UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TABLEAU SOFTWARE, LLC

Petitioner,

v.

iCHARTS LLC,

Patent Owner.

Case No. IPR2024-01389
U.S. Patent No. 8,520,000

PATENT OWNER'S PRELIMINARY RESPONSE

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EXHIBIT LIST

Exhibit No.	Description
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. 8,520,000 ("the '000 Patent").

The '000 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 '000 Patent rendered obvious under 35 U.S.C. §103.

Rostoker discloses software for developing custom business applications in a service-oriented architecture. EX1005 [0002]:1-3. Rostoker includes a storefront having a knowledge base or compilation of software components, applications, or other data services that can be easily modified or integrated into different business analyst and end user tools. *Id.* [0006]:1-5. A user may locate components by searching an information hub. *Id.* [0006]:5-8. The user may then select a pre-existing application or component and use the selected component or application without modification or use the component or application as a template, making

modifications in order to create an application to operate in a desired manner. *Id.* [0006]:9-13.

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

The QlikView Manuals disclose a server-client system for data analysis. 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.

Bales relied upon by Petitioner for arguments of alleged obviousness under §103 does not make up for the deficiencies of the QlikView Manuals.

Accordingly, the Petition fails to show that any claim of the ’000 Patent is rendered obvious under §103. There is no “reasonable likelihood that Petitioner would prevail with respect to at least one claim” of the ’000 Patent. The Petition should be denied.

II. OVERVIEW OF THE TECHNOLOGY, THE ’000 PATENT, AND THE PRIOR ART

A. The ’000 Patent

The ’000 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*. 5:31-34.

The ’000 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*. 7:53–56. This is illustrated in Fig. 2 of the patent, which is reproduced below:

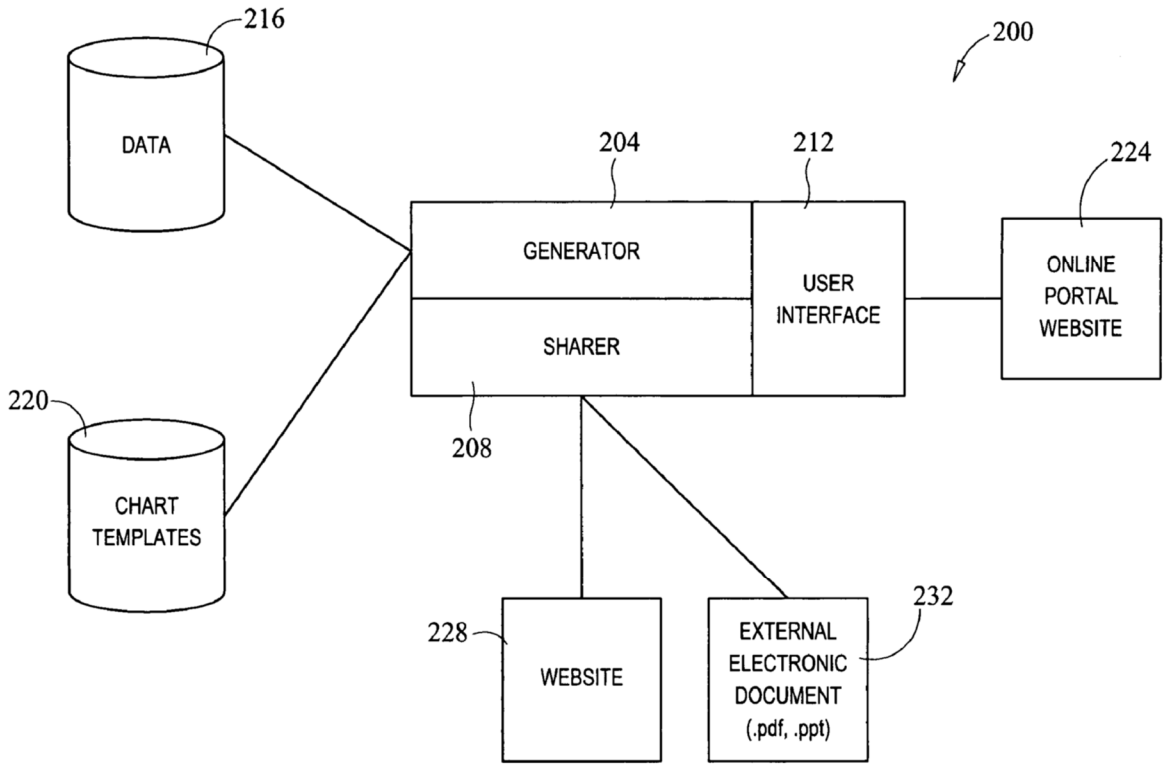


FIG. 2

Users upload or enter data at the online portal website 224 through the user interface 212. *Id*. 8:1-3. Data is stored in the data store 216. *Id*. 8:1-3. 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*. 8:3-5.

The sharer 208 can be accessed through website 224 and user interface 212.

Id. 8:6-8. A generated interactive chart can be published on an external webpage 228 as an interactive chart or as a static chart. *Id*: 8:8-10. The generated interactive chart can also be "embedded in an external document 232 as an interactive chart or as a static chart." *Id*. 8:7-9.

FIG. 3, reproduced below, shows an exemplary interactive chart 300. *Id*. 8:22-23.

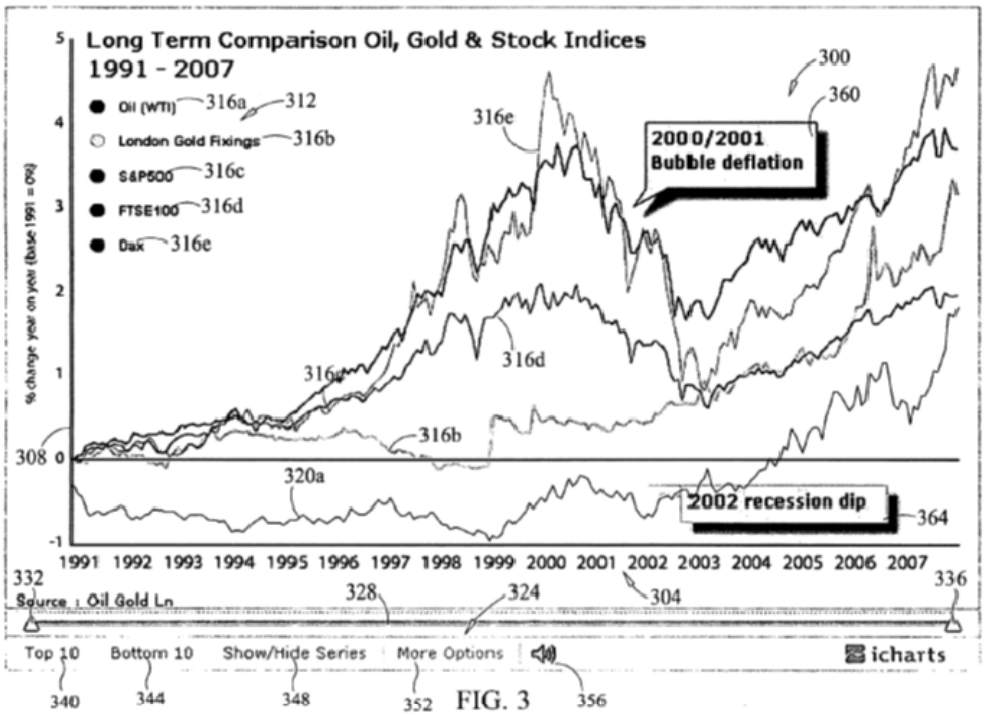


FIG. 3

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*. 9:9-12, 9:15-19, 9:61-64.

FIG. 8, reproduced below, is a flow diagram of the process of generating and sharing an interactive chart. *Id*. 10:1-3.

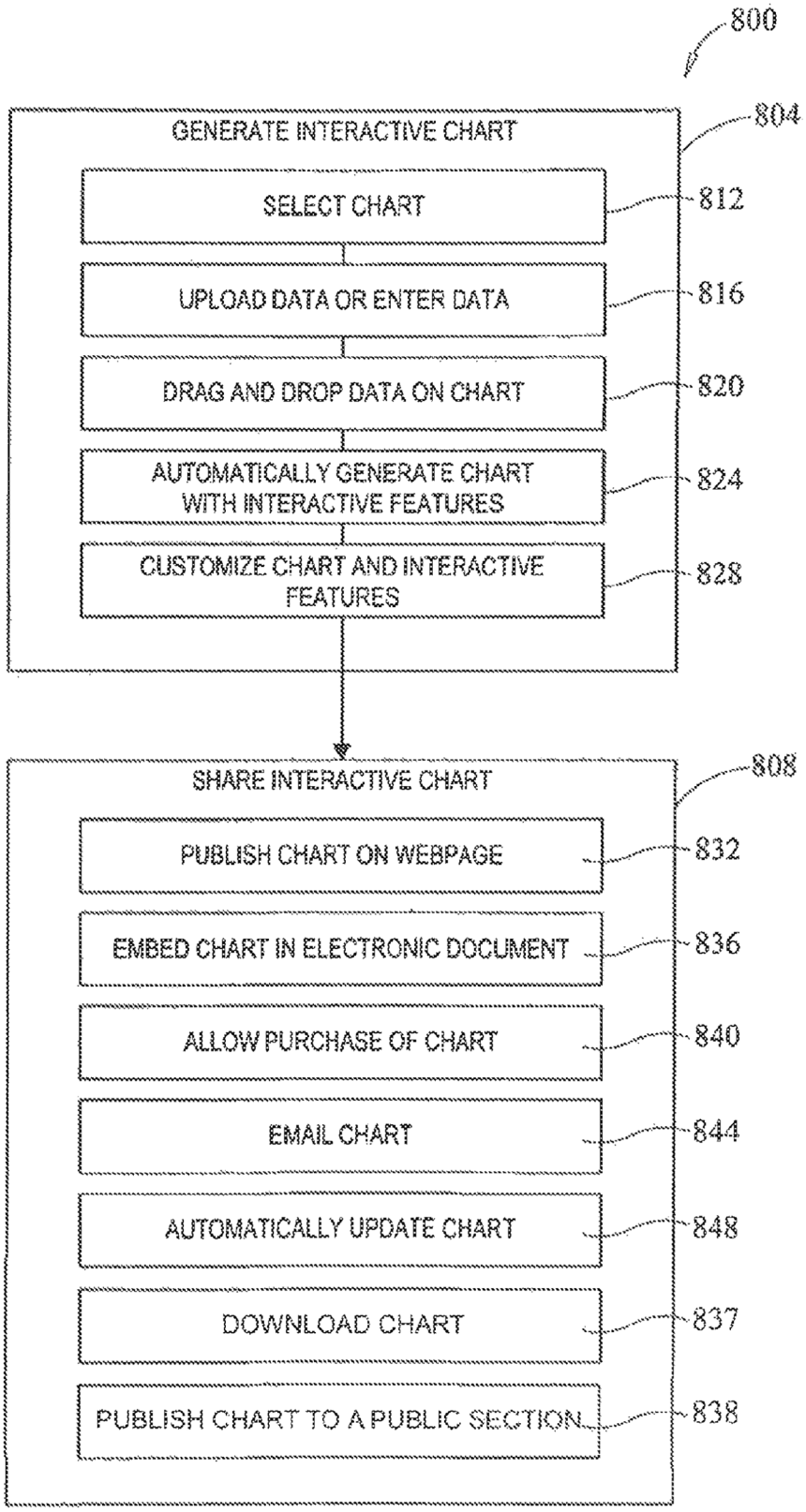

800
GENERATE INTERACTIVE CHART
804
SELECT CHART
812
UPLOAD DATA OR ENTER DATA
816
DRAG AND DROP DATA ON CHART
820
AUTOMATICALLY GENERATE CHART WITH INTERACTIVE FEATURES
824
CUSTOMIZE CHART AND INTERACTIVE FEATURES
828
SHARE INTERACTIVE CHART
808
PUBLISH CHART ON WEBPAGE
832
EMBED CHART IN ELECTRONIC DOCUMENT
836
ALLOW PURCHASE OF CHART
840
EMAIL CHART
844
AUTOMATICALLY UPDATE CHART
848
DOWNLOAD CHART
837
PUBLISH CHART TO A PUBLIC SECTION
838

FIG. 8

The ’000 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.* 10:10-15.

Once the interactive chart is created, it can be downloaded as an interactive self-contained object. *Id*. 10:16-22. The ’000 Patent discloses that the stored interactive chart could be a “flash object.” *Id*. 13:49-50. The ’000 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*. 8:23-27. The interactive chart data is “stored within the flash file.” *Id*. 8:27-28. The flash file would contain dynamic code, executed on the client-side for interactivity. Thus, the interactive charts that are downloaded are self-contained flash files that can exist independent of the web portal. *Id*. 8:47-48.

The ’000 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*. 10:16-22. “The chart may also be automatically updated (block 848).” *Id*. 10:22-23.

The interactive charts can also be embedded in other websites without the need to reprogram the other websites each time an interactive tool is embedded in those websites using a chart box tool. *Id*. 5:41-45.

FIG. 43, reproduced below, illustrates shows a business services application website that includes a chart box 4304. *Id*. 15:49-52.

