

META PLATFORMS, INC.

PETITIONER

V.

SITNET, LLC

PATENT OWNER

IPR2024-00530

June 10, 2025

SitNet's Hearing Demonstratives

Roadmap

- The Petition fails to invalidate the claims of U.S. Patent No. 9,877,345 (“345 Patent”).
 - The Petition’s primary references fail to disclose a “situational network.”
 - The Petition’s primary references fail to disclose a “situation authority.”
- SitNet’s Motion to Amend (“MTA”) overcomes the art cited in the Opposition.
 - The claims in the MTA are directed towards patent-eligible subject matter.
 - The art identified by Meta fail to render the substitute claims invalid.

SITUATIONAL NETWORK

Situational Network – Construction

- The *Markman* order in *SitNet v. Meta* construed “situational network” as:
 - **a network created in response to an event or situation.** Ex. 2007 at 2-4.
- As the Board observed:
 - “there is no controversy with respect to the claim construction of ‘situational network’ ... both parties agree with the construction of ‘situational network’ as ‘a network created in response to the occurrence of an event or situation.’”
Paper 9 at 12.

Situational Network – Construction: “network”

- The *Markman* order in *SitNet v. Meta* construed “situational network” as:
 - a **network** created in response to an event or situation. Ex. 2007 at 2-4.
- What is a network?
 - Plain and ordinary meaning: a system of **interconnected elements** that transmits information. Ex. 2009 ¶52-54
 - Meta does not dispute this plain and ordinary meaning.
 - Supported by various dictionaries:
 - “A group or system of electric components and ***connecting circuitry*** designed to function in a specific manner.” American Heritage Dictionary, Paper 14 at 2 (emphasis added).
 - “A system of computers ***interconnected*** by telephone wires or other means in order to share information. Also called net.” American Heritage Dictionary, *Id.* (emphasis added).
 - “Any ***arrangement of elements that are interconnected.***” PC Mag, *Id.* at 2-3 (emphasis added).

Situational Network – Construction: “created in response”

- The *Markman* order in *SitNet v. Meta* construed “situational network” as:
 - a network **created in response** to an event or situation. Ex. 2007 at 2-4.
- What does it mean for the network to be “created in response” to an event or situation?
 - The “elements” of the situational network are “interconnected” after the event or situation; Paper 14 at 3.
 - *i.e.*, **new connections** are created between the elements of the network
 - These “new connections” do not exist prior to the event or situation. The event or situation triggers their creation. *Id.* at 3-4.
 - Therefore, a “situational network” is only “created in response” an event or situation when a **new connection** is established incorporating at least one new element to a network. *Id.*

Situational Network – Construction: “new connections”

- The specification supports the requirement of “new connections” to form a situational network (Paper 14 at 9-10; Paper 21 at 9-10):

a *situational network* 3000 is *created when* an occurrence [] causes *connections*, also referred to as links, to be *established* between, within or among a set of participants 250, 207.

345 Patent, 4:3-7 (emphasis added)

User devices 404, 406 are *connected into* the *situational network* when it is determined that users of the devices 404, 406 are *affected by the event or situation*.

345 Patent, 5:39-41 (emphasis added)

In this embodiment, users are *connected into* the *situational network* through the NDSN using a [personal information aggregator].

345 Patent, 7:56-57 (emphasis added)

Situational Network – Construction: “new connections”

- The specification supports the requirement of “new connections” to form a “proximity based” situational network, which is the basis of the 345 Patent claims (Paper 14 at 9-11):

A SitNet may be formed when users involved in a situation or event are *determined to be in relatively close geographic positions*. If the SitNet is **not pre-formed** or anticipated by the event or situation, but *its formation is a result of the occurrence of the event or situation* causing the potential members of the SitNet to be within a relatively small geographic area, such embodiment of the SitNet may be *referred to* as a *proximity based SitNet*.

345 Patent, 4:3-7 (emphasis added)

A “proximity based” situational network is precisely what is claimed in the 345 patent (e.g., Claim 1: “participant devices determined to be geographically proximate to the situation.”). Therefore, the connections are not pre-formed. Paper 14 at 9-11.

Situational Network – Use of a Pre-existing network

- The Situational Network can be created from:
 - (1) A collection of previously unconnected elements; or
 - (2) A pre-existing network by establishing **new connections** incorporating a **new element** into the system. Paper 14 at 3.
- Regardless of either of the two scenarios, the act of creating a situational network requires establishing a **new connection** to incorporate at least one **new element** into the system. *Id.*
 - Again, it must satisfy the “created in response” element of the construction, which requires new connections.
 - This would exclude pre-existing networks with no new connections within the elements of a network from being considered a “situational network.” *Id.* at 4.
 - This is precisely what is described in the Gage and Shida primary references cited in Meta’s Petition.

Situational Network – Construction: “new connections”

- SitNet’s expert Dr Rubin’s testimony also confirms that a situational network created from a pre-existing network must include at least one **new connection**:

Q. And you gave an example of how that device would then be included in the formation of a situational network -- well, strike that. In order for that device that’s part of an *existing network*, in order for it to be included *in the formation of a situational network*, that device would have to have a new connection created. Is that fair?

