network.” EX1003, ¶252. Amidon discloses “[e]ach conferencing client 30 comprises one or more computing devices each accessing instructions that configure client 30 to provide messaging functionality, interact with one or more users of the device, and interface with one or more computing devices comprising social network conferencing system 12.” EX1007, 8:14-19.



EX1007, FIG. 2 (annotated).

For example, “[s]uch devices may include **cellular telephones or other devices** with GPS capability.” EX1007, 16:16-22. As the ’932 patent describes, Amidon’s client devices are “*personal information aggregator[s]*” because they “provide[] a user with the ability to store, organize and control personal information.” EX1001, 7:52-54. For example, “[c]lients 30 may [] be in communication with social network server 16,” and “social network server 16 may provide a web-based interface for users to define friends, upload and edit contact lists, and view and maintain social network profile web pages.” EX1007, 9:9-15. Additionally, “a social network client application or process running on clients 30 ... may be used for the user to define social network relationships and preferences, as well as conference formation, participation, message filtering, and other parameters and preferences.” *Id.*, 9:15-22; EX1003, ¶253.

*Third*, Amidon teaches “*wherein the situation authority establishes an event node in a multi-dimensional personal information network corresponding to the situation*” in the form of a “social network conference” to which users may connect. EX1007, 10:37-44, 2:60-63 (“Once a conference has been initiated, users participating in the conference can direct messages to desired users in the conference....”); EX1003, ¶¶254-55. When a user initiates a conference, “[m]essaging server 14 is configured to recognize the conference metadata,” and

“data defining social network conferences may be maintained in one or more additional databases accessible by social network conferencing system 12.” *Id.*, 10:40-44. For example, “[c]onferences may be defined by a database record including a conference ID and list of users by user ID.” *Id.*, 15:6-15.

**J. Claim 8**

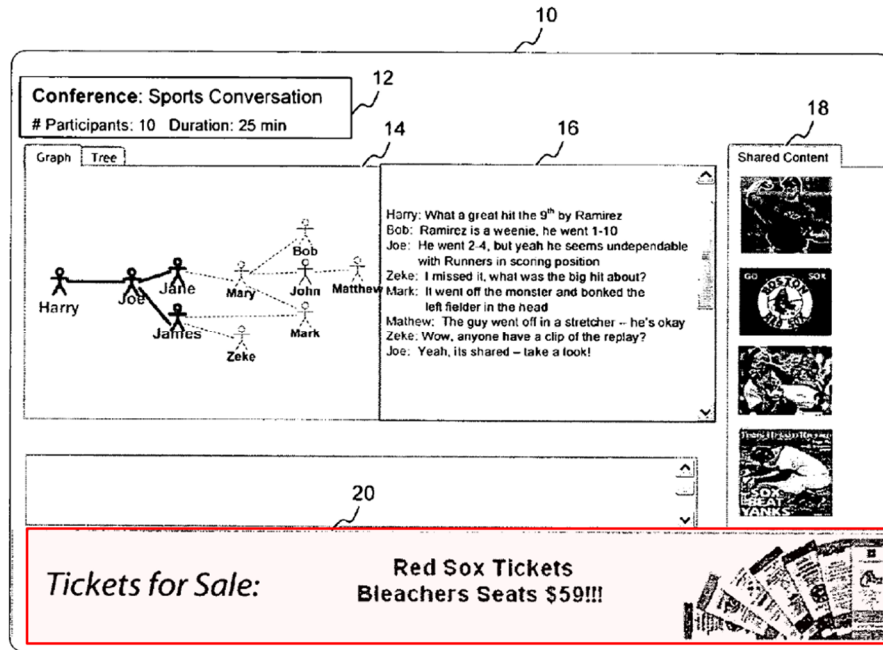
Although Amidon and Walsh do not expressly disclose “*wherein the situation is a weather phenomenon*,” claim 8 recites only non-functional descriptive matter that should be deemed non-limiting. *In Re: Copaxone Consol. Cases*, 906 F.3d 1013, 1023 (Fed. Cir. 2018) (“Claim language without any bearing on the claimed methods should be deemed non-limiting when it does not result in ‘a manipulative difference in the steps of the claim.’”) (quoting *Bristol-Myers Squibb Co. v. Ben Venue Laboratories, Inc.*, 246 F.3d 1368, 1376 (Fed. Cir. 2001)); EX1003, ¶257. Amidon-Walsh-Shahine renders obvious claim 8 for this reason alone.

