

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner

v.

SITNET, LLC,
Patent Owner

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

**DECLARATION OF BERNARD J. JANSEN, PH.D.,
IN SUPPORT OF PETITIONER'S OPPOSITION TO
PATENT OWNER'S CONTINGENT MOTION TO AMEND**

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Meta EX1056
IPR2024-00528
U.S. Patent No. 8,249,932

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I, Bernard J. Jansen, hereby declare as follows.

I. INTRODUCTION

1. I have been retained as an expert witness on behalf of Meta Platforms, Inc. (“Petitioner”) for the above-captioned IPR. I previously submitted declarations in support of the Petition (EX1003) and Petitioner’s Reply to Patent Owner’s Preliminary Response (EX1053) in this proceeding. This declaration is in support of Petitioner’s Opposition to Patent Owner’s Contingent Motion to Amend.

II. LIST OF DOCUMENTS CONSIDERED

2. In forming my opinions, I have considered the documents listed in my original declaration (EX1003, ¶15), as well as the documents listed below and any other documents cited in this declaration.

Paper No.	Description
10	Institution Decision
14	Patent Owner’s Motion to Amend

Exhibit No.	Description
1058	U.S. Patent No. 7,747,648 to Kraft et al. (“Kraft”)
1059	Transcript of the Deposition of Dr. Ariel Rubin (February 7, 2025)
2009	Supplemental Expert Report of Dr. Aviel D. Rubin

III. LEGAL UNDERSTANDING

3. My understanding of claim construction, obviousness, and a person of ordinary skill in the art (“POSA”) is set forth in my original declaration. *See*

EX1003, ¶¶16-30. I have also been informed of the following legal principles by Meta's counsel.

4. I understand that to comply with the requirements of 35 U.S.C. § 112, a claim must inform those skilled in the art about the scope of the invention with reasonable certainty. It cannot be sufficient that some meaning can be ascribed to a patent's claims. I understand that a claim is considered indefinite if the claim language might mean several different things and no informed and confident choice is available among the contending definitions.

IV. CLAIM CONSTRUCTION

5. It is my opinion that each claim term should be given its ordinary and customary meaning. EX1003, ¶38. I understand that Patent Owner ("Patent Owner") proposes a construction for "event node." Patent Owner's Motion to Amend ("MTA"), 13. I disagree with this construction for the following reasons.

A. "event node"

6. I understand that the District Court determined that the term "event node" needs no construction. EX2007, 5-6. I also understand, however, that Patent Owner proposes that an "event node" should be construed as "a node within an NDSN providing up-to-date information regarding an event or situation via peer-to-peer communication with other nodes." MTA, 13. I disagree with this construction.

7. Patent Owner argues that an “event node is defined in the specification as a type of node that communicates up to date information in a NDSN.” MTA, 12 (citing EX1001, 7:29-38). The disclosure that Patent Owner cites, however, does not provide a definition of an “event node.” Instead, this disclosure is exemplary, described as an example within an embodiment. First, the passage cited by Patent Owner is discussed within the context of “one embodiment.” EX1001, 7:24-28. Second, the patent describes, “[i]n the context of the NDSN, . . . **[f]or example**, an entity . . . establishes an event node in an NDSN that propagates up-to-date information on the situation.” EX1001, 7:29-38 (emphasis added). Therefore, the specification describes “propagat[ing] up-to-date information on the situation” only as an example functionality within a particular embodiment. EX1001, 7:24-38.

8. Patent Owner’s proposed construction is also inconsistent with other embodiments described in the ’932 specification, which do not require the information to be communicated by the event node. For example, in the context of the NDSN, the ’932 patent also describes that users may share information related to the situation directly with other users, even when an event node is present. EX1001, 19:35-20:2 (“A user 250 may also share information related to the situation with another user in the NDSN using a connection established between the user’s PIA 404 and another PIA 406. PIA 406 may or may not be connected to

the event node server 3011.”), 21:37-48 (describing establishing a “new link” between users “[u]pon discovering that they are [both] connected to the event node”), 30:20-22 (“Notifications may be distributed in the SitNet 300 using [] peer to peer connections, or through connections to a centralize[d] service, such as one that includes the situation authority.”).

9. Patent Owner further cites a supposed “general definition of a node provided in the specification”—that “[e]ach node is capable of communicating in a peer-to-peer fashion with other nodes in the NDSN.” MTA, 12 (citing EX1001, 14:50-54). In my opinion, this disclosure does not provide a definition of an “event node.” Again, the cited disclosure is part of “**one embodiment**” in which “individual users, members, entities, communities, or other aggregations of entities within the NDSN are associated with [] nodes.” EX1001, 14:41-44 (emphasis added). Additionally, the sentence cited by Patent Owner refers to “user” nodes, rather than an “event node,” stating: “Each node is capable of communicating in a peer-to-peer fashion with other nodes in the NDSN, and thus is a **user’s** point of connection to the NDSN, providing a **user** with access to information that can be obtained **from other users** of the NDSN with whom the user has a relationship.” EX1001, 14:50-54 (emphasis added).

10. I also understand that Patent Owner’s expert, Dr. Rubin, disagrees with Patent Owner’s proposed construction. EX2009, ¶34. In particular, I

understand that Dr. Rubin opines that a “node” in the context of the ’932 patent is “an object that has attributes defining the node.” EX2009, ¶34. I generally agree with this opinion, which is consistent with the plain and ordinary meaning of a node.

11. For at least these reasons, I disagree with Patent Owner’s proposed construction of “event node.”

V. PATENT OWNER’S PROPOSED SUBSTITUTE CLAIMS ARE INDEFINITE.

12. In my opinion, Patent Owner’s amendments set forth in its proposed substitute claims render the claims indefinite.

13. Each of Patent Owner’s proposed substitute claims 24 and 35 recites “establishing an event node . . . **within a N-dimensional social network.**” MTA, Appendix A. Claim 30, which depends from claim 24, then recites “establish[ing] an event node **in a multi-dimensional personal information network.**” MTA, Appendix A. The ’932 patent specification generally uses these terms interchangeably, explaining that “[a]n N-dimensional social network (NDSN) [is] also called a multi-dimensional personal information network.” EX1001, 14:10-13. I understand that the use of two terms in a claim generally indicates that the two terms have different meanings. And, logically, because the substitute claims use different terms, a POSA would expect those two terms to have different meanings. Nothing in the claims or specification, however, clarifies what the difference

between “a N-dimensional social network” and “a multi-dimensional personal information network” might be. MTA, Appendix A (claims 24, 35). Therefore, in my opinion, a POSA would not have understood whether the two recited networks carry different meanings in the context of the claims, and if so, how those meanings may differ.