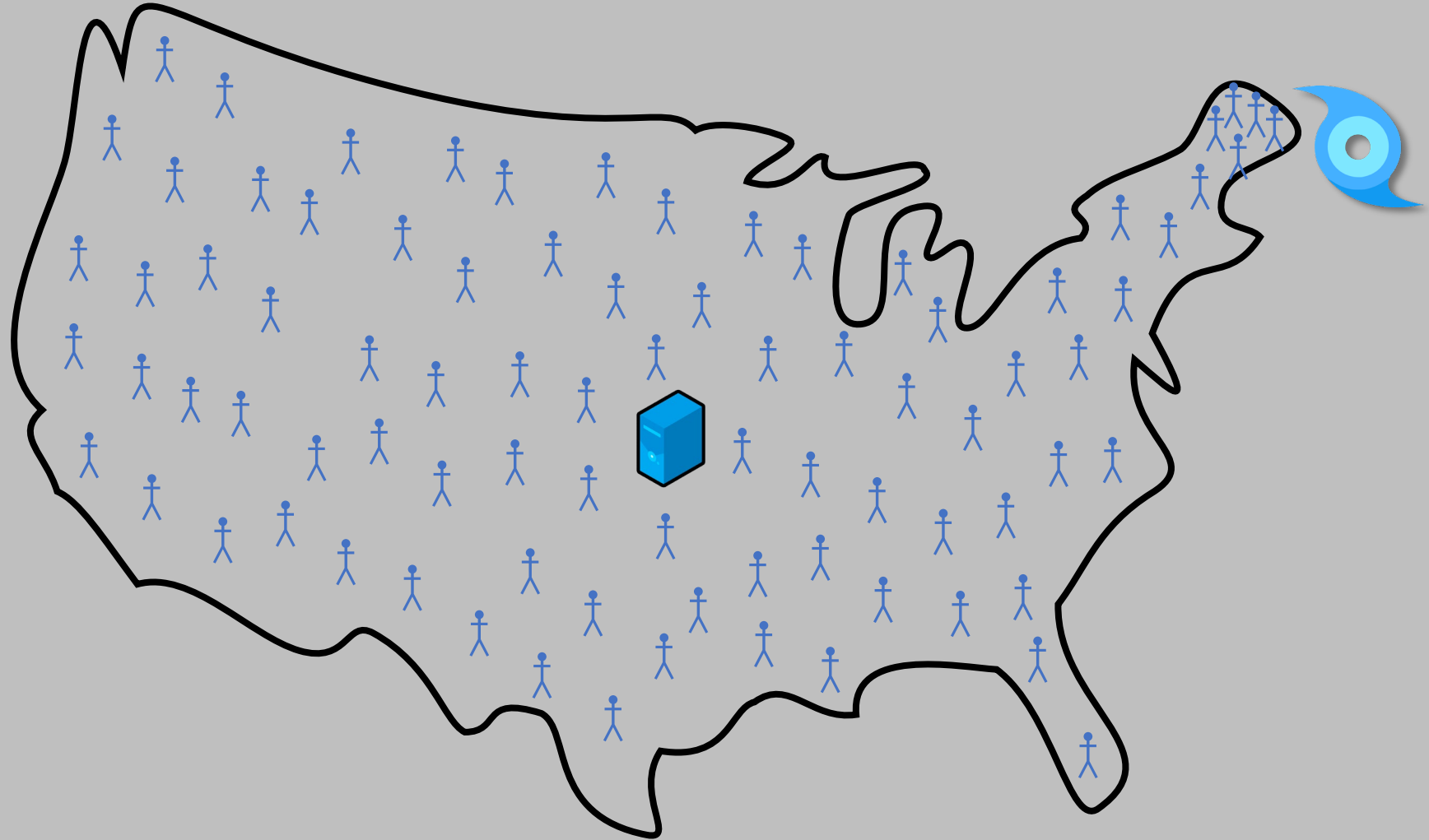
A. Yes.

Ex. 1027 at 56:8-16 (emphasis added)

Situational Network - Illustration

KEY POINTS

- Users part of an existing social network. 345 Patent, 7:52-67; Fig.1.
- A subset of users are geographically proximate to an environmental event. 345 Patent, 4:3-7; Fig.1.
- Those subset of users are connected into the situational network from the pre-existing social network. 345 Patent, 4:3-7; 5:39-41; 7:56-57; Fig.1.

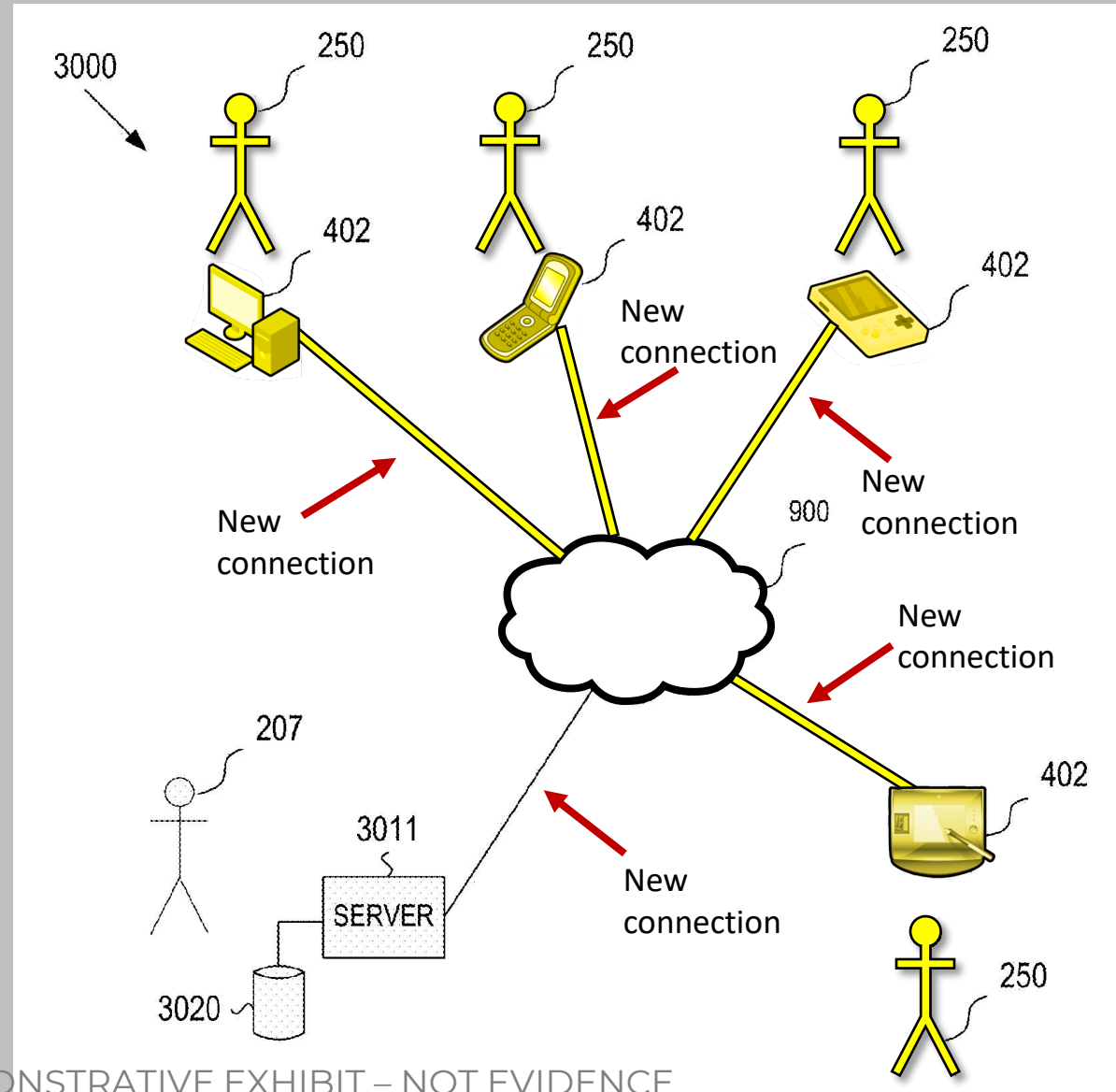


Situational Network - Illustration

KEY POINTS

- The subset of users are connected into the situational network via **new connections** to the server 3011. 345 Patent 4:3-10; 5:39-41; 7:56-57; Fig.1; Paper 14 at 2-4, 9-11; Paper 21 at 2-4, 9; Ex. 1027 at 56:8-16; Ex. 2009 ¶¶ 52-54.

