

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TABLEAU SOFTWARE, LLC

Petitioner,

v.

iCHARTS LLC,

Patent Owner.

Case No. IPR2024-01388

U.S. Patent No. 9,712,595

PATENT OWNER'S PRELIMINARY RESPONSE

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2001	Declaration of Jeffrey Miller. Ph.D.

I. INTRODUCTION

Pursuant to 35 U.S.C. § 323 and 37 C.F.R. § 42.207, Patent Owner iCHARTS LLC (“iCHARTS”) submits this Preliminary Response to Tableau Software, LLC (“Petitioner”) Petition for *Inter Partes* Review of U.S. Patent No. 9,712,595 (“the ’595 Patent”).

The ’595 Patent discloses systems and methods in connection with an online portal to allow users to automatically embed interactive charts in another website without reprogramming the code of the website each time the interactive charts are changed, or new interactive charts are added. EX1001 Abstract.

The Petition fails to show that any claim of ’595 Patent is rendered obvious under 35 U.S.C. §103. Claim 1 of the ’595 Patent claims a “processor” that executes instructions stored in the memory to “generate a user interface on a first website, receive chart data via the user interface, receive a selection of the chart template via the user interface, and “generate an interactive chart including the chart data and the chart template.” *Id.* 18:44–51. Claim 1’s system further includes “a network interface that, in response to generation of the interactive chart, transmits the interactive chart to a second website for display without the execution of the instructions stored in the memory to generate the user interface of the first website, wherein the second website receives an input from a second user and

updates the interactive chart after the second website receives the input.” *Id.* 18:52–59.

Rostoker discloses software for developing custom business applications in a service-oriented architecture. EX1005 [0002]:1-3. In contrast to the ’595 Patent, Rostoker fails to disclose generating an interactive chart. Moreover, Rostoker fails to disclose a network interface that, in response to generation of the interactive chart, transmits the interactive chart to a second website for display.

The QlikView Reference Manuals relied upon by Petitioner for arguments of alleged obviousness under 35 U.S.C. §103 describe a server-client system. The charts disclosed by the QlikView Manuals that are displayed by the QlikView clients are always hosted by the QlikView server and thus do not retain interactivity in the absence of the server. The QlikView Reference Manuals, alone or in combination, do not disclose a network interface that, in response to generation of the interactive chart, transmits the interactive chart to a second website for display without the execution of the instructions stored in memory to generate the user interface on the first website.

Clark, Jou, and Couckuyt relied upon by Petitioner for arguments of alleged obviousness under 35 U.S.C. §103 do not make up for the deficiencies of Rostoker.

The Couckuyt reference relied upon by Petitioner for arguments of alleged obviousness under 35 U.S.C. §103 does not make up for the deficiencies of the QlikView Manuals.

Accordingly, there is no “reasonable likelihood that Petitioner would prevail with respect to at least one claim” of the ’595 Patent.

II. OVERVIEW OF THE TECHNOLOGY, THE ’595 PATENT, AND THE PRIOR ART

A. The ’595 Patent

The ’595 Patent relates to a system and method for generating and sharing interactive charts. The interactive charts are “generated in an online portal” that allows users to “customize the interactive features of the chart.” EX1001 Abstract.

The ’595 Patent discloses “an interactive chart online portal 200 [that] includes an interactive chart generator 204, an interactive chart sharer 208, a user interface 212, a data store 216 and a chart template data store 220.” *Id.* 7:65–67, 8:1. This is illustrated in Fig. 2 of the patent, which is reproduced below:

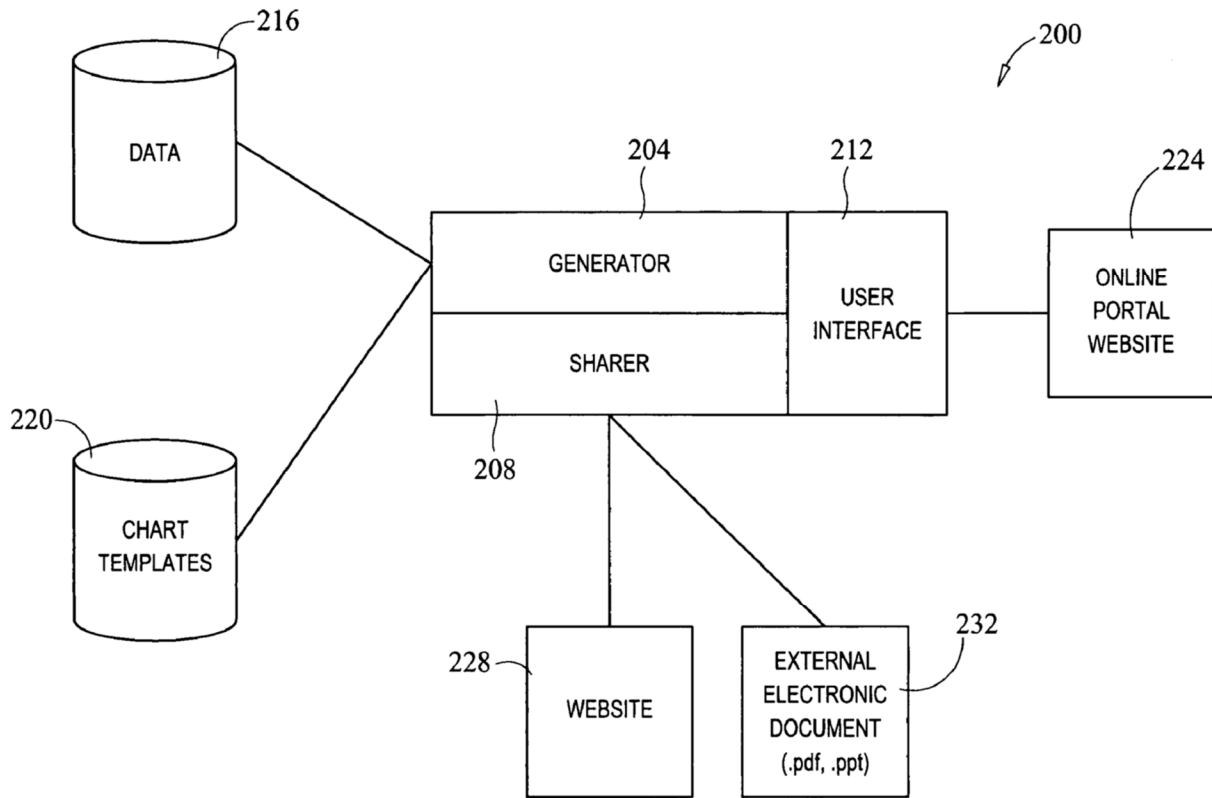


FIG. 2

Users upload or enter data at the online portal website 224 through the user interface 212. *Id.* 8:13-14. Data is stored in the data store 216. *Id.* 8:13-15. The interactive chart generator 204 “uses the data and chart templates stored in the chart template data store 220 to generate the interactive charts.” *Id.* 8:15-17.

The sharer 208 can be accessed through website 224 and user interface 212. *Id.* 8:18-19. A generated interactive chart can be published on an external webpage

228 as an interactive chart or as a static chart. *Id.* 8:19-21. The generated interactive chart can also be “embedded in an external document 232 as an interactive chart or as a static chart.” *Id.* 8:21-23. Examples of external documents 232 include “PPT (e.g., power point) documents, PDF (e.g., Adobe) documents, DOC (e.g., Word) documents, and the like.” *Id.* 8:24-26.

FIG. 3, reproduced below, shows an exemplary interactive chart 300. *Id.* 8:34-35.

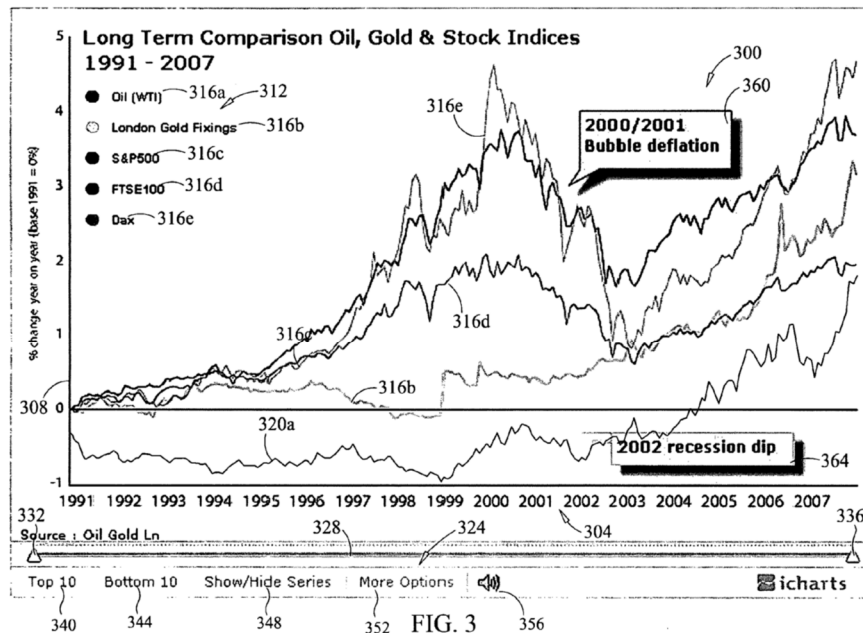


Chart 300 has interactive features that allows a user to interact with the chart to, for example, modify or change the user's view of the chart, learn more about the chart data, and the like. *Id.* 9:25-28. Examples of interactive features include a zoom feature, a data mouse-over pop-up window, a data hide/share feature, an audio playback feature, a drill down feature, and data gliding feature, and the like. *Id.* 9:28-31. A video playback interactive feature may be provided. *Id.* 10:10-13. Another example of an interactive feature is a "Copy-to-my-account" feature that allows a user to copy the chart to an account at an interactive-chart-generation-and sharing web portal anywhere the user sees the chart online. *Id.* 9:31-35.

FIG. 8, reproduced below, is a flow diagram of the process of generating and sharing an interactive chart. *Id.* 10:23-25.

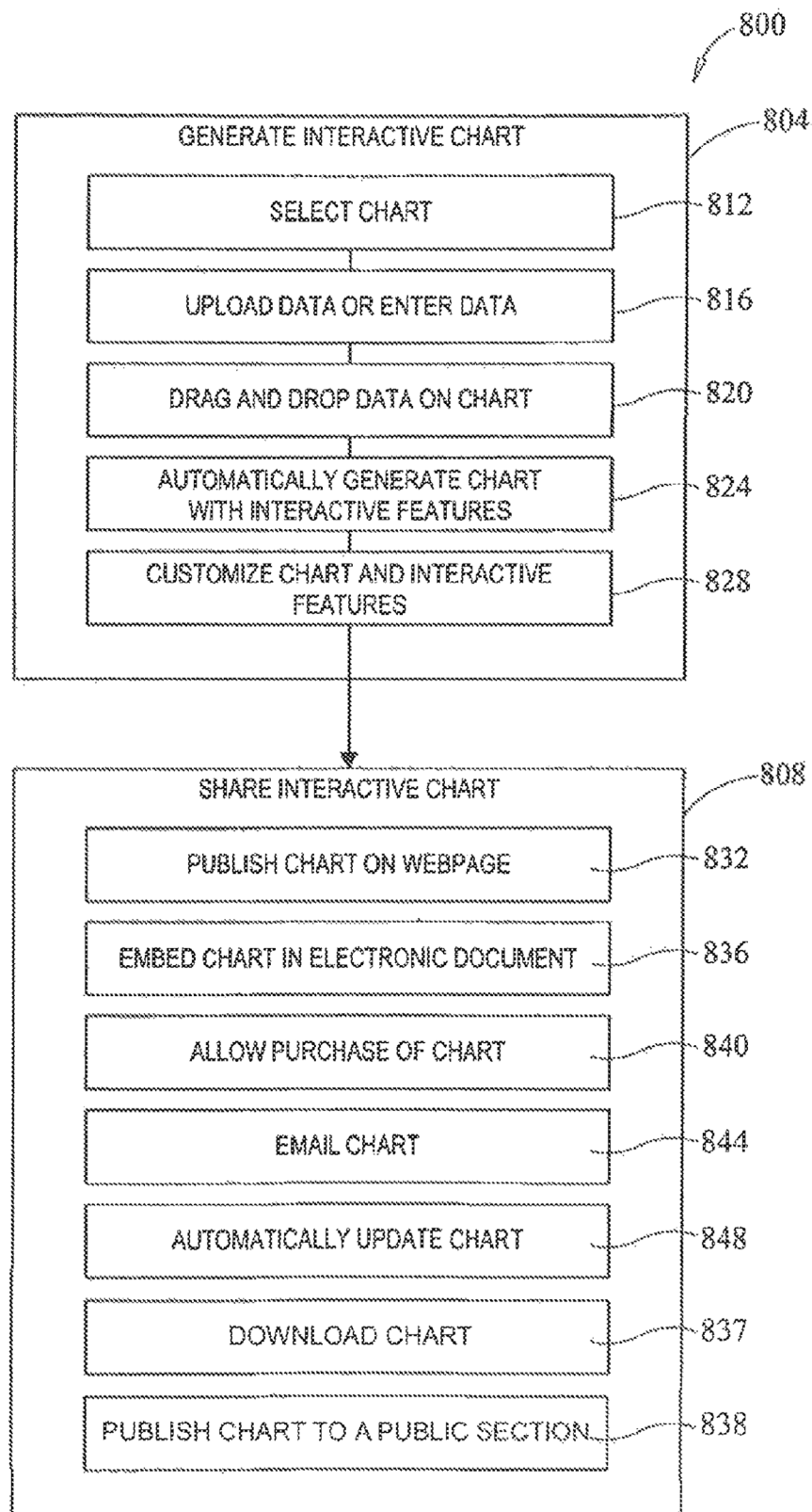


FIG. 8

The '595 Patent states that “[g]enerating the interactive chart 804 may include selecting a chart (block 812), uploading data or entering data (block 816), dragging and dropping data on the chart (block 820), automatically generating the chart with interactive features (block 824) and customizing the interactive features (block 828).” *Id.* 26:31.

Online charts are created and stored online as flash files in a web portal. *Id.* 8:44-45. Once the interactive chart is created, it can be downloaded as an interactive self-contained object. *Id.* 10:34-36. The '595 Patent discloses that the stored interactive chart could be a “flash object.” *Id.* 14:5-6. The '595 Patent describes one embodiment of “the interactive chart 300” as “a flash file that contains code that a) renders the chart, b) obtains input from the user as per his desired action on this chart (i.e., interactivity), and c) re-renders the chart using the input as parameters.” *Id.* 8:35-39. The interactive chart data is “stored within the flash file.” *Id.* 8:39-40. Thus, the interactive charts that are downloaded are self-contained flash files that can exist independent of the web portal. *Id.* 8:59-60.

The '595 Patent discloses that “[s]haring the interactive chart 808 may include publishing the chart in a web page (block 832), embedding the chart in an electronic document (block 836), downloading the chart as an interactive self-contained object that can be embedded elsewhere (block 837), publishing the chart to the public section of the web portal (block 838), allowing the chart to be

purchased (block 840), and/or emailing the chart (block 844). *Id.* 10:32-39. The chart may also be automatically updated (block 848).” *Id.* 10:39-40.

The interactive charts can also be transmitted to a second website for display without the execution of the instructions stored in the memory to generate the user interface of the first website. At the second website, a user can interact with the interactive chart. The interactive chart is updated after the second website receives the input. As an exemplary embodiment, the interactive charts can be embedded in other websites using a chart box tool. *Id.* 5:41-45.

An exemplary chart box 4304 is shown in FIG. 44, which is reproduced below. *Id.* 16:6-7.

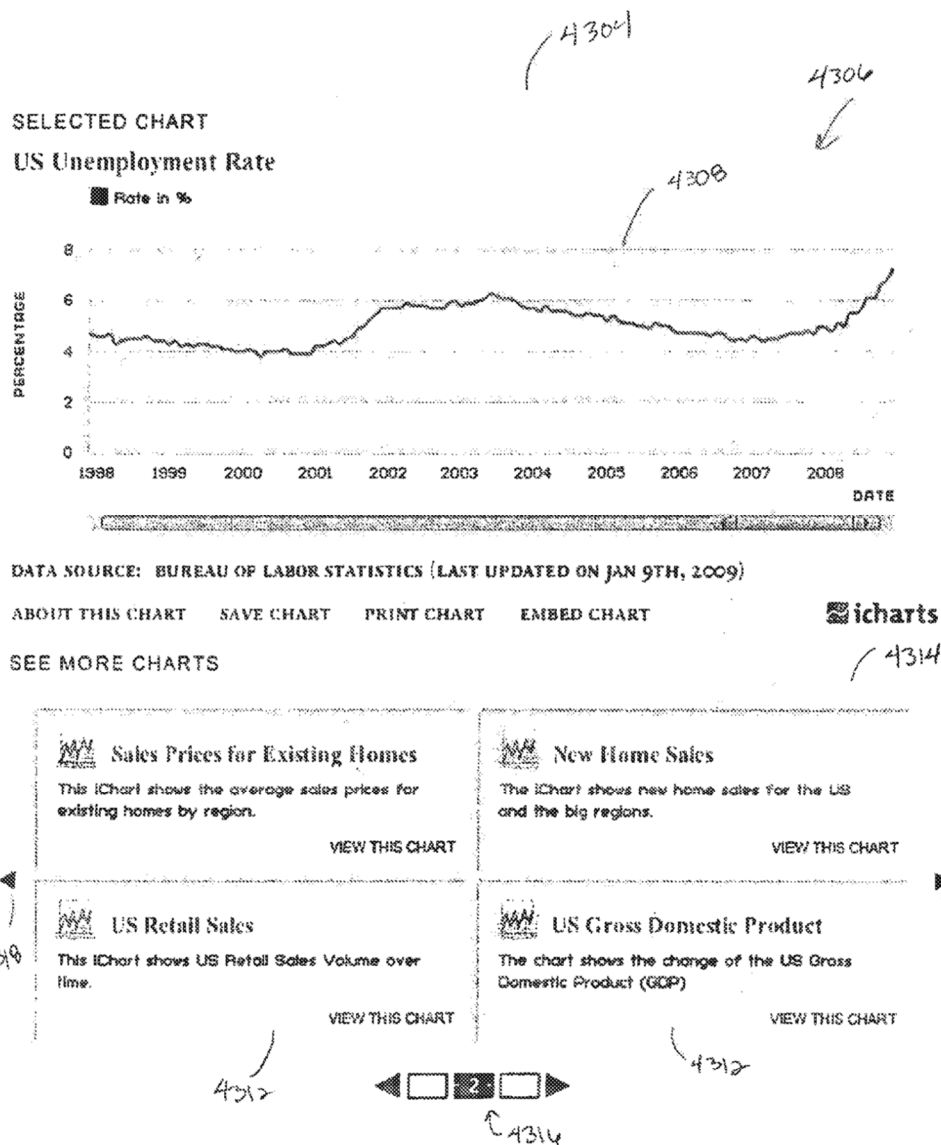


Figure 44

The exemplary chart box 4304 is configured to be embedded on a website to display one or more interactive charts on that website. *Id.* 16:8-10. Charts are added to the chart box using an exemplary chart box tool provided by another website that allows users to generate, purchase or otherwise manipulate and select

the interactive charts. *Id.* 16:10-13.