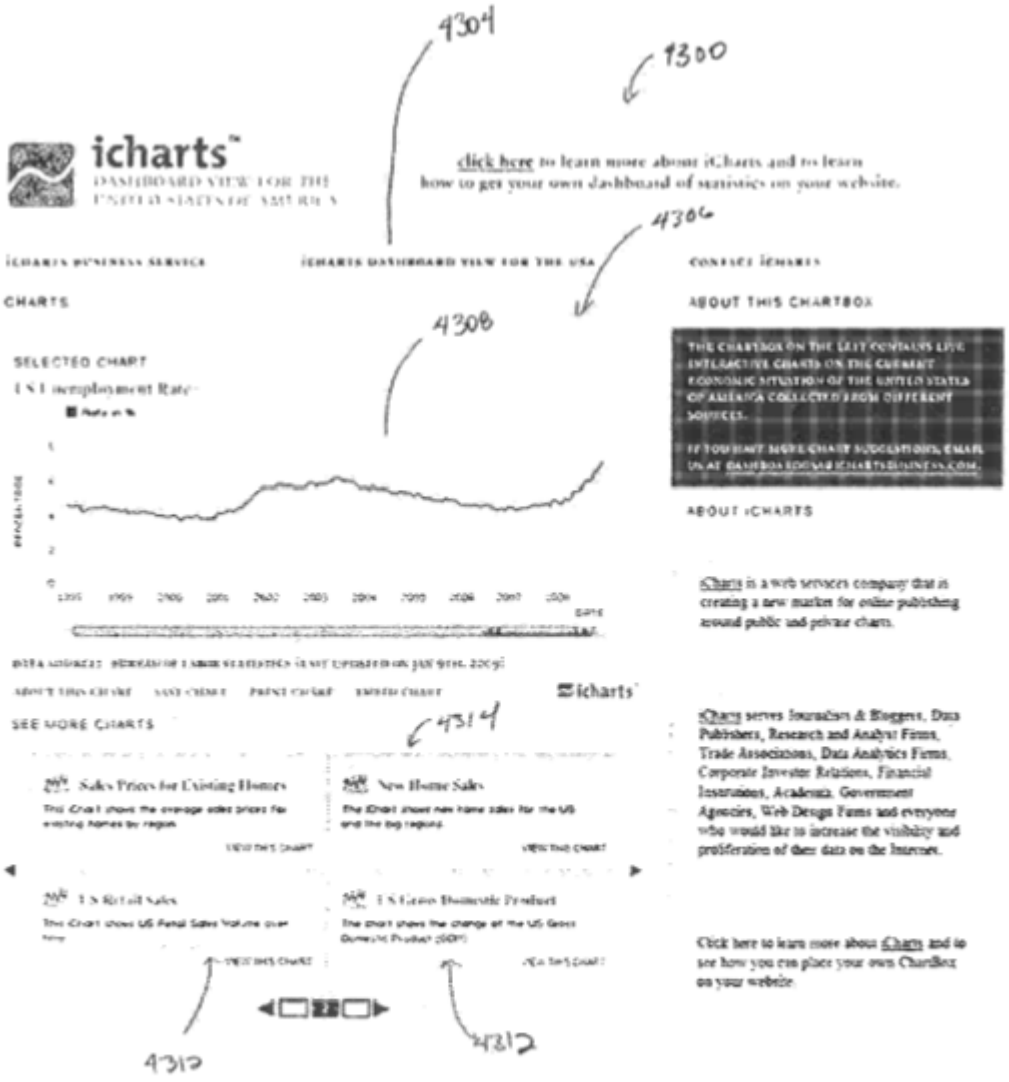


Figure 43

Chart box 4304 is configured to be embedded on a website to display one or more interactive charts on that website. *Id.* 15:52-55. 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.* 15:55-58. Chart box 4304 allows users or businesses with large amounts of data to display varying charts easily and flexibly on their website without the need for programming. *Id.* 15:64-67.

The chart box 4304 can be a flash widget. *Id.* 16:1. The chart box 4304 may be embedded once onto a customer site using an embed code. *Id*. 16:2-3. The embed code for the chart box 4304 may include retrieve code to fetch the interactive chart or charts selected for the chart box 4304 embedded in the customer site. *Id*. 16:3-6. Alternatively, the embed code may include a data feed that is used to automatically update the interactive chart or charts displayed in the chart box 4304. *Id*. 16:6-9.

Chart box 4304 includes a viewing pane 4306 configured to display an interactive chart 4308. *Id*. 16:11-12. Chart box 4304 also includes multiple interactive charts 4312 in a chart selection pane 4314. *Id*. 16:12-14. Each of the interactive charts 4312 may be selected for display in the viewing pane 4306. *Id*. 16:14-15.

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*. 16:25-29.

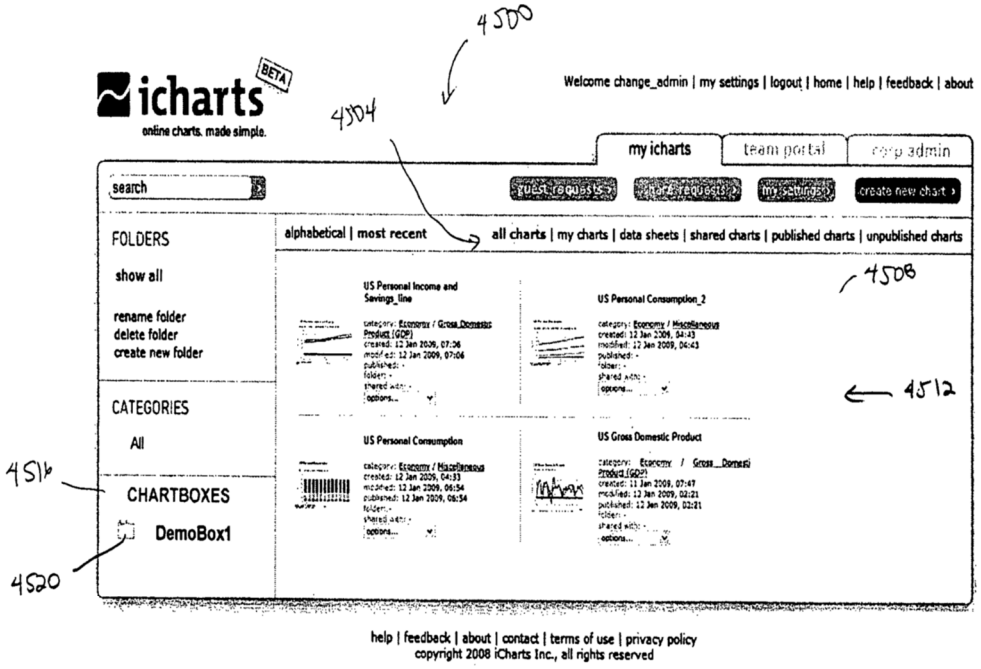


Figure 45

A user may select possible interactive charts for inclusion in chart box 4304 using toolbar 4504. *Id*. 16:29-31. 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*. 16:31-33.

User interface 4500 includes a chart box region 4516 that includes a chart box folder 4520. *Id*. 16:33-35. 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*. 16:35-38. 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*. 16:38-41. 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*. 16:41-44.

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*. 16:50-53.

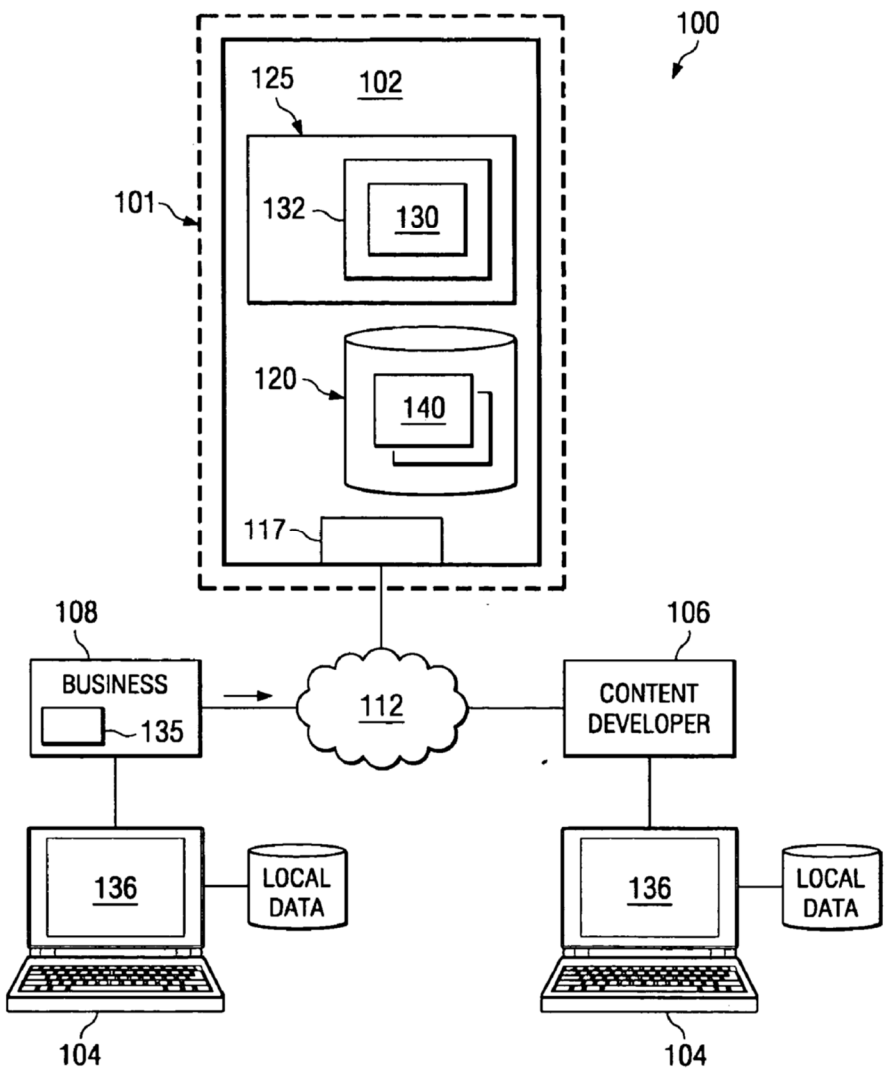
B. The Cited Prior

Petitioner challenges claims of the ’000 Patent relying on Rostoker in view of Strong (Ground 1), and in combination with Jou (Ground 2), and Clark (Ground 3), and the Qlik View Manuals in view of Bales (Ground 4).

1. Rostoker (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.

FIG. 1



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

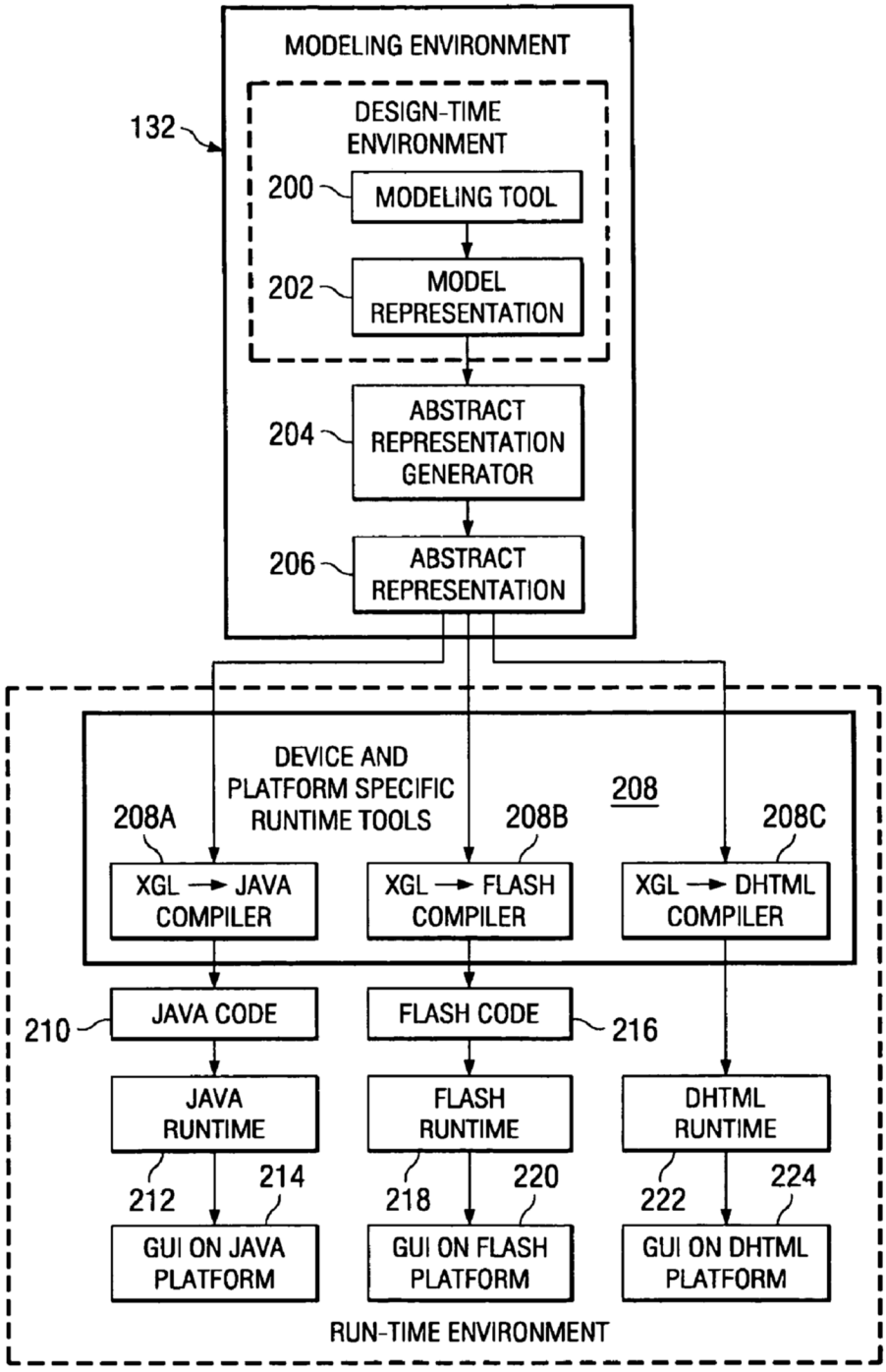
components 140. *Id*. [0037]:33-39. At least some of the reusable components 140 were created, modified, or otherwise uploaded by developer 106 to content provider 101. *Id*. [0037]:33-39.

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. The various components -- such as servers 102 and clients 104 – may communicate via a virtual private network (VPN), a Secure Shell (SSH) tunnel, or other secure network connection. Server 102 may include interface 117 for computing with other computer systems, such as clients 1104, over network 112 in a client-server or other distributed environment. *Id.* [0036]:1-4.

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.