14. Even if one were to interpret the terms “N-dimensional social network” and “multi-dimensional personal information network” to have the same meaning, the claims leave ambiguous whether the two phrases refer to the same or different networks. The phrase “multi-dimensional personal information network,” which is recited in claim 30, does not refer back to the “N-dimensional social network” of claim 24. MTA, Appendix A. Therefore, it is unclear whether the claims reference the same network, or whether they require two different networks. MTA, Appendix A (claims 24, 30). Based on this confusing language, it is my opinion that a POSA would not have understood which interpretation was correct, and therefore would not have understood the boundaries of the claims.

15. For these reasons, it is my opinion that the substitute claims are indefinite.

VI. PATENT OWNER’S PROPOSED SUBSTITUTE CLAIMS 24-36 ARE OBVIOUS OVER AMIDON IN VIEW OF WALSH AND SHAHINE.

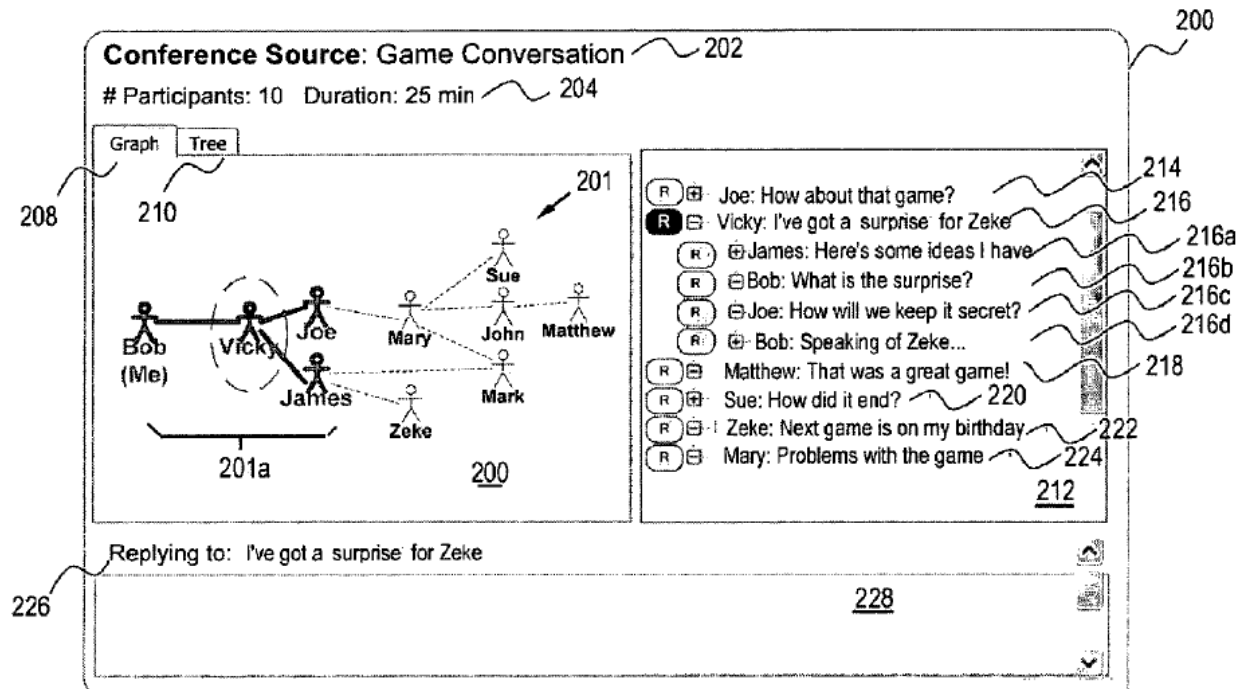
16. For the reasons discussed below, it is my opinion that the combination of Amidon, Walsh, and Shahine renders obvious Patent Owner’s proposed

substitute claims.

A. Overview of the Motivation to Combine Amidon, Walsh, and Shahine

17. As I explain in my original declaration (EX1003, ¶¶189-196), Amidon is directed to “providing systems and methods for users to conduct online conferences based on underlying social network structures.” EX1007, 2:54-56. Amidon discloses: “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.” EX1007, 2:57-63.

18. 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.