The exemplary chart box 4304 can be a flash widget. *Id.* 16:24. The chart box 4304 may be embedded once onto a customer site using an embed code. *Id.* 16:25-26. Exemplary chart box 4304 includes a viewing pane 4306 configured to display an interactive chart 4308. *Id.* 16:34-35. User interface 4500 shown in FIG. 45, reproduced below, may be provided on the same website that allows for the generation or purchase of interactive charts or on another website coupled to a server that includes several interactive charts that can be selected for display in the chart box 4304. *Id.* 16:48-52.

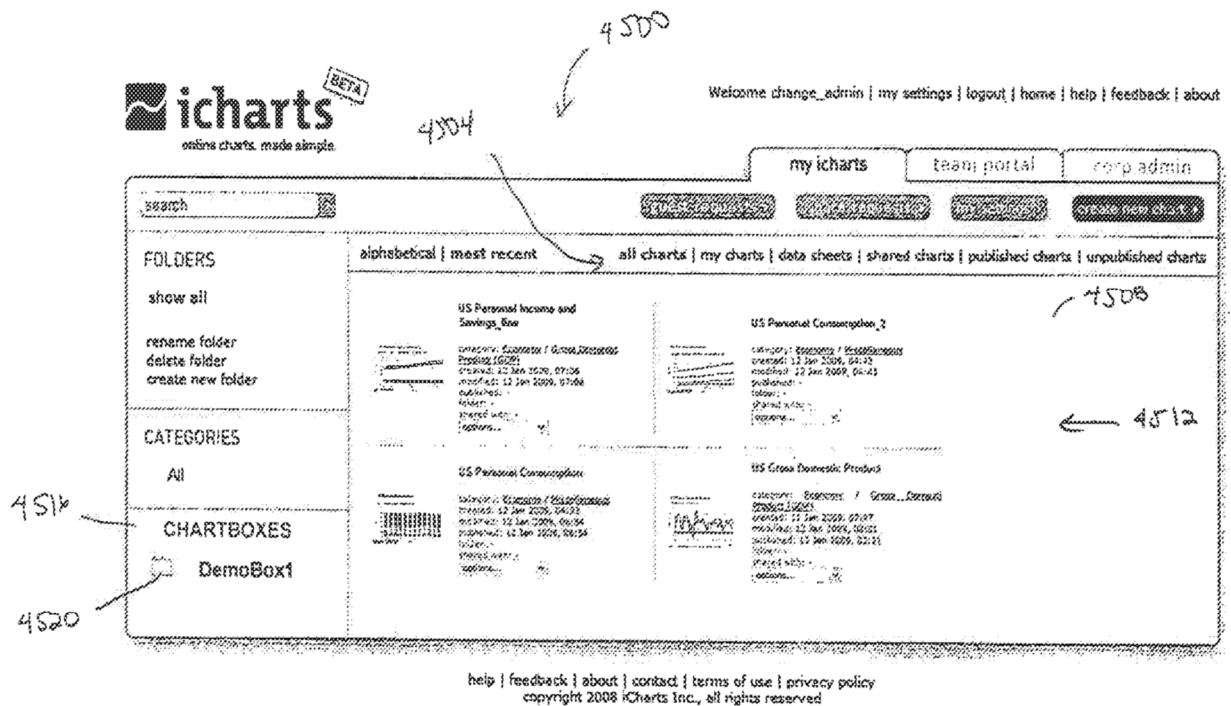


Figure 45

A user may select possible interactive charts for inclusion in chart box 4304 using toolbar 4504. *Id.* 16:52-54. The user may use charting pane 4508 to view and/or browse the interactive charts 4512 that can be selected for display in the chart box 4304. *Id.* 16:54-56.

User interface 4500 also includes a chart box region 4516 that includes an exemplary chart box folder 4520. *Id.* 16:56-58. Chart box folder 4520 is connected to chart box 4304 such that the retrieve code for data feed displays the interactive chart(s) selected by the user in chart box folder 4520. *Id.* 16:58-61. The user can select the interactive chart(s) for display in chart box 4304 by, for example, dragging and dropping one or more of the charts 4512 onto the chart box folder 4520. *Id.* 16:61-64. When the user drops the selected chart(s) 4512 onto chart box folder 4520, the chart is automatically displayed in the chart box 4304 embedded on the user's website. *Id.* 16:64-67.

By embedding charts with chart box 4304 in the website and using the chart box tool 4500, no programming is required to embed charts in the website. *Id.* 17:6-9. To change the charts displayable in the chart box, no programming is required because a user only needs to drag and drop the chart(s) using the tool 4500. *Id.* 17:11-14

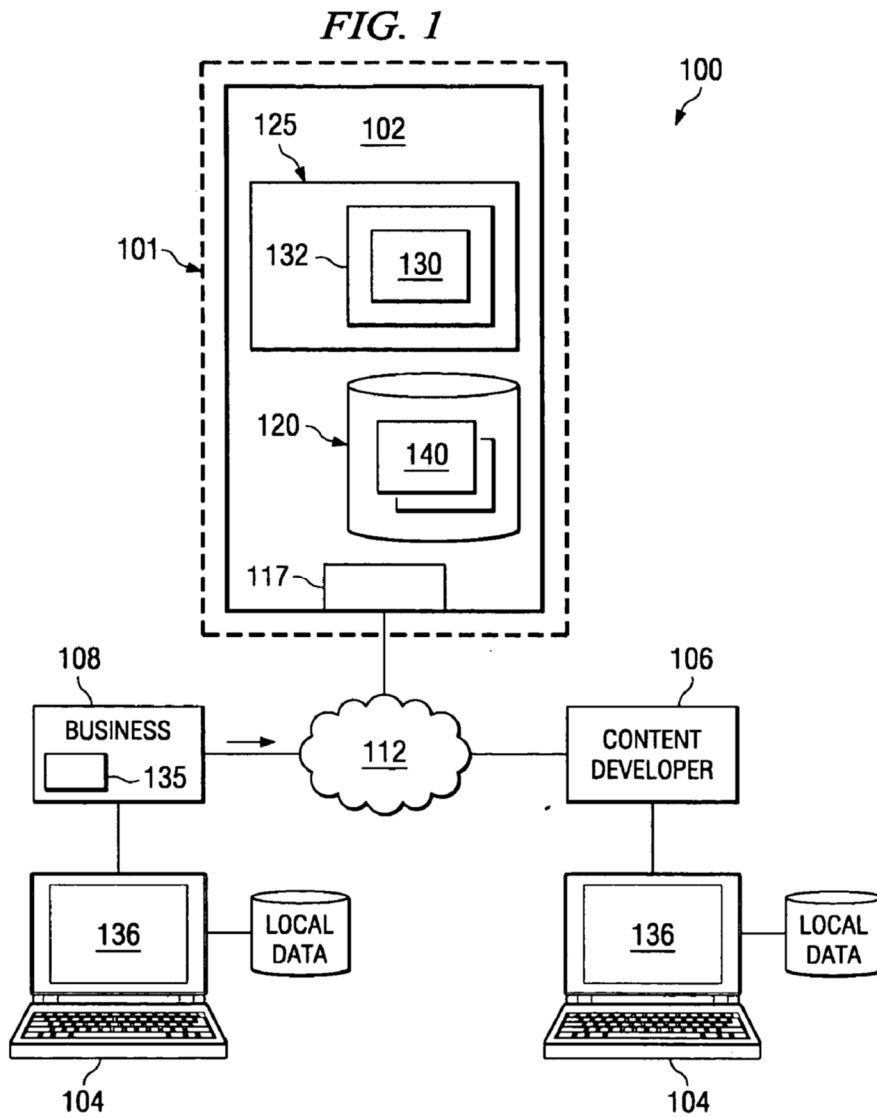
B. The Cited Prior

Petitioner challenges claims of the '595 Patent relying on Rostoker, the Qlik View Manuals, and the secondary references Couckuyt, Jou, and Clark.

1. The Rostoker Reference (EX1005)

Rostoker discloses software for developing custom business applications in a service-oriented architecture. EX1005 [0002]:1-3. FIG. 1 of Rostoker, reproduced

below, illustrates a system 100 for presenting, providing, or otherwise managing enterprise application content and other data services 140 via a content provider 101. *Id.* [0018]:1-4.



Content provider 101 may be considered a storefront. *Id.* [0018]:4-7.

Content provider 101 uses a component manager 130 to present a plurality of data

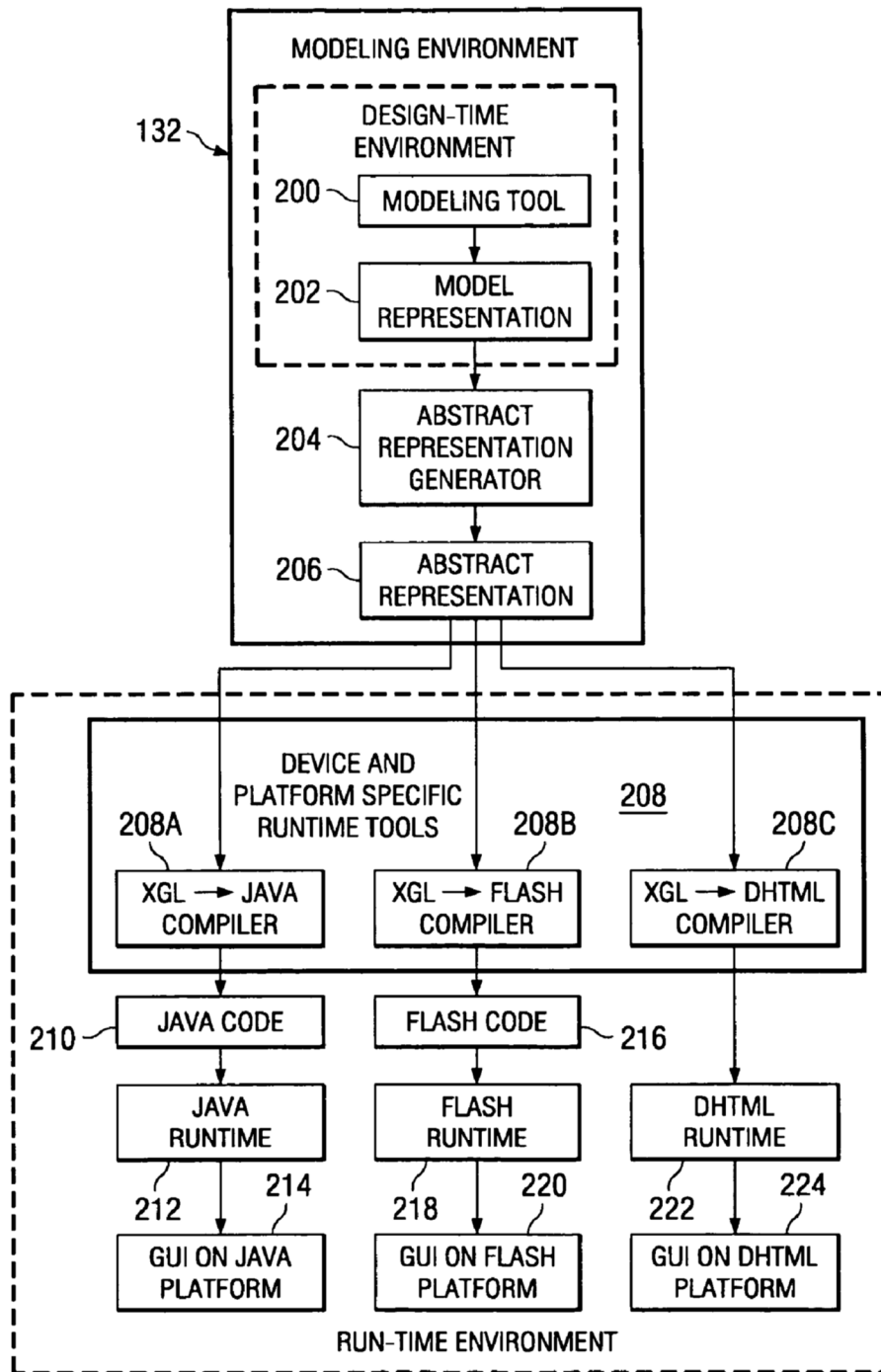
services 140 to businesses 108, or their individual users, as well as other companies and users in the network. *Id.* [0019]:1-5. Business 108 may use, or request others to use, component manager 130 to download or purchase reusable components 140. *Id.* [0037]:33-39. At least some of the reusable components 140 were created, modified, or otherwise uploaded by developer 106 to content provider 101. *Id.*

Content provider 101 may provide or utilize a bank of easily searched xApps and xApp components (services/queries with prebuilt UIs) that can be recomposed/adapted to customer needs, such as business 108. *Id.* [0021]:1-5. The solution can enable the creation, adaption, configuration, or other development of an analytical application 135 or a dashboard by a non-technical user or semi-technical business analyst. *Id.* [0021]:7-10. The non-technical user or business analyst may more easily develop composite applications 135. *Id.* [0022]:1-5.

Component manager 130 is a hosted solution on a remote server 102. *Id.* [0028]:1-5. System 100 is typically a distributed client/server system that spans one or more networks 112. *Id.* [0028]:5-7.

FIG. 2A, reproduced below, shows a modeling environment 132 that includes component manager 130. *Id.* [0040]:1-5.

FIG. 2A



The modeling environment 132 may implement or utilize a generic, declarative, and executable graphical user interface (GUI) language (generally

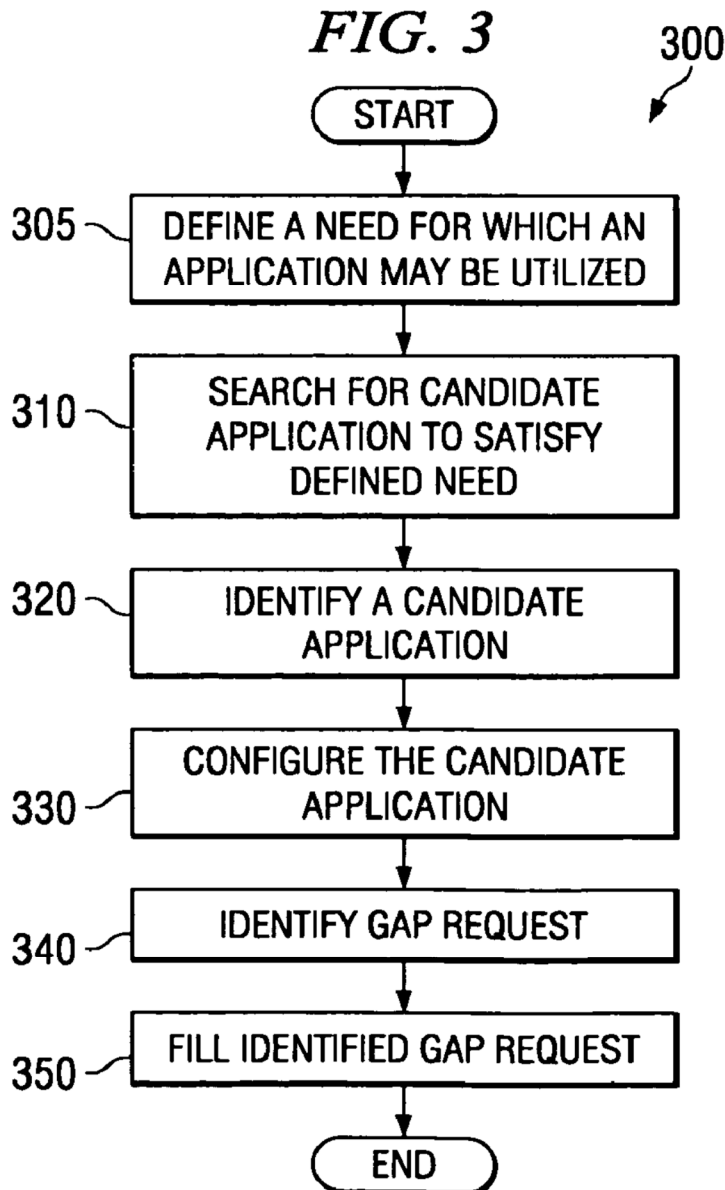
described as XGL). *Id.* [0042]:1-3. XGL is generally independent of any particular GUI framework or runtime platform. *Id.* [0042]:3-5. XGL is normally not dependent on characteristics of a target device on which the graphic user interface is to be displayed and may also be independent of any programming language. *Id.* [0042]:5-8.

Modeling tool 200 may be used by a GUI designer or business analyst during the application design phase to create model representation 202 for a GUI application. *Id.* [0044]:1-4. Model representation 202 may be a collection of XML documents with a well-formed syntax. *Id.* [0044]:17-19.

Abstract representation generator 204 takes model representation 202 as an input and outputs abstract representation 206 for model representation. *Id.* [0045]:5-8.

Abstract representation 206 is such that the appearance and semantics of a GUI generated from the XGL representation work consistently on different target devices irrespective of the GUI capabilities of the target device and the target device platform. *Id.* [0047]:1-5.

FIG. 3, reproduced below, shows an example method 300 for creating a custom business application. *Id.* [0056]:1-2.