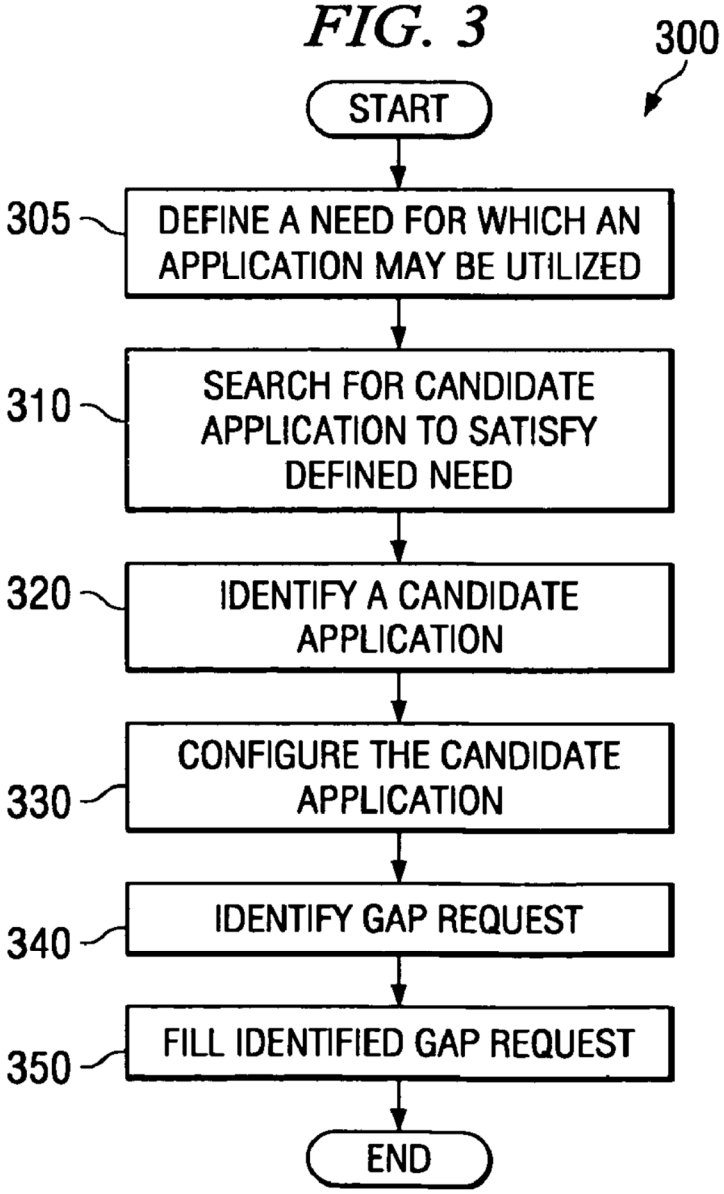
Modeling tool 200 may be used by a GUI designer or business analyst during the application design phase to create model representation 202 for a GUI application. *Id*. [0044]:1-4. Model representation 202 may be a collection of XML documents with a well-formed syntax. *Id*. [0044]:17-19.

Abstract representation generator 204 takes model representation 202 as an input and outputs abstract representation 206 for model representation. *Id.* [0045]:5-8. For each type of model representation, mapping rules may be provided for mapping the model representation to the XGL representation 206. *Id*. [0045]:14-16.

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

FIG. 3



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.

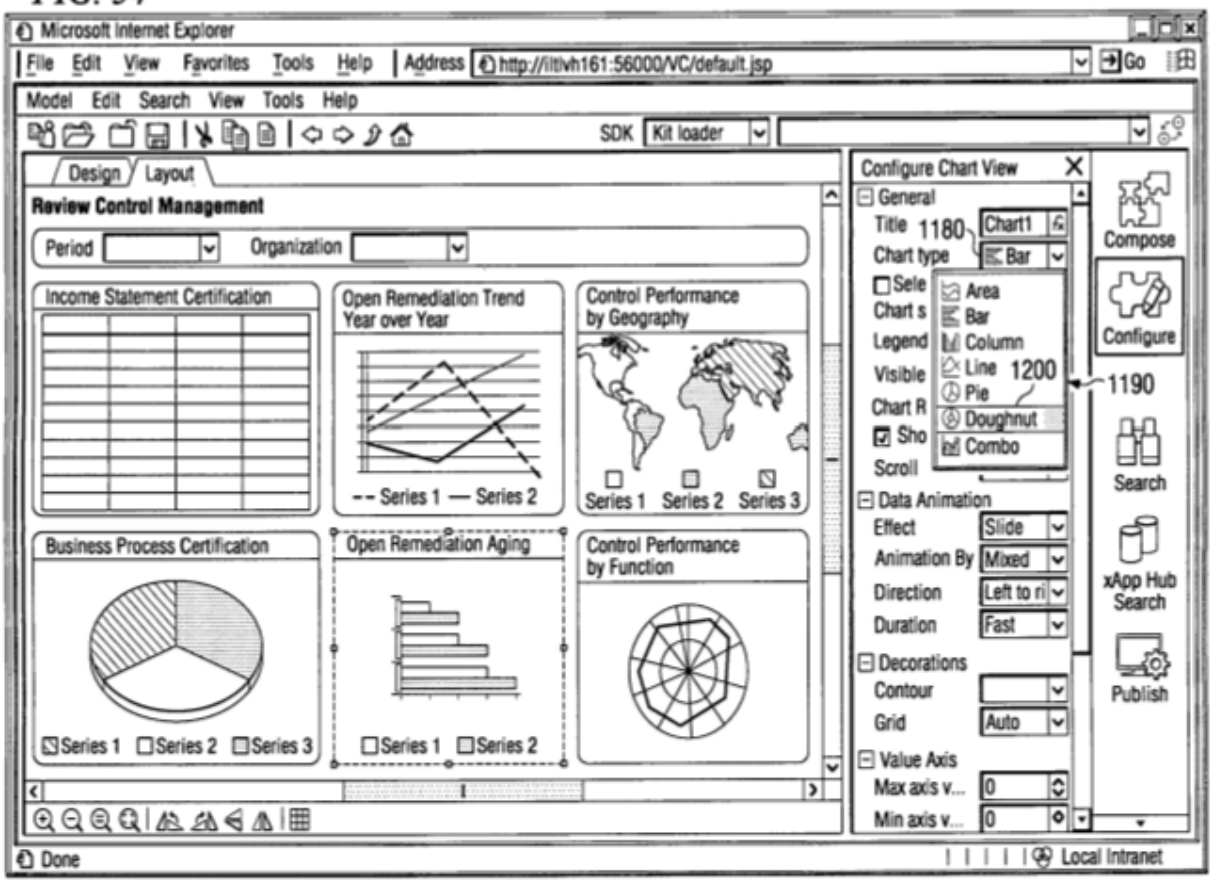
At step 340, the user may encounter gaps between the intended or designed functionality of the new or modified application and the existing application. Id. [0060]:4-7.

At step 350, those gaps can be filled. *Id*. [0061]:1. Some gaps may be filed with WYSIWYG tools. *Id*. [0061]:1-3. For gaps beyond the capabilities of the user or the available modification tools (e.g., the WYSIWYG tools), the user may include a description of the intended functionality of the new application. *Id*. [0062]:4-7. An information technology professional may then configure the component. *Id*. [0062]:19-22.

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. 56

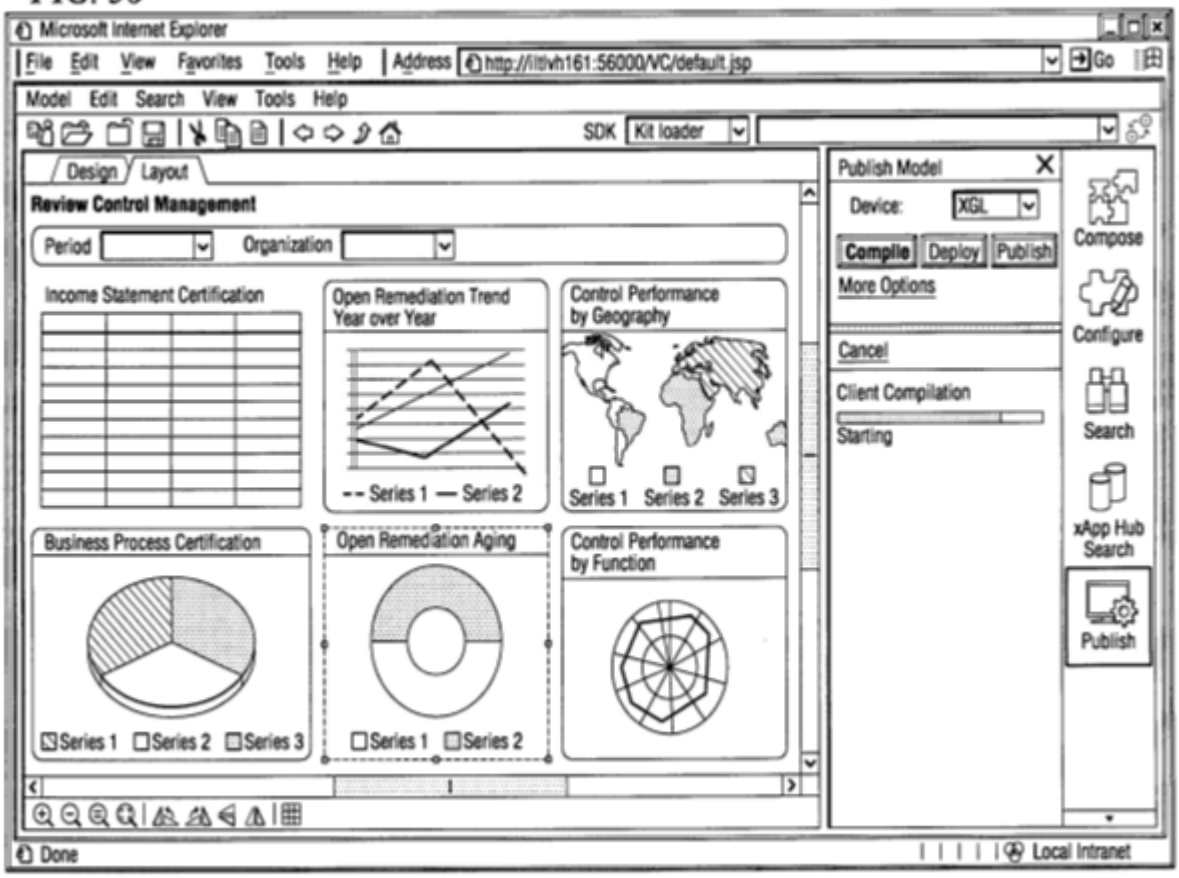
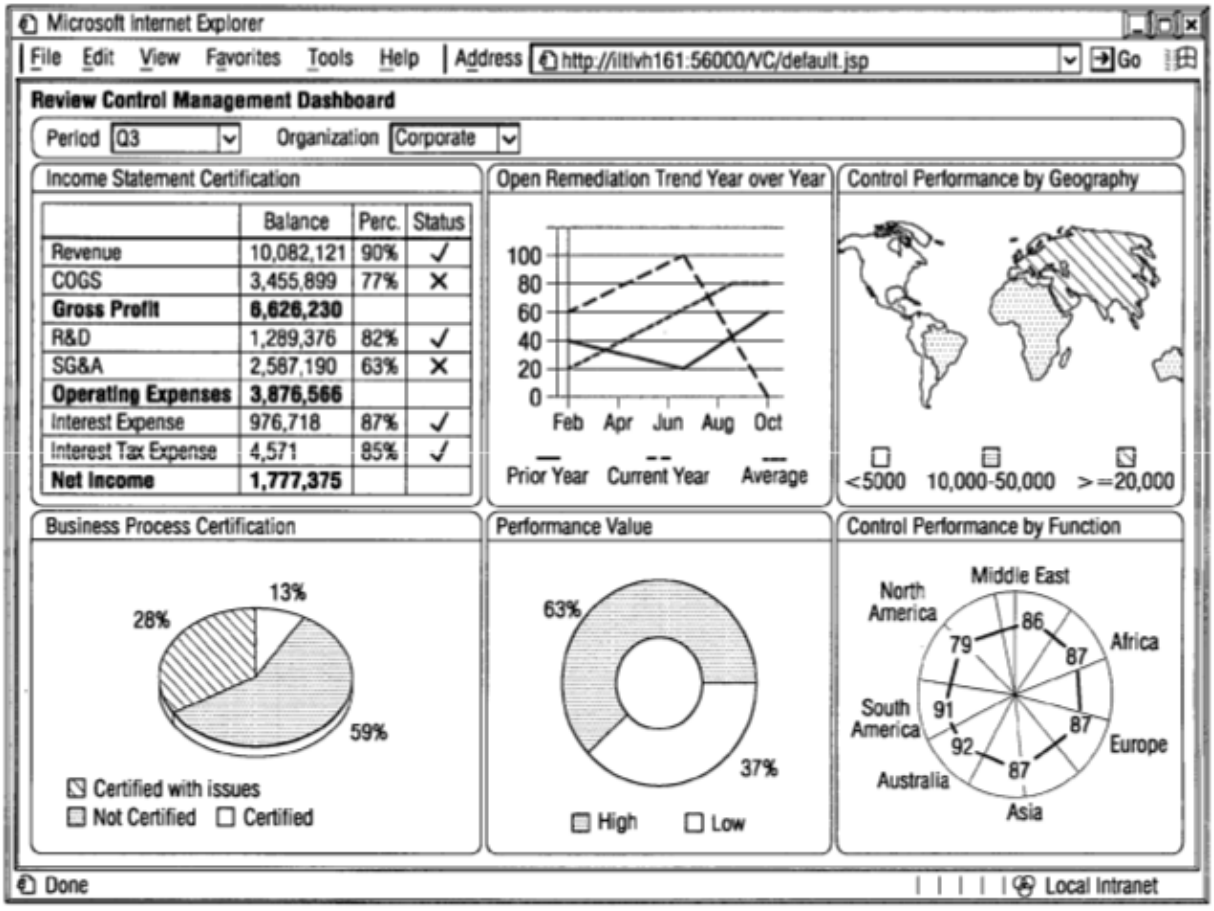


FIG. 57, reproduced below, shows the new or modified application after execution. *Id*. [0071]:13-14.

FIG. 57



2. Strong (EX1067)

Strong discloses a server platform and a datastore on the server platform for maintaining full resolution of copies of files shared between a plurality of sharing clients. Strong Abstract:2-6. A synchronization engine is provided on the server platform and is configured to send real-time updates to a plurality of sharing clients when at least one of the sharing clients updates or changes one of the files. *Id*. Abstract:6-10.

3. The Jou Reference (EX 1007)

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. *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.

4. QlikView Manuals (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*. 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*.

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 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.* p.0073. The QlikView Developer is the only version to provide full access to the script. *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*.