Nevertheless, should the Board determine this element to be limiting, Amidon-Walsh-Shahine in view of Jones teaches this element, as discussed in Ground 6. *See* §X.

**K. Claim 9**

Amidon-Walsh-Shahine teaches this element. For example, Walsh’s Figure 1 depicts an advertisement for a ticket sales service, which provides a

“notification[] about services relevant to the situation,” i.e., relevant to the sporting event being discussed in the conference. EX1008, FIG. 1; EX1003, ¶260.



EX1008, FIG. 1 (annotated).

## L. Claim 10

Amidon-Walsh-Shahine teaches this element. Amidon discloses creating “a projection of the situational network” based on various parameters, such as “geographic parameters.” EX1007, 12:37-65; EX1003, ¶263. For example, “[b]ased on [] user location data, conference participation can be determined based on geographical parameters, such as **users within a certain distance, users from a particular location**, and so on.” EX1007, 12:58-65.

Walsh further discloses its session profile computation accounts for the “geographic location” of users participating in a conference, and “[a]dvertisements

may [] be selected by comparison of available ads to the session profile.” EX1008, 10:58-11:1, 13:30-33; EX1003, ¶264. For example, as illustrated in Figure 1, the location of users participating in a conference can be used to provide a targeted advertisement for “Red Sox Tickets.” EX1008, FIG. 1; EX1003, ¶264. Therefore, Amidon-Walsh-Shahine teaches “*the affiliation is based in part on a projection of the situational network that includes the corresponding individual, each individual in the projection having the same affiliation with the situation,*” e.g., the users’ locations. EX1003, ¶264.

**M. Claim 11**

Amidon-Walsh-Shahine teaches this element for the reasons discussed for claim 10. *See* §IX.L.

**N. Claim 23**

Amidon-Walsh-Shahine teaches this element for the reasons discussed for claim 7. *See* §IX.I.

**X. GROUND 6: CLAIM 8 IS OBVIOUS OVER AMIDON-WALSH-SHAHINE IN VIEW OF JONES.**

Claims 8 recites, “*wherein the situation is a weather phenomenon.*” To the extent the Board determines this element to be limiting, Amidon-Walsh-Shahine in view of Jones teaches this element. EX1003, ¶¶269-72.

Jones relates to “[a] system and method of electronic advertisement and commerce” in which consumers may “access live chat-rooms to discuss or inquire

into the advertised products/services.” EX1014, Abstract. In addition to advertisements, Jones discloses providing “announcement[s],” such as a “public service announcement or news broadcast concerning **emergency weather reports**,” i.e., “*a weather phenomenon*.” *Id.*, ¶37. “In such instances where advertisement/announcement 30 is a public service announcement or news broadcast concerning **emergency weather reports**,... **live chat-room 74** and/or telephonic response system 76 of system and method 10 **provide the Internet-user with an effective source of immediate information, feedback and participation.**” *Id.* Thus, Jones teaches connecting users via an Internet chat-room in response to “*a weather phenomenon*.” EX1003, ¶¶270-71.

In view of Jones’s disclosure, a POSA would have found it obvious to use Amidon’s conferencing system to host conferences related to weather events. EX1003, ¶272. As Jones discloses, such a conference provides “Internet-user[s] with an effective source of immediate information” regarding the weather event. EX1014, ¶37; EX1003, ¶272. And a POSA would have recognized Amidon’s conferencing system is already equipped to support such conferences, requiring no modifications. EX1003, ¶272.