Step 305 is to define a need for which an application may be utilized. *Id.* FIG. 3. Once the user has defined the problem, the user may access the modeling environment 132 via the component manager (or “hub”). *Id.* [0056]:8-10.

At step 310, the user searches for a candidate application to satisfy the

defined need by searching the hub, including a catalog of analytical xApps. *Id.* FIG. 3, [0057]:1-2. The xApps identified by a search are presented to a user via the corresponding user interface (UI) of the xApp. *Id.* [0057]:8-10. At step 320, the user is able to select the xApp having a UI most closely resembling the desired UI of the new business application. *Id.* [0057]:12-15.

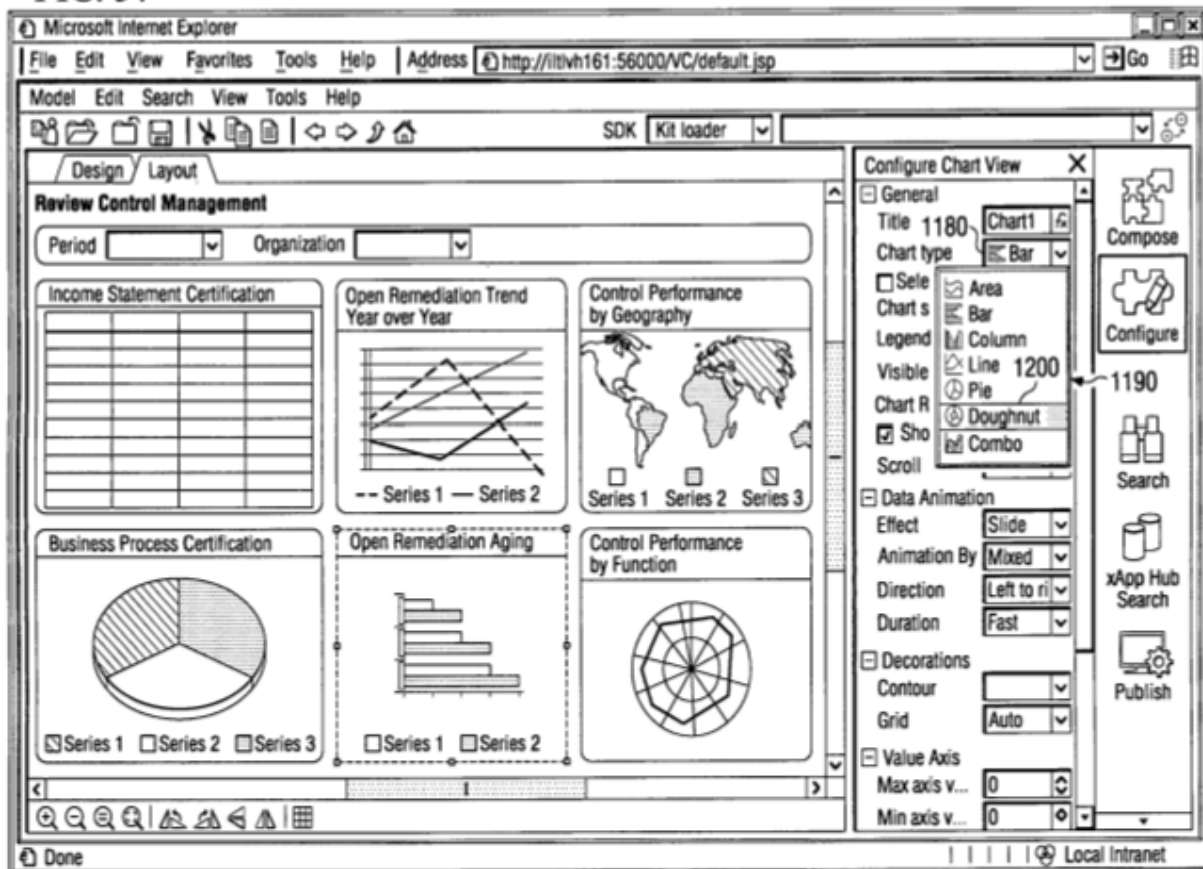
At step 330, the user configures the xApp. *Id.* [0059]:1. Configuration of the selected xApp may involve searches of the hub for pre-constructed content, intuitive wizards, to-do lists, layout and editing tools, drag-and-drop toolbars, as well as other what-you-see-is-what-you-get (WYSIWYG) tools. *Id.* [0059]:29-34.

At step 340, the user may encounter gaps between the intended or designed functionality of the new or modified application and the existing application. *Id.* [0060]:4-7.

At step 350, those gaps can be filled. *Id.* [0061]:1.

FIG. 54, reproduced below, is a data presentation utilizing a user interface illustrating adaptation of a pre-constructed xApp into a custom application. *Id.* [0016]:1-3.

FIG. 54



In particular, FIG. 54 illustrates the configuration of xApp 840. *Id.* [0071]:1-2. The chart type drop-down list 1180 is shown and numerous available graphical representations of chart types 1190 are shown. *Id.* [0071]:3-6. The user is able to change the chart type of xApp 840 by selecting the desired type 1190 from list 1180. *Id.* [0071]:6-8. A “Doughnut” chart type 1200 is selected. *Id.* [0071]:8-9.

In FIG. 56, reproduced below, the “Publish” button 1210 is selected, causing each of the xApps included in the new application to be executed or otherwise prototyped. *Id.* [0071]:10-13.

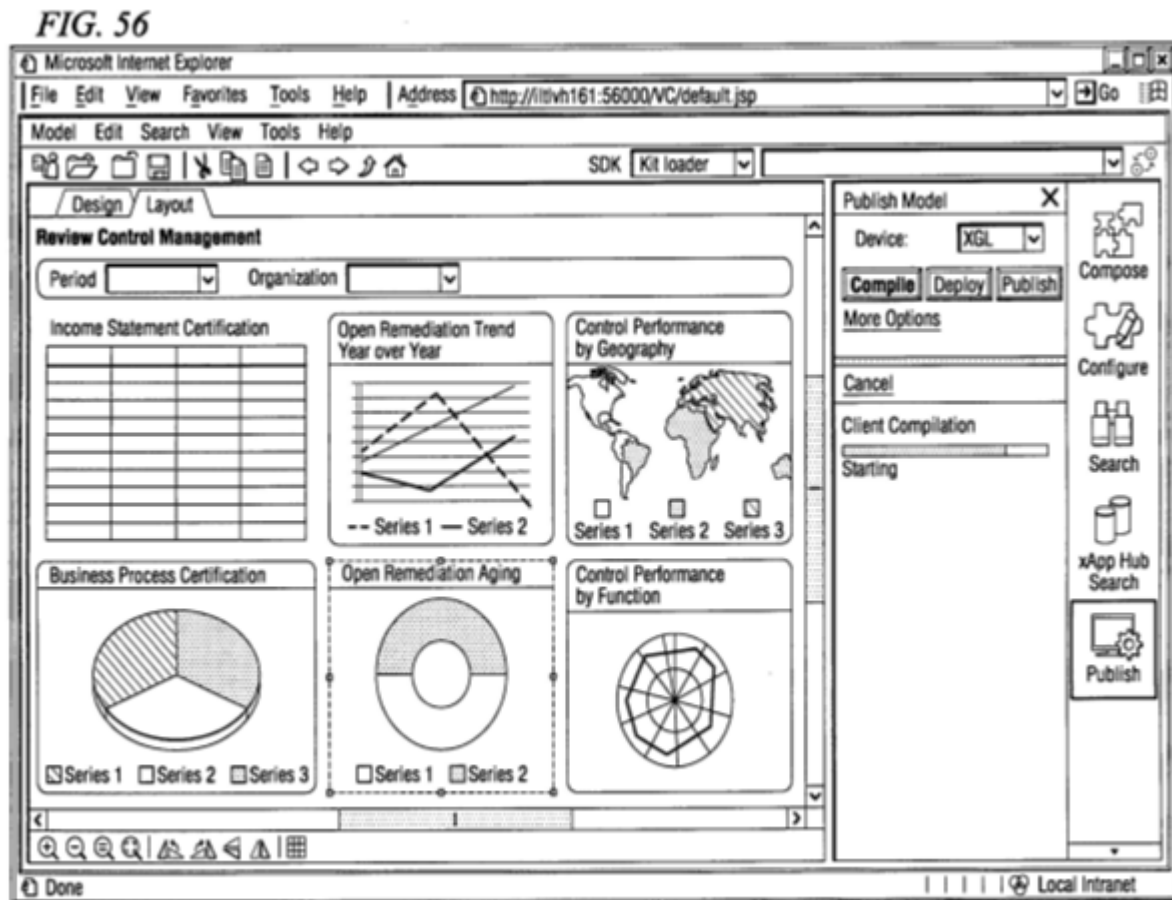
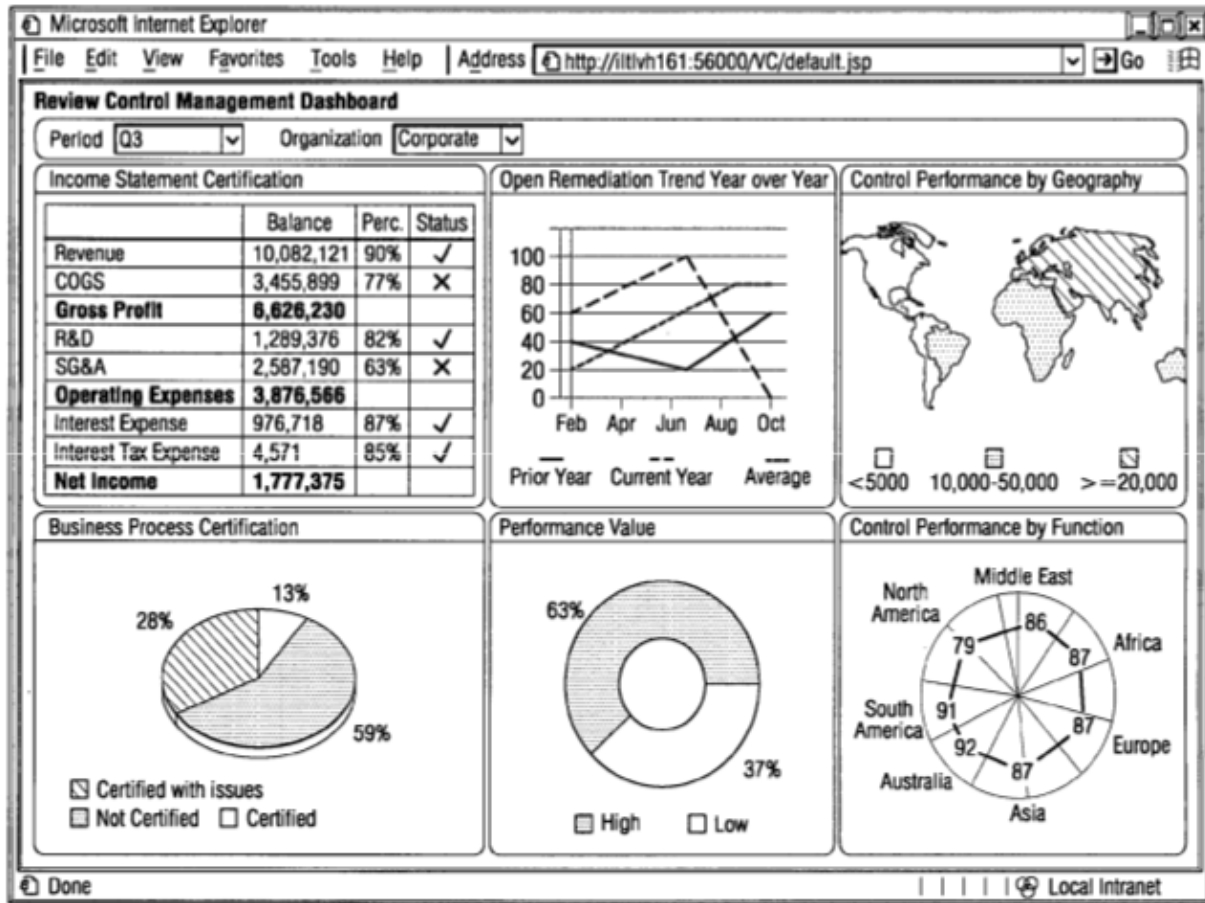


FIG. 57, reproduced below, shows the new or modified application after execution. *Id.* [0071]:13-14.

FIG. 57



2. The QlikView Manuals References (EX1008 / EX1009)

The QlikView manuals comprise (1) the QlikView Reference Manual for version 8.5 of QlikView (QlikView Manual, EX1008) and (2) the QlikView Server Reference Manual for Version 8.5 of QlikView (QlikView Server Manual, EX1009), which are collectively referred to as the QlikView Manuals. The QlikView Manuals disclose a server-client system for data analysis. EX1009 p.0009. The “QlikView Server is the centerpiece of this technology.” *Id.* p.0009. The QlikView Server provides a centrally managed QlikView document

community that connects multiple users, client types, documents, and objects within a secure and safe environment. *Id.* p.0009.

There are three types of QlikView Clients that interact with the QlikView Server: (1) the QlikView Developer, (2) the QlikView Professional, and (3) the QlikView Analyzer. EX1008 p.0016.

The QlikView Developer client is the full version intended for the development of QlikView documents. *Id.* p.0016. A QlikView document is a file containing what is needed to analyze data. *Id.* p.0073.

The QlikView Professional client is the version intended for the average user who needs to work with existing documents. *Id.* p.0016.

The QlikView Analyzer client is the low-end client that can be used to access QlikView documents on the QlikView Server. *Id.* The user may navigate the layout, make selections, and view results. *Id.* No modification of the layout is possible, however. *Id.* The QlikView Analyzer comes in the following versions: (1) an installed Windows client, (2) a plug-in to Internet Explorer, (3) a Java applet client, or (4) an AJAX Zero Footprint client. *Id.*

Versions of the QlikView clients are designed for different respective computing environments. The QlikView Developer, Professional, and Analyzer clients can be Microsoft Windows installed clients. EX1009 p.0009. These are referred to as “exe clients.” *Id.* p.0009.

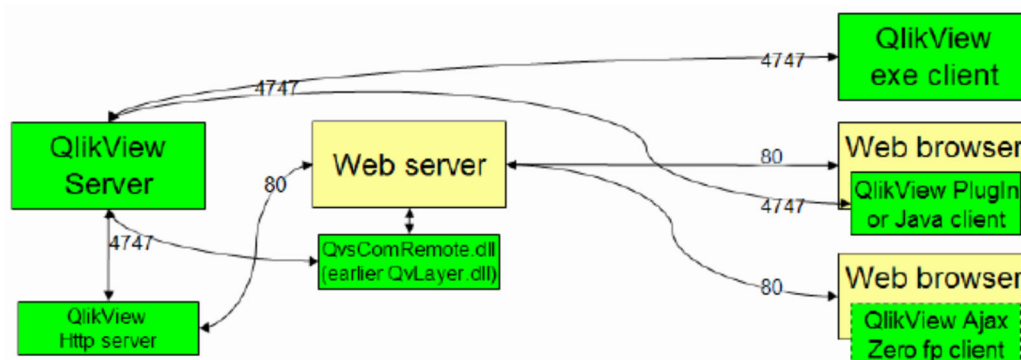
The QlikView Analyzer client also has a version that is a full image ActiveX plug-in for Microsoft Internet Explorer web browser. *Id.* pp.0123, 0125. There also is a QlikX Analyzer client that is an object only ActiveX plug-in for Internet Explorer. *Id.* p.0123.

There is a version of the QlikView Analyzer that is a full image Java Client using Sun Java in a web browser. *Id.* pp.0123, 0125.

There is a version of the QlikView Analyzer that is Java Objects Client that is an object only client using Sun Java in a web browser. *Id.* pp.0123, 0125.

There is a version of the QlikView Analyzer that is an AJAX Zero-Footprint Client, which is an object only dynamic HTML client that uses AJAX architecture in a web browser. *Id.* pp.0123, 0125.

The figure reproduced below from the QlikView Server Manual shows how the QlikView clients communicate with the QlikView server.



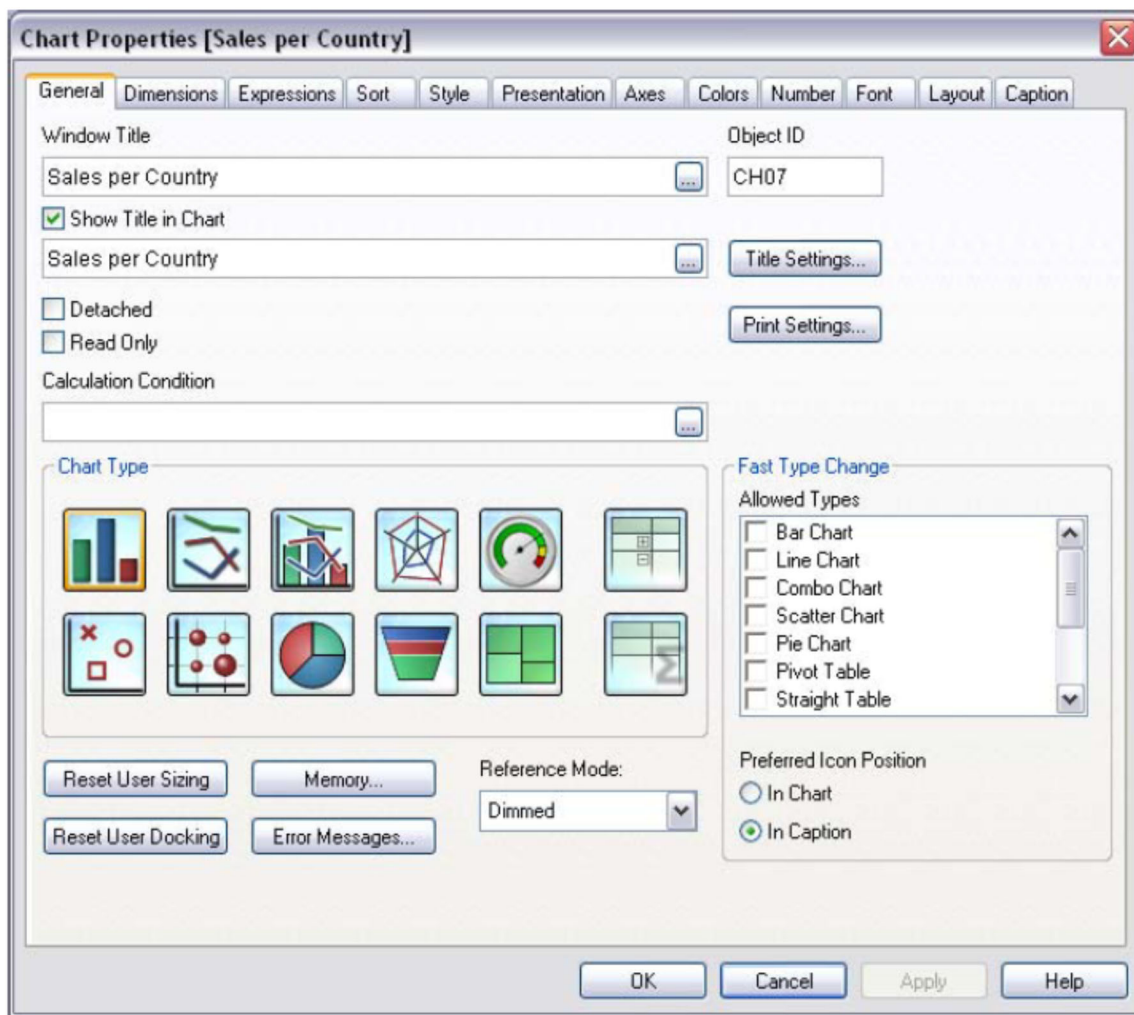
Id. p.0098.