Id.

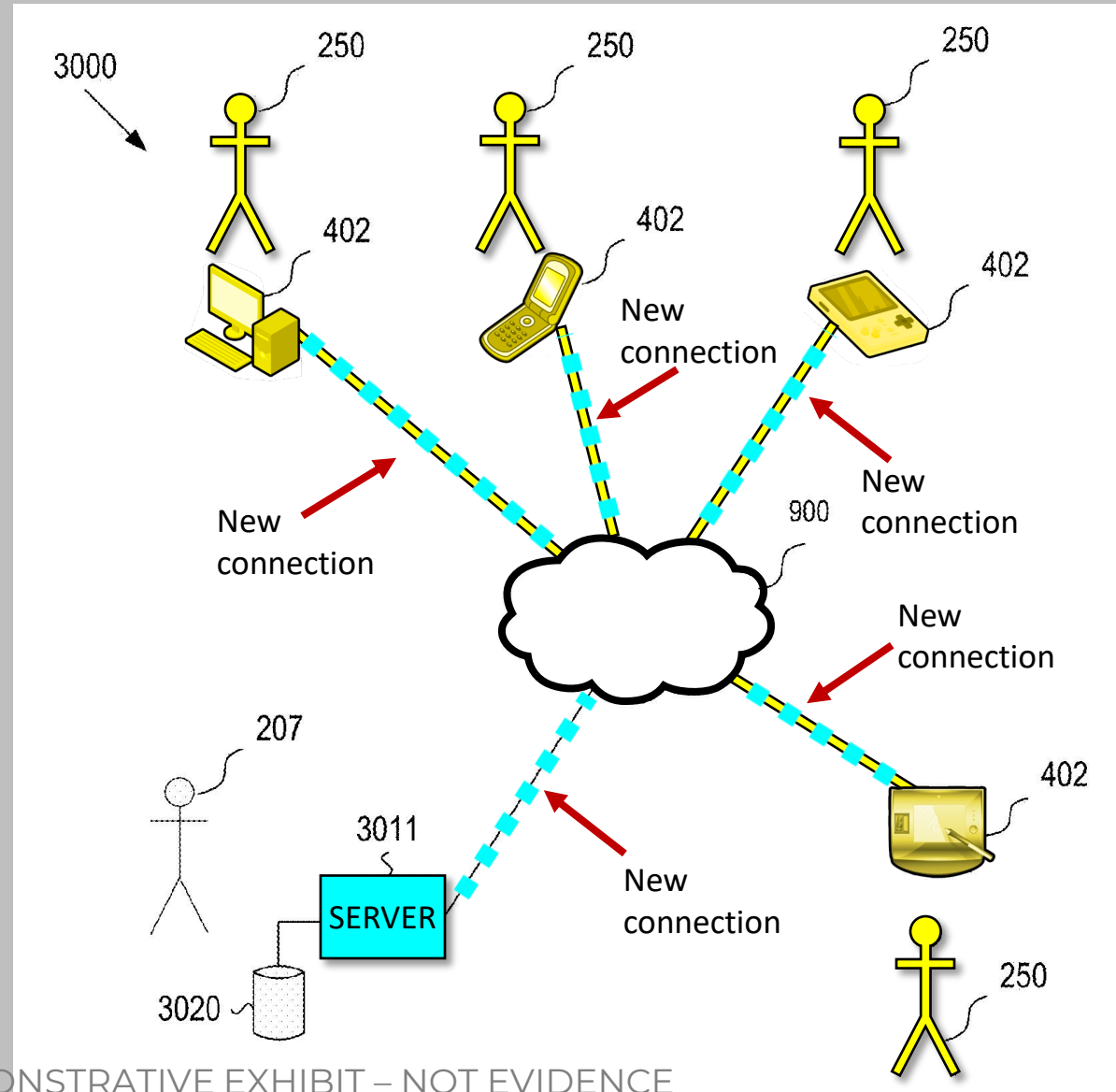


Annotated
345 Patent
Fig. 1

Situational Network - Illustration

KEY POINTS

- The subset of users can communicate, interact, and exchange information with each other and server 3011 within the situational network via the **new connections**. 345 Patent 4:3-10; 5:39-41; 7:56-57; Fig.1; Paper 14 at 2-4, 9-11; Paper 21 at 2-4, 9; Ex. 1027 at 56:8-16; Ex. 2009 ¶¶ 52-54.