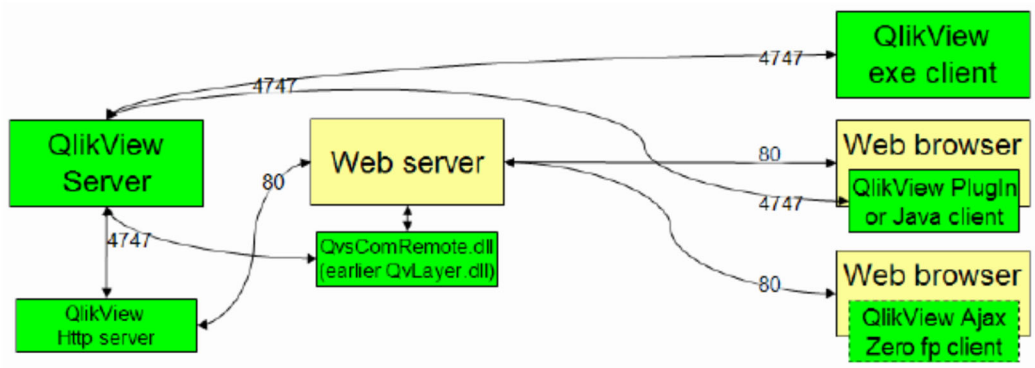
The QlikView Analyzer client also has a version that is a full image ActiveX plug-in for Microsoft Internet Explorer web browser. *Id*. pp.0123, 0125. There also is a QlikX Analyzer client that is an object only ActiveX plug-in for Internet Explorer. *Id*. p.0123.

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*.

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

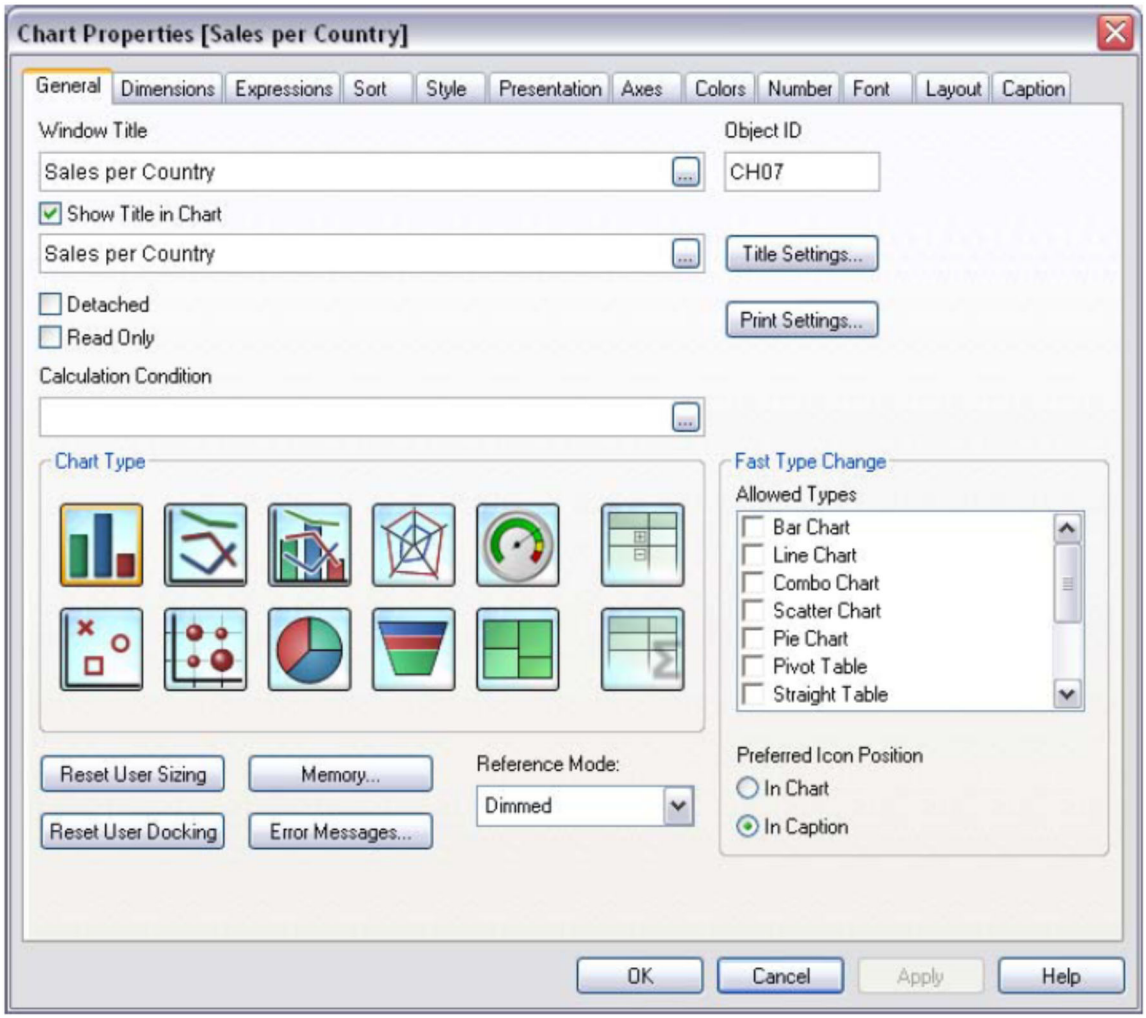


Id. p.0098.

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, 0872-0873, 0880. The General page, reproduced below, of a chart wizard is where the titles and chart type can be set.



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, 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, 1047. Excel is automatically

launched if it is not already running. *Id*. The table of data will appear in a new Excel worksheet. *Id*.

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.

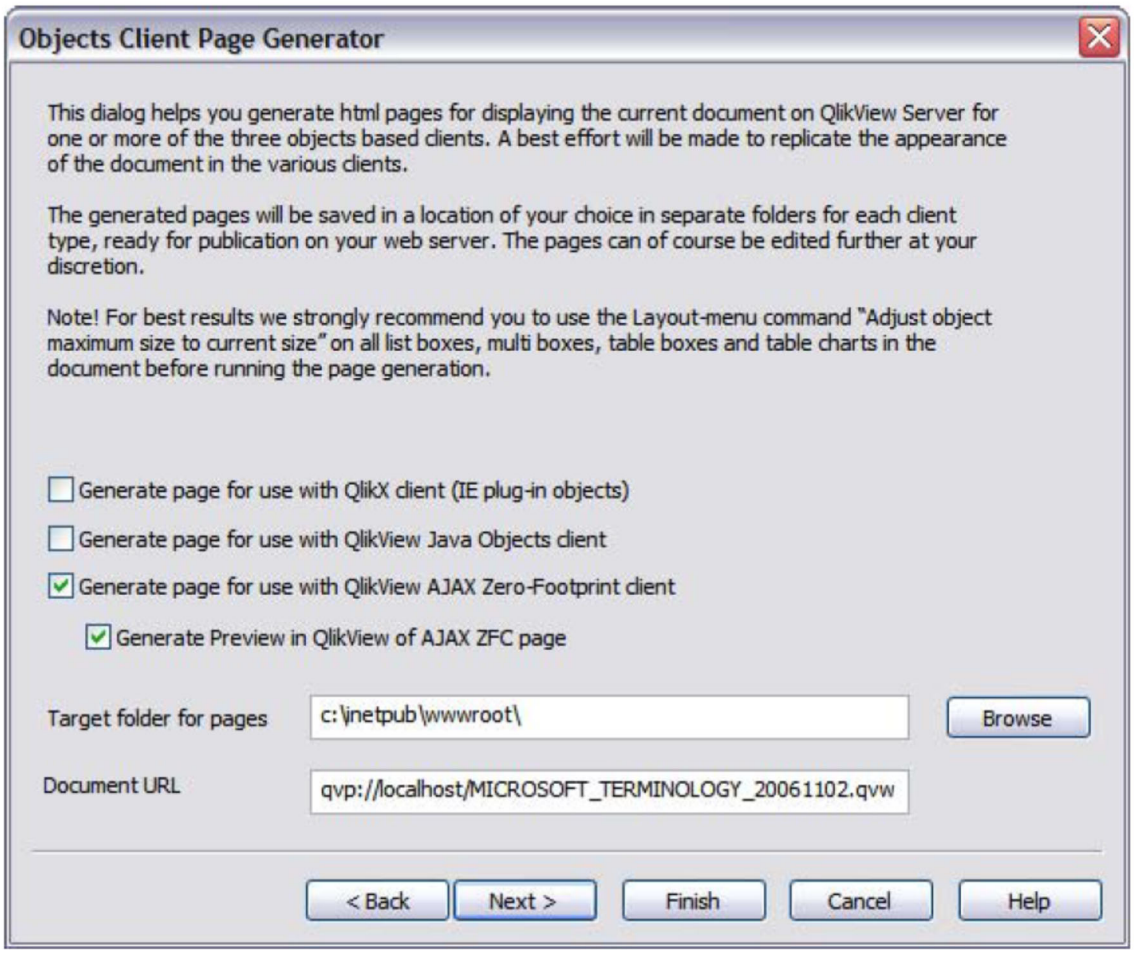
The pivot table and straight table each has an Object Menu when the respective table is active that allows the user to export the table to a Microsoft Excel program. *Id*. pp.1062, 1065, 1083, 1085. Excel is automatically launched if it is not already running. *Id*. pp.1065, 1085. The table will appear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

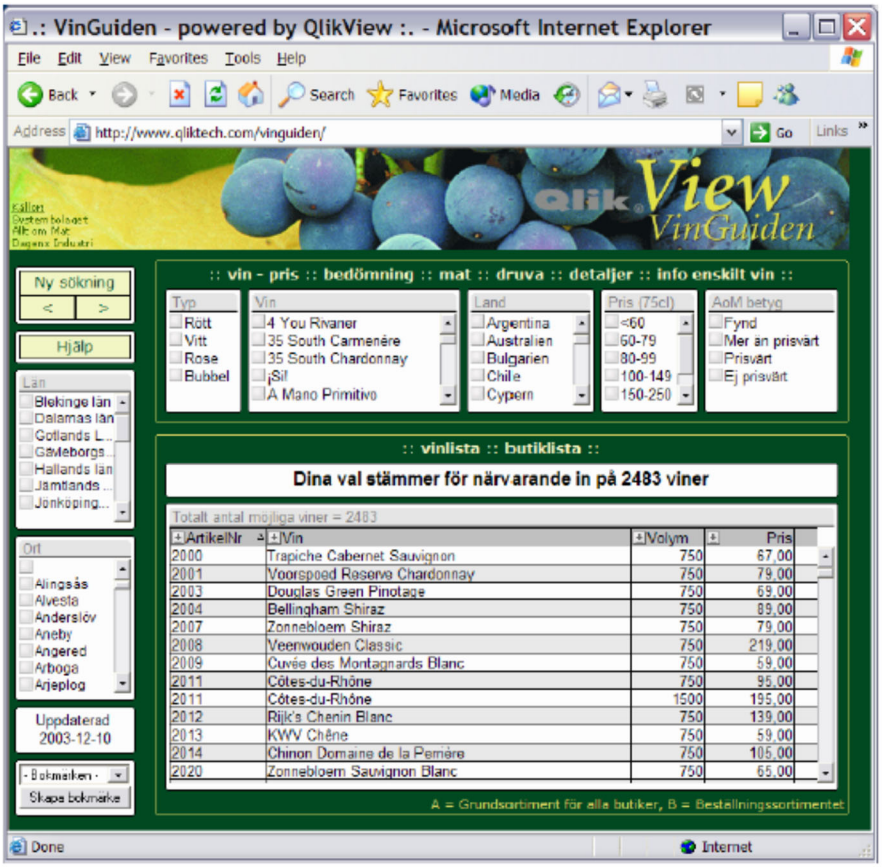
The QlikView Objects Client HTML Page Generator dialog box helps a user to generate html pages for displaying the current document on the QlikView Server for one or more of the three QlikView object-based clients (i.e., the Java Objects

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*.

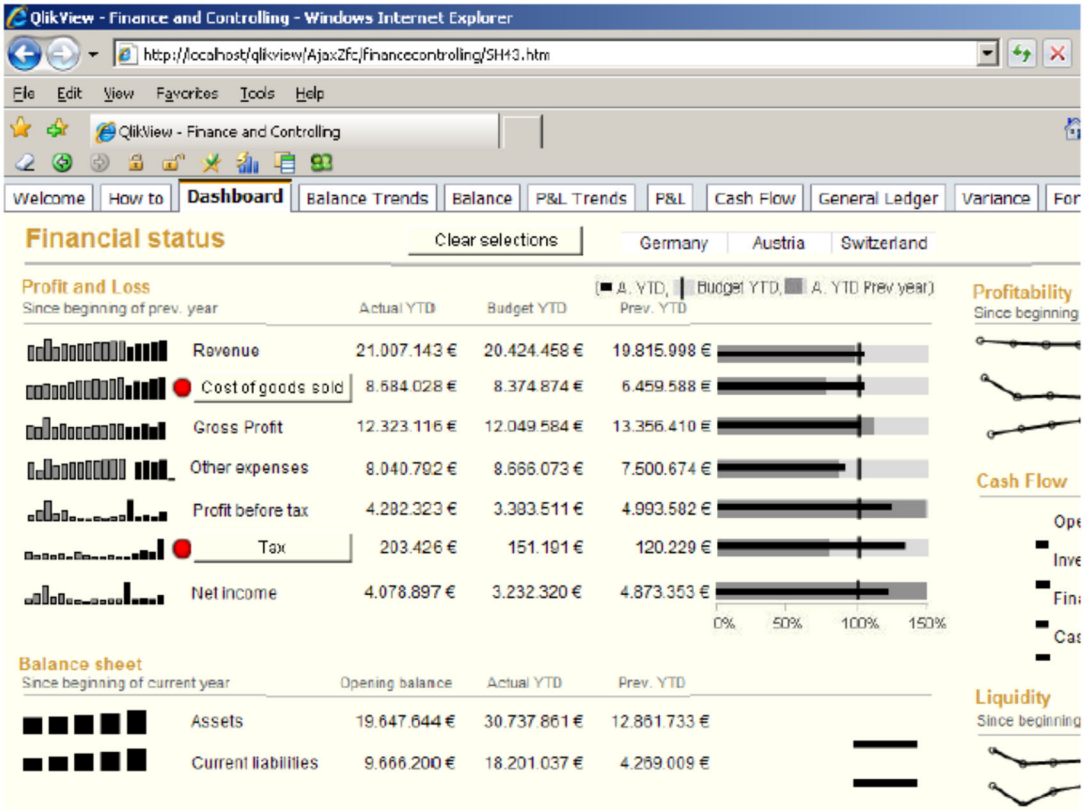
The figure reproduced below is an example of a QlikView Objects client in Microsoft Internet Explorer.



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.