The Windows client communicates directly with the QlikView server. *Id.*

The Java clients can communicate directly with the QlikView server, but they first must establish a connection with a Web Server serving the page containing the Java applet. *Id.* The AJAX clients must establish and maintain a connection to the QlikView Server through a Web server. *Id.*

Regardless of the configuration, at least one network communication path must exist between the QlikView Server and the Client. *Id.* p.0096.

A user of the QlikView Developer client installed on Microsoft Windows can create charts and tables on the QlikView Server. EX1008 pp.0016, 0073, and 0880. Those charts and tables include bar charts, line charts, combo charts, radar charts, scatter charts, grid charts, pie charts, funnel charts, block charts, gauge charts, pivot tables, and straight tables. *Id.* pp.0872-0873. The General page, reproduced below, of a chart wizard is where the titles and chart type can be set. *Id.* p.0882.



Id. p.0882.

Each of the bar, line, combo, grid, pie, funnel, block, and gauge charts has an Object Menu when the chart is active that allows the user to send values to a Microsoft Excel program. *Id.* pp.0890, 0892, 0948, 0950, 0960, 0961, 1002, 1003, 1014, 1015, 1024, 1025, 1034, 1035, 1046, and 1047. What the user can export to Excel is the underlying data, which is a straight table equivalent to the chart. *Id.* pp.0892, 0950, 0961, 1003, 1015, 1025, 1035, and 1047. Excel is automatically

launched if it is not already running. *Id.* pp.0892, 0950, 0961, 1003, 1015, 1025, 1035, and 1047. The table of data will appear in a new Excel worksheet. *Id.* pp.0892, 0950, 0961, 1003, 1015, 1025, 1035, and 1047.

The respective Object Menu for each of the radar and scatter charts does not have an export-of-data-to-Excel feature. *Id.* pp.0972-0974, 0984-0986.

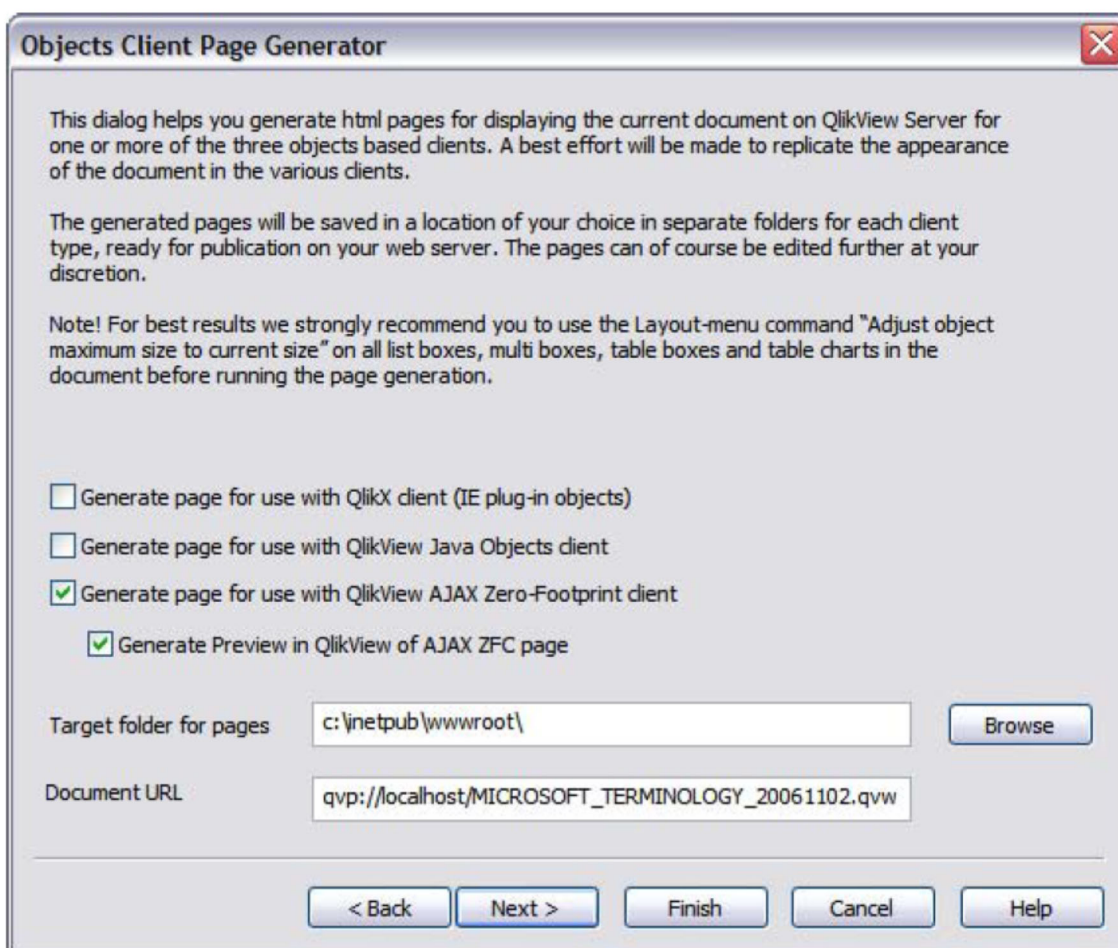
The pivot table and straight table each has an Object Menu when the respective table is active that allows the user to export the table to a Microsoft Excel program. *Id.* pp.1062, 1065, 1083, and 1085. Excel is automatically launched if it is not already running. *Id.* pp.1065, 1085. The table will appear in a new Excel worksheet. *Id.* pp.1065, 1085.

A QlikView client is required for the display and usage for an existing QlikView document, which is designated as a “.qvw file.” EX1009 p.0123. The QlikView server is responsible for opening, hosting, and calculating the documents. *Id.* p.0123. A client is required for user interaction and presenting the document and its objects. *Id.* Client choices range from a fully installed QlikView Developer client to an AJAX Zero-Footprint client. *Id.* Any combination of client types is allowed, as long as the proper licensing client access licenses (CALs) are available on the server license. *Id.* pp.0045, 0123.

Any QlikView document may be displayed with any QlikView client, but additional HTML code must be created for the QlikView Object clients to display

and interact with the objects with a particular document. *Id.* p.0123. The QlikView Object clients are the Java Objects client, the QlikX client, and the AJAX client. *Id.* p.0009.

The QlikView Objects Client HTML Page Generator dialog box is reproduced below.



EX1008 p.0807 (FIG. 87).

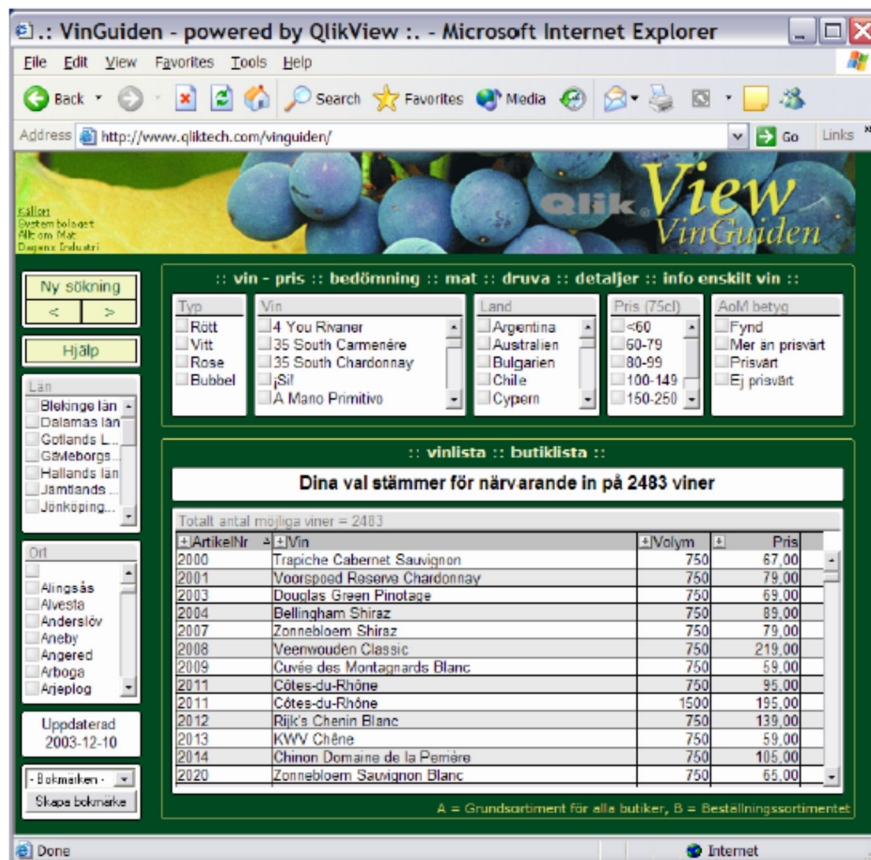
The QlikView Objects Client HTML Page Generator dialog box helps a user to generate html pages for displaying the current document on the QlikView Server

for one or more of the three QlikView object-based clients (i.e., the Java Objects client, the QlikX client, and the AJAX Zero-Footprint client). *Id.* p.0807. A best effort will be made to replicate the appearance of the QlikView document in the various QlikView clients. *Id.*

The user can specify a target folder for the html pages where the generated html pages will be saved. *Id.* p.0808. The html pages can be edited further using a third-party html editor. *Id.* p.0807.

The Objects Client HTML Page Generator includes a box called “Document URL” where the user specifies the QlikView target document URL on the QlikView Server where the html pages are to be run. *Id.* p.0808. This setting is necessary for the Java Objects and QlikX pages to work properly. *Id.*

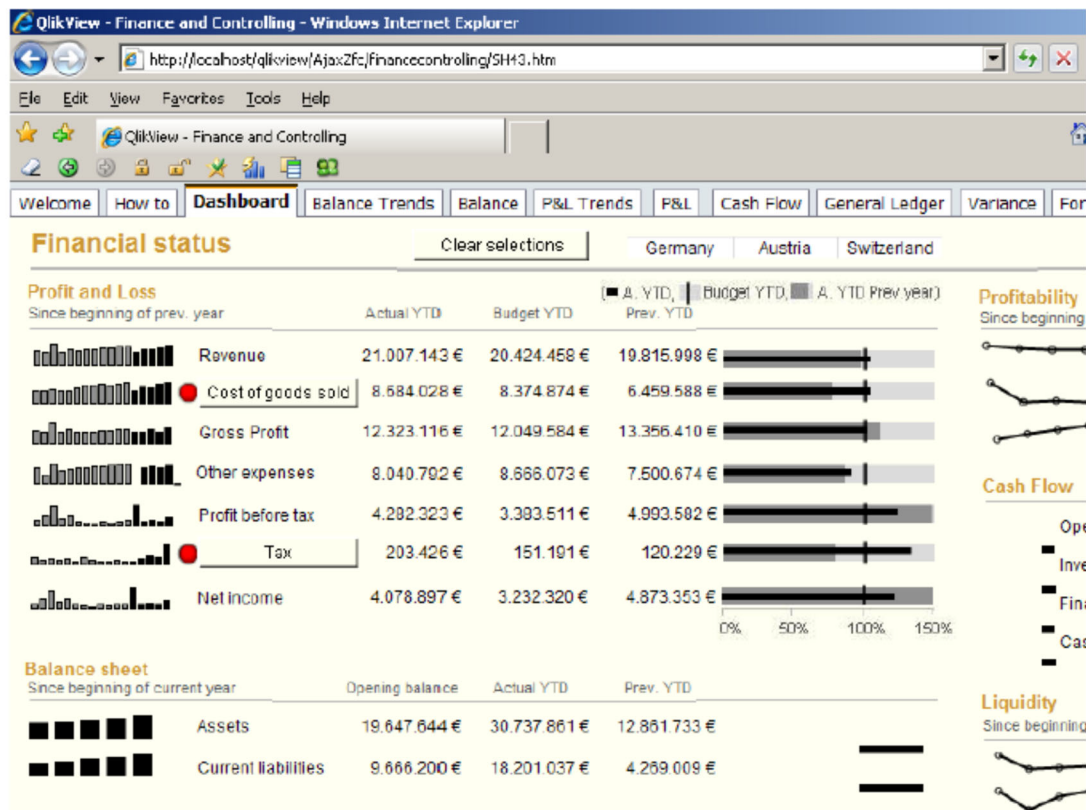
The figure reproduced below is an example of a QlikView Objects client in Microsoft Internet Explorer.



EX1009 p.0133.

The QlikView Java Objects client consists of applets, one for each sheet object, that can be inserted at any position on an html page. *Id.* Web pages containing Java objects linked to a QlikView document may either be created through the QlikView Objects Client Page Generator or manually created. *Id.*

The figure reproduced below is an example of a QlikView AJAX client with the toolbar option.



Id. p.0153

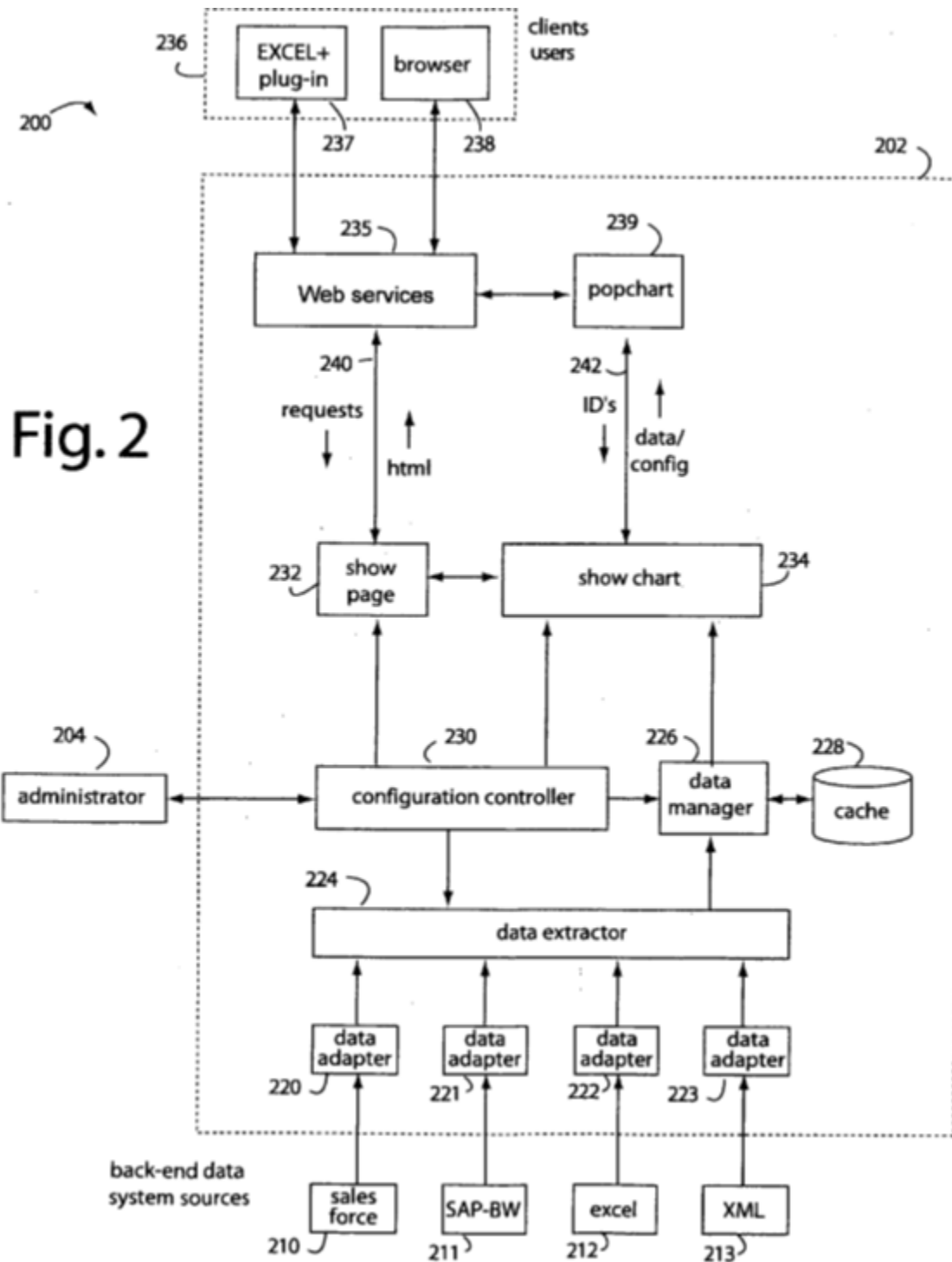
The QlikView AJAX Zero-Footprint Client (ZFC) is an object-based client environment built on the AJAX (Asynchronous JavaScript and XML) architecture.