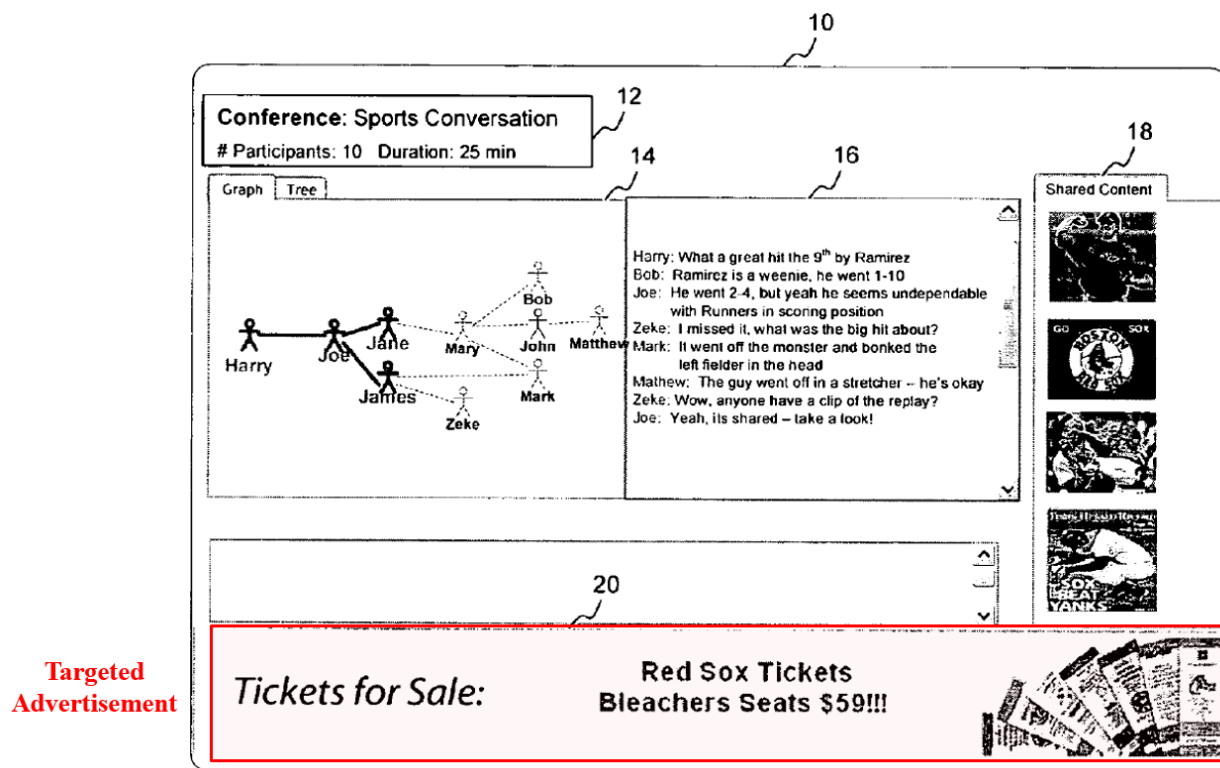


EX1007, FIG. 4.

19. As illustrated in Figure 4, the 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.” EX1007, 17:21-26.

20. Amidon and Walsh are related patents and have the same inventors: Christopher Amidon, Richard Walsh, and Alfredo Issa. EX1007, Cover (75); EX1008, Cover (75). 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, as is apparent from the figures depicting the conference interface in each patent. EX1008, 1:7-12, FIG. 1; EX1007, FIG. 4. For example, Figure 1 of Walsh illustrates the same conference interface disclosed by Amidon, with the addition of a targeted advertisement presented in “an advertisement display 20.” EX1008, 4:65-5:8, FIG. 1.



EX1008, FIG. 1 (annotated).

21. Walsh discloses that “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 (emphasis added). “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 (emphasis added). In other words, Walsh discloses the incorporation of advertisements targeted to users participating in a messaging conference, selecting an appropriate advertisement for each user involved in the conference.

22. 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. *See, e.g.*, EX1016, 3 (explaining that companies like “AOL, Yahoo!, and MSN” had “more than \$1 billion in annual display ad revenue” in 2007). In particular, a POSA would have understood that by displaying advertisements through Amidon’s conference interface, as disclosed in Walsh, ad revenue would be generated by users clicking on the advertisements. EX1016, 4 (“Google makes money primarily by selling text-based ads to advertisers and their agencies. These are displayed on Google.com and partner sites through our AdSense program. **We get paid when consumers click on the ads.**”) (emphasis added). It is clear that the inventors of Amidon themselves recognized these or other benefits of including advertisements within social network conferences, as they explicitly disclosed including targeted advertisements in Walsh using the same conference system disclosed in Amidon. It

is, therefore, my opinion that a POSA considering Amidon would have been motivated to seek out a reference such as Walsh for specific targeted advertising techniques.

23. A POSA also 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. Walsh explicitly discloses how to make this combination, illustrating Amidon's conference interface with an incorporated advertisement display. *See* EX1008, FIG. 1; *see also* EX1008, 13:30-33 ("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" of Figure 1). Therefore, it is my opinion that a POSA would have been motivated to combine Amidon and Walsh, would have had a reasonable expectation of success in doing so, and that the results of the combination would have been predictable (i.e., Amidon's conference interface with targeted advertisements displayed during the conference, as in Walsh).

24. Additionally, to the extent it is 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. 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 (“available content and/or ads or other information may be particularly selected for each user participating in the social network communication session”), FIG. 1.

25. It is my opinion that a POSA would have had a reasonable expectation of success in doing so using well-known network communication and upload techniques. Indeed, both Amidon and Walsh disclose communication via standard computer networks, such as the Internet. EX1007, 6:11-12 (“The present disclosure also refers to the relay of communicated data over a network such as the Internet.”); EX1008, 14:1-3 (A “social network communication session (e.g., an instant messaging conference) may occur over a network 43, such as the Internet.”).

B. Independent Claim 24 (Substitute for Claim 1)

1. Element [24.P]: “A method of presenting targeted advertising in a situational network”

26. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my previous declarations.

EX1003, ¶¶197-202; EX1053, ¶¶11-14.

2. Element [24.A]: “receiving a plurality of advertisements from at least one advertising entity”

27. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my original declaration.

EX1003, ¶¶203-05.

3. Element [24.B]: “obtaining an indication of an occurrence of a situation”

28. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my original declaration.

EX1003, ¶206.

4. Element [24.C]: “automatically connecting devices corresponding to a plurality of individuals to the situational network established in response to the situation”

29. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my previous declarations.

EX1003, ¶¶207-09; EX1053, ¶¶11-14.

5. Element [24.D]: “wherein establishing the situation network comprises establishing an event node hosted by an event node server within a N-dimensional social network and connecting the event node to a plurality of existing nodes within the social network, said plurality of existing nodes corresponding with the plurality of individuals”

30. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious Patent Owner’s proposed amendments to claim 24 for reasons

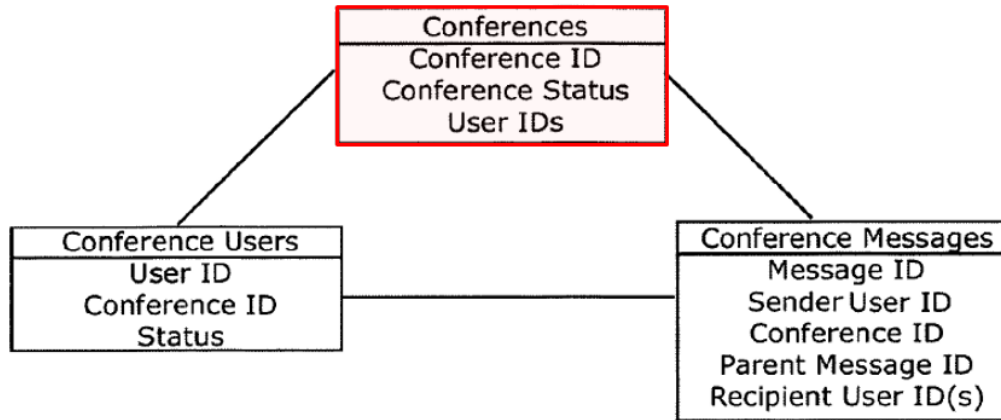
similar to those I discuss in my original declaration for dependent claim 7. *See* EX1003, ¶¶251-55.