Annotated
345 Patent
Fig. 1

Situational Network – Flaws with Gage

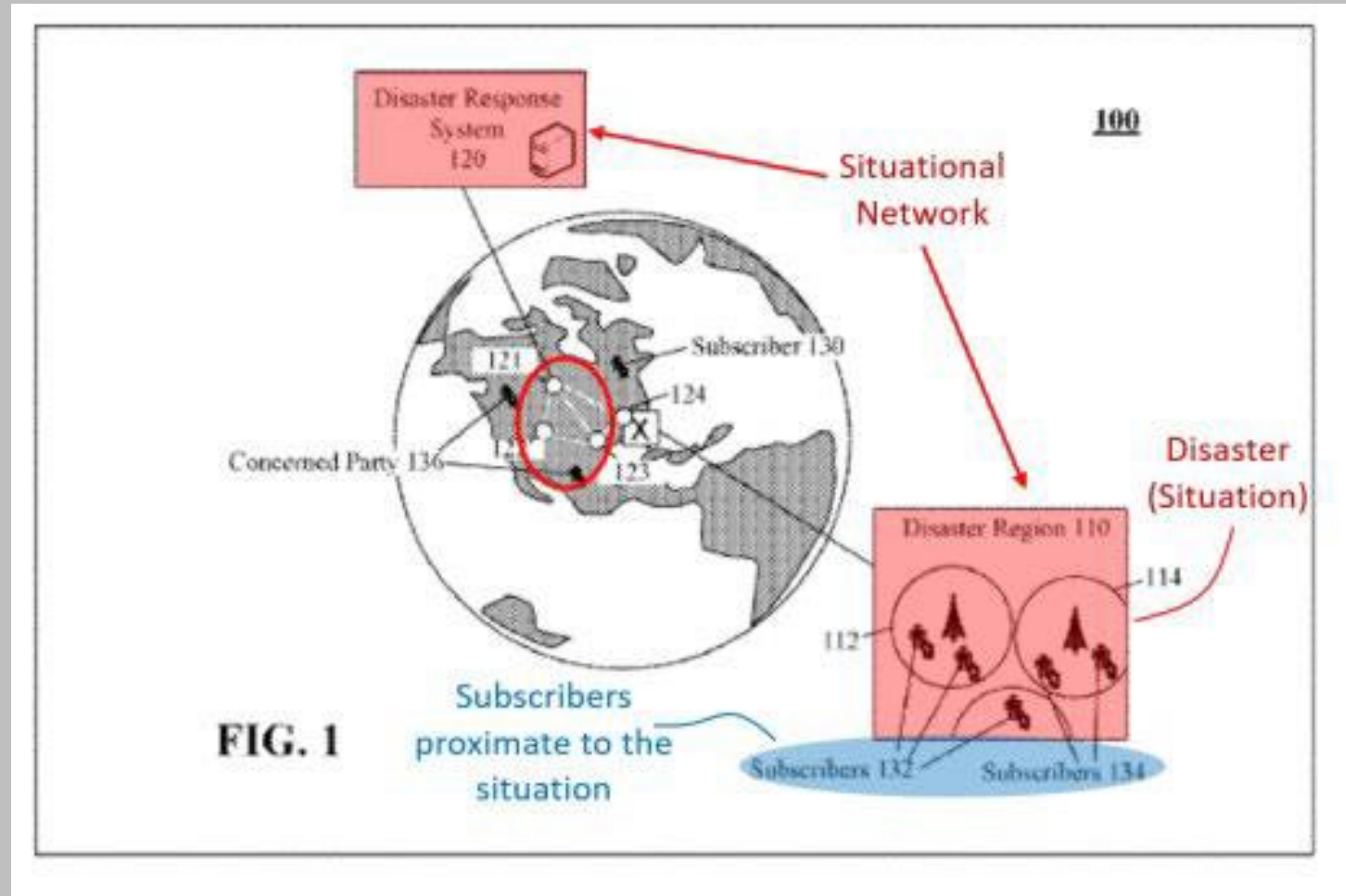
- U.S. Publication No. 2008/0139165 to Gage et al. (“Gage”) does not disclose a “situational network.”
- **Note:** Meta believes Gage discloses all elements of the independent claims:
 - “Indeed, each of the primary references asserted herein—***Gage*** and Shida—disclose ***all elements*** of the ***independent claims***. The remaining ***dependent claims*** merely disclose trivial and ***obvious limitations*** to the independent claims.” Paper 1 at 1-2 (emphasis added).

Situational Network – Flaws with Gage

KEY FLAWS

- Gage's Disaster Response System communicates over the same connections to its subscribers before and after an event or situation. Paper 14 at 8-10; Paper 21 at 8-10
- There are no new connections being made between Gage's subscribers and the Disaster Response System in response to an event or situation. Subscribers are not "connected into" a situational network. *Id.*
- Thus, there is not a situational network "created in response" to an event or situation. *Id.*

Gage Fig. 1



Paper 1 at 28 (annotated by Meta)

Situational Network – Flaws with Gage

KEY FLAWS

- (1) Gage's Disaster Response System requests location information from subscriber devices. Paper 14 at 6.
- (2) The Disaster Response System **determines if a disaster has occurred.** *Id.*
- (3) The Disaster Response System requests status indicators from affected subscribers. *Id.* at 11; Paper 21 at 10.
- Communication before and after the disaster is done over the same connection. There are no new connections created with subscribers in response to a disaster. Paper 21 at 10.

The method can **begin** in step 305, where a server can **request location information from mobile devices**. Corresponding database entries can be populated using this information. In step 310, a **determination can be made as to whether a disaster has occurred.**

Gage ¶ [0036] (emphasis added)

In step 335, a server of a disaster response system can **request conditions for each affected or queried subscriber.**

Gage ¶ [0038] (emphasis added)

Situational Network – Flaws with Gage

- **Meta Argument #1**: Meta argues Gage is like the 345 Patent in that “the ’345 patent suggests that some participants may already be connected, and the ‘situational network may be established using the framework of an N-dimensional social network (NDSN).’” Paper 17 at 7.
 - However, in this embodiment, “users are *connected into* the situational network through the NDSN using a [personal information aggregator].” 345 Patent, 7:56-57 (emphasis added).
Paper 21 at 9-10.
 - Thus, there are **new connections** formed when creating a situational network from an NDSN.
Paper 21 at 9-10.

Situational Network – Flaws with Gage

- **Meta Argument #2**: Meta next argues Gage forms a situational network by the centrally located disaster response system querying mobile devices of subscribers located near the disaster for status indicators. Paper 17 at 7.
 - However, Gage's disaster response system queries the subscribers' mobile devices over the **same, pre-existing connections** that are established prior to the event or situation. Paper 21 at 10.
 - *Querying* for status indicators is not **creating** a network in response to an event or situation. *Id.*
 - Gage does not teach (1) creating new connections between the disaster response system and the subscribers in response to an event or situation and then (2) the disaster response system querying the subscribers for status indicators over the newly created connections. *Id.*
 - Thus, Gage does not teach a situational network **created in response** to an event or situation. *Id.*

Situational Network – Flaws with Gage: “Ad hoc networks”

- **Meta Argument #3**: Meta further argues Gage forms “ad hoc networks” in response to a disaster to facilitate communications with its disaster response system, which is a form of creating a situational network. Paper 17 at 8.

It is also contemplated that *ad hoc networks* can be dynamically established (i.e., through ***BLUETOOTH functionality*** of mobile telephones) to enable subscribers 130-134 to convey status and location information when *wide area network (WAN) communications are unavailable*.

Gage at ¶ [0025] (emphasis added)

- These “ad hoc networks” do not include the **new connections** required for a situational network. Paper 21 at 10-12.

Situational Network – Flaws with Gage: “Ad hoc networks”

- The connections within a situational network are logical connections.
 - In a social network, the connections between the various users are logical connections such as friendships or group memberships, rather than physical connections. Ex. 2009 ¶54.
 - As SitNet’s expert Dr. Rubin testified, in the Open Systems Interconnection (“OSI”) model, which describes seven layers that computer systems use to communicate over a network, **Layer 7** (the Application Layer) is *the only layer associated with connections in a social network*:

Q. Is there a particular layer, in your mind, that is associated with connections in a social network?

A. Layer 7.

Q. Do you think that's *the only layer that would be important in making a connection in a social network*?

A. Yes. Ex. 1027 at 15:15-22 (emphasis added)

Q. So forming a situational network, that's **creating logical connections**.

A. Yes.

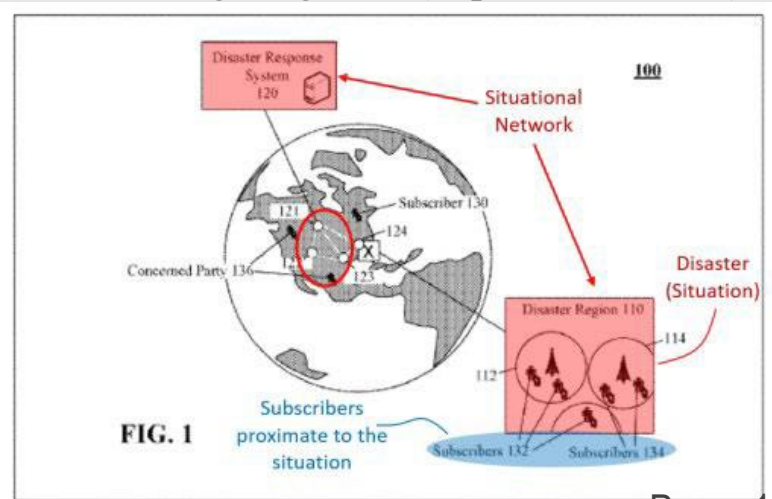
Ex. 1027 at 57:22-58:2 (emphasis added)

Situational Network – Flaws with Gage: “Ad hoc networks”

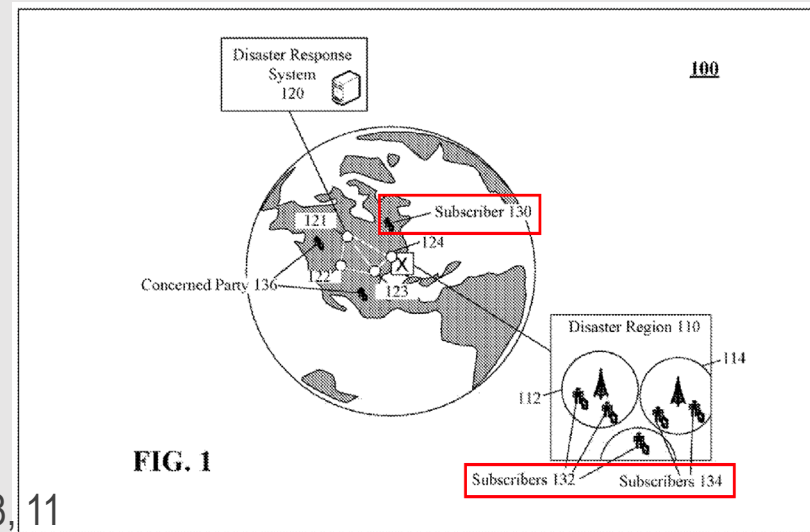
- Bluetooth communication channels are not part of the Application Layer 7. Thus, Gage’s ad hoc networks do not include the **logical connections** required in creating a situational network. Paper 21 at 11.
 - Dr. Rubin: “We don't even care or know how the underlying communication is happening. We’re just looking at the network at Layer 7, which is the application view.” Ex. 1027 at 21:18-20.
 - Dr. Rubin: “. . . whether your physical layer is wireless or wired won’t affect the connections that you have at the social network.” *Id.* at 21:9-11.
 - Accordingly, Bluetooth and other established physical connections do not establish a situational network that requires logical connections. The physical connections disclosed in Gage merely provide another communication means, such as Bluetooth, for subscribers to use when wide area network (WAN) communications are unavailable. Paper 21 at 10-11.

Situational Network – Flaws with Gage: “Ad hoc networks”

- The irrelevancy of these “ad hoc networks” is apparent as Gage teaches subscribers “130-134” can utilize the ad hoc network (Gage at ¶ [0025]), but subscriber **130** is not even in the disaster region nor part of Gage’s alleged situational network as shown in Meta’s annotated versions of Gage Figure 1 (Paper 21 at 11-12):



Paper 17 at 7-8, 11



- As Meta even states in its Reply, “subscriber 130 is not geographically proximate to disaster region 110 and is not included in the established situational network.” Paper 17 at 10.
- Accordingly, these “ad hoc networks” that are usable to subscriber devices not within the disaster region are not situational networks. Paper 21 at 12.

Situational Network – Flaws with Shida

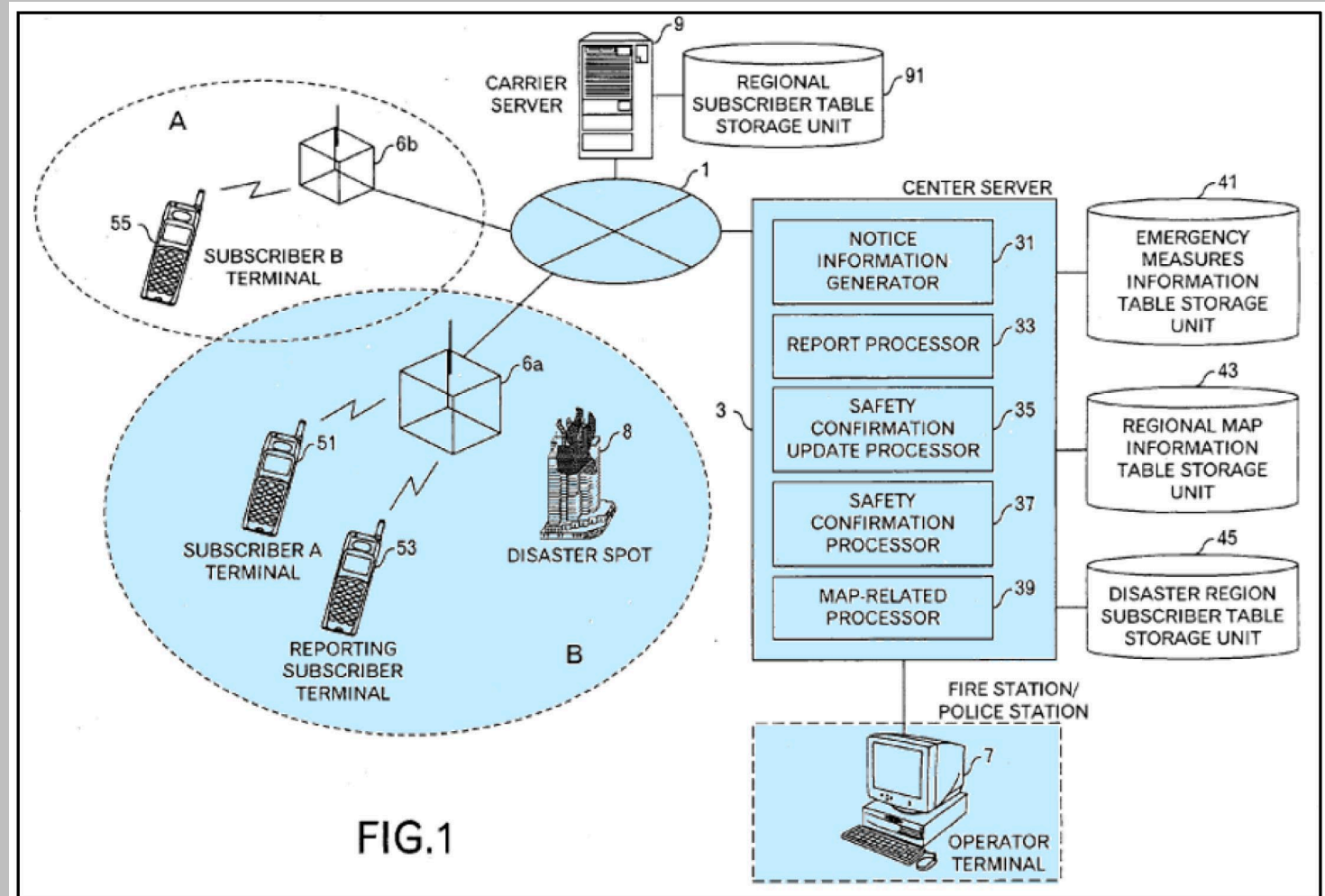
- U.S. Publication No. 2003/0162557 to Shida (“Shida”) does not disclose a “situational network.”
- **Note**: Meta believes Shida discloses all elements of the independent claims:
 - “Indeed, each of the primary references asserted herein—Gage and *Shida*—disclose *all elements* of the *independent claims*. The remaining *dependent claims* merely disclose trivial and *obvious limitations* to the independent claims.” Paper 1 at 1-2 (emphasis added).