Id. The QlikView AJAX ZFC client requires no installation on the client computer. *Id.* Nevertheless, some HTML/ASP development is required to display and interact with objects from a QlikView document hosted by the QlikView server. *Id.*

3. The Clark Reference (EX1010)

Clark discloses a spreadsheet user-interfaced web-based business data publishing system that allows users to input and visualize field data and analytical results with interactive charts through a Microsoft Excel user interface (UI). EX1010 [0022]:1-5. A plug-in module for Excel enables a background, web-services connection over the Internet to a management sub-system that extracts, transforms, and publishes data. *Id.* [0022]:6-8.

FIG. 2, reproduced below, shows business data visualizer system 200. *Id.* [0044]:1-3.



The Excel plug-in module 237 includes a publishing wizard to select Excel data and publish it through system 202, an extractor interface to select data objects

from system 202 and import them into Excel, and a synchronizer to update system 202 when the Excel data changes. *Id.* [0045]:1-5. The extractor interface allows access to SAP BW, Salesforce.com, and other sources. *Id.* [0045]:5-7.

A web services application programming interface (API) provides an Internet presence for users that have an Excel spreadsheet application and plug-in 237, and a browser 238. *Id.* [0046]:1-4.

A client connection 240 is used to receive requests for business intelligence. *Id.* [0048]:1-2. In response, an HTML message is sent that builds a webpage in the user's browser. *Id.* [0048]:2-4. The show-page generator 232 forwards requests from clients to the show chart 234. *Id.* [0048]:4-5. This causes the data to be fetched by the data manager 226 and sent to POPCHART 239. *Id.* [0048]:5-7. POPCHART 239, in response, uses connection 242 to return the pointer ID's to the generated charts that is supplied back in the HTML messages. *Id.* [0048]:7-9. The URL addresses are then available for the user browser to link with the chart graphics on the Internet. *Id.* [0048]:9-11.

Business data is extracted from business applications, databases, and other sources. *Id.* [0049]:1-2. Data is transformed, merged, and formatted, using a menu-driven interface. *Id.* [0049]:2-3. The system 200 can publish standalone dashboards, portals, or web pages, as well as components to be integrated into groupware or enterprise portals. *Id.* [0049]:3-6.

4. The Jou Reference (EX 1007)

Jou, entitled “Interactive Business Data Visualization System,” discloses an interactive system for visualizing business data organized according to a dimensional model, which allows data to be combined from more than one data source and be presented in the form of a graphical multi-metric data visualization. EX1007 Abstract:1-4. Jou discloses that data to be included in a visualization may be filtered, i.e., limited to the subset of data available from a given source. *Id.* [0038]:1-3. Jou discloses that the visualization method and system that allows drilling on the dimension axis of the charts by moving either up or down the hierarchy of categories of a dimension (drilling up or drilling down) to obtain a more or less detailed view of the data. *Id.* [0044]:1-6. A user can obtain a closer area view of a map or layer (zooming in) or obtain a wider area view of a map or layer (zooming out). *Id.* [0049]:2-5.

5. The Couckuyt Reference (EX1006)

The Couckuyt patent discloses a drag and drop interface (DDUI) that can generate multiple charts in an integrated chart report and that supports the drag and drop method of adding fields to the integrated chart report. EX1006 3:16-21.

Couckuyt discloses that when a data field is dragged from field list and dropped into a multiple field drop zone, the DDUI can automatically generate additional charts to represent the data in the dropped data field EX1006 3:23-27.

III. PERSON OF ORDINARY SKILL AND CLAIM CONSTRUCTION

Petitioner argues that a person of ordinary skill in the art (POSA) would have had a B.S. degree in Computer Science, Computer Engineering, or equivalent experience relating to computing, as well as two to three additional years of academic or industry experience related to web application development and data visualization services. For the purposes of this Preliminary Response, iCHARTS does not dispute the level of skill of a POSA.

The Petitioner alleges that it is construing the terms of the claims according to their ordinary and customer meanings as understood by a person of ordinary skill in the art in view of the specification. The Petitioner alleges that no term needs an explicit construction to resolve the controversy between the parties.

The iCHARTS has construed the terms of the claims according to their ordinary and customer meanings as understood by a POSA in view of the specification. The iCHARTS alleges that no term needs an explicit construction to resolve the controversy between the parties.

IV. PETITIONER'S ARGUMENTS FAIL TO ESTABLISH THE UNPATENTABILITY OF THE CHALLENGED CLAIMS

For at least the reasons set forth below, *inter partes* review should not be instituted because the Petition does not demonstrate a reasonable likelihood of success on any of the proposed grounds of invalidity. The Petition addresses the

individual claim elements in isolation while failing to consider the claims as a whole and presents snippets of the prior art out of context while ignoring the full disclosure of the references.

Regardless of whether any defect or statement in the Petition is identified herein, iCHARTS expressly reserves all rights to challenge and/or raise issues associated with any aspect of the Petition in future proceedings. However, iCHARTS respectfully submits that the defects identified herein are dispositive, and that the Petition should be rejected for failing to meet the required “reasonable likelihood” standard of 35 U.S.C. §314(a) and 37 C.F.R. §42.108.

A. Ground 1 – Rostoker

1. Rostoker Does Not Render Obvious Claim 1

The '595 Patent relates to a system and method for generating and sharing interactive charts. The interactive charts are generated in an online portal that allows users to customize the interactive features of the chart. '595 Patent, Abstract. The interactive charts can be embedded in other websites without the need to reprogram the other websites each time an interactive chart is embedded in those websites using a chart box tool. EX1001 5:41-45. When the user drops the selected chart(s) 4512 onto chart box folder 4520, the chart is automatically displayed in the chart box 4304 embedded on the user's website. *Id.* 16:64-67.

Rostoker is not a system or method for creating interactive charts. *See* Expert of Dr. Jeffrey Miller, filed concurrently herewith (consisting of ¶¶ 1-252 and referred to subsequently as “EX2001”), ¶¶117-119. Rostoker discloses using xApps and xApp components to create an analytical application or dashboard within the Rostoker system of developing custom business applications. EX1005 [0021]:1-5, 7-10. The result of the method of Rostoker is having each of the xApps included in a new application to be executed or otherwise prototyped. *Id.* [0071]:10-13. The charts that are included in a new application are not interactive, however. Moreover, there is no disclosure in Rostoker of transmitting interactive charts to a second website for display. EX2001 ¶119.

a) Rostoker does not disclose “generate an interactive chart”

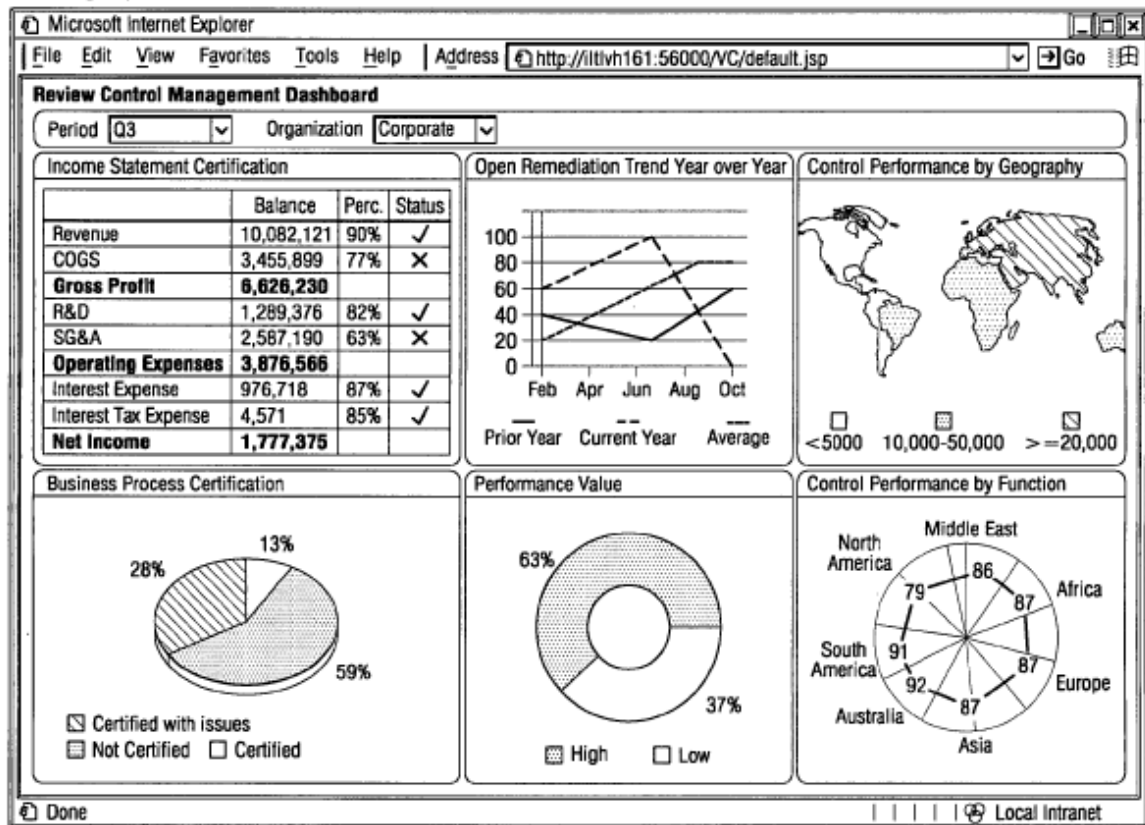
Claim one is directed to a “system for creating interactive charts” comprising “a processor, wherein the processor executes instructions stored in the memory, causing the processor to ... generate an interactive chart including the chart data and the chart template.”

In contrast, Rostoker is not a system for creating interactive charts and does not disclose the generation of an interactive chart. EX2001 ¶¶120-133. Rostoker discloses that a user can search for a candidate application to satisfy a defined need on component manager 130 (i.e., the hub), including searching a catalog of

analytical xApps. EX1005 FIG. 3, [0057]:1-2. The user configures the xApp at step 330 of FIG. 3. *Id.* [0059]:1. Configuration of the selected xApp may involve searches of the hub for pre-constructed content, intuitive wizards, to-do lists, layout and editing tools, drag-and-drop toolbars, as well as other what-you-see-is-what-you-get (WYSIWYG) tools. *Id.* [0059]:29-34. That configuration can involve charts. See, for example, EX1005 FIG. 54.

Although the charts of Rostoker can be altered at the configuration step 330 (Rostoker FIG 3), a POSA would understand that the charts become static – not interactive -- when the publish button 1210 is selected. EX2001 ¶126. This is apparent from FIGS. 54-57 of Rostoker and the discussion of those figures. In FIG. 54, the user is able to change the chart type of xApp 840 by selecting the desired type 1190 from list 1180. EX1005 [0071]:6-8. A “Doughnut” chart type 1200 is selected. *Id.* [0071]:8-9. FIG. 55 shows that the chart type of xApp 840 is changed to the selected chart type 1200. *Id.* [0071]:9-10. In FIG. 56, the “Publish” button 1210 is selected, causing each of the xApps included in the new application to be executed or otherwise prototyped. *Id.* [0071]:10-13. The result is shown in FIG. 57, which shows the new or modified application after execution. *Id.* [0071]:13-14. FIG. 57 shows static charts, not interactive charts. FIG. 57 of Rostoker shows no controls that would allow a user to interact with the charts.

FIG. 57



In other words, the various tools and controls allowing one to manipulate and change the charts disappear once the charts are in the new or modified application, as shown in FIG. 57 of Rostoker. EX2001 ¶127.

Thus, although Rostoker shows that one can configure an xApp to make a desired chart, Rostoker teaches that the end result is a static chart – not an interactive chart – that becomes part of an application or dashboard within the system of Rostoker of developing a custom business application. *Id.* ¶128. Thus, Rostoker does not disclose the limitation of “generate an interactive chart” because

an interactive chart is not generated by the system of Rostoker as an end result of the method of Rostoker.

Petitioner is misguided in arguing that an interactive chart is generated by the system of Rostoker. *Id.* ¶129. Petitioner relies on the “Configure Chart View” toolbar of FIG. 53 of Rostoker. But Petitioner is confusing the configuration step 330 of Rostoker with the end result. *Id.* ¶129. The end result, as shown by FIG. 57, is the generation of a static chart, not an interactive chart.

Petitioner also relies on the Period and Organization drop-down controls on the Review Control Management Dashboard shown in FIG. 57. The reliance on this is misplaced, however. Although the Dashboard may allow changes to the Period and Organization, the charts are nevertheless not interactive. *Id.* ¶130. A POSA would understand that the changing of the Period or Organization would result in the display of entirely different static charts associated with the newly selected Period or Organization, not a change in the configuration of the presently shown static charts. *Id.* ¶130.

Petitioner points to the “Click on Cell trigger” in FIG. 70. This reliance is misplaced, however, because Petitioner is again confusing the configuration step 330 of Rostoker with the end result. *Id.* ¶131. The end result after configuration is a static chart.

Petitioner also relies on the button shown in FIGs 71 and 72. Petitioner is

again confusing the configuration step 330 of Rostoker with the end result. *Id.* ¶132. FIGs. 71 and 72 are examples of adapting an xApp into a desired application. EX1005 [0072]1-2. FIG. 71 shows a new component being added (i.e., the button) by selection of the Add Element button 1390. *Id.* [0075]:3-4. Configuration of the added button is an example of altering the xApp to be used at the configuration step 330 and not making an otherwise static chart interactive after the publication selection is made. EX1005 [0075].

The interactive features that the Petitioner points to also do not indicate that interactive charts are generated by Rostoker. All such features are available during the configuration stage 330 and not after the charts are part of the new or modified application after execution, as shown in FIG. 57. EX2001 ¶133.

- b) Rostoker does not disclose a “network interface that, in response to generation of the interactive chart, transmits the interactive chart to a second website for display without the execution of the instructions stored in memory to generate the user interface of the first website”**

The '595 Patent discloses that chart box 4304 is configured to be embedded on a website to display one or more interactive charts on that website. EX1001 16:8-10. Charts are added to the chart box using a chart box tool provided by another website that allows users to generate, purchase or otherwise manipulate and select the interactive charts. *Id.* 16:10-13. When the user drops the selected

chart(s) 4512 onto chart box folder 4520, the chart is automatically displayed in the chart box 4304 embedded on the user's website. *Id.* 16:64-67.

Rostoker does not disclose the transmitting of a chart – static or interactive – to a second website. EX2001 ¶¶134-143. Rostoker discloses that selection of the “Publish” button 1210 of FIG. 57 causes each of the xApps included in the new application to be executed or otherwise prototyped. EX1005 [0071]:10-13. Rostoker discloses creating custom business applications within the Rostoker system. *Id.* [0002]:1-3. The system of Rostoker can enable the creation, adaption, configuration, or other development of an analytical application 135 or a dashboard by a non-technical user or semi-technical business analyst. *Id.* [0021]:7-10. But there is no disclosure of transmission to a second website. EX2001 ¶138.

Network interface 117 of Rostoker communicates with network 112, which is part of the system for developing a business application. EX1005 [0012]:1-3, [0036]:7-9. Rostoker includes no disclosure of interface 117 being a network interface to a second website. EX2001 ¶139.

The reference to a Local Intranet in FIG. 57 does not disclose transmission to a second website. *Id.* ¶140. Microsoft Internet Explorer is a browser. *Id.*

Petitioner's statement that a “POSA would have understood that businesses, such as a business 108 of Rostoker, often provide their own web services to make business accessible with the business's local network” (Petition at 38) falls short of

showing a transmission to a second website. EX2001 ¶141. Petitioner’s further statement that a “POSA would have been motivated to allow business applications to be deployed to a separate website local to an enterprise to ensure published business applications are not accessible outside of the local enterprise network” (Petition p.39) is speculative and falls short of a specific motivation to have an interactive chart displayed on a second website. EX2001 ¶141.

Additionally, Petitioner argues that dragging and dropping is a “mere design choice,” but being a “design choice” does not satisfy the motivation to combine analysis; a reason for combining must exist. *Virtek Vision Int’l ULC v. Assembly Guidance Sys., Inc.*, 97 F.4th 882, 887 (Fed. Cir. 2024) (mere fact that possible arrangements existed in the prior art does not provide a POSA would have substituted one for the other).

Thus, Rostoker does not disclose, teach, or suggest the limitation of “a network interface that, in response to generation of the interactive chart, transmits the interactive chart to a second website for display.”

- c) **Rostoker does not disclose a “wherein the second website receives an input from the second user and updates the interactive chart after the second website receives the input”**

As discussed above, Rostoker does not disclose the transmitting of a chart –

static or interactive – to a second website. *See supra*, §IV.A.1.(b). Rostoker discloses creating custom business applications within the Rostoker system (EX1005 [0002]:1-3), but there is no disclosure of transmission to a second website. EX2001 ¶¶144-147.

As discussed above, Rostoker does not disclose the generation of an interactive chart. *See supra*, §IV.A.1.(a). Although Rostoker shows that one can configure an xApp to make a desired chart, Rostoker teaches that the end result is a static chart – not an interactive chart – that becomes part of an application or dashboard within the system of Rostoker of developing a custom business application. EX2001 ¶146.

Given that Rostoker does not disclose a second website and, given that Rostoker does not generate an interactive chart, it follows that Rostoker does not disclose, teach, or suggest the limitation of “wherein the second website receives an input from the second user and updates the interactive chart after the second website receives the input.” *Id.* ¶147. In short, there is no second website and no interactive chart on a second website. *Id.*

2. Rostoker Does Not Render Obvious Claims 7 and 13

a) Rostoker does not disclose “generating an interactive chart”

As discussed above, Rostoker does not disclose the generation of an

interactive chart. *Supra*, §IV.A.1.(a). Although Rostoker shows that one can configure an xApp to make a desired chart, Rostoker teaches that the end result is a static chart – not an interactive chart – that becomes part of an application or dashboard within the system of Rostoker of developing a custom business application. EX2001 ¶148.

b) Rostoker does not disclose “transmitting the interactive chart to a second website for display in response to generation of the interactive chart”

As discussed above, Rostoker does not disclose the transmitting of a chart – static or interactive – to a second website. Rostoker discloses creating custom business applications within the Rostoker system (EX1005 [0002]:1-3), but there is no disclosure of transmission to a second website. *Supra*, §IV.A.1.(b); EX2001 ¶149.

c) Rostoker does not disclose that “the second website receives an input from a second user, and the interactive chart is updated after the second website receives the input”

As discussed above, given that Rostoker does not disclose a second website, and given that Rostoker does not generate an interactive chart, it follows that Rostoker does not disclose, teach, or suggest the limitation that “the second website receives an input from a second user, and the interactive chart is updated after the second website receives the input.” *Supra*, §IV.A.1.(a)-(c); EX2001 ¶150.