31. First, it is my opinion that Amidon teaches “a N-dimensional social network.” The ’932 patent describes that “[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. 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 (emphasis added). Amidon explains, “[f]or example, store 22 may comprise one or more databases identifying, social network users, **characteristics for each user (profile information, etc.), relationships between each user . . .**” EX1007, 9:25-30 (emphasis added). These relationships span multiple dimensions, “such as grouping members by common interest, age or other demographic information, etc.” EX1007, 9:32-38; EX1003, ¶251.

32. I note that Amidon’s social network is consistent with Dr. Rubin’s understanding of a “social network” in the context of the ’932 patent. For example, Dr. Rubin explains that “a social network is a network that consists of individuals who are interconnected by various personal information and social metrics such as interests, location, demographics, community, and more.” EX2009, ¶33. As noted

above, these interconnections are exactly what Amidon describes. EX1007, 9:32-38.

33. Second, it is my opinion that Amidon teaches “establishing an event node hosted by an event node server within a N-dimensional social network” in the form of a “social network conference” to which users may connect. EX1007, 10:37-44, 2:57-59 (“Using the presently disclosed technology, a user can specify the nature and extent of **a conference** amongst members of **a social network . . .**”) (emphasis added), 6:58-60 (“FIG. 1 illustrates an exemplary **social network [] that may be used as the basis for one or more social network conferences.**”) (emphasis added); 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.” EX1007, 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.” EX1007, 15:6-15.



EX1007, FIG. 3 (annotated).

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.

34. Amidon’s conference appears to be consistent with Dr. Rubin’s understanding of an “event node.” As Dr. Rubin explains, a “node” is “an object that has attributes defining the node.” EX2009, ¶34; EX1059, Rubin Tr., 28:16-19, 53:20-23 (confirming this understanding). For example, a node may be an “object with a unique ID.” EX2009, ¶34. In line with Dr. Rubin’s understanding, Amidon’s conference is an object in the network to which users connect (e.g., via Amidon’s web-based interface illustrated in Amidon’s Figure 4), with “data defining” the conference such as “a conference ID and list of users by user ID.” EX1007, 10:40-44, 15:6-15.

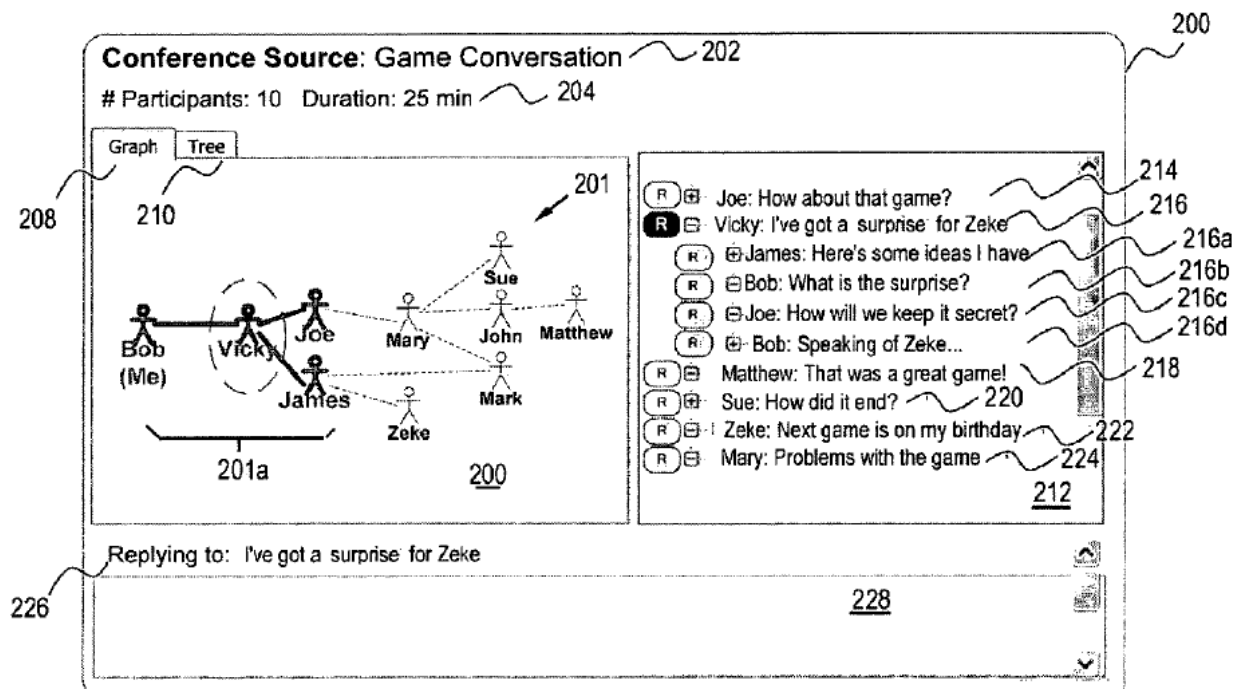
35. Amidon’s conferences are also “hosted by an event node server,” i.e., Amidon’s “messaging server.” EX1007, 4:60-5:2. Amidon explains that

“conferencing client functionality may be provided by one or more network-based applications.” EX1007, 8:27-31. “For example, **messaging** and/or social network **functionality may be provided through web-based applications**,” and “each client 30a, 30b, and 30c interfaces with messaging server via respective links 114a, 114b, and 114c,” as illustrated in Amidon’s Figure 2. EX1007, 8:31-40 (emphasis added).