Situational Network – Flaws with Shida

KEY FLAWS

- Shida's Disaster Center Server communicates over the same connections to its subscribers before and after an event or situation. Paper 21 at 16-17.
- There are no new connections being made between Shida's subscribers and the Center Server in response to an event or situation. Subscribers are not "connected into" a situational network. *Id.*
- Thus, there is not a situational network "created in response" to an event or situation. *Id.*

Shida Fig. 1



Paper 17 at 28 (annotated by Meta)

Situational Network – Flaws with Shida

- **Meta’s Argument**: Meta argues Shida discloses the “situational network” because (1) its center server 3 establishes communication with the subscriber terminals located in Region B in response to a disaster and (2) the subscriber terminals receive broadcast notice information and (3) return a “safety confirmation response” to the center server via a “mobile communication network system.” Paper 17 at 15-16.
 - However, the connections between the center server and subscriber terminals are pre-existing and are not created in response to an event or situation. Paper 14 at 16-21.
 - For example, the subscribers’ terminal locations are constantly monitored and updated by carrier server 9 via a persistent connection to the carrier server. Paper 14 at 9, 21; Paper 21 at 16.
 - “Whenever the subscriber terminal changes its existing region, the carrier server 9 updates the regional subscriber table.” Shida ¶ [0036]. For this to occur, the subscribers’ devices must be constantly connected to the system prior to and after an event or situation. Ex. 2009 ¶¶ 77-83; Paper 21 at 16.
 - The “broadcast notice information” received from the center server by the subscriber terminal and the “safety confirmation response” returned to the center server are sent over the same, pre-existing connections that are used to constantly track subscribers’ locations. Paper 21 at 16-17.
 - No new connections are created by Shida. Shida fails to disclose a situational network “created in response” to an event or situation. *Id.*

SITUATION AUTHORITY

Situation Authority – Construction

- Claims must be read in view of the specification, of which they are a part.
Markman v. Westview Instruments, Inc., 52 F.3d 967, 979 (Fed. Cir. 1995), aff'd, 517 U.S. 370, 116 S. Ct. 1384, 134 L. Ed. 2d 577 (1996). Paper 21 at 7.
- An analysis of the 345 Patent specification confirms that the “situation authority” is indeed an “external entity” outside of the service or system providing the situational network. Paper 14 at 14; Paper 21 at 8.
 - The specification teaches “*external entities* 207, also called *situation authorities* . . . are able to aggregate and provide comprehensive information related to the situation.” 345 Patent, 4:14-20 (emphasis added). Paper 14 at 13.

Situation Authority – Construction

- Indeed, before the District Court, the Meta agreed situational authorities are eternal entities.
 - the “patents also say what *situation authorities* are: ‘*external entities*[], also called . . . central authorities or trusted providers, that generally are able to aggregate and provide comprehensive information related to the situation.” Exhibit 2002, at 14; Paper 14 at 13.
- Accordingly, based on the intrinsic record and Meta’s admissions, the Board should recognize that situation authority as an *external entity* outside of the service or system providing the “situational network.” Paper 14 at 12-15.