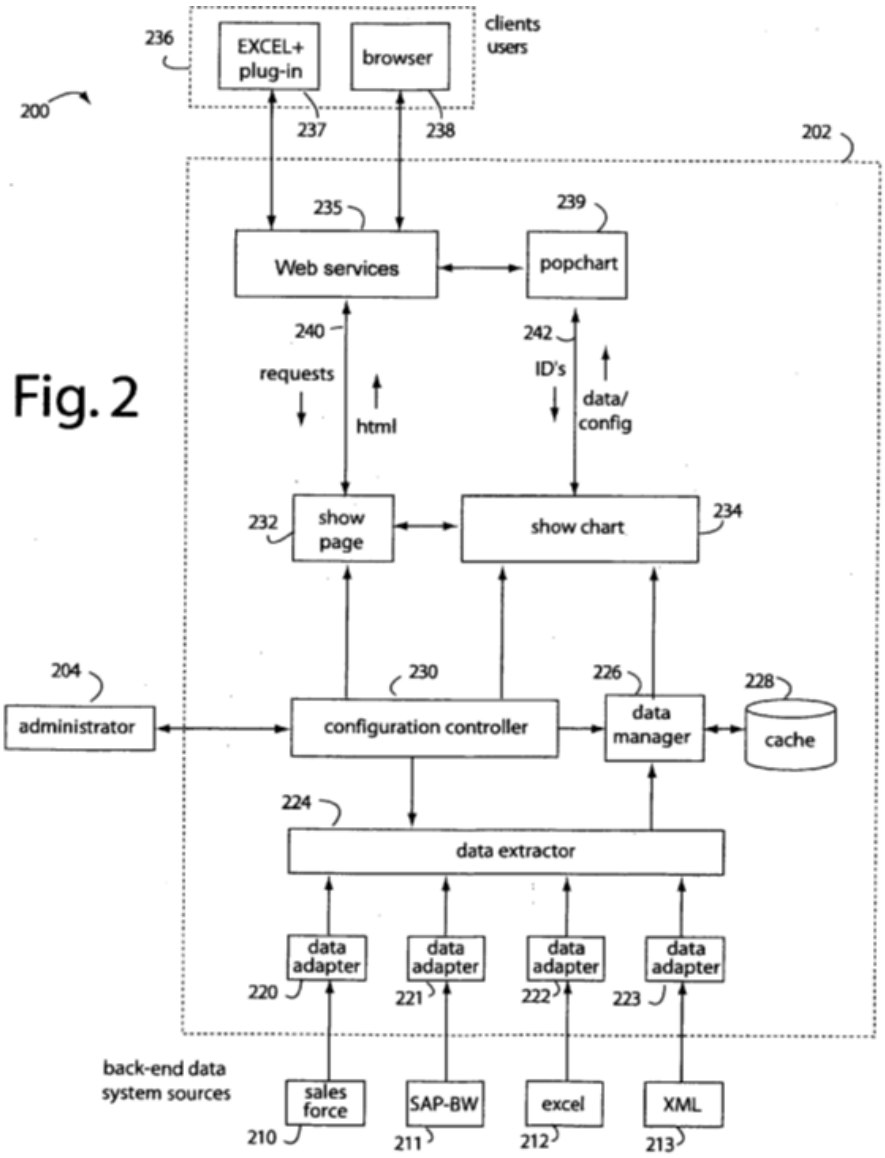
The QlikView AJAX Zero-Footprint Client (ZFC) is an object-based client environment built on the AJAX (Asynchronous JavaScript and XML) architecture. *Id*. 0153. The QlikView AJAX ZFC client requires no installation on the client computer. *Id*. Nevertheless, some HTML/ASP development is required to display and interact with objects from a QlikView document hosted by the QlikView server. *Id*.

5. Clark (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.

6. Bales (EX1006)

Bales, entitled "System and Method for Providing Drag and Drop Functionallity in a Communities Framework," discloses that a community accessible via a portal can be provided for maintaining user membership in a collaborative computing environment. EX1006 Abstract:1-3. Collaboration resources can be displayed on portal page. *Id*. Abstract:3-4. The users who are members of the community may share resources, such as documents, view resources, design and assign task lists, maintain a list of internet links, etc. *Id*. [0052]:15-18.

Drag and drop functionality enables a community member to drag and drop some resource into a target area, thereby causing a computer to execute an action upon the drop. *Id*. Abstract:4-7. Upon any given drop, a Javascript function could be called, a pageflow action could be submitted, or a form action could be called to perform the desired functionality. *Id*. [0158]:5-8. A drag and drop tag library enables a user to drag and drop various resources and portlets from one page element to another. *Id*. [0158]:2-5.

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 POSITA.

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 (POSA) in view of the specification. The Petitioner alleges that no term needs an explicit construction to resolve the controversy between the parties.

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. 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. 35 U.S.C. §314(a) and 37 C.F.R. §42.108.

A. Ground 1 – Rostoker in View of Strong Does Not Render Obvious Claims 1-4

1. Rostoker Does Not Render Obvious Claim 1

The '000 Patent relates to a system and method for generating and sharing

interactive charts. EX1001 Abstract: 1-2. The interactive charts are generated in an online portal that allows users to customize the interactive features of the chart. EX1001 Abstract:2-4. 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 5:31-34. 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*. 16:41-44.

Rostoker differs markedly from the ’000 Patent. *See* Expert Declaration of Dr. Jeffrey Miller, filed concurrently herewith (consisting of ¶¶1-292 and referred to subsequently as “EX2001”), ¶¶123-125. 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 the new application are not interactive, however. EX2001 ¶124. Moreover, there is no disclosure in Rostoker of transmitting interactive charts to a second website for display. *Id.*

Petitioner only relies on Strong to satisfy the last element of claim 1. As discussed below, Strong and Rostoker are not combinable, and even if combined,

do not disclose or teach each and every claim element of claim 1. *Id.*

a) Rostoker in view of Strong does not disclose "receiving a selection, on a first website, of a least one interactive chart from a plurality of interactive charts"

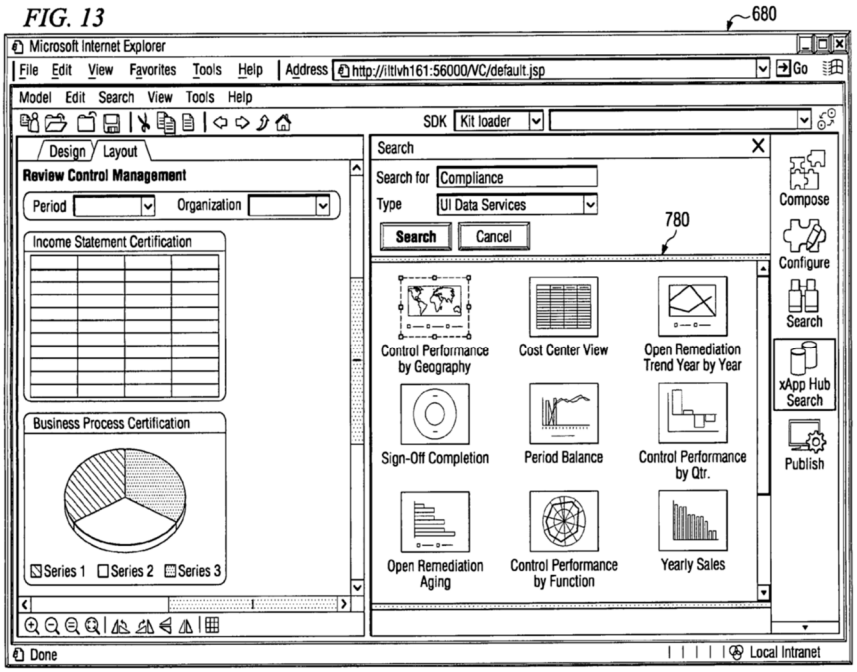
The '000 Patent discloses an interactive chart as having interactive features that allow a user to interact with the chart to, for example, modify or change the user's view of the chart, learn more about the chart data, and the like. EX1001 9:8-12. Examples of interactive features include a zoom feature, 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*. 9:12-15.

The '000 Patent discloses that a user can select an interactive chart 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*. 16:38-41. When the user drops the selected chart 4512 onto chart box folder 4520, the chart is automatically displayed in the chart box 4304 embedded on a user's website (i.e., a second website). *Id*. 16:41-44.

In contrast, Rostoker does not disclose receiving a selection, on a first website, of at least one interactive chart from a plurality of interactive charts. EX2001 ¶¶126-145. Rostoker's FIG. 3 sets forth the steps of creating a custom business application. EX1005 [0056]:1-2. 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. At step 310, the user searches the hub, including a catalog of analytical xApps. *Id*. [0057]:1-2. At step 320, the user is able the select the XApp having a User Interface (UI) most closely resembling the desired UI of the new business application. *Id*. FIG. 3, [0057]:12-15.

FIG. 13 of Rostoker, reproduced below, shows the results of a hub search.



As can be seen in FIG. 13, the xApp Hub Search button is selected. *Id*. FIG. 13. FIG. 13 shows the workbench 680 with the xApps corresponding to the search criteria. *Id*. [0067]:7-8. The xApps are located in field 780. *Id*. [0067]:8-9.

A POSA would understand that the charts shown in field 780 are static charts, not interactive charts. EX2001 ¶136.

The user configures the xApp at step 330 of FIG. 3. EX1005 [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 tools. *Id*. [0059]:29-34. That configuration can involve charts. *See, e.g*., EX1005 FIG. 54.

Although the charts of Rostoker can be altered at the configuration step 330 (EX1005 FIG 3), a POSA would understand that the charts become static – not interactive -- when the publish button 1210 is selected. EX2001 ¶138. This is apparent from FIGS. 54-57 of Rostoker and the discussion of those figures. *Id.* 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 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, reproduced below, which shows the new or modified application after execution. *Id*. [0071]:13-14.

FIG. 57

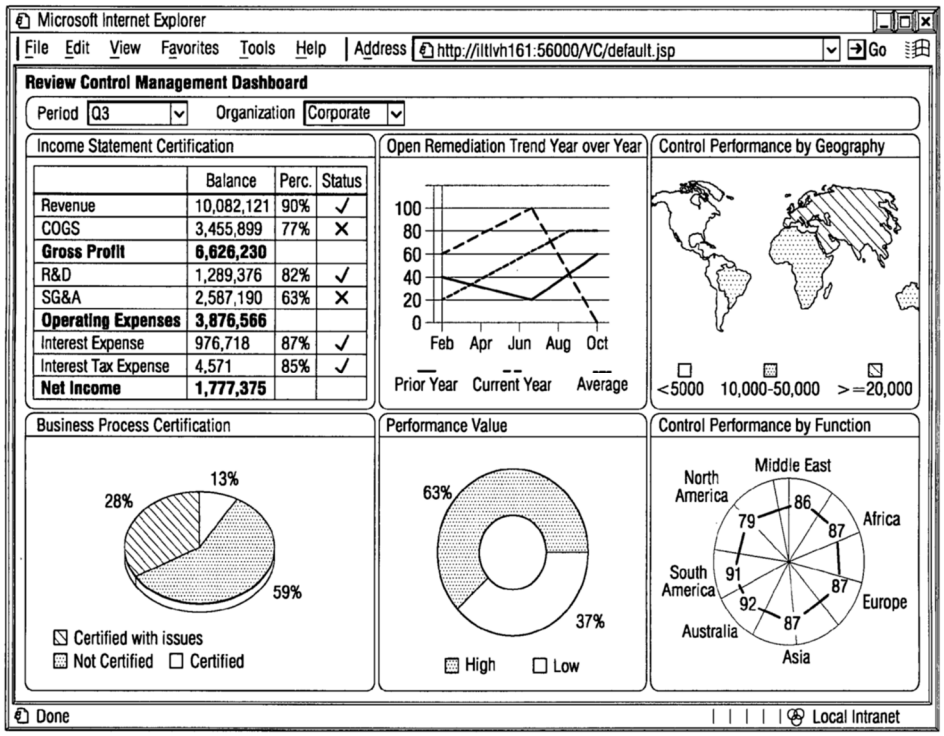


FIG. 57 shows static charts, not interactive charts. FIG. 57 of Rostoker shows no controls that would allow a user to interact with the charts. EX2001 ¶139. In other words, the various tools and controls allowing one to manipulate and change the charts disappear once the charts are in the new or modified application, as shown in FIG. 57. *Id.*

Thus, Rostoker does not disclose the limitation of "receiving a selection, on a first website, of at least one interactive chart from a plurality of interactive

charts" because an interactive chart is not identified at step 320 of Rostoker nor does Rostoker generate an interactive chart. Thus, in Rostoker, a selection is not received of at least one interactive chart from a plurality of interactive charts. EX2001 ¶140.

Petitioner relies on the "Configure Chart View" toolbar of FIG. 53 of Rostoker to suggest an interactive chart is received. Petition at p.27. But Petitioner is confusing the configuration step 330 of Rostoker with the end result. EX2001 ¶141. The end result, as shown by FIG. 57, is the generation of a static chart, not an interactive chart. *Id.*

Petitioner also relies on the Period and Organization drop-down controls on the Review Control Management Dashboard shown in FIG. 57. Petition at p.27. The reliance on this is misplaced, however. Although the Dashboard may allow changes to the Period and Organization, the charts are nevertheless not interactive. 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. EX2001 ¶142.

Petitioner points to the "Click on Cell trigger" in FIG. 70. Petition at p.29. This reliance is misplaced, however, because Petitioner is again confusing the configuration step 330 of Rostoker with the end result. A POSA would understand

that the end result after configuration is a static chart. EX2001 ¶143.

Petitioner also relies on the interactive button shown in FIGs 71 and 72. Petition at pp.30-31. Petitioner is again confusing the configuration step 330 of Rostoker with the end result. 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. A POSA would understand that 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. EX2001 ¶144.

The interactive features that the Petitioner points to also do not indicate that interactive charts are generated by Rostoker. A POSA would understand that those interactive 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 ¶145.

b) Rostoker in view of Strong does not disclose a "displaying in response to the selection the at least one interactive chart embedded in a chart box on a second website, wherein the chart box is a web widget"

The '000 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

15:51-55. 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*. 15:55-58. 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*. 16:41-44.

Rostoker does not disclose the displaying of an interactive chart on a second website. EX2001 ¶¶146-164. 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 the displaying of an interactive chart on a second website. EX2001 ¶153.

Rostoker's network interface 117 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 ¶154.

The reference to a Local Intranet in FIG. 57 does not disclose displaying an interactive chart on a second website. EX2001 ¶155. Internet Explorer is a

browser. 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 p.37) falls short of saying that an interactive chart would be displayed on a second website. 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.38) falls short of a specific motivation to have an interactive chart displayed on a second website. EX2001 ¶155.

Thus, Rostoker does not disclose, teach, or suggest the limitation of "displaying, in response to the selection the at least one interactive chart embedded in a chart box on a second website." EX2001 ¶156.