36. Amidon further explains that during a conference, “messages may be routed by [messaging] server 14”: “Users of clients 30a, 30b, and 30c may then send messages . . . to one another via server 14 using links 114.” EX1007, 8:49-55; *see also* EX1007, 22:41-47 (“automatically **initiating, by the messaging server, the real-time instant messaging conference** between the first user and at least some of the plurality of other users; **receiving, by the messaging server, a message** from the first user; **distributing, by the messaging server, the message** to the at least some of the plurality of other users”) (emphasis added). In other words, Amidon discloses that users connect to and communicate through Amidon’s messaging server during a conference. Based on this disclosure, a POSA would have understood that Amidon’s social network conferences are hosted by Amidon’s messaging server.

37. Third, Amidon teaches “connecting the event node to a plurality of existing nodes within the social network, said plurality of existing nodes

corresponding with the plurality of individuals” by connecting users to the conference. For example, as described above, a conference may be provided through a “web-based application[],” to which users may connect through the interface depicted in Amidon’s Figure 4. EX1007, 8:31-35, 16:65-17:2 (“FIG. 4 illustrates an exemplary user interface which may be used by one or more users participating in social network conferences.”).



EX1007, FIG. 4.

38. Amidon discloses that “[e]ach user . . . is associated with one or more social network conferencing system clients,” 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, 19:54-61.

39. I understand that Patent Owner argues, “Amidon’s conference is a group of individuals communicating with one another,” and “[a] group of individuals cannot be a node, let alone an event node.” MTA, 16. Amidon’s conference, however, is not simply a group of individuals. As I discuss above, each conference is an object created in Amidon’s network that facilitates communication between individuals, provided by a “web-based application[]” and defined by data including “a conference ID and list of users,” as well as message information. EX1007, 8:31-35, 15:6-26. There is nothing in the ’932 patent that restricts an “event node” from taking the form of a conference within a network to which a user may connect. As Dr. Rubin explains, a “node” is simply “an object that has attributes defining the node.” EX2009, ¶34. Amidon’s conference is exactly that, and the group of individuals in the conference is an *attribute* of the conference, not the conference itself.

40. Therefore, it is my opinion that the combination of Amidon, Walsh, and Shahine renders obvious Patent Owner’s proposed amendments to substitute claim 24.

6. Element [24.E]: “causing an automatic redirection of a web browser application operating on each of the devices to a webpage containing information related to the situation”

41. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my original declaration.

EX1003, ¶¶210-14.

7. **Element [24.F]: “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”**

42. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my original declaration.

EX1003, ¶¶215-222.

C. Claim 25 (Substitute for Claim 2)

43. Substitute claim 25 recites, “wherein the affiliation is based at least in part on the location of the at least one individual.” In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this claim for the reasons discussed in my original declaration. EX1003, ¶¶238-240.

D. Claim 26 (Substitute for Claim 3)

44. Substitute claim 26 recites, “wherein the location of the at least one individual is determined using positional coordinates obtained from the connected device.” In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this claim for the reasons discussed in my original declaration. EX1003, ¶¶241-43.

E. Claim 27 (Substitute for Claim 4)

45. Substitute claim 27 recites, “wherein the affiliation is based at least in

part on a profile for the at least one individual.” In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this claim for the reasons discussed in my original declaration. EX1003, ¶¶244-45.

F. Claim 28 (Substitute for Claim 5)

46. Substitute claim 28 recites, “wherein the profile is stored on the connected device.” In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this claim for the reasons discussed in my original declaration. EX1003, ¶¶246-47.

G. Claim 29 (Substitute for Claim 6)

47. Substitute claim 29 recites, “wherein the indication is obtained by a situation authority.” In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this claim for the reasons discussed in my original declaration. EX1003, ¶¶248-49.

H. Claim 30 (Substitute for Claim 7)

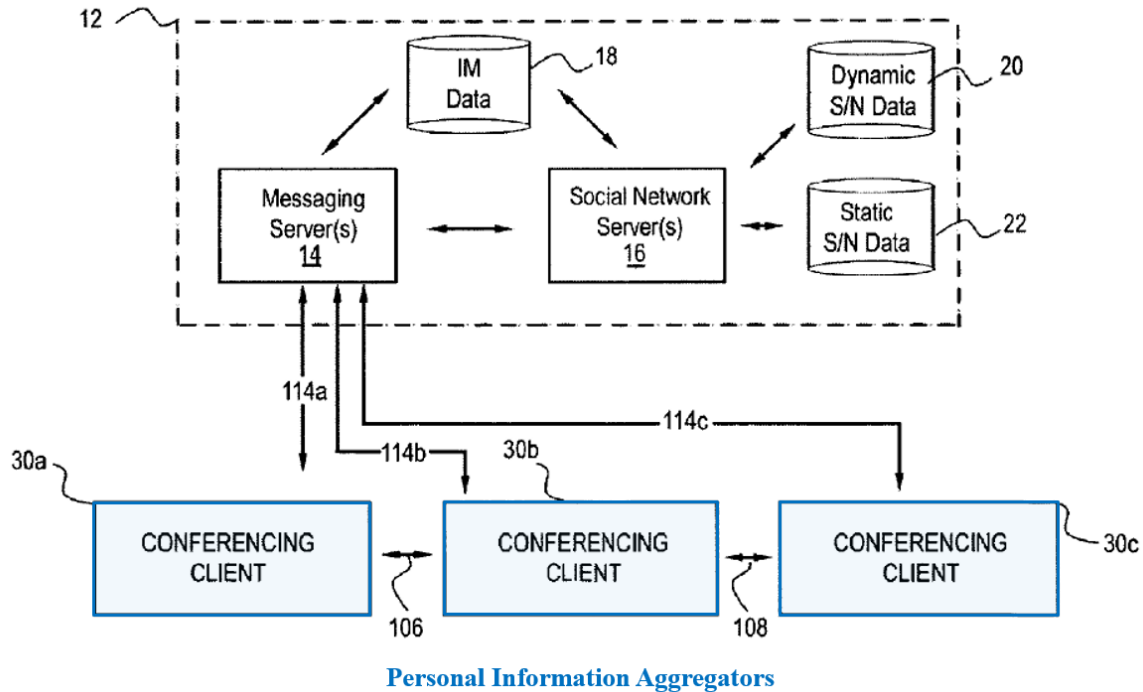
48. Substitute claim 30 recites, “wherein the situation authority establishes an event node in a multi-dimensional personal information network corresponding to the situation and the devices include personal information aggregators, each personal information aggregator corresponding to a node in the multi-dimensional personal information network.” In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this claim for the reasons discussed in my original declaration. EX1003, ¶¶250-55.