Situation Authority – Flaws with Gage and Shida

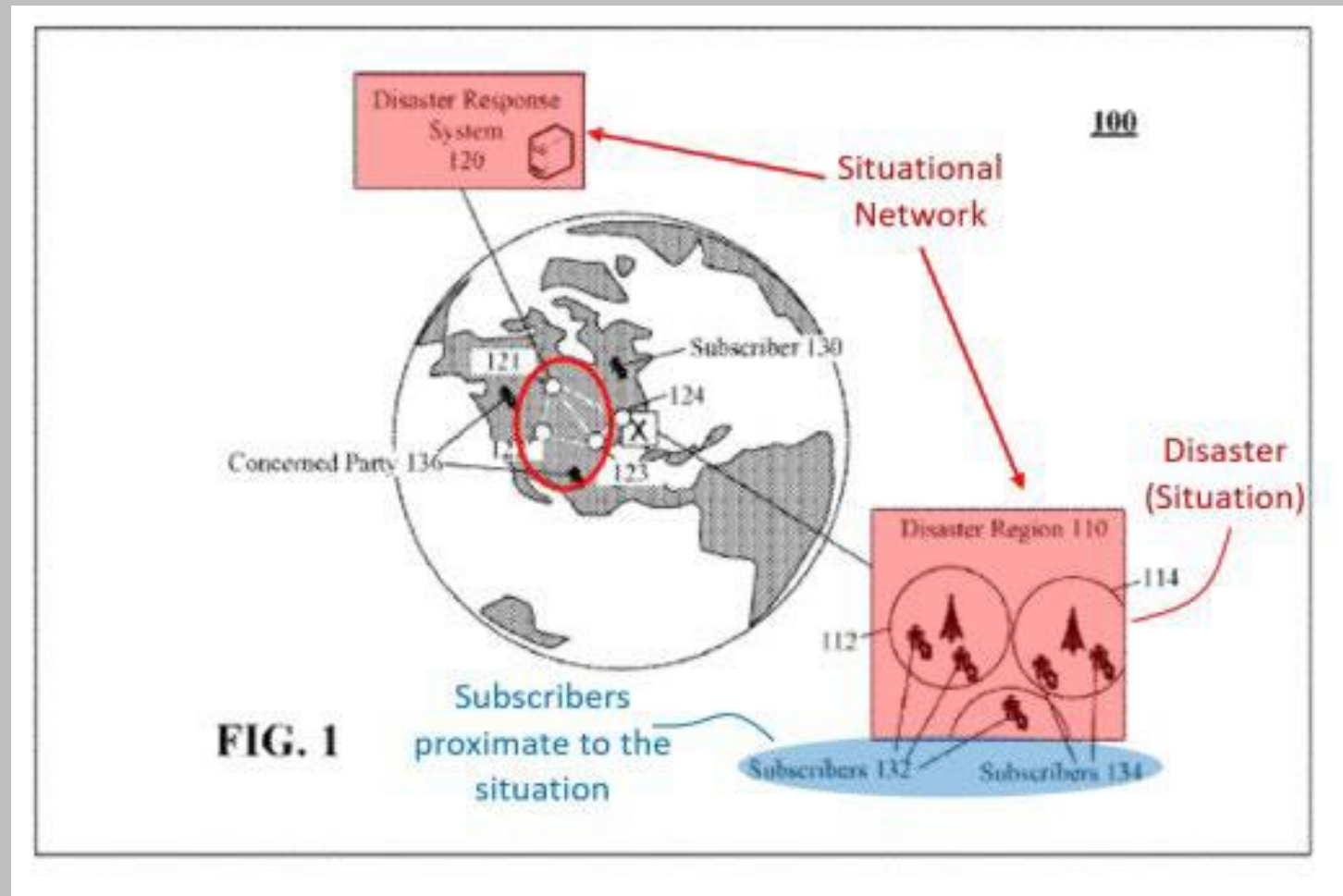
- Gage and Shida do not disclose a “situation authority” that is an *external entity* outside of the service or system providing the “situational network.”
- Note: Again, Meta believes Gage and Shida disclose all elements of the independent claims:
 - “Indeed, each of the primary references asserted herein—*Gage* and *Shida*—disclose *all elements* of the *independent claims*. The remaining *dependent claims* merely disclose trivial and *obvious limitations* to the independent claims.” Paper 1 at 1-2 (emphasis added).

Situation Authority – Flaws with Gage

KEY FLAWS

- Meta asserts Gage's Disaster Response System ("DRS") is the situation authority. Meta highlighted in red what it believes to be the situational network, including the DRS. Paper 14 at 13-14.
- Situation Authority = external entity outside of the service or system providing the situational network. Paper 14 at 14; Paper 21 at 8.
- Gage's DRS cannot be a "situation authority" (**external entity**) and part of the situational network because such would require the DRS to be outside of or **external** to itself—which is nonsensical. Paper 14 at 13-15

Gage Fig. 1



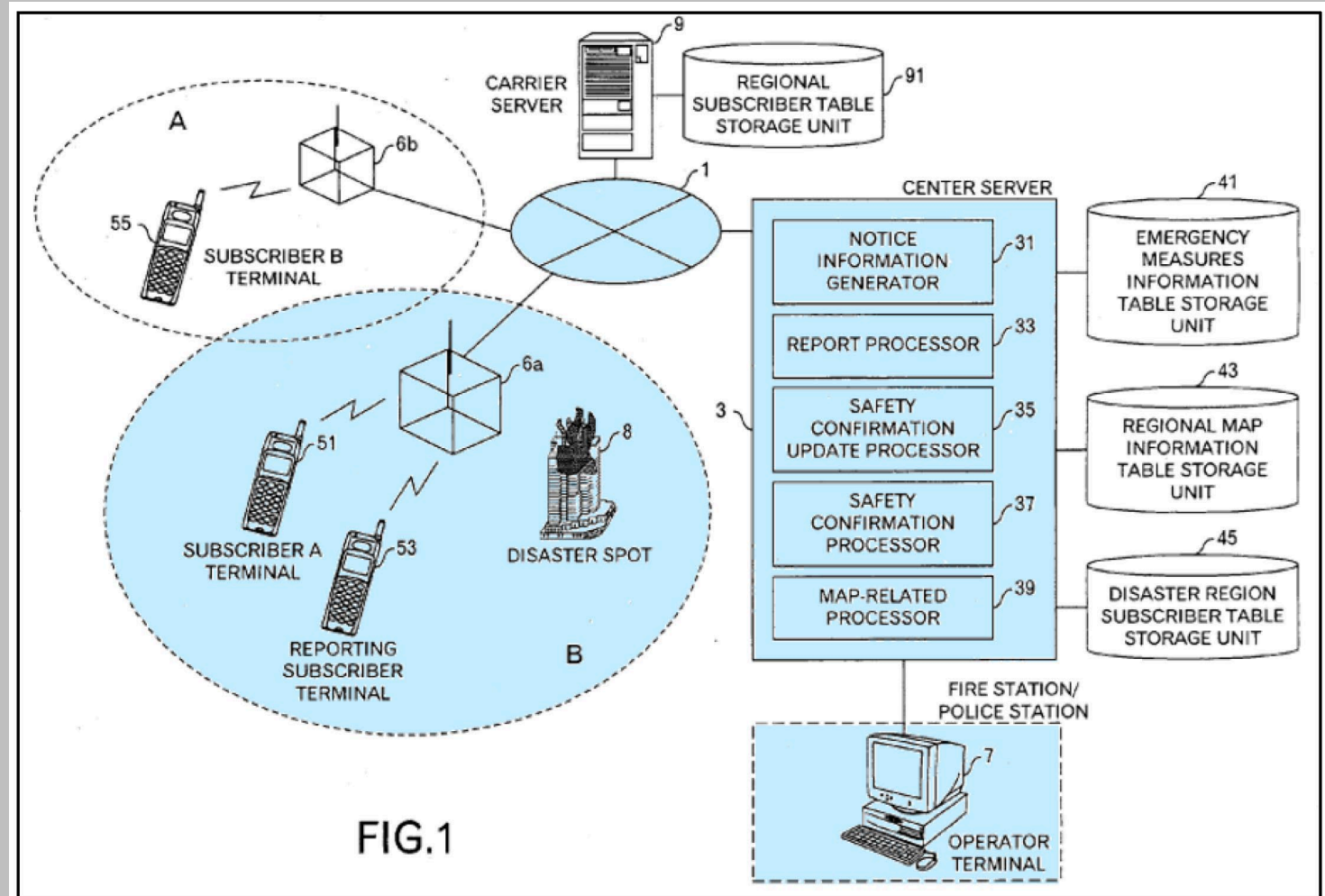
Paper 1 at 28 (annotated by Meta)

Situation Authority – Flaws with Shida

KEY FLAWS

- Meta asserts Shida's Center Server is the situation authority. Meta highlighted in blue what it believes to be the situational network, including the Center Server. Paper 14 at 22-24.
- Situation Authority = external entity outside of the service or system providing the situational network. Paper 14 at 14; Paper 21 at 8.
- The Center Server cannot be a "situation authority" (**external entity**) and part of the situational network because such would require the Center Server to be outside of or **external** to itself—which is nonsensical. Paper 14 at 22-24.