3. Rostoker Does Not Teach Claims 2, 4-6, 8, 10, 11-12, 14, 16-18

Because Petitioner has failed to show that Rostoker renders independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that Rostoker teaches claims 2, 4-6, 8, 10, 11-12, 14, 16-18 given those claims respectively depend from claims 1, 7, and 13. *Supra*, §IV.A.1.(a)-(c); § IV.A.2(a)-(c); EX2001 ¶¶151-160.

B. Ground 2 – Rostoker in view of Clark Does Not Render Obvious Claims 1-2, 4-8, 10-14 and 16-18

1. Rostoker in View of Clark Does Not Render Obvious Claims 1, 7, and 13

- a) **Rostoker in view of Clark does not disclose a “network interface that, in response to generation of the interactive chart, transmits the interactive chart to a second website for display without the execution of the instructions stored in memory to generate the user interface of the first website”**

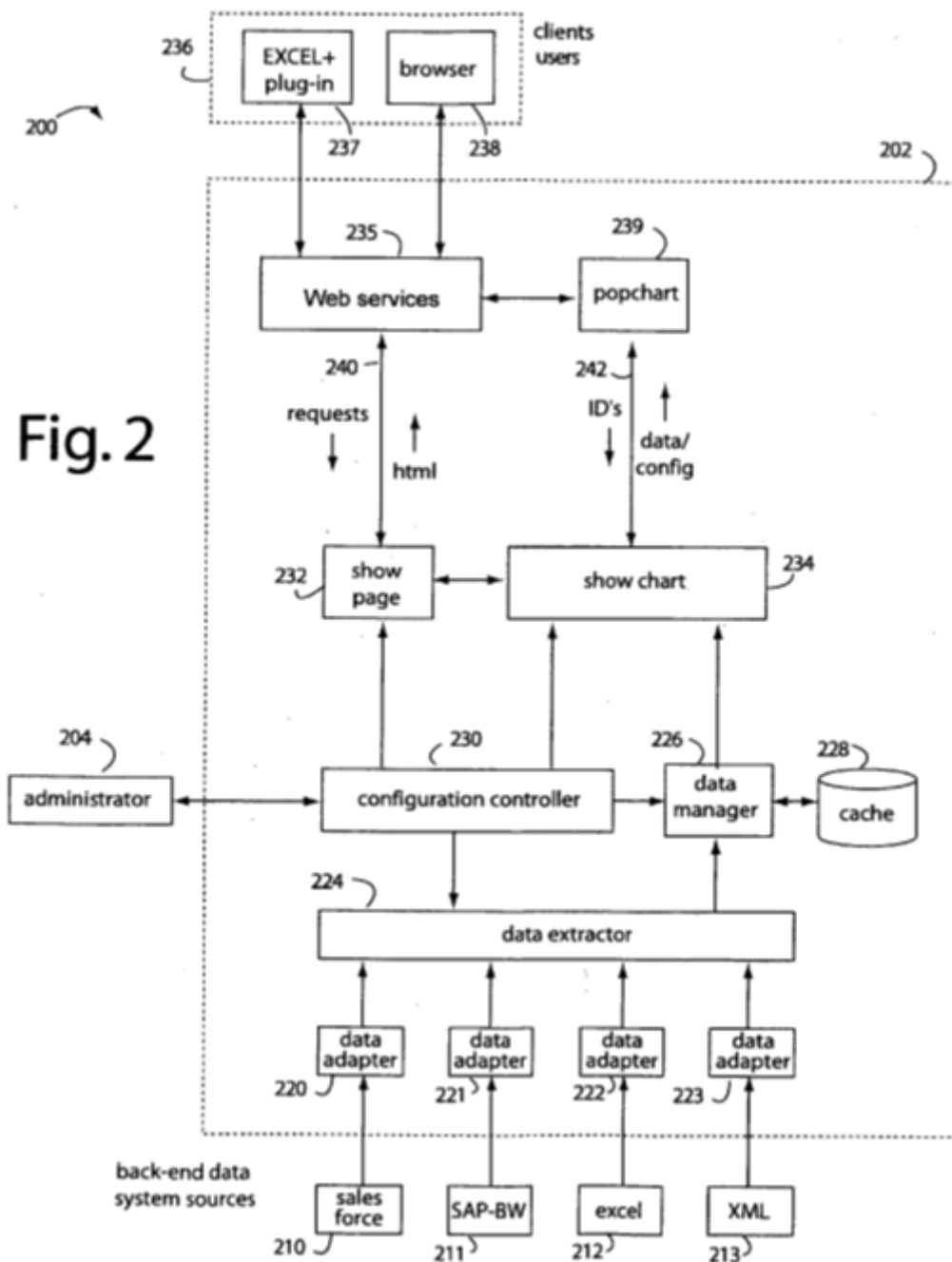
Clark fails to cure the deficiency of Rostoker not disclosing transmitting an interactive chart to a second website. EX2001 ¶¶161-176. Clark does not disclose a network interface that, in response to generation of the interactive chart, transmits the interactive chart for display with the generation of the instructions stored in memory to generate the user interface of the first website. *Id.* ¶165.

Clark discloses a spreadsheet user-interfaced web-based business data publishing system that allows users to input and visualize field data and analytical

results with interactive charts through a Microsoft Excel user interface (UI).

EX1010 [0022]:1-5. A plug-in module for Excel enables a background, web-services connection over the Internet to a management sub-system that extracts, transforms, and publishes data. *Id.* [0022]:6-8.

FIG. 2, reproduced below, shows business data visualizer system 200. *Id.* [0044]:1-3.



A plug-in module for Excel enables a background, web-services connection over the Internet to a management sub-system that extracts, transforms, and publishes data. *Id.* [0022]:6-8. The Excel plug-in module 237 includes a publishing wizard to select Excel data and publish it through system 202, an extractor

interface to select data objects from system 202 and import them into Excel, and a synchronizer to update system 202 when the Excel data changes. *Id.* [0045]:1-5. The extractor interface allows access to SAP BW, Salesforce.com, and other sources. *Id.* [0045]:5-7. System 202 is a server 202 that is controlled by a systems administrator. *Id.* [0044]:3-5.

A web services application programming interface (API) 235 provides an Internet presence for users that have an Excel spreadsheet application and plug-in 237, and a browser 238. *Id.* [0046]:1-4.

A client connection 240 is used to receive requests for business intelligence. *Id.* [0048]:1-2. In response, an HTML message is sent that builds a webpage in the user's browser. *Id.* [0048]:2-4. The show-page generator 232 forwards requests from clients to the show chart 234. *Id.* [0048]:4-5. This causes the data to be fetched by the data manager 226 and sent to POPCHART 239. *Id.* [0048]:5-7. POPCHART 239, in response, uses connection 242 to return the pointer ID's to the generated charts that is supplied back in the HTML messages. *Id.* [0048]:7-9. The URL addresses are then available for the user browser to link with the chart graphics on the Internet. *Id.* [0048]:9-11.

A POSA would understand that the disclosure of Clark that the URL addresses are available for the user browser to link with the chart graphics on the Internet means that the chart graphics are available from the server 202 via the web

services API 235. EX2001 ¶171. A POSA would understand that server 202 is where the chart graphics are generated. *Id.* A POSA would understand that the user of the Excel spreadsheet would access those charts via browser 238. *Id.* A POSA would therefore understand that there is no transmission of an interactive chart to a second website. *Id.* A POSA would understand that the chart graphics are available on server 202 and viewable via browser 238. *Id.*

The fact that there is no transmission of an interactive chart to a second website is also supported by the discussion of FIG. 3, reproduced below. *Id.* ¶172.

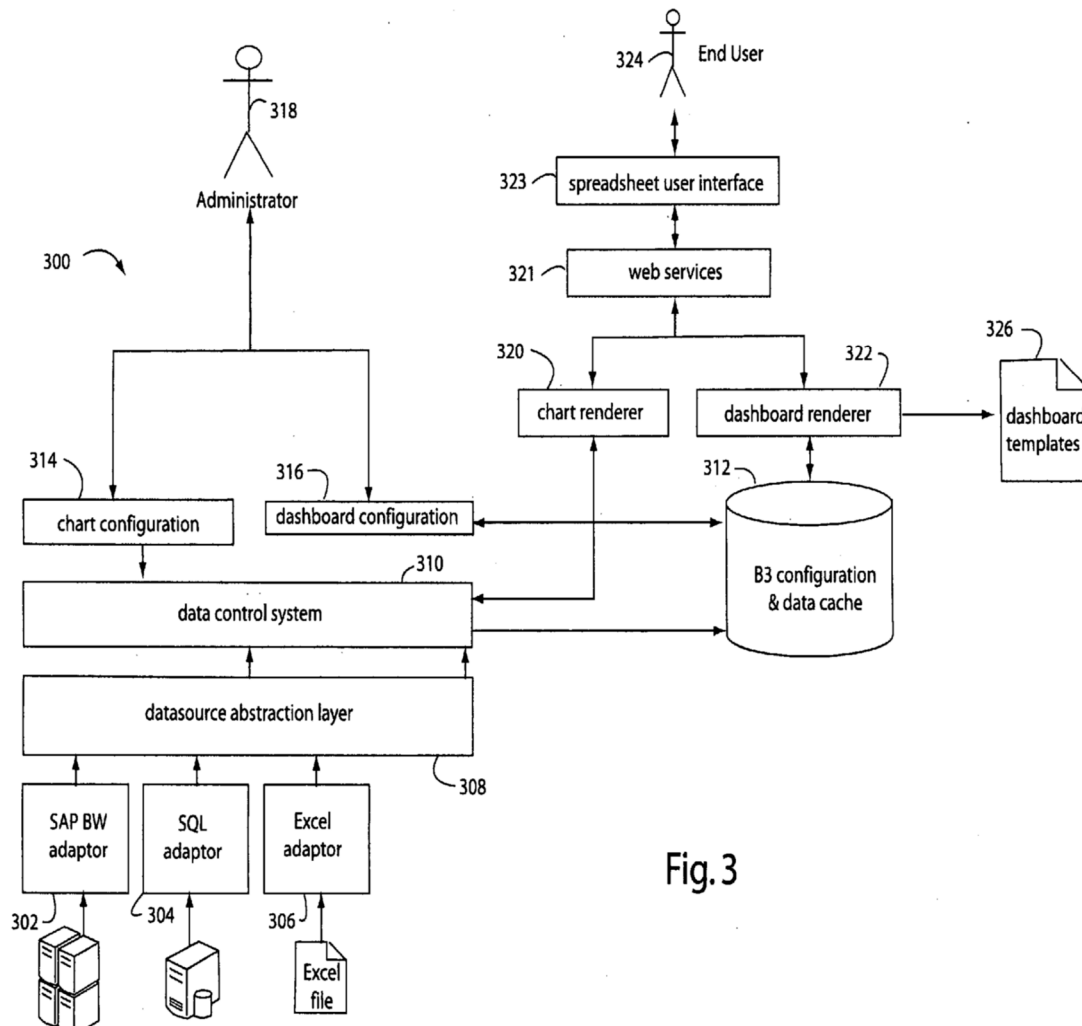


Fig. 3

EX1010 FIG. 3.

Clark discloses that a chart renderer 320 receives the configured chart data and creates a graphic in a webpage. EX1010 [0056]:15-16. A web services API 321 interacts over the Web with a plurality of users. *Id.* [0056]:16-17. A POSA would understand that there is no transmission of a chart to a second website given that the chart is viewable via web services API 321. EX2001 ¶172.

Petitioner is misguided in arguing that Clark's reference to an enterprise portal means that there is transmission to a second website. *Id.* ¶173. Clark states that the "system 200 can publish standalone dashboards, portals, or web pages, as well as components to be integrated into groupware or enterprise portals." EX1010 [0049]:3-6. Clark also refers to "[p]ublishing – create web pages, dashboards, and portals, or publish content to groupware and external portals." *Id.* [117]:5-6. That disclosure of Clark, however, does not provide support for transmission of a chart to a second Website. A POSA would understand that the enterprise portals and external portals could be part of Web services 113, 235, or 321, which would not involve transmission to a second website. EX2001 ¶173. Moreover, the disclosure of Clark relating to enterprise portals and external portals does not mention interactive charts being transmitted. Furthermore, there is no disclosure in Clark of any specifics regarding how the interaction with enterprise portals and external portals would be structured. *Id.* ¶173.

There is no support in Clark for Petitioner's statement that "Clark describes this 'enterprise portal' which resides, for example, 'on [a] company's intranet,' separate from the web-based' interface for 'creating and publishing business dashboards.'" Petition p.54. Petitioner cites paragraphs [0052] and [0137] of Clark, but those paragraphs provide no support for Petitioner's statement that the enterprise portal is separate from the web-based interface of Clark. EX2001 ¶174.

Clark in paragraph [0052] simply says that the “B3 system 200 web-based embodiments of the present invention are useful in creating and publishing business dashboards.” EX1010 [0052]:1-3. Clark in paragraph [0137] simply says that “[i]t could also be published on the company’s intranet to enhance collaboration between employees.” *Id.* [0137]:10-11. The “it” referenced in Clark appears to reference a “user interface,” not a “dashboard” given that the phrase “user interface” is in the preceding sentence while “dashboard” is three sentences away. EX2001 ¶174. A POSA would understand that there is absolutely no support for Petitioner’s position that the enterprise portal is separate from the web-based interface of Clark. *Id.*

In short, there is no disclosure in Clark that would act as a foundation to alter Rostoker to alleviate the deficiency of Rostoker of not disclosing transmission of an interactive chart to a second website. *Id.* ¶175.

Moreover, there was no reason for a POSA to start with Rostoker and modify Rostoker according to Clark. *Id.* ¶176. Rostoker discloses a system for providing a compilation of composite applications (“xApps”) and xApp components. EX1005 [0004]:1-5. In contrast, Clark discloses an Excel-based system with a plug-in module. EX1010 [0022]:1-8. Furthermore, there would have been no reasonable expectation of success in modifying Rostoker with Clark. EX2001 ¶176. As noted above, Clark lacks specifics regarding enterprise portals

and external portals so there is no guidance in Clark or Rostoker as to how to combine the references. *Id.*

In any event, it would involve impermissible hindsight, based on the disclosure of the '595 Patent, to combine Rostoker and Clark. EX2001 ¶176.

b) Rostoker in view of Clark does not disclose “transmitting the interactive chart to a second website for display in response to generation of the interactive chart”

The discussion above with respect to Clark and Rostoker applies to these limitations of claims 7 and 1. Clark fails to cure the deficiency of Rostoker of Rostoker not disclosing transmitting an interactive chart to a second website. In any event, it would involve impermissible hindsight, based on the disclosure of the '595 Patent, to combine Rostoker and Clark. Clark lacks specifics regarding enterprise portals and external portals so there is no guidance in Clark or Rostoker as to how to combine the references. EX2001 ¶177.

2. Rostoker in View of Clark Does Not Teach Claims 2, 4, 5, 6, 8, 10-12, 14, and 16-18

Because Petitioner has failed to show that Rostoker in view of Clark renders independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that Rostoker in view of Clark teaches claims 2, 4, 5, 6, 8, 10-12, 14, and 16 given those claims respectively depend from claims 1, 7, and 13 either

directly or via other claims that depend respectively from claim 1, 7, and 13.

EX2001 ¶178.

C. Ground 3 and 4 – Rostoker, Alone or in View of Clark, and Further Review in View of Jou Does Not Render Obvious Claims 1-2, 4-8, 10-14, and 16-18

As set forth above, although Rostoker shows that one can configure an xApp to make a desired chart, Rostoker teaches that the end result is a static chart – not an interactive chart – that becomes part of an application or dashboard within the system of Rostoker of developing a custom business application. *See supra*, §IV.A.1.(a). Thus, Rostoker does not disclose the limitation of “generate an interactive chart” of claim 1, or the limitation of “generating an interactive chart” of claims 7 and 13, because an interactive chart is not generated by the system of Rostoker as an end result of the method of Rostoker. *See supra*, §IV.A.2.(a).

Jou discloses an interactive system for visualizing business data organized according to a dimensional model, which allows data to be combined from more than one data source and be presented in the form of a graphical multi-metric data visualization. EX1007 Abstract:1-4. Jou discloses that data to be included in a visualization may be filtered, i.e., limited to the subset of data available from a given source. *Id.* [0038]:1-3. Jou discloses that the visualization method and system that allows drilling on the dimension axis of the charts by moving either up or down the hierarchy of categories of a dimension (drilling up or drilling down) to

obtain a more or less detailed view of the data. *Id.* [0044]:1-6. A user can obtain a closer area view of a map or layer (zooming in) or obtain a wider area view of a map or layer (zooming out). *Id.* [0049]:2-5.

There was no reason for one having ordinary skill in the art to start with the Rostoker system and modify it based on the Jou to include the Jou features. EX2001 ¶¶179-187. Even without Jou, the charts of Rostoker could be altered at the configuration step 330 (Rostoker FIG 3), so there would be no need to combine with Jou. *Id.* ¶183. Moreover, there are not sufficient teachings in either Rostoker or Jou as what mechanism would permit the static charts of Rostoker to include the Jou features once the method of Rostoker exits the configuration step 330. *Id.* ¶183. There was no reasonable expectation of success in modifying Rostoker to include the Jou features once the method of Rostoker exits configuration step 330 given the lack of disclosure in both Rostoker and Jou. *Id.*

Furthermore, it would involve impermissible hindsight, based on the disclosure of the '595 Patent, to combine Rostoker and Jou. *Id.*

In addition, even if Rostoker and Jou were combined, the combination would not disclose, teach, or suggest the limitation of claim 1 of “a network interface that, in response to generation of the interactive chart, transmits the interactive chart to a second website for display” or of claims 7 and 13 of “transmitting the interactive chart to a second website for display in response to

generation of the interactive chart.” *Id.* ¶184. As discussed above, Rostoker does not disclose the transmitting of a chart – static or interactive – to a second website. *See supra*, §IV.A.1.(a). Rostoker instead discloses that selection of the “Publish” button 1210 of FIG. 57 causes each of the xApps included in the new application to be executed or otherwise prototyped. EX1005 [0071]:10-13. Jou does not cure the deficiency of Rostoker regarding no transmission of an interactive chart to a second website for display. EX2001 ¶184. Jou includes no disclosure of any such transmission. *Id.*.