49. First, Amidon teaches “a multi-dimensional personal information network.” In particular, 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**, and privacy, informational, and system parameter settings for each user.” EX1007, 9:25-30 (emphasis added). These relationships span multiple dimensions, “such as grouping members by common interest, age or other demographic information, etc.” EX1007, 9:32-38. “Social network data” may also be used “to calculate data about social network users and the networks themselves, such as determining degrees of separation between users.” EX1007, 9:32-38. Amidon, therefore, discloses “a multi-dimensional personal information network” in which users are connected along multiple dimensions.

50. Second, Amidon teaches that “the devices include personal information aggregators, each personal information aggregator corresponding to a node in the multi-dimensional personal information network.” Amidon discloses that “[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 (emphasis added). Amidon’s client computing devices are illustrated, for example, in Figure 2 below.

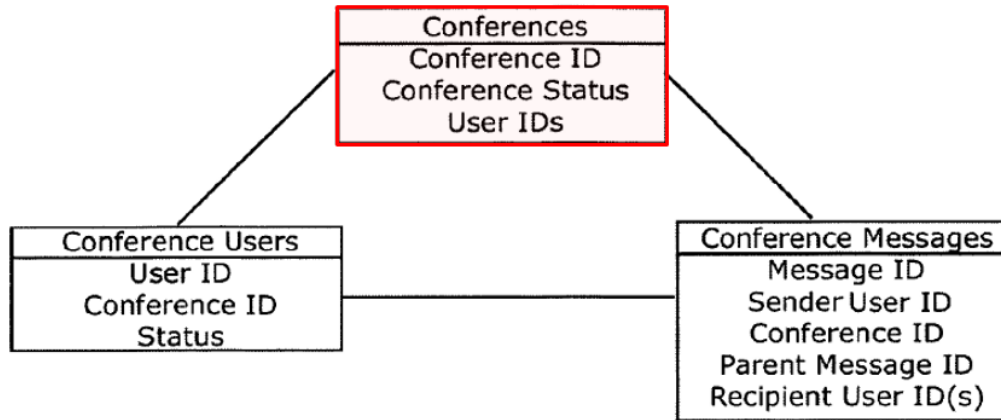


EX1007, FIG. 2 (annotated).

51. Amidon explains that “[s]uch devices may include **cellular telephones or other devices** with GPS capability.” EX1007, 16:16-22 (emphasis added). As described in the ’932 patent, 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.” EX1007, 9:15-22. Therefore, each of Amidon’s client computing devices is equipped with the ability to store, organize, and control various personal information.

52. 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. For example, 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.” EX1007, 10:33-37, 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,” as illustrated in Figure 3 of Amidon. EX1007, 15:6-15.



EX1007, FIG. 3 (annotated).

53. 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. Therefore, it is my opinion that Amidon’s messaging server 14 is configured to “establish[] an event node in a multi-dimensional personal information network corresponding to the situation” in the form of a social network conference.

54. To the extent claim 30 is interpreted to require a second “event node” to be established, in view of Patent Owner’s amendments to claim 24, a POSA would have understood that multiple conferences may be initiated based on the same event or situation. For example, as I explain in my original declaration, Walsh illustrates a conference communicating information about a Red Sox baseball game. EX1003, ¶¶198-99; EX1008, FIG. 1. A POSA would have understood that Amidon’s system allows multiple conferences to be initiated based

on this Red Sox game, each connecting a group of users to communicate information regarding the game. Amidon explains that its “social network [] that may be used as the basis for one or more social network conferences,” and “[s]ocial network conferences may be defined on the basis of” various parameters, “such as limiting a conference to users within a particular locale or within a certain distance from one another.” EX1007, 4:5-9, 6:58-60. In such a case, a POSA would have understood that multiple users from different geographic locales may initiate conferences associated with the same event, such as a Red Sox game, each conference having a different set of participants. Therefore, it is my opinion that Amidon renders obvious claim 30 even if the substitute claims are interpreted to require establishment of multiple “event node[s].”

I. Claim 31 (Substitute for Claim 8)

55. Substitute claim 31 recites, “wherein the situation is a weather phenomenon.” In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this claim for the reasons discussed in my original declaration. EX1003, ¶¶256-58.

J. Claim 32 (Substitute for Claim 9)

56. Substitute claim 32 recites, “wherein some of the plurality of advertisements provide notifications about services relevant to the situation.” In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this

claim for the reasons discussed in my original declaration. EX1003, ¶¶259-261.

K. Claim 33 (Substitute for Claim 10)

57. Substitute claim 25 recites, “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.” In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this claim for the reasons discussed in my original declaration. EX1003, ¶¶262-65.

L. Claim 34 (Substitute for Claim 11)

58. Substitute claim 34 recites, “wherein the projection is a geographic projection of nodes of the situational network.” In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this claim for the reasons discussed in my original declaration. EX1003, ¶¶265-66.

M. Claim 35 (Substitute for Claim 22)

1. Element [35.P]: “A system for presenting targeted advertising in a situational network”

59. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my previous declarations. EX1003, ¶223; EX1053, ¶¶11-14.

2. Element [35.A]: “a central server, corresponding to a situation authority”

60. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my original declaration.

EX1003, ¶¶224-28.

- 3. Element [35.B]: “configured to establish the situation network by establishing an event node within a N-dimensional social network and connecting the event node to a plurality of existing nodes within the social network, wherein the existing nodes correspond to a plurality of individuals”**

61. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons I discuss for element [24.D] of claim 24. Section VI.B.5.

- 4. Element [35.C]: “receive a plurality of advertisements from at least one advertising entity”**

62. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my original declaration. EX1003, ¶229.

- 5. Element [35.D]: “obtain an indication of an occurrence of a situation”**

63. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my original declaration. EX1003, ¶230.

- 6. Element [35.E]: “automatically connect devices corresponding to a plurality of individuals to the situational network established in response to the situation”**

64. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my previous declarations.

EX1003, ¶231; EX1053, ¶¶11-14.

7. **Element [35.F]: “cause an automatic redirection of a web browser application operating on each of the devices to a webpage containing information related to the situation”**

65. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my original declaration.

EX1003, ¶232.