Shida Fig. 1



Paper 17 at 28 (annotated by Meta)

MOTION TO AMEND: SUBSTITUTE CLAIMS ARE PATENT-ELIGIBLE

Alice, Step 1: Claims are not Directed to an Abstract Idea

- Two inquiries of significance:
 - (1) In the context of computer networks, a claim is patent eligible at step one if “the focus of the claimed advance is on *a solution to a problem specifically arising in the realm of computer networks.*” *TecSec, Inc. v. Adobe Inc.*, 978 F.3d 1278, 1293 (Fed. Cir. 2020) (emphasis added); Paper 22 at 1.
 - (2) Again in the context of computer networks, a claim also is patent eligible at step one if “the claim is properly characterized as identifying *a specific improvement in computer capabilities or network functionality*, rather than only claiming a desirable result or function.” *Id.* at 1293; Paper 22 at 1.

Alice, Step 1: Specific Improvements in Computer Capabilities

Specific Improvements

- A situational network created in response to a situation with unconventional network architecture. Paper 22 at 2-6.
- A situational network formed from users within an N-dimensional social network and an event node. *Id.*
- A situational network formed from a subset of users in the NDSN that are “geographically proximate” to the situation. *Id.*
- The subset of users are connected into the situational network via new connections. *Id.* at 7.
- This improved situational network allows for increased processing speed and reduced resource requirements such as CPU speed and memory size. *Id.* at 5.

The situational network claimed below results in improved network efficiency and a reduction in the network resources needed to operate and maintain the situational network, something not attainable using conventional network architecture. Paper 22 at 2-6

17. A method of accessing situation related information, the method comprising:
receiving an indication of an occurrence of a situation;
forming a situational network related to the occurrence of the situation
by 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 N-dimensional social network, said plurality of existing nodes corresponding with a plurality of participant devices determined to be geographically proximate to the situation, each of the participant devices corresponding to a participant in the situational network;
presenting a roll call query by the event node to each of the plurality of existing nodes corresponding with the plurality participant devices, said roll call query soliciting a reply related to a status of the participant;
receiving at the event node a status response from one or more of the participants; and
aggregating the status responses from responsive participants into a roll call list.

Representative Substitute Claim 17

Alice, Step 1: Similarities to Coop

- The Federal Circuit in found a claim to be patent eligible because it “recites a *specific type* of content sharing network and *delineates both the network’s structure and function.*” *Coop. Entm’t, Inc. v. Kollektive Tech., Inc.*, 50 F.4th 127, 131 (Fed. Cir. 2022). Paper 22 at 4.
 - Similarly, substitute claim 17 recites a *specific type of situational network* that delineates the situational network’s structure and function with *specific improvements* over conventional network architecture detailed on the previous slide. *Id.* at 4-5.
 - Again, this implementation of a situational network allows for “increas[ed] processing speed and reduc[ed] resource requirements such as CPU speed and memory size.” 345 Patent, 16:53-57; Paper 22 at 5.

Alice, Step 2: Claims Have an Inventive Concept

- A claim is patent eligible and directed to an inventive concept “when the claim limitations involve more than performance of well-understood, routine, and conventional activities previously known to the industry.” *Berkheimer v. HP Inc.*, 881 F.3d 1360, 1367 (Fed. Cir. 2018); Paper 22 at 1-2.
- As detailed in previous slides, the ***specific network architecture*** in the substitute claims of the 345 Patent was unconventional and improved computer network technology. Paper 22 at 2-7.
 - The substitute claims define the ***specific way of forming a situational network*** of user devices that are geographically proximate to the situation, and do not preempt other methods of forming situational networks. *See Bascom Glob. Internet Services, Inc. v. AT&T Mobility LLC*, 827 F.3d 1341, 1350 (Fed. Cir. 2016). Paper 22 at 6.
 - The claimed ordered combination ***specifically and unconventionally*** creates situational networks in response to events, ***significantly improving existing network functionality***. *Id.*

MOTION TO AMEND: FAILURES OF THE CITED PRIOR ART

Failures of the Gage/Issa Combination

- Meta relies on Gage to disclose a “situational network” and a “situation authority.” Accordingly, the Gage/Issa combination fails to read on the substitute independent claims for reasons detailed previously with respect to the Petition.
- To further distinguish the claimed invention over the prior art cited in the Petition, SitNet has presented substitute claims 17, 24, and 29 that explicitly require an **event node** established “within an N-dimensional social network.” Paper 22 at 9.
- Meta acknowledges, “Gage does not explicitly disclose an event node connecting an ‘N-dimensional social network’” and introduces U.S. Patent No. 7,730,216 to Issa et al. (“Issa”) as a new reference in its Opposition to allegedly render this feature obvious. *Id.*

Failures of the Gage/Issa Combination

- Meta’s reliance on Issa should be ignored as it contradicts its own admissions on the record.
 - In response to SitNet’s proposed construction of event node that included “*peer-to-peer* communication with other nodes,” Meta argued that “these additional limitations *are not present in the amendments* and therefore *should not be interpreted to be required by the claims.*” Paper 18 at 2 (emphasis added).
 - However, Issa discloses “a hybrid *peer-to-peer (P2P)* network is used for sharing content in a pre-existing social network,” wherein each user’s client device contains an embedded *P2P “peer 28” interface* for communicating nodes in the social network. Issa, Fig. 5; 2:55-57; 12:50-13:39; Paper 22 at 10 (emphasis added).
 - Meta cannot use Issa’s same alleged teachings of *a peer-to-peer* communication between nodes in a social network to invalidate the substitute claims when it already asserted that such features “are not present in the amendments” and “should not be interpreted to be required by the claims.” Paper 22 at 10.

Failures of the Shida/Kraft Combination

- Meta relies on Shida to disclose a “situational network” and a “situation authority.” Accordingly, the Shida fails to read on the substitute independent claims for reasons detailed previously with respect to the Petition.
- Further, Kraft's disclosure of node modeling and information updating lacks any teaching of creating network connections in response to events or situations, as required by the claims. Paper 22 at 12.
- As such, both Shida and Kraft, each alone or in combination, fail to teach a “situational network” that is “created in response” to an event or situation. *Id.*