## **XI. THE BOARD SHOULD NOT DISCRETIONARILY DENY THE PETITION.**

### **A. *Advanced Bionics* strongly favors institution.**

Applying the two-part framework from *Advanced Bionics, LLC v. MED-EL*

*Elektromedizinische Geräte GmbH* demonstrates that denial under §325(d) is not appropriate. IPR2019-01469, Paper 6 at 8-9 (P.T.A.B. Feb. 13, 2020) (precedential). Under part one, the same or substantially the same art or arguments were *not* previously presented to the Office, ending the inquiry in favor of institution. None of Shahine, Lundy, Roskind, Amidon, Walsh, or Jones were previously considered by the Office. Thus, the “new, noncumulative prior art asserted in the Petition” strongly favors institution. *Oticon Medical AB v. Cochlear Ltd.*, IPR2019-00975, Paper 15 at 20 (P.T.A.B. Oct. 16, 2019) (§§II.B and II.C precedential).

**B. The Board should not deny the Petition under *Fintiv*.**

The *Fintiv* factors strongly favor institution. *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 11 (P.T.A.B. Mar. 20, 2020) (precedential). On July 24, 2023, Patent Owner filed a complaint alleging infringement of the '932 patent against Petitioner in the Southern District of New York. The *Fintiv* factors heavily favor institution.

**Factor 1** is neutral or favors institution. No motion for stay has been filed and the SDNY court has not indicated whether it would grant any such motion.

**Factor 2** favors institution. The SDNY case is in early stages, and the median time to trial for civil actions in SDNY is almost four years (47 months). Although trial is currently scheduled for January 20, 2025, EX1051, the Director's

June 21, 2022 guidance recognizes, “scheduled trial dates are unreliable and often change.” *Fintiv* Guidance Memo, 8.

**Factor 3** favors institution. By the time of institution, much work will remain in the parallel litigation. For example, discovery and substantive motion practice will still be ongoing. EX1051. Currently, the court has not made any substantive rulings (e.g., a claim construction order). Petitioner’s diligence filing the petition seven months after filing of the complaint, two months after the infringement contentions, four weeks after the invalidity contentions, and five months before the statutory deadline favors institution.

**Factor 4** favors institution. Petitioner stipulates that, if the Board institutes this petition, Petitioner will not raise at trial in the parallel litigation any invalidity challenges based on prior art asserted here. Additionally, the petitions challenging the ’932 patent challenge all claims of the ’932 patent, whereas only claims 1-7 and 22 are currently asserted in the parallel litigation. Petitioner’s stipulation and challenge to additional claims significantly mitigates the concerns under factor 4. *See Sand Revolution II, LLC v. Cont’l Intermodal Group*, IPR2019-01393, Paper 24 at 12 (P.T.A.B. June 16, 2020) (informative).

**Factor 6** is *dispositive* in favor of institution because the grounds applied herein present compelling, meritorious invalidity challenges. The petition is also supported by the testimony of Dr. Jansen, adding further weight to the petition’s

compelling invalidity challenges.

**XII. CERTIFICATION UNDER 37 C.F.R. § 42.104(A)**

Petitioner certifies that the '932 patent is available for IPR and Petitioner is not barred or estopped from requesting IPR of any '932 patent claim.

**XIII. MANDATORY NOTICES (37 C.F.R. § 42.8(A)(1))**

**REAL PARTY-IN-INTEREST:** The real party-in-interest is Petitioner Meta Platforms, Inc.

**RELATED MATTERS:**

The '932 patent is at issue in the following pending civil action: *SitNet LLC v. Meta Platforms, Inc.*, Case No. 1:23-cv-06389 (S.D.N.Y.), filed July 24, 2023.