Petitioner's attempt via a POSA to fill in the blanks of Rostoker regarding the lack of display on a second website relies on impermissible hindsight, based on applicant's own disclosure. The chart box system of the '000 Patent is fundamentally different from the Rostoker business application development system. There was no reason for a POSA to start with the Rostoker system and modify it to obtain the claimed system of the '000 Patent. EX2001 ¶157. Petitioner's statement that publishing Rostoker's application on a second website is a mere design choice is both incorrect and based on impermissible hindsight from

the ’000 Patent disclosure. *Id.*

Rostoker does not disclose a “chart box” that is a “web widget” on a second website. EX2001 ¶158.

A POSA would understand a web widget is a webpage or web application embedded in a host web page, but is substantially independent of, and having limited or no interaction with, the host. EX2001 ¶159. For example, the chart box may be a “flash widget.” EX1001 16:1.

Petitioner relies on the “Open Remediation Trend Year” field in Rostoker FIG. 57 as the claimed chart box. However, the “Open Remediation Trend Year” field is not on a second website. EX2001 ¶160. In FIG. 56 of Rostoker, the “Publish” button 1210 is selected, causing each of the xApps included in the new application to be executed or otherwise prototyped. EX1005[0071]:10-13. The result is shown in FIG. 57 which shows the new or modified application after execution. *Id*. [0071]:13-14.

A POSA would understand that the “Open Remediation Trend Year” field of FIG. 57 of Rostoker is merely a field displaying a static chart as displayed by an Internet Explorer browser. EX2001 ¶161. Thus, a POSA would understand that the “Open Remediation Trend Year” field of FIG. 57 is not a web widget. *Id.*

Petitioner’s reliance on the reference in paragraph [0071] of Rostoker (“each of the xApps included in the new application”) is misplaced. Petition p.34.

Rostoker says that "[i]n FIG.56, the "Publish" button 1210 is selected, causing each of the xApps included in the new application to be executed or otherwise prototyped." EX1005[0071]:10-13. But a POSA would understand that that xApps are not chart boxes or web widgets. EX2001 ¶162. Instead, xApps are described by Rostoker in the context of the content provider 101 providing or utilizing a bank of easily searchable xApps and xApp components (services/queries with prebuilt UIs) that can be recomposed/adapted to customer, such as illustrated business 108, needs. EX1005 [0021]:1-5. Furthermore, FIG. 57 of Rostoker shows the new or modified application **after execution**. *Id*. [0071]:13-14; EX2001 ¶162.

There is no support in Rostoker for Petitioner's statement that FIG. 56 shows that as part of publishing the application and included xApps, the applications are transformed to XGL (executable GUI language) representations. Petition p.34. Petitioner points to Rostoker ¶[0042], but ¶[0042] provides no support for that statement, nor does paragraph refer to FIG. 56 or a 'Publish" button. Rostoker ¶[0042] merely explains that the modeling environment 132 may implement a generic, declaration, and executable GUI language, generally described as XGL. EX1005 [0042]:1-3. EX2001 ¶163.

Petitioner's reliance on the disclosure of an XGL-to-Java complier and an XGL-to-flash complier is equally misplaced. Petition p.35; EX1005 [0050]:1-11. A POSA would understand that referencing those compliers provides no support for

the position that Rostoker discloses a chart box that is a web widget. EX2001 ¶164. Instead, those compilers are merely examples of how XGL-compliant code generators may ensure that the appearance and behavior of the generated user interfaces is preserved across a plurality of target GUI frameworks, while accommodating the differences in the intrinsic characteristics of each and also accommodating the different levels of capability of target devices. EX1005 [0049]:23-28. EX2001 ¶164.

c) Rostoker in view of Strong does not disclose a "wherein the at least one interactive chart is generated on a generation interface configured to allow a user to generate the interactive chart with a chart template from a chart template store"

As discussed above, Rostoker does not disclose the generation of an interactive chart. *Supra*, §IV.A.1(a). Although the charts of Rostoker can be altered at the configuration step 330 (EX1005 FIG 3), a POSA would understand that the charts become static – not interactive -- when the publish button 1210 is selected. EX2001 ¶165. Rostoker thus teaches that the end result is a static chart – not an interactive chart. Given that Rostoker does not generate an interactive chart, it follows that Rostoker does not disclose a generation interface configured to allow a use to generate an interactive chart with a chart template from a chart template store. *Id.*

d) Rostoker in view of Strong does not disclose "wherein the at least one interactive chart, when displayed on the second website in the absence of the generation interface, enables a user to a) render the chart, b) obtain input from a user and c) rerender the chart using the input thereby enabling the interactive chart to retain interactivity"

As discussed above, Rostoker does not disclose displaying an interactive chart on a second website. *Supra*, §IV.A.1(a)-(b). Rostoker discloses creating custom business applications within the Rostoker system (EX1005 [0002]:1-3), but there is no disclosure of displaying of interactive charts on a second website.

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 this limitation. EX2001 ¶¶166-170.

e) Rostoker in view of Strong does not disclose "wherein the selection is made by dragging and dropping the at least one interactive chart from the plurality of charts into the chart box folder connected to the chart box such that retrieve code for data feed displays the at least one interactive chart on the first website"

The chart box, as set forth earlier in claim 1, is "a chart box on a second website, wherein the chart box is a web widget." As discussed above, Rostoker does not disclose a second website, a chart box, or a web widget. *Supra*,

§IV.A.1(a)-(b). Given that there is no chart box in Rostoker, Rostoker also does not disclose a chart box folder connected to the chart box as required by the claim language. EX2001 ¶¶171-174.

Rostoker also does not disclose, teach, or suggest retrieve code for data feed displays. EX2001 ¶175. Rostoker is completely silent regarding retrieve code for data feed displays. This is not surprising, however, given that Rostoker does not disclose, teach, or suggest a chart box, a chart box folder, a web widget, or a display of interactive chart on a second website. *Supra*, §IV.A.1(a)-(b).

Petitioner otherwise arguments lack merit. *Supra*, §IV.A.1(a)-(b); EX2001 ¶¶176-177.

Further, Petitioner is misguided in relying on data services 140 and local memory 120 of Rostoker for support for retrieve code for a data feed. A POSA would understand that a retrieve code for a data feed refers to a specific set of instructions that is used to access and download data from a data feed source. EX2001 ¶178. Rostoker simply lacks disclosure of retrieve code for a data feed. *Id.*

f) Rostoker in view of Strong does not disclose "wherein the at least one interactive chart is automatically displayed on the second website using a data feed from the first website to the second website upon the dragging and dropping selection"

As discussed above, Rostoker does not disclose that an interactive chart is displayed on a second website or a chart box, or a chart box folder connected to a

chart box. *Supra*, §IV.A.1(a)-(b). Rostoker does not disclose a data feed from a first website to a second website. *Supra*, §IV.A.1(e).

Petitioner admits that Rostoker does not expressly disclose that at least one interactive chart is automatically displayed on the second website upon the dragging and dropping selection. Instead, Petitioner relies on Strong. First, a POSA would not have considered Strong in connection with Rostoker, and even if one did, it would not satisfy this limitation. EX2001 ¶¶179-189.

Here, the field of endeavor is sharing and updating charts on a second webpage. EX2001 ¶186. Strong discloses the synchronization of files. EX1067 [0006]:5-9. There is no discussion of charts in Strong. Rostoker discloses software for developing custom business applications in a service-oriented architecture. EX1005 [0002]:1-3. Rostoker does not teach, suggest, or disclose a need for synchronization as part of the Rostoker system. Because Rostoker does not disclose a second website, there was no need to synchronize between a first website and a second website. There is no mention of xApps in Strong. Further, Strong does not disclose dragging and dropping as a method of causing any system to synchronize. A POSA simply would not look to Strong to improve Rostoker. EX2001 ¶186.

Moreover, there are not sufficient teachings in either Rostoker or Strong as to how to modify Rostoker to include the file synchronization feature of Strong to

arrive at the claimed invention. Rostoker discloses the use of xApps. Strong discloses the synchronization of files (EX1067 [0006]:5-9) and does not disclose dragging and dropping. EX2001 ¶188. It would be impermissible hindsight, based on the disclosure of the '000 Patent, to combine Rostoker and Strong. *Id.*

Petitioner's arguments regarding a combination of Rostoker and Strong lack merit. There would have been no motivation for a POSA to apply the Strong synchronization technique given that a combination of Rostoker and Strong would not disclose the displaying of an interactive chart on a second website. Petitioner's argument that a combination would have been nothing more than using a known technique to improve a similar device, relying on the fact that both Rostoker and Strong disclose a server, ignores the differences between Rostoker and Strong systems. EX2001 ¶189. Strong discloses a server platform and a datastore on the server platform for maintaining full resolution of copies of files shared between a plurality of sharing clients. EX1067 Abstract:2-6. A synchronization engine is provided on the server platform and is configured to send real-time updates to a plurality of sharing clients when at least one of the sharing clients updates or changes one of the files. *Id*. Abstract:6-10. Strong does not disclose any process by which to drag or drop information to cause synchronization. EX2001 ¶189.

Even if Rostoker and Strong were combined, the combination would not disclose, teach, or suggest that an interactive chart is displayed on a second

website. EX2001 ¶188. Strong's synchronization engine is directed to synchronizing files and not updating charts that are displayed on a second website. *Id.*

2. Rostoker in View of Strong Does Not Render Obvious Claims 2-4

Because Petitioner has failed to show that Rostoker in view of Strong renders claim 1 obvious, Petitioner necessarily fails to show that Rostoker in view of Strong teaches claims 2-4 given that claims 2-4 depend from claim 1. *Supra*, §IV.A.1(a)-(f); EX2001 ¶¶190-195.

B. Ground 2 – Rostoker and Strong in View of Jou Does Not Render Obvious Claims 1-4

As set forth above, although Rostoker discloses a configuration stage on an xApp, 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. As discussed above, Rostoker does not disclose displaying an interactive chart or generating an interactive chart on a generation interface. *Supra*, §IV.A1(a)-(b).

In addition to relying on Strong's disclosure of synchronization of files, Petitioner relies on Jou's disclosure of interactive features to combine with Rostoker's disclosure of a static chart. Pet. p.61-64. However, a POSA would not have considered Jou in connection with Rostoker and Strong, and even if one did,

this combination would not satisfy each and every claim limitation of claims 1-4. EX2001 ¶¶196-204.

As discussed above, a POSA would not have been motivated to combine Rostoker and Strong. *Supra*, §IV.A.1.(f). In addition, there would have been no reason for a POSA to further combine these references with Jou. Petitioner must set forth reasons why Jou should be combined with both Rostoker and Strong. Petitioner argue a "POSA would have been motivated to incorporate Jou's additional "*interactive*" features into Rostoker-Strong's system;" however, no reasons to combine Jou and Strong are discussed in the Petition. Pet. p.61-64. Thus, Petitioner's argument for a three-way motivation to combine is insufficient. EX2001 ¶202.

Further, the charts of Rostoker could only be altered at the configuration step 330 (EX1005 FIG 3). The resulting charts are static. There are not sufficient teachings in either Rostoker, Strong, or Jou as what mechanism would permit the static charts of Rostoker to include the Jou features once the method of Rostoker in view of Strong exits the configuration step 330. There was no reasonable expectation of success in modifying Rostoker in view of Strong to include the Jou features once the method of Rostoker in view of Strong exits configuration step 330 given the lack of disclosure in Rostoker, Strong, and Jou. Further, Petitioner does not address how or why Strong's synchronization features would interact with

Jou's teaches of interactivity. Nor does Petitioner explain how the combination arrives at the claimed invention. EX2001 ¶202. It would involve impermissible hindsight, based on the disclosure of the '000 Patent, to combine Rostoker, Strong, and Jou. *Id.*

Additionally, even if Rostoker, Strong, and Jou were combined, the combination is missing multiple claim elements. The combination does not satisfy transmission of an interactive chart to a second website for display. Thus, even if Jou's features are combined into a Rostoker-Strong system, the "wherein the at least one interactive chart, when displayed on the second website in the absence of the generation interface, enables a user to a) render the chart, b) obtain input from a user and c) rerender the chart using the input thereby enabling the interactive chart to retain interactivity" limitation is not met because any supposed interactive chart would still reside on the Rostoker-Strong system, not in absence of the generation interface." Further, synchronizing file types of Strong does not satisfy the "retrieve code for data feed displays the at least one interactive chart on the first website" or "using a data feed from the first website to the second website upon the dragging and dropping selection" limitations. EX2001 ¶203.

Because Petitioner has failed to show that Rostoker/Strong/Jou renders independent claim 1 of the '000 Patent obvious, Petitioner necessarily fails to show the combination teaches claims 2-4 given that those claims each depend from

claim 1. EX2001 ¶204.

C. Ground 3 – Rostoker and Strong in View of Clark Does Not Render Obvious Claims 1-4

Petitioner relies on Clark to satisfy the limitation of displaying an interactive chart embedded in a chart box on a second website to the extent that Rostoker does not satisfy this limitation, which it does not. *Supra*, IV.A.1.(b); EX2001 ¶¶205-227.

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.