8. **Element [35.G]: “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”**

66. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my original declaration.

EX1003, ¶233.

9. **Element [35.H]: “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”**

67. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my original declaration.

EX1003, ¶¶234-36.

10. **Element [35.I]: “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”

68. In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this element for the reasons discussed in my original declaration. EX1003, ¶237.

N. Claim 36 (Substitute for Claim 23)

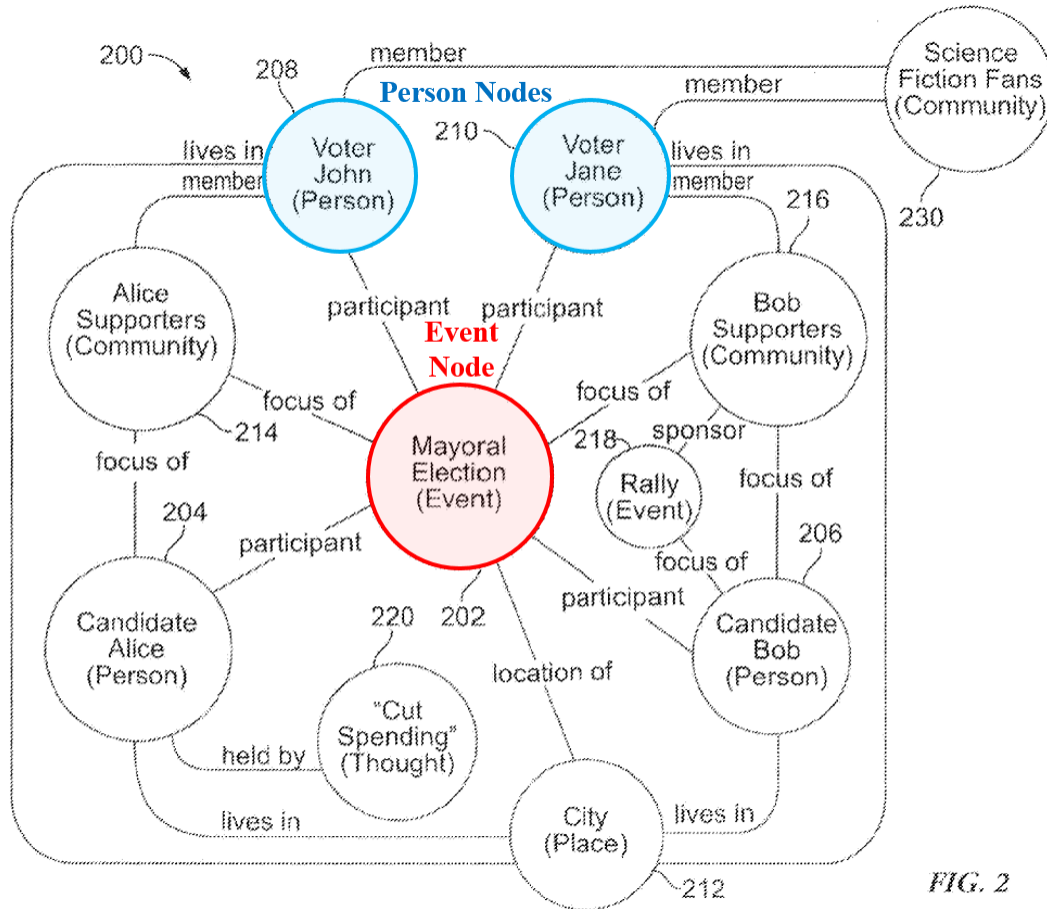
69. Substitute claim 36 recites, “wherein at least one device of the plurality of devices is a personal information aggregator.” In my opinion, the combination of Amidon, Walsh, and Shahine renders obvious this claim for the reasons discussed in my original declaration. EX1003, ¶¶267-68.

VII. PATENT OWNER’S PROPOSED SUBSTITUTE CLAIMS 24-36 ARE OBVIOUS OVER AMIDON IN VIEW OF WALSH, SHAHINE, AND KRAFT.

70. To the extent Patent Owner argues that the combination of Amidon, Walsh, and Shahine does not expressly disclose the proposed amendments presented in substitute claims 24 and 35, it is my opinion that the combination of Amidon, Walsh, Shahine, and Kraft (EX1058) also renders obvious these proposed amendments. I understand that Patent Owner argues in its Motion that “an event node is [a] node communicating information regarding a situation in a peer-to-peer fashion,” and, therefore, “an event node would be an element *within* a conference, but *not* a conference.” MTA, 16-17 (emphasis in original). Even under this interpretation of “event node” (with which I disagree), the combination of Amidon,

Walsh, Shahine, and Kraft renders obvious Patent Owner's proposed amendments to claims 24 and 35.

71. Kraft is directed to “systems and methods for information retrieval and communication using a world model.” EX1058, Kraft, 2:35-37. Kraft explains that “[t]he world model is made up of **interrelated entity models**, where each entity model corresponds to an entity (or abstraction) in the real world, such as a person, place, business, other tangible thing, community, **event**, or thought.” EX1058, 2:37-41, 8:28-31 (emphasis added). Kraft's “world model can include features of a conventional social network” but “allows other types of entities, not just users, to be included as full participants in the network.” EX1058, 10:25-30. An example “world model” is illustrated in Figure 2 of Kraft. EX1058, 8:35-38.



EX1058, FIG. 2 (annotated).

72. As illustrated in Kraft’s Figure 2, “**Node 202 represents the event**, in this example a mayoral election,” and “[o]ther participants in the election include voter Joe (node 208) and voter Jane (node 210).” EX1058, 8:39-44 (emphasis added). Kraft explains that “[e]ach entity model is advantageously implemented as a data structure that **provides access to information about a real-world entity that the node represents.**” EX1058, 8:26-28 (emphasis added). And the “types of information that may be contained in an entity model include . . . references to content related to the corresponding entity; **text or media content related to the**

corresponding entity; and so on.” EX1058, 3:18-24 (emphasis added). In other words, Kraft discloses nodes representing events, with each node defined by a data structure storing information (e.g., “text or media content”) related to the event. EX1058, 3:18-24, 8:26-28, 8:39-44.