The '932 patent claims the benefit of U.S. Provisional Application 60/887,843, filed February 2, 2007. Petitioner has filed petitions for *inter partes* review of the following related U.S. patents, each of which is also at issue in the above-captioned district-court litigation proceeding:

- U.S. Patent No. 8,332,454 (IPR2024-00529);
- U.S. Patent No. 9,877,345 (IPR2024-00530); and
- U.S. Patent No. 11,470,682 (IPR2024-00531).

**LEAD AND BACK-UP COUNSEL:** Under 37 C.F.R. §§ 42.8(b)(3) and 42.10(a), Petitioner appoints **Michael D. Specht (Reg. No. 54,463)** as lead counsel, and **Jonathan Tuminaro (Reg. No. 61,327)** and **Steven M. Pappas (Reg. No. 73,904)**,

as back-up counsel, all at the address: STERNE, KESSLER, GOLDSTEIN & FOX PLLC, 1101 K Street, NW, Washington, DC, 20005, phone (202) 371-2600, and facsimile (202) 371-2540.

**SERVICE INFORMATION:** Petitioner consents to electronic service by email at: **mspecht-PTAB@sternekessler.com, jtuminar-PTAB@sternekessler.com, spappas-PTAB@sternekessler.com, and PTAB@sternekessler.com.**

#### **XIV. CONCLUSION**

The challenged claims are unpatentable as obvious and IPR is warranted.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Michael D. Specht/

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Date: March 4, 2024

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**Claims Appendix – U.S. Patent No. 8,249,932**

**Claim 1**

| <b>Element</b> | <b>Claim Language</b>                                                                                                                                                                                                                                                                                                                |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| [1.P]          | A method of presenting targeted advertising in a situational network, the method comprising:                                                                                                                                                                                                                                         |
| [1.A]          | receiving a plurality of advertisements from at least one advertising entity;                                                                                                                                                                                                                                                        |
| [1.B]          | obtaining an indication of an occurrence of a situation;                                                                                                                                                                                                                                                                             |
| [1.C]          | automatically connecting devices corresponding to a plurality of individuals to the situational network established in response to the situation;                                                                                                                                                                                    |
| [1.D]          | causing an automatic redirection of a web browser application operating on each of the devices to a webpage containing information related to the situation; and                                                                                                                                                                     |
| [1.E]          | providing to each of the devices at least one of the plurality of advertisements for display on the webpage based on determining an affiliation of the corresponding individual to the situation, wherein the affiliation is based at least in part on an effect of the situation on the corresponding individual or their property. |

**Claim 2**

| <b>Element</b> |                                                                                                                          |
|----------------|--------------------------------------------------------------------------------------------------------------------------|
| [2]            | The method of claim 1, wherein the affiliation is based at least in part on the location of the at least one individual. |

**Claim 3**

| <b>Element</b> |                                                                                                                                                           |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| [3]            | The method of claim 2, wherein the location of the at least one individual is determined using positional coordinates obtained from the connected device. |

**Claim 4**

| Element |                                                                                                                        |
|---------|------------------------------------------------------------------------------------------------------------------------|
| [4]     | The method of claim 1, wherein the affiliation is based at least in part on a profile for the at least one individual. |

#### Claim 5

| Element |                                                                               |
|---------|-------------------------------------------------------------------------------|
| [5]     | The method of claim 1, wherein the profile is stored on the connected device. |

#### Claim 6

| Element |                                                                                     |
|---------|-------------------------------------------------------------------------------------|
| [6]     | The method of claim 1, wherein the indication is obtained by a situation authority. |

#### Claim 7

| Element |                                                                                                                                                                                                                                                                                                                                                   |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| [7]     | The method of claim 6, wherein the situation authority establishes an event node in a multi-dimensional personal information network corresponding to the situation and the devices include personal information aggregators, each personal information aggregator corresponding to a node in the multi-dimensional personal information network. |

#### Claim 8

| Element |                                                                       |
|---------|-----------------------------------------------------------------------|
| [8]     | The method of claim 1, wherein the situation is a weather phenomenon. |

#### Claim 9

| Element |  |
|---------|--|
|---------|--|

|     |                                                                                                                                        |
|-----|----------------------------------------------------------------------------------------------------------------------------------------|
| [9] | The method of claim 1, wherein some of the plurality of advertisements provide notifications about services relevant to the situation. |
|-----|----------------------------------------------------------------------------------------------------------------------------------------|

#### Claim 10

| Element |                                                                                                                                                                                                                                          |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| [10]    | The method of claim 1, wherein the affiliation is based in part on a projection of the situational network that includes the corresponding individual, each individual in the projection having the same affiliation with the situation. |

#### Claim 11

| Element |                                                                                                                |
|---------|----------------------------------------------------------------------------------------------------------------|
| [11]    | The method of claim 10, wherein the projection is a geographic projection of nodes of the situational network. |

#### Claim 22

| Element |                                                                                                                                                                                                                                                                                        |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| [22.P]  | A system for presenting targeted advertising in a situational network, the system comprising:                                                                                                                                                                                          |
| [22.A]  | a central server, corresponding to a situation authority,                                                                                                                                                                                                                              |
| [22.B]  | configured to receive a plurality of advertisements from at least one advertising entity,                                                                                                                                                                                              |
| [22.C]  | obtain an indication of an occurrence of a situation,                                                                                                                                                                                                                                  |
| [22.D]  | automatically connect devices corresponding to a plurality of individuals to the situational network established in response to the situation,                                                                                                                                         |
| [22.E]  | cause an automatic redirection of a web browser application operating on each of the devices to a webpage containing information related to the situation,                                                                                                                             |
| [22.F]  | provide at least one of the plurality of advertisements to each of the devices for display on the webpage based on determining an affiliation of the corresponding individual to the situation, wherein the affiliation is based at least in part on an effect of the situation on the |

|        |                                                                                                                                                                                                                                                                               |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        | corresponding individual or their property; and                                                                                                                                                                                                                               |
| [22.G] | a database associated with the central server for storing information related to availability of a service at a plurality of service locations affected by the situation; and                                                                                                 |
| [22.H] | a plurality of devices, each device corresponding to an individual connected via the situational network, configured to connect to the central server, and receive at least one of the advertisements based on the affiliation of the respective individual to the situation. |

**Claim 23**

| Element |                                                                                                                        |
|---------|------------------------------------------------------------------------------------------------------------------------|
| [23]    | The systems of claim 22, wherein at least one device of the plurality of devices is a personal information aggregator. |

**CERTIFICATE OF WORD COUNT (37 C.F.R. § 42.24(d))**

1. This Petition for *Inter Partes* Review complies with the type-volume limitation of 14,000 words, comprising 13,990 words, excluding the parts exempted by 37 C.F.R. § 42.24(a)(1).

2. This Petition for *Inter Partes* Review complies with the general format requirements of 37 C.F.R. § 42.6(a) and has been prepared using Microsoft® Word 2016 in 14-point Times New Roman font.

Respectfully submitted,

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/Michael D. Specht/

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**CERTIFICATE OF SERVICE (37 C.F.R. §§ 42.6(e), 42.105(a))**

I certify that the above-captioned **PETITION FOR *INTER PARTES***  
**REVIEW OF CLAIMS 1–11, 22, AND 23 OF U.S. PATENT NO. 8,249,932**  
and associated Exhibits 1001-1030 and 1032-1052 were served in their entireties  
upon the Patent Owner on March 4, 2024, via FedEx® Express at the following  
address:

HALEY GUILIANO LLP  
75 Broad Street, Suite 1000  
New York, NY 10004  
*Patent Owner's Correspondence Address of Record for U.S. Patent No. 8,249,932*

Respectfully submitted,

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