It would involve impermissible hindsight, based on the disclosure of the ’595 Patent, to combine Rostoker, Clark, and Jou. *Id.*

Even if Rostoker, Clark, and Jou were combined, the combination would not disclose, teach, or suggest the limitation of claim 1 of “a network interface that, in response to generation of the interactive chart, transmits the interactive chart to a second website for display” or of claims 7 and 13 of “transmitting the interactive chart to a second website for display in response to generation of the interactive chart.” EX2001 ¶185. As discussed above, Rostoker does not disclose the transmitting of a chart – static or interactive – to a second website. *See supra*, §IV.A.1.(a). As discussed above, Clark does not disclose a network interface that, in response to generation of the interactive chart, transmits the interactive chart for display with the generation of the instructions stored in memory to generate the

user interface of the first website. *See supra*, §IV.B.1.(a). Jou does not cure the deficiency of Rostoker regarding no transmission of an interactive chart to a second website for display. EX2001 ¶185. Jou includes no disclosure of any such transmission. *Id.*

Because Petitioner has failed to show that Rostoker in view of Jou renders independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that Rostoker in view of Jou teaches claims 2, 4, 5, 6, 8, 10-12, 14, and 16 given those claims respectively depend from claims 1, 7, and 13 either directly or via other claims that depend respectively from claim 1, 7, and 13. EX2001 ¶186.

Because Petitioner has failed to show that Rostoker in view of Clark, and further in view of Jou, renders independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that Rostoker in view of Clark, and further in view of Jou, teaches claims 2, 4, 5, 6, 8, 10-12, 14, and 16 given those claims respectively depend from claims 1, 7, and 13 either directly or via other claims that depend respectively from claim 1, 7, and 13. EX2001 ¶187

D. Ground 5-8 – Rostoker, Alone or in View of Clark, and/or Jou, and Further in View of Couckuyt Does Not Render Obvious Claims 3, 9, and 15

As discussed above, Rostoker does not disclose the transmitting of a chart – static or interactive – to a second website. *See supra*, §IV.A.1.(b). Rostoker

discloses creating custom business applications within the Rostoker system (EX1005. [0002]:1-3), but there is no disclosure of transmission to a second website. EX2001 ¶¶188-198. Therefore, Petitioner has failed to show that Rostoker renders independent claims 1, 7, and 13 of the '595 Patent obvious. *Id.* ¶192. Couckuyt does not make up for the deficiencies of Rostoker. *Id.* Couckuyt discloses a drag and drop interface (DDUI) that can generate multiple charts in an integrated chart report and that supports the drag and drop method of adding fields to the integrated chart report. EX1006 3:16-21. Couckuyt does not cure the deficiency of Rostoker regarding no transmission of an interactive chart to a second website for display. EX2001 ¶192. Couckuyt includes no disclosure of such a transmission. *Id.*

Because Petitioner has failed to show that Rostoker in view of Couckuyt renders independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that Rostoker in view Couckuyt teaches claims 3, 9, and 15 given that (1) dependent claim 3 depends from dependent claim 2, which depends from claim 1; (2) dependent claim 9 depends from dependent claim 8, which depends from claim 7; and (3) dependent claim 15 depends from dependent claim 14, which depends from claim 13. EX2001 ¶193.

As discussed above, Rostoker in view of Clark does not disclose the transmitting of a chart – static or interactive – to a second website. *See supra*,

§IV.A.1.(b). Rostoker discloses creating custom business applications within the Rostoker system (*Id.* [0002]:1-3), but there is no disclosure of transmission to a second website. EX2001 ¶194. Clark does not disclose a network interface that, in response to generation of the interactive chart, transmits the interactive chart for display with the generation of the instructions stored in memory to generate the user interface of the first website. EX2001 ¶194. Therefore, Petitioner has failed to show that Rostoker in view of Clark renders independent claims 1, 7, and 13 of the '595 Patent obvious. Couckuyt does make up for the deficiencies of Rostoker. Couckuyt discloses a drag and drop interface (DDUI) that can generate multiple charts in an integrated chart report and that supports the drag and drop method of adding fields to the integrated chart report. EX1006 3:16-21. Couckuyt does not cure the deficiencies of Rostoker in view of Clark regarding no transmission of an interactive chart to a second website for display. EX2001 ¶194. Couckuyt includes no disclosure of such a transmission. *Id.*.

Because Petitioner has failed to show that Rostoker in view Clark, and further in view of Couckuyt, renders independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that Rostoker in view of Clark, and further in view of Couckuyt, teaches claims 3, 9, and 15 given that (1) dependent claim 3 depends from dependent claim 2, which depends from claim 1; (2) dependent claim 9 depends from dependent claim 8, which depends from claim

7; and (3) dependent claim 15 depends from dependent claim 14, which depends from claim 13. EX2001 ¶195.

As discussed above, Petitioner has failed to show that Rostoker in view of Jou renders independent claims 1, 7, and 13 of the '595 Patent obvious. *See supra*, §IV.C. In addition, Petitioner has failed to show that Rostoker in view of Clark, and further in view of Jou, renders independent claims 1, 7, and 13 of the '595 Patent obvious. EX2001 ¶196. Couckuyt does not make up for the deficiencies of Rostoker, Clark, and Jou. EX2001 ¶196. Couckuyt discloses a drag and drop interface (DDUI) that can generate multiple charts in an integrated chart report and that supports the drag and drop method of adding fields to the integrated chart report. EX1006 3:16-21. Couckuyt does not cure the deficiency of Rostoker regarding no transmission of an interactive chart to a second website for display. EX2001 ¶196. Couckuyt includes no disclosure of such a transmission. *Id.*

Because Petitioner has failed to show that Rostoker in view of Jou, and further in view of Couckuyt, renders independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that Rostoker in view of Jou, and further in view of Couckuyt teaches claims 3, 9, and 15 given that (1) dependent claim 3 depends from dependent claim 2, which depends from claim 1; (2) dependent claim 9 depends from dependent claim 8, which depends from claim 7; and (3) dependent claim 15 depends from dependent claim 14, which depends

from claim 13. EX2001 ¶197.

Because Petitioner has failed to show that Rostoker in view of Clark, in view of Jou, and further in view of Couckuyt, renders independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that Rostoker in view of Clark, in view of Jou, and further in view of Couckuyt teaches claims 3, 9, and 15 given that (1) dependent claim 3 depends from dependent claim 2, which depends from claim 1; (2) dependent claim 9 depends from dependent claim 8, which depends from claim 7; and (3) dependent claim 15 depends from dependent claim 14, which depends from claim 13. EX2001 ¶198.

Petitioner is asserting that four references – namely, Rostoker, Clark, Jou, and Couckuyt --in combination render claims 3, 9, and 15 obvious. Applicant respectfully submits that each of claims 3, 9, and 15 cannot be used “as a frame, and individual, marked parts of separate prior art references ... employed as a mosaic to recreate a facsimile of the claimed invention.” *Interconnect Planning v. Feil*, 774 F.2d 1132, 1143 (Fed. Cir. 1985). Petitioner cannot use hindsight reconstruction to pick and choose among isolated disclosures. *In re Fritch*, 972 F.2d 1260, 1268 (Fed. Cir. 1992).

E. Ground 9 – The QlikView Manuals Do Not Render Obvious Claims 1, 2, 4-8, 10-14, and 16-18

1. The Qlik View Manuals Do Not Render Obvious Claim 1

The '595 Patent relates to a system and method for generating and sharing interactive charts. The interactive charts are “generated in an online portal” that allows users to “customize the interactive features of the chart.” EX1001 Abstract. The interactive charts can be embedded in other websites without the need to reprogram the other websites each time an interactive chart is embedded in those websites using a chart box tool. *Id.* 5:41-45.

The QlikView Manuals teach away from the '595 Patent. EX2001 ¶¶199-201. For the QlikView system, the chart is always hosted by the server and the QlikView clients displaying a chart are connected to the QlikView server. EX1009 p.0098. There is no disclosure in the QlikView Manuals of transmitting interactive charts to a second website for display. EX2001 ¶201.

- a) The QlikView Manuals do not disclose a “network interface that, in response to generation of the interactive chart, transmits the interactive chart to a second website for display without the execution of the instructions stored in memory to generate the user interface of the first website”**

The QlikView Manuals do not disclose transmitting an interactive chart to a second website for display. EX2001 ¶¶202-236. A QlikView chart is generated on the QlikView server and is viewed by a QlikView client connected to the

QlikView server. *Id.* ¶203. The QlikView chart is not sent to a sent to a second website for display. *Id.*

The QlikView Manuals disclose a server-client system for data analysis. EX1009 p.0009. The “QlikView Server is the centerpiece of this technology.” *Id.* The QlikView Server provides a centrally managed QlikView document community that connects multiple users, client types, documents, and objects within a secure and safe environment. *Id.*

The QlikView server is responsible for opening, hosting, and calculating the documents. *Id.* p.0123. A client is required for user interaction and presenting the document and its objects. *Id.* A QlikView client is required for the display and usage for an existing QlikView document, which is designated as a “.qvw file.” EX1009 p.0123.

There are three types of QlikView Clients that interact with the QlikView Server: (1) the QlikView Developer, (2) the QlikView Professional, and (3) the QlikView Analyzer. EX1008 p.0016.

The QlikView Developer client is the full version intended for the development of QlikView documents. *Id.* A QlikView document is a file containing what is needed to analyze data. *Id.* p.0073. The Qlik View document file contains (1) the data itself; (2) a script needed to update the QlikView file with new data from a data source; (3) layout information, including all the sheets, list

boxes, charts, etc.; (4) document alerts, document bookmarks, and document reports; (5) access restriction information; and (6) a macro module. *Id.* The QlikView Developer is the only version to provide full access to the script. *Id.* p.0016.

A user of the QlikView Developer client can create charts and tables on the QlikView Server. EX1008 pp.0016, 0073, and 0880. Those charts and tables include bar charts, line charts, combo charts, radar charts, scatter charts, grid charts, pie charts, funnel charts, block charts, gauge charts, pivot tables, and straight tables. *Id.* p.0872-0873.

The QlikView Analyzer client is the low-end client that can be used to access QlikView documents on the QlikView Server. *Id.* p.0016. The user may navigate the layout, make selections, and view results. *Id.* No modification of the layout is possible, however. *Id.* The QlikView Analyzer comes in the following versions: (1) an installed Windows client, (2) a plug-in to Internet Explorer, (3) a Java applet client, or (4) an AJAX Zero Footprint Client (ZFC). *Id.*

Versions of the QlikView clients are designed for different respective computing environments. The QlikView Developer, Professional, and Analyzer clients can be Microsoft Windows installed clients. EX1009 p.0009. These are referred to as “exe clients.” *Id.* p.0009.

The QlikView Analyzer client also has a version that is a full image ActiveX plug-in for Microsoft Internet Explorer web browser. *Id.* pp.0123, 0125. There also is a QlikX Analyzer client that is an object only ActiveX plug-in for Internet Explorer. *Id.* p.0123.

There is a version of the QlikView Analyzer that is a full image Java Client using Sun Java in a web browser. *Id.* pp.0123, 0125.

There is a version of the QlikView Analyzer that is Java Objects Client that is an object only client using Sun Java in a web browser. *Id.*

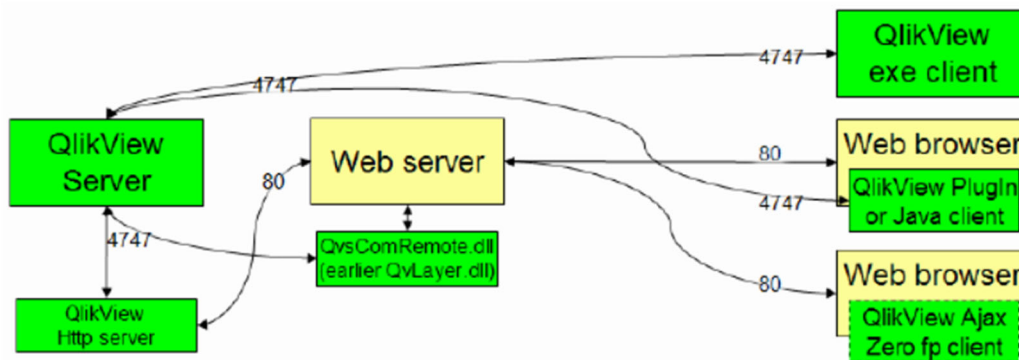
There is a version of the QlikView Analyzer that is an AJAX Zero-Footprint Client, which is an object only dynamic HTML client that uses AJAX architecture in a web browser. *Id.*

Any QlikView document may be displayed with any QlikView client, but additional HTML code must be created for the QlikView Object clients to display and interact with the objects with a particular document. *Id.* p.0123. The QlikView Object clients are the Java Objects client, the QlikX client, and the AJAX client. *Id.* p.0009.

To summarize the above, the QlikView Developer client is used to create (i.e., generate) charts on the QlikView server by accessing the QlikView server. The QlikView server hosts those documents. Those documents that are created are

accessed and viewed by the QlikView Analyzer clients, of which there are different versions.

The figure reproduced below from the QlikView Server Manual shows how the QlikView clients communicate with the QlikView server.



Id. p.0098

The Microsoft Windows client communicates directly with the QlikView server. *Id.* That communication is done by using the Qlik View Protocol (QVP) and, typically, port 4747. *Id.* The QlikView Developer, Professional, and Analyzer clients can be Microsoft Windows installed clients. EX1008 p.0009. These are referred to as “exe clients.” *Id.* p.0009. Thus, the QlikView exe client shown in the above network diagram is a Windows client.

Another Windows QlikView Analyzer client is a full image ActiveX plug-in for Microsoft Internet Explorer web browser. *Id.* pp.0123, 0125. There also is a Windows QlikX Analyzer client that is an object only ActiveX plug-in for Internet Explorer web browser. *Id.* p.0123. A POSA would understand that those two plug-

ins are represented by the QlikView Plugin for a Web browser shown in the above network diagram. EX2001 ¶219.

The Java clients run in a browser window. EX1009 p.0097. The Java clients can communicate directly with the QlikView server, but they first must establish a connection with a Web Server serving the page containing the Java applet. *Id.* p.0098. A POSA would understand that such a Java client is shown in the above network diagram as associated with a Web browser. EX2001 ¶220.

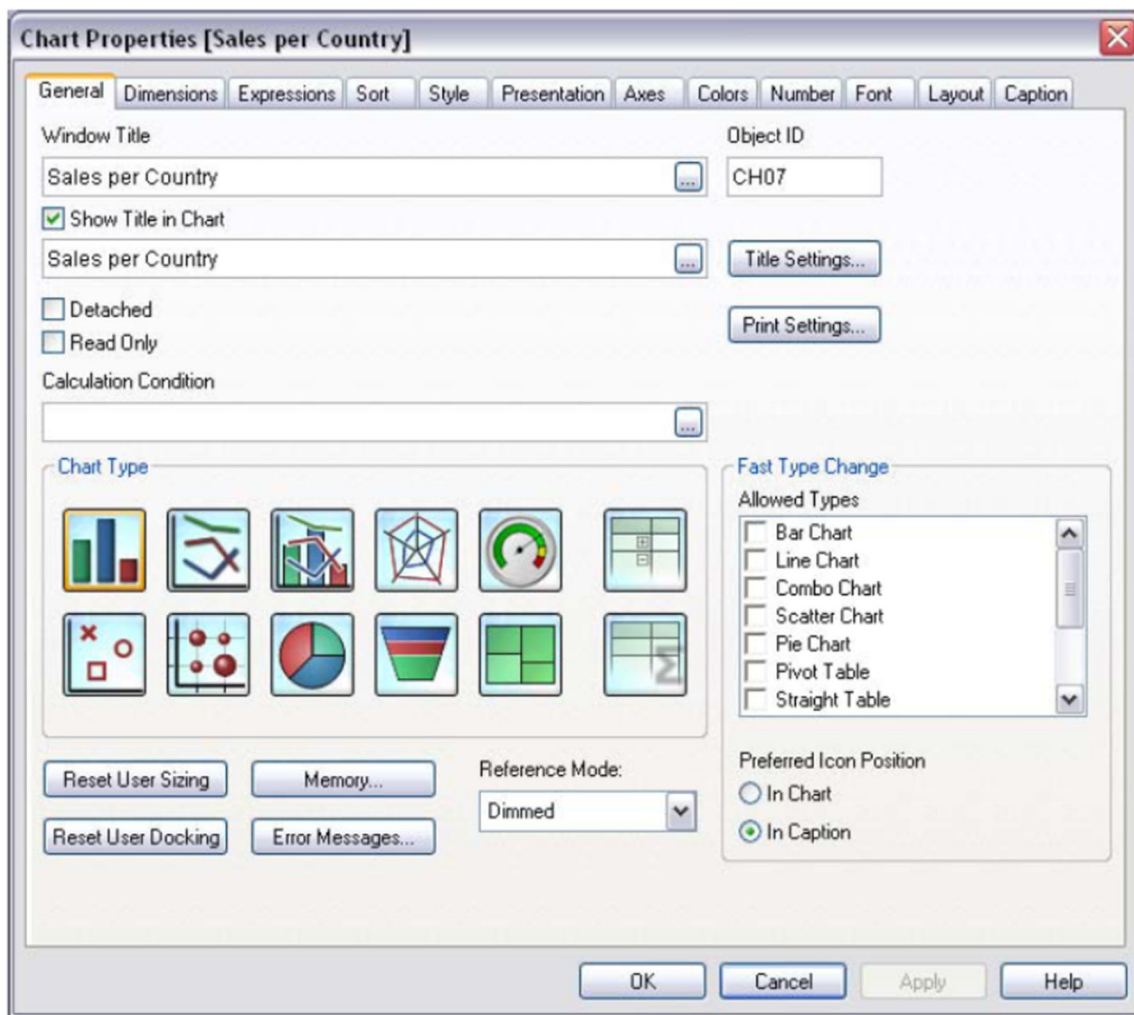
A POSA would understand that the Web server displayed in the above figure is just a conduit between the QlikView server and the QlikView clients. *Id.* ¶223. That conduit provides a network communication path between the QlikView server and the QlikView clients. *Id.*

An AJAX Zero-Footprint Client (ZFC) must establish and maintain a connection to the QlikView Server through a Web server. EX1009 p.0098. The AJAX ZFC client is an object-only dynamic HTML client utilizing AJAX architecture in a web browser. *Id.* p.0123. A POSA would understand that the AJAX ZFC client is shown in the above network diagram as “QlikView AJAX Zero fp client” and associated with a Web browser. EX2001 ¶221.