73. Kraft also explains that a “user request may include a search query specifying a property **for the information contained in the entity models.**” EX1058, 2:67-3:2 (emphasis added), 9:33-36 (a “user can also send a message to a non-person entity; for example, the user might send a message to the election (node 202).”) Kraft discloses that “[a] world server receives a request from a querying user for an entity model,” and “[t]he world server **returns the information contained in the requested entity model.**” EX1058, 3:52-57 (emphasis added). That is, Kraft teaches that a user may query an event node, which, in response to the query, returns information (e.g., “text or media content,” EX1058, 3:18-24) related to the event. Kraft further discloses that its system “enables authorized users to update the world model,” for example, by “modifying entity models.” EX1058, 6:54-57. For example, “one or more ‘entity managers,’ i.e., real-world persons responsible for maintaining [the] entity model,” may be “authorized to delete or modify an existing entity model.” EX1058, 11:5-13. Based on this disclosure, a POSA would have understood that an “entity manager” of an event node would be authorized to update the information contained in the event

node, such that the information can remain up-to-date. EX1058, 6:54-57, 11:5-13.

74. In this manner, Kraft teaches “establishing an event node,” for example, Kraft’s mayoral election node 202, “within a N-dimensional social network and connecting the event node to a plurality of existing nodes within the social network, said plurality of existing nodes corresponding with the plurality of individuals,” for example, person nodes 208 and 210. A POSA would have also understood that Kraft’s “world server” provides an “event node server,” as recited in substitute claim 24, because it allows users to connect to Kraft’s entity models. For example, Kraft’s “world server” receives queries for the event node and “returns the information contained in the requested entity model,” i.e., the event node. EX1058, 3:52-57.

75. In my opinion, a POSA would have been motivated to combine Kraft’s techniques with Amidon-Walsh-Shahine to allow users to obtain up-to-date information regarding an event from within a conference. Amidon provides “systems and methods for users to conduct online conferences based on underlying social network structures.” EX1007, 2:54-56. Amidon, however, explains that “[t]he term ‘user’ is meant to broadly include not only an individual, but **also other entities**, such as groups of individuals and organizations when treatable as a single unit.” EX1007, 5:3-8 (emphasis added). Therefore, like Kraft, Amidon envisions nodes within a conference representing not only individuals, but also “other

entities.” EX1007, 5:3-8.

76. In the combined system of Amidon-Walsh-Shahine-Kraft, a POSA would have been motivated to establish and include an “event node” as a participant within a conference, in addition to traditional users. In Kraft’s example of a mayoral election, for instance, a conference amongst users would include an entity representing the election. This would allow information contained within the election entity (e.g., “text or media content,” EX1058, 3:18-24) to be queried by and returned to users within the conference, just as messages between individuals would be exchanged. Just as Kraft’s “world server” receives queries and “returns the information contained in the requested entity model,” EX1058, 3:52-57, Amidon’s messaging server would perform the same function in the combination, receiving queries directed to the election entity and responding with the information contained within the entity. And because the information contained within the election entity can be modified by “authorized users,” a POSA would have recognized that the election entity would propagate up-to-date information regarding the event (e.g., the mayoral election) to users within the conference, consistent with Patent Owner’s narrow construction of “event node.” MTA, 13.

77. As mentioned in the previous paragraph, a POSA would have been motivated to employ Amidon’s messaging server to receive and respond to queries associated with an event entity within a conference, similar to the functionality of

Kraft's "world server." EX1058, 3:52-57. Amidon discloses that during a conference, "messages may be routed by [messaging] server 14": "Users of clients 30a, 30b, and 30c may then send messages . . . to one another via server 14 using links 114." EX1007, 8:49-55, 22:41-47. Therefore, a POSA would have found it natural for Amidon's messaging server to act as an "event node server," receiving queries from users directed to the event entity and generating a response back to the user that includes information associated with the event.

78. Additionally, because Amidon's messaging server would be acting on behalf of the event entity, responding directly to users communicating with the entity, a POSA would have understood that the information would be provided to users via peer-to-peer communication, further consistent with Patent Owner's narrow construction of "event node." MTA, 13. In other words, Amidon's messaging server would be acting as a peer representing the event, rather than simply routing messages among other users of the conference.

79. A POSA would have also understood that Kraft's "event node" would be established within the context of Amidon's social network, i.e., "within a N-dimensional social network." For example, Kraft discloses that its "world model" entities are stored in a "world model data store," and that the "world model can include features of a conventional social network." EX1058, 6:33-35, 10:25-30. Amidon similarly discloses storing "social network data in one or more stores,"

including “social network users, characteristics for each user (profile information, etc.), relationships between each user, and privacy, informational, and system parameter settings for each user.” EX1007, 9:23-30. Therefore, a POSA would have had a reasonable expectation of success, encountering no technical hurdles, in storing entities representing events in Amidon’s social network data stores. Amidon’s messaging server would then have access to the information associated with event entities included in a conference via Amidon’s social network server, as shown in Amidon’s Figure 2, for distribution to querying users.

80. For these reasons, it is my opinion that the combination of Amidon, Walsh, Shahine, and Kraft renders obvious “establishing an event node hosted by an event node server within a N-dimensional social network and connecting the event node to a plurality of existing nodes within the social network, said plurality of existing nodes corresponding with the plurality of individuals,” as recited in substitute claims 24 and 35, even under Patent Owner’s overly-narrow interpretation of the term “event node.”

VIII. PATENT OWNER’S PROPOSED SUBSTITUTE CLAIM 31 IS OBVIOUS OVER AMIDON-WALSH-SHAHINE OR AMIDON-WALSH-SHAHINE-KRAFT IN VIEW OF JONES.

81. It is my opinion that the combination of Amidon, Walsh, Shahine, and Jones, or, alternatively, the combination of Amidon, Walsh, Shahine, Kraft, and Jones, renders obvious this claim for the reasons set forth in my original

declaration. EX1003, ¶¶269-272.

IX. CONCLUSION

82. In signing this declaration, I recognize that the declaration will be filed as evidence in an *inter partes* review before the Patent Trial and Appeal Board of the United States Patent and Trademark Office. I also recognize that I may be subject to cross-examination in the case and within the United States. If cross-examination is required, I will appear for cross-examination within the United States during the time allotted.

83. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Executed on this 26th day of February, 2025, in _Phuket, Thailand.



Bernard J. Jansen, Ph.D.