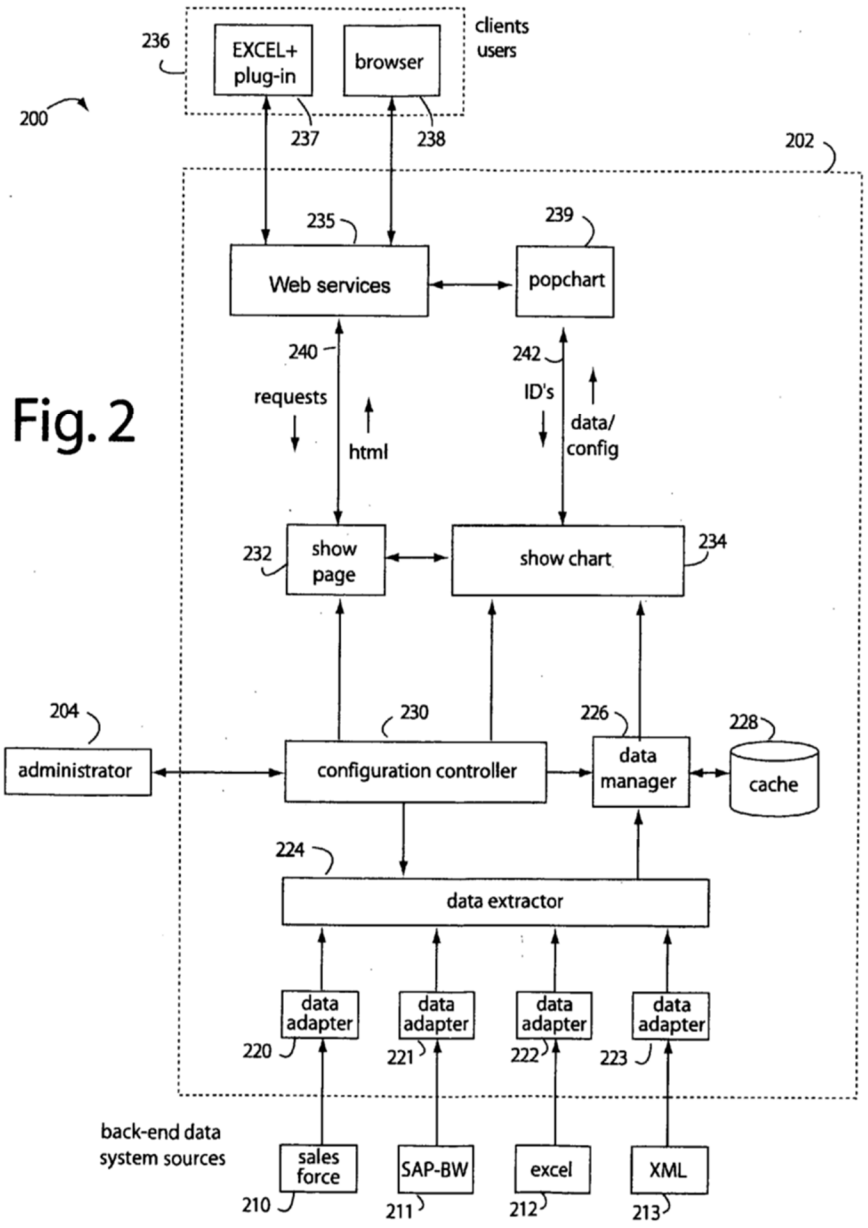


Fig. 2

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. A POSA would understand that server 202 is where the chart graphics are generated. A POSA would understand that the user of the Excel spreadsheet would access those charts via browser 238. A POSA would therefore understand that there is no displaying of an interactive chart embedded in a chart box on a second website. A POSA would understand that the chart graphics are available on server 202 and viewable via browser 238. Moreover, Clark does not disclose a chart box. EX2001 ¶216.

The fact that there is no displaying of an interactive chart embedded in a chart box on a second website is also supported by the discussion of FIG. 3, reproduced below (EX2001 ¶217):

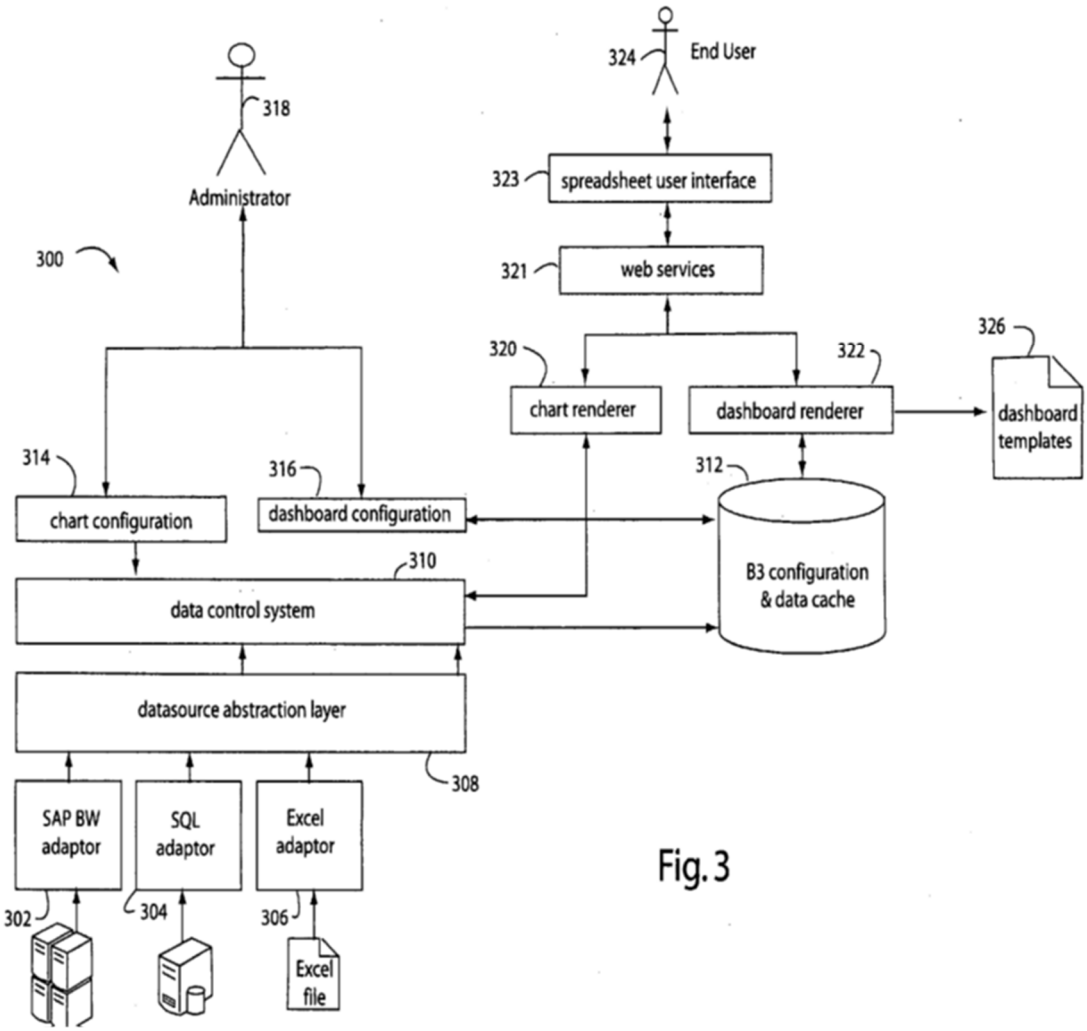


Fig. 3

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 displaying of an interactive chart embedded in a chart box on a second website given that the chart is viewable via web services API 321.

Petitioner argues that Clark's reference to an enterprise portal means that

there is publishing and displaying of interactive charts on a second website. 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." *Id*. [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. However, the cited passages do not disclose displaying of an interactive chart embedded in a chart box on a second website, or displaying of an interactive chart embedded in a chart box on a second website. Nor would a POSA would understand them to teach these limitations. EX2001 ¶218. There is no disclosure in Clark of any specifics regarding how the interaction with enterprise portals and external portals would be structured. *Id.*

Petitioner further relies on Clark ¶[0052] and ¶[0137] to argue Clark's enterprise portal is separate from the web-based interface of Clark. Pet. p.66. However, these paragraphs do not disclose or support Petitioner's position. EX2001 ¶219; EX1010 [0052]:1-3 ("B3 system 200 web-based embodiments of the present invention are useful in creating and publishing business dashboards."); *Id*. [0137]:10-11 ("[i]t could also be published on the company's intranet to enhance collaboration between employees."); EX2001 ¶219 ("it" in [0137] refers to "user interface," not a "dashboard," given that "user interface" is in the preceding sentence).

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. EX2001 ¶219. Thus, Clark's "enterprise portal" does not teach publishing and displaying of interactive charts on a second website. *Id*.

Further, a POSA would not have been motivated to combine Clark with Rostokor and Strong. EX2001 ¶221. Petitioner's arguments regarding a combination of Rostoker and Strong lack merit. *Supra*, IV.A.1(f). There is no reason for a POSA to start with a combined system of Rostoker and Strong and modify that system according to Clark. EX2001 ¶221. Rostoker discloses a system for providing a compilation of composite applications ("xApps") and xApp components. EX1005 [0004]:1-5. Strong discloses a synchronization engine for files. EX1067 Abstract:6-10. 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 a combined system of Rostoker and Strong with Clark. As noted above, Clark lacks specifics regarding enterprise portals and external portals so there is no guidance in Clark, Rostoker, or Strong as to how to combine the references. EX2001 ¶221.

In any event, it would involve impermissible hindsight, based on the disclosure of the '000 Patent, to combine Rostoker, Strong, and Clark. *Id.*

Even if the Rostoker, Strong, and Clark were combined, as already

discussed, the combination would not disclose displaying an interactive chart embedded in a chart box on a second website. EX2001 ¶222.

Because Petitioner has failed to show that Rostoker and Strong in view of Clark renders independent claim 1 obvious, Petitioner necessarily fails to show that Rostoker/Strong/Clark teaches claims 2-4 given that those claims each depend from claim 1. EX2001 ¶223.

D. Ground 4 – The QlikView Manuals in View of Bales Do Not Render Obvious Claims 1, 3, and 4

1. Quick View Manuals in View of Bales Do Not Render Obvious Claim 1

The ’000 Patent relates to a system and method for generating and sharing interactive charts. EX1001 Abstract:1-2. The interactive charts are “generated in an online portal” that allows users to “customize the interactive features of the chart.” Id. Abstract:2-4. 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 ’000 Patent. EX2001 ¶226. 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 displaying an interactive chart embedded in a chart box on a second website. EX2001 ¶226.

Bales does not cure the deficiencies of the QlikView Manuals.

a) QlikView Manuals and Bales do not disclose a "displaying, in response to the selection the at least one interactive chart embedded in a chart box on a second website, wherein the chart box is a web widget"

The QlikView Manuals do not disclose embedding an interactive chart in a chart box on a second website or displaying an interactive chart embedded in a chart box on a second website. EX2001 ¶233. A QlikView chart is generated on the QlikView server and is viewed by a QlikView client connected to the QlikView server. The QlikView chart is not embedded in a chart box on a second website. *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 is responsible for opening, hosting, and calculating the documents. *Id*. 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, including (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*. p.0073.

A user of the QlikView Developer client can create charts and tables on the QlikView Server. EX1008 pp.0016, 0073, 0872-0873, 0880.

The QlikView Analyzer client is the low-end client that can be used to access QlikView documents on the QlikView Server. *Id*. 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*.

The QlikView Analyzer client also has a version that is a full image ActiveX

plug-in for Microsoft Internet Explorer web browser. *Id*. 0123, 0125. There also is a QlikX Analyzer client that is an object only ActiveX plug-in for Internet Explorer. *Id*. 0123.

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

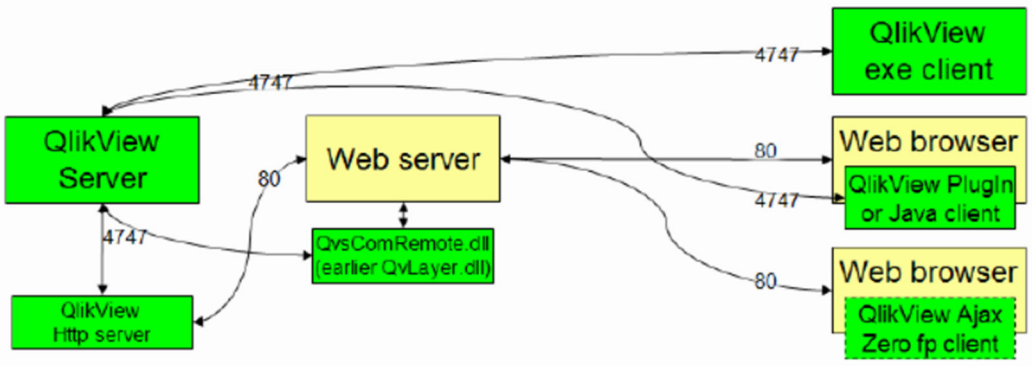
There is a version of the QlikView Analyzer that is Java Objects Client that is an object only client using Sun Java in a web browser. *Id*.

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. EX2001 ¶246.

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



EX1009 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. EX1009 p.0009. These are referred to as "exe clients." *Id*. 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 ¶249.

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 ¶250.

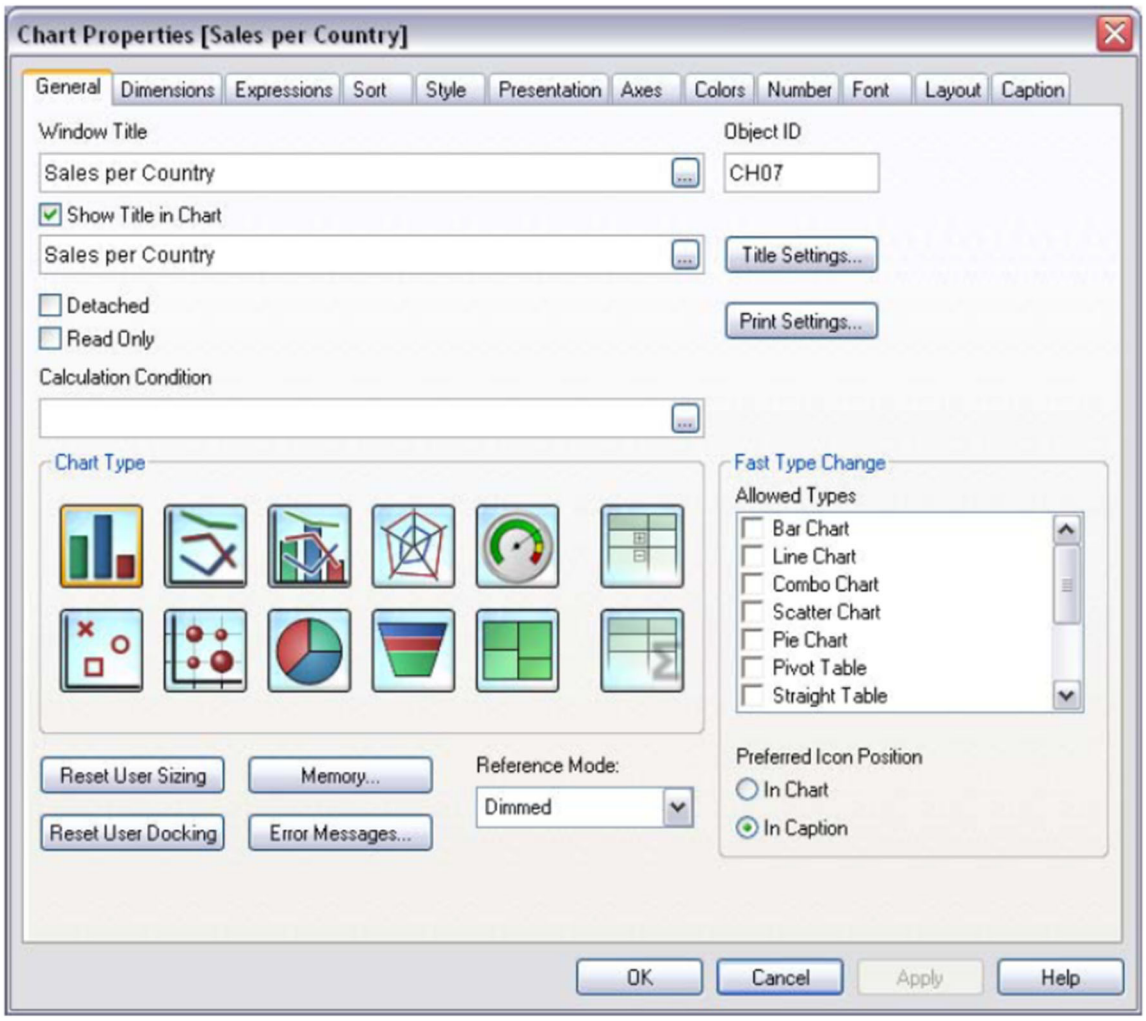
An AJAX Zero-Footprint Client (ZFC) must establish and maintain a connection to the QlikView Server through a Web server. EX1009 p.0098. The AJAX ZFC client is an object-only dynamic HTML client utilizing AJAX architecture in a web browser. *Id*. p.0123. A POSA would understand that the AJAX ZFC client is shown in the above network diagram as "QlikView AJAX Zero fp client" and associated with a Web browser. EX2001 ¶251.

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 ¶252. 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 ¶252.

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. EX2001 ¶253. That conduit provides a network communication path between the QlikView server and the QlikView clients. *Id.*

Thus, the QlikView Manuals do not disclose embedding an interactive chart in a chart box on a second website nor displaying an interactive chart embedded in a chart box on a second website. EX2001 ¶254. 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.

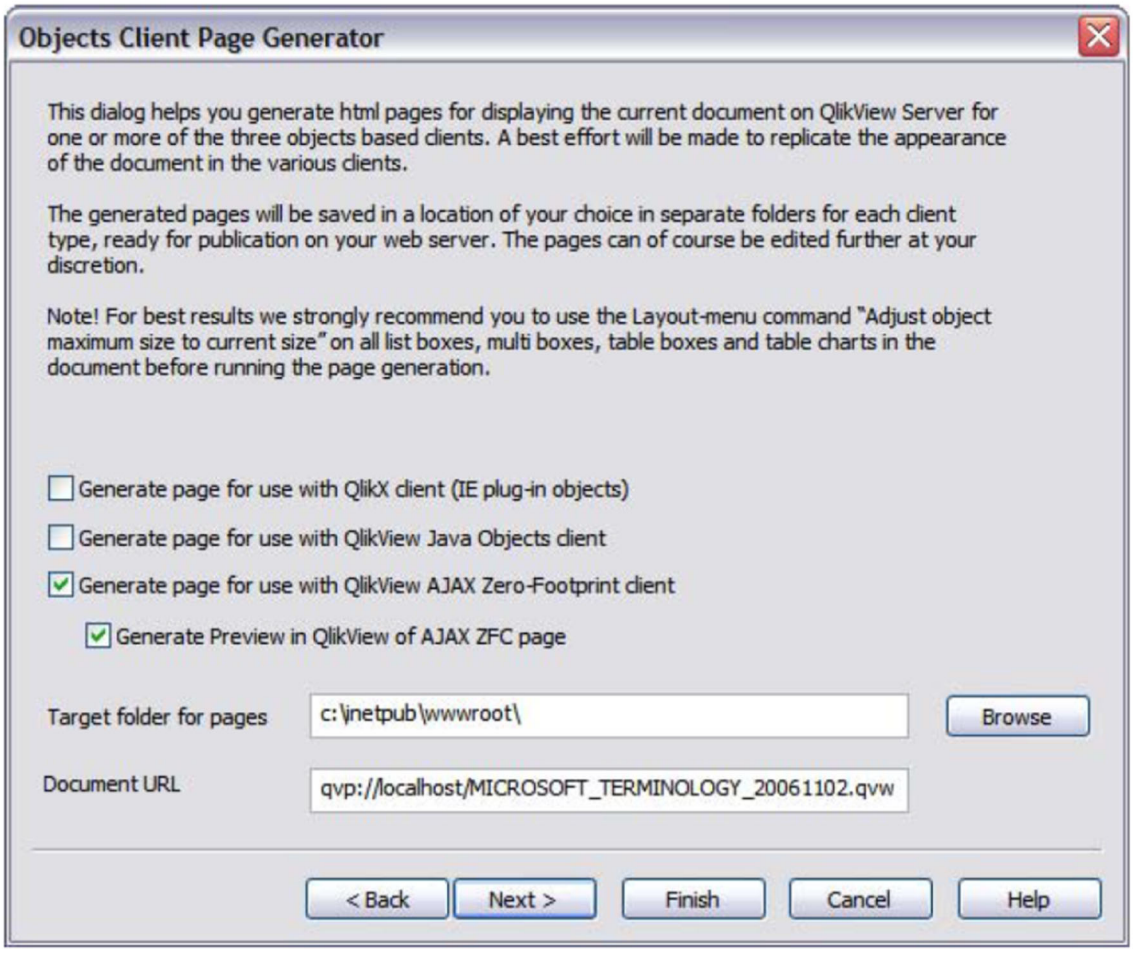


Id. 0882.

The QlikView server is response 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. A POSA would understand that the QlikView Manuals do not disclose embedding an interactive chart in a chart box on a second website nor displaying

an interactive chart embedded in a chart box on a second website. EX2001 ¶255. A browser is not a second website. 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.

Further, the QlikView Manuals' descriptions of the QlikView Objects Client HTML Page Generator Dialog box establish that the QlikView Manuals do not disclose or teach embedding an interactive chart in a chart box on a second website or displaying an interactive chart embedded in a chart box on a second website. EX2001 ¶256. The HTML Page Generator dialog box, reproduced below, helps a user to generate html pages for displaying the current document on the QlikView Server. 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 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. 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 ¶258. The URL provides the user of a QlikView Client browser with a mechanism to locate those web pages.

A POSA would understand that the QlikView charts that are generated on the QlikView Server remain on the QlikView server for display. EX2001 ¶259. 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's argument that the QlikView Manuals disclose displaying a chart embedded in a chart box on a second website is misguided. EX2001 ¶260. 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. EX1009 p.0098, EX2001 ¶260.

Petitioner argues that the QlikView Manuals disclose a "second" website different from a "first" website because it uses a different web client and a different URL Petition p.76, *comparing* EX1009, 0133 ("http://qliktech.com/vinguiden") *with* Section VIII.C.2

("http://localhost/QvJava..." and "http://localhost/QvPlugin..."). However, Petitioner is comparing a QlikView server URL with local hosting on a QlikView server. This is not a second website. EX2001 ¶262. QlikTech International AB is the name of the company. EX1009 p.0001. A POSA would have understood that "http://qliktech.com/vinguiden" is a URL for the QlikView server with a webpage "vinguiden." (*Id*. 0087, disclosing "qvp://www.qliktech.com/AcmeStores.qvw"). EX2001 ¶262. Petitioner's URLs "http://localhost/QvJava..." and http://localhost/QvPlugin... are to local hosting, which a POSA would understand to mean not accessing the web. EX2001 ¶262. Petitioner is also confusing a webpage with a website. A POSA would understand that a single forward slash in a URL references a webpage of a website—two different things. EX2001 ¶262. The local hosting 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. EX2001 ¶263.

Thus, the Petitioner has failed to show that the QlikView Manuals disclose embedding an interactive chart in a chart box on a second website or displaying an interactive chart embedded in a chart box on a second website. EX2001 ¶264.

b) QlikView Manuals and Bales do not disclose "wherein the one interactive chart, when displayed on the second website in the absence of the generation interface, enables a user to a) render the chart, b) obtain input from the user, and c) rerender the chart using the input thereby enabling the interactive chart to retain interactivity"

As discussed above, the QlikView Manuals do not disclose embedding an interactive chart in a chart box on a second website nor do the QlikView Manuals disclose displaying an interactive chart embedded in a chart box on a second website. *Supra*, §IV.D.1(a).

Given that the QlikView Manuals do not disclose a second website, it follows that the QlikView Manuals do not disclose, teach, or suggest this claim limitation. EX2001 ¶268.

c) QlikView Manuals and Bales do not disclose "wherein the selection is made by dragging and dropping the at least one interactive chart from the plurality of charts into a chart box folder connected to the chart box such that retrieve code for data feed displays the at least one interactive chart on the first website"

The chart box, as set forth earlier in claim 1, is "a chart box on a second website." As discussed above, the QlikView Manuals do not disclose a second website. *Supra*, §IV.D.1(a). Given that there is no chart box in the QlikView Manuals, the QlikView Manuals also do not disclose a chart box folder connected to the chart box. EX2001 ¶270.

Petitioner admits that the QlikView Manuals do not explicitly disclose making a selection by dragging and dropping the interactive chart into the chart box folder. Petition p.87. Petitioner also admits that the QlikView Manuals do not explicitly disclose retrieve code for data feed that displays the at least one interactive chart on the first website. Petition p.87. Instead, Petitioner points to Bales.

Bales discloses that a community accessible via a portal can be provided for maintaining user membership in a collaborative computing environment. EX1006 Abstract. Collaboration resources can be displayed on portal page. *Id*.

Drag and drop functionality enables a community member to drag and drop some resource into a target area, thereby causing a computer to execute an action upon the drop. *Id*. Upon any given drop, a Javascript function could be called, a pageflow action could be submitted, or a form action could be called to perform the desired functionality. *Id*. [0158]:5-8. A drag and drop tag library enables a user to drag and drop various resources and portlets from one page element to another. *Id*. [0158]:2-5.

FIG. 1 of Bales, reproduced below, illustrates the framework of the communities. *Id*. [0054]:1-3.

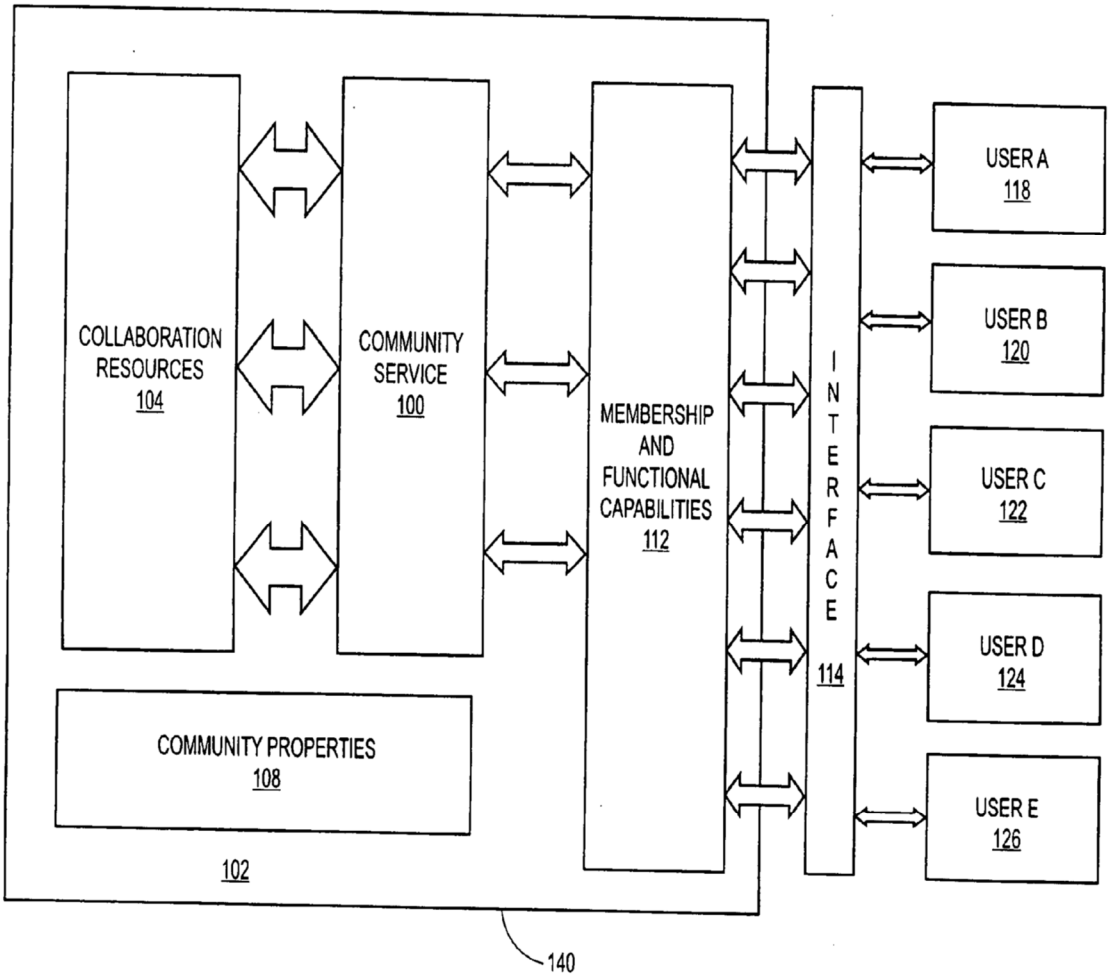


FIG. 1

Various users may access and make use of the community 140 through interface 114. *Id*. [0056]:1-3. The interface can be a graphical user interface rendered on a display device. *Id*. [0056]:3-4.

A POSA would not have been motivated to combine the QlikView Manuals with Bales because those references are not directed to the same technical problem. EX2001 ¶276. Bales is directed to providing customizable drag and drop

functionality for displayed resources in a communities framework. EX1006. [0018]:1-4. The QlikView Manuals, on the other hand, disclose a server-client system for data analysis. EX1009 p.0009.

There was no reason for a POSA to start with the QlikView Server-Client system and modify it based on Bales to include the Bales features. Even without Bales, the QlikView Manuals describe a Chart Wizard, so a POSA would understand there would be no need to combine the QlikView system with the drag and drop system of Bales. EX2001 ¶277. With no need for drag and drop given the Chart Wizard, a POSA would understand that it follows that there would be no need for the dynamic drag and drop system of Bales. *Id.* .

Petitioner is misguided in relying on the disclosure of the QlikView Manuals that one of the major design goals for the QlikView 8 system is to enhance user collaboration during