Regardless of the configuration, at least one network communication path must exist between the QlikView Server and the Client. EX1009 p.0096. Thus, the QlikView clients must establish and maintain a connection to the QlikView server

to display and interact with the QlikView documents that are hosted on the QlikView server. EX2001 ¶222. That connection is either a direct connection or – in the case of the Java clients – an indirect connection via a Web server. *Id.* This makes sense because the QlikView Server provides a centrally managed QlikView document community that connects multiple users, client types, documents, and objects within a secure and safe environment. *Id.*, EX1009 p.0009. It follows, however, that if the connection (direct or indirect) to the QlikView server is not established and maintained, none of the QlikView clients, including the QlikView Analyzer clients, can display and interact with the QlikView documents that the QlikView Developer created on the QlikView server. EX2001 ¶222.

Thus, there is no disclosure in the QlikView Manuals of transmitting interactive charts to a second website for display. *Id.* ¶224. A user of the QlikView Developer client installed on Microsoft Windows can create charts and tables on the QlikView Server. EX1008 pp.0016, 0073, 0880. The General page, reproduced below, of a chart wizard is where the titles and chart type can be set. *Id.* p.0882.

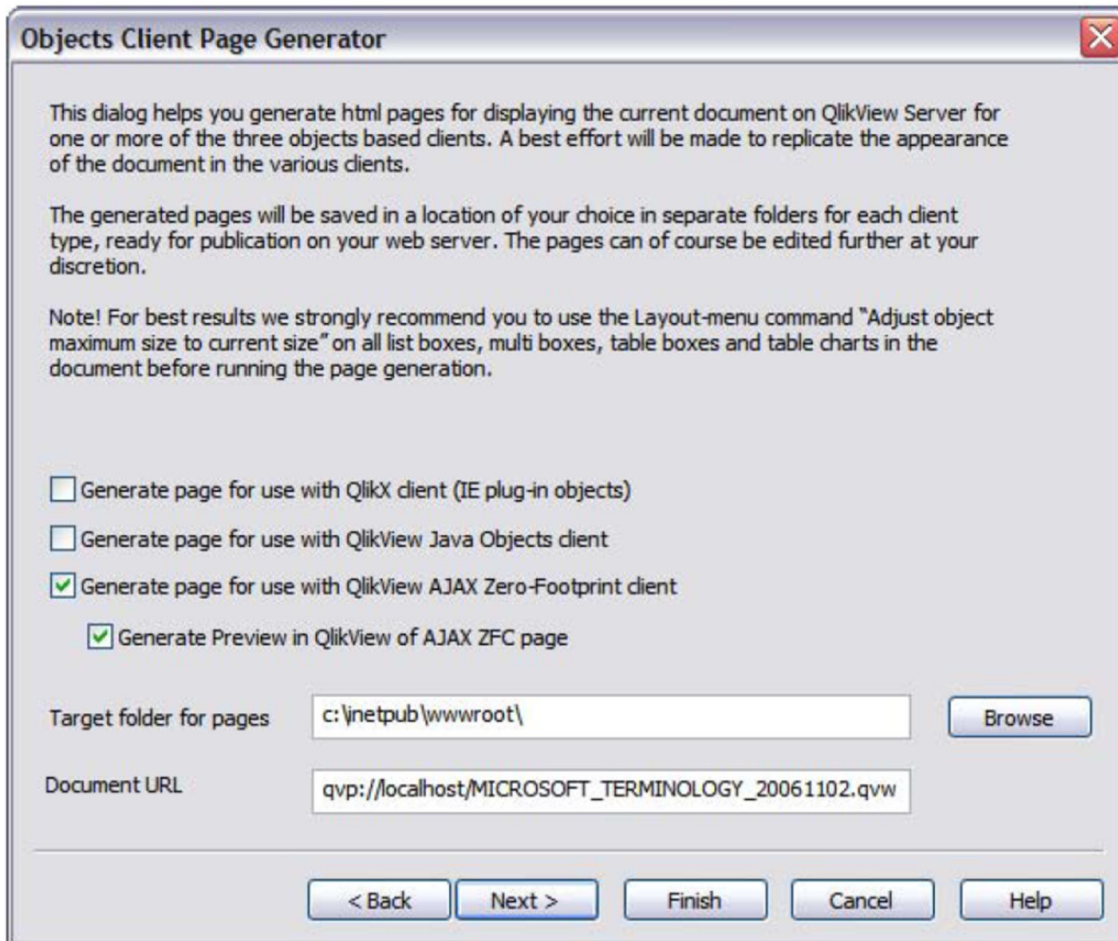


Id. p.0882.

The QlikView server is responsible for opening, hosting, and calculating the document. EX1009 p.0123. A POSA would understand that the QlikView clients view the charts that reside on the QlikView server either by interacting directly with the QlikView Server (in the case of the QlikView exe clients) or via a Web browser. EX2001 ¶225. A POSA would understand that the QlikView Manuals do not disclose transmission of a chart to a second website. *Id.* A browser is not a

second website. *Id.* A POSA would understand that the Web browsers shown and described in the QlikView Manuals are for interacting with the QlikView Server and for viewing documents that reside on the QlikView Server. *Id.*

Further evidence that there is no transmission of QlikView charts to a second website for display can be found in the discussion of the QlikView Objects Client HTML Page Generator Dialog box. *Id.* ¶226. The QlikView Objects Client HTML Page Generator dialog box, reproduced below, helps a user to generate html pages for displaying the current document on the QlikView Server for one or more of the three QlikView object-based clients (i.e., the Java Objects client, the QlikX client, and the AJAX Zero-Footprint client). EX1008 p.0807.



EX1008 p.0807 (FIG. 87).

The user can specify a target folder for the html pages where the generated html pages will be saved. *Id.* p.0808. The html pages can be edited further using a third-party html editor. *Id.* p.0807.

The Objects Client HTML Page Generator includes a box called "Document URL" where the user specifies the QlikView target document URL on the QlikView Server where the html pages are to be run. *Id.* p.0808. This setting is necessary for the Java Objects and QlikX pages to work properly. *Id.* A POSA

would understand that means that the web pages viewable by the QlikView object clients are built on the QlikView Server, reside on the QlikView server, and run on the QlikView server. EX2001 ¶228. The URL provides the user of a QlikView Client browser with a mechanism to locate those web pages. *Id.*

This specification of a QlikView target document URL on the QlikView Server provides further evidence that there is no disclosure in the QlikView Manuals of transmitting interactive charts to a second website for display. *Id.* ¶229. A POSA would understand that the QlikView charts that are generated on the QlikView Server remain on the QlikView server for display. *Id.* For the QlikView clients to be able to view and interact with QlikView charts, a connection to the QlikView server—either direct or indirect—must always be present. *Id.* A POSA would understand that breaking the connection between QlikView server and a QlikView client would prevent a user of QlikView client from interacting with a chart. *Id.*

Petitioner is misguided in arguing that the QlikView Manuals disclose a network interface that transmits the interactive chart to a second website for display. A POSA would understand that what the QlikView Manuals disclose is that the charts that are generated on the QlikView server and are not transmitted to a second website for display. *Id.* ¶230. Instead, some types of QlikView clients communicate directly with the QlikView Server to view the chart residing on the

QlikView Server while other types of QlikView clients employ a Web browser to view the chart residing on the QlikView Server. *Id.* A POSA would know that using a Web browser to view a chart on the QlikView server is not transmitting an interactive chart to a second website for display. *Id.*

The system that the QlikView Manuals disclose regarding QlikView clients using browsers is similar to the Google online service disclosed in the Background of the Invention section of the '595 Patent (EX1001 1:35-51), which is distinguishable from the claimed invention of the '595 Patent. EX2001 ¶231.

Petitioner's reliance on the AJAX ZFC is misplaced. EX2001 ¶232. The QlikView Manuals refute Petitioner's position by disclosing that the "QlikView AJAX ZFC requires no installation on the client computer, but some HTML/ASP development is required to display and interact with objects from **a QlikView document hosted by QlikView Server.**" EX1008 p.0155 (emphasis added); EX2001 ¶232. Petitioner points to a statement that the "QlikView AJAX ZFC provides the environment for the QlikView Server to produce and send Dynamic HTML (DHTML) pages and XML data to the browser running on the client computer and also receive feedback from the user clicking in those pages." Petition p.80 (citing EX1008 p.0156). In contrast to what Petitioner argues, a POSA would understand the user of the QlikView client would be using the web browser on the user's QlikView client viewing a web page on the QlikView Server. EX2001 ¶232.

A POSA would understand that the Dynamic HTML would work by manipulating and modifying the structure and content of the **web page on the QlikView Server that the user is viewing** after the web page has loaded, allowing for interactive elements and changes to the page without needing to reload the entire page. *Id.* The feedback from the user would be the user clicking on the QlikView Server web page that the user is viewing on the QlikView client browser. *Id.* Thus, a POSA would understand that no interactive chart is transmitted to a second website. *Id.*

Petitioner is also mistaken in arguing that a second website is different from a first website because it uses a different web client and a different URL, with the Petitioner pointing to a comparison of EX1009, p.0155 (“http://localhost/qlikview/AjaxZfc”) with Section IX.B.4 (http://localhost/QvJava...and “http://localhost/QvPlugin...”) Petition pp.80-81. The first problem with the Petitioner’s argument is that the cited URLs are to local hosting, which a POSA would understand to mean not accessing the web. The bigger problem, however, with Petitioner’s argument is that the Petitioner is confusing a web page with a website. EX2001 ¶233. A POSA would understand that a single forward slash in a URL references a web page of a website. *Id.* A POSA would understand that a web page is not a website. *Id.* The examples pointed to by the Petitioner both refer to “localhost” and do not reference different

websites – indeed, there is not a reference to a website at all. *Id.*

The Petitioner argues that on the second website, the charts remain interactive. But, as explained above, there is no second website. As explained above, there is either a direct connection to the QlikView Server in some configurations or communication with QlikView Server via a browser on a QlikView Client for other configurations.

The Petitioner’s statements regarding alleged “connector code” are off base. Petition pp.81-83 of the Petition. Petitioner points to sample Java Objects code at EX1009 p.0136 which is in Section 14.4 entitled “Applying QlikView Java Objects to a web page.” EX1009 pp.0135-136. A POSA would understand that the “web page” is on the QlikView Server, not on a second website. EX2001 ¶235; EX1009 p.0135 (“the right QlikView document (qvw file) on the server...”). The “Connector Code” (EX1009 pp.0148-0149) is part of a complete HTML page for displaying one list box and one chart with QlikX. *Id.* p.0147. QlikX is Windows Analyzer client that is an object only ActiveX plug-in for Internet Explorer web browser. *Id.* p.0123. A POSA would understand that the Internet Explorer web browser would be used by a user of QlikView Client to view a web page on the QlikView Server, as explained above. EX2001 ¶235. With respect to Petitioner’s reference to “Java applets,” at EX1009 pp.0130, 0135, a POSA would understand, based on the discussion above, that a chart generated on the QlikView server

remains on the QlikView Server and is not sent to a second website. EX2001 ¶235.

Thus, the Petitioner has failed to show that the QlikView Manuals disclose transmitting an interactive chart to a second website for display.

2. The Qlik View Manuals do not disclose a “wherein the second website receives an input from the second user and updates the interactive chart after the second website receives the input”

Because the QlikView Manuals do not disclose the transmitting of an interactive chart to a second website, it follows that the QlikView Manuals do not disclose, teach, or suggest the limitation of “wherein the second website receives an input from the second user and updates the interactive chart after the second website receives the input.” *Supra*, §IV.E.1(a); EX2001 ¶¶237-238.

3. The Qlik View Manuals Do Not Render Obvious Claims 7 and 13

As discussed above, because the QlikView Manuals do not disclose the transmitting of an interactive chart to a second website, QlikView Manuals do not disclose “transmitting the interactive chart to a second website for display in response to generation of the interactive chart” or that “the second website receives an input from a second user, and the interactive chart is updated after the second website receives the input.” *Supra*, §IV.E.1(a); EX2001 ¶¶237-238.

4. The QlikView Manuals Do Not Teach Claims 2, 8, and 14

Because Petitioner has failed to show that the QlikView Manuals render

independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that the QlikView Manuals teach claims 2, 8, and 14 given those claims respectively depend from claims 1, 7, and 13. *Supra*, §§IV.E.1(a), IV.E.3; EX2001 ¶239.

5. The QlikView Manuals Do Not Teach Claims 4, 10, and 16

Because Petitioner has failed to show that the QlikView Manuals render independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that the QlikView Manuals teach claims 4, 10, and 16 given those claims respectively depend from claims 1, 7, and 13. *Supra*, §§IV.E.1(a), IV.E.3; EX2001 ¶¶240-241.

6. The QlikView Manuals Do Not Teach Claims 5, 11, and 17

Because Petitioner has failed to show that the QlikView Manuals render independent claims 1, 7, and 13, and dependent claims 4, 10, and 16, of the '595 Patent obvious, Petitioner necessarily fails to show that the QlikView Manuals teach claims 5, 11, and 17 given those claims respectively depend from claims 4, 10, and 16. *Supra*, §§IV.E.1(a), IV.E.3, IV.E.5; EX2001 ¶242.

7. The QlikView Manuals Do Not Teach Claims 6, 12, and 18

Because Petitioner has failed to show that the QlikView Manuals render independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that the QlikView Manuals teach claims 6, 12, and 18 given those

claims respectively depend from claims 1, 7, and 13. *Supra*, §§IV.E.1(a), IV.E.3; EX2001 ¶243.

F. Ground 10 – The QlikView Manuals in View of Couckuyt Do Not Render Obvious Claims 3, 9, and 15

The Couckuyt patent discloses a drag and drop interface (DDUI) that can generate multiple charts in an integrated chart report and that supports the drag and drop method of adding fields to the integrated chart report. EX1006 3:16-21.

A POSA would not have been motivated to combine the QlikView Manuals with Couckuyt because those references are not directed to the same technical problem. EX2001 ¶¶244-252. Couckuyt is directed to the need in the art for a charting drag-and-drop user interface (DDUI) that can generate multiple charts at the same time and support the drag-and-drop method of adding fields. EX1006 1:66-67, 2:5-8. The QlikView Manuals, on the other hand, disclose a server-client system for data analysis. EX1009 p.0009.

There was no reason for one having ordinary skill in the art to start with the QlikView Server-Client system and modify it based on Couckuyt to include the Couckuyt features. EX2001 ¶249. Even without Couckuyt, the QlikView Manuals describe a Chart Wizard, so there would be no need to combine with the drag and drop system of Couckuyt. *Id.* Petitioner's argument lacks foundation that deciding in the QlikView system which fields to include and the order was not always

intuitive. *Id.* Petitioner fails to explain how the discarding of extraneous dimensions by the QlikView system would be improved by adding drag and drop from Couckuyt. *Id.*

Moreover, there are not sufficient teachings in either the QlikView Manuals or in Couckuyt as to how to implement the Couckuyt draft and drop feature in the QlikView system. EX2001 ¶250. There was no reasonable expectation of success in modifying the QlikView System to include the Couckuyt drag and drop feature given the lack of disclosure in both the QlikView Manuals and Couckuyt. *Id.*

Furthermore, it would involve impermissible hindsight, based on the disclosure of the '595 Patent, to combine the QlikView Manuals and Couckuyt. *Id.*

In addition, even if the QlikView Manuals and Couckuyt were combined, the combination would not disclose, teach, or suggest the limitation of claim 1 of “a network interface that, in response to generation of the interactive chart, transmits the interactive chart to a second website for display” or of claims 7 and 13 of “transmitting the interactive chart to a second website for display in response to generation of the interactive chart.” EX2001 ¶251. As discussed above, the QlikView Manuals do not disclose the transmitting of an interactive chart to a second website. *See supra*, §IV.E.1.(a). Couckuyt does not cure the deficiency of the QlikView Manuals regarding no transmission of an interactive chart to a second website for display. EX2001 ¶251. Couckuyt includes no disclosure of any

such transmission. *Id.*

Because Petitioner has failed to show that the QlikView Manuals in view of Couckuyt render independent claims 1, 7, and 13 of the '595 Patent obvious, Petitioner necessarily fails to show that the QlikView Manuals in view of Couckuyt teach claims 3, 9, and 15 given that (1) dependent claim 3 depends from dependent claim 2, which depends from claim 1; (2) dependent claim 9 depends from dependent claim 8, which depends from claim 7; and (3) dependent claim 15 depends from dependent claim 14, which depends from claim 13. EX2001 ¶252.

V. CONCLUSION

For the foregoing reasons, iCHARTS respectfully requests that the Board deny all grounds of challenge, dismiss the Petition, and decline to institute *inter partes* review.

Dated: February 18, 2025

Respectfully submitted,

/Lester J. Vincent/

Lester J. Vincent (Reg. No. 31,460)

Lead Counsel for Patent Owner

CERTIFICATE OF COMPLIANCE

Pursuant to 37 C.F.R. § 42.24(d), the undersigned certifies that this Preliminary Response complies with the type-volume limitation of 37 C.F.R. § 42.24(b). The word count application of the word processing program used to prepare this Preliminary Response indicates that the Preliminary Response contains 13,734 words.

Dated: February 18, 2025

Respectfully submitted,

/Lester J. Vincent/
Lester J. Vincent (Reg. No. 31,460)

Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies that on February 18, 2025, a true and correct copy of the foregoing was served on Counsel for Petitioner via filing through the P-TACTS System, as well as by delivering a copy via electronic mail to the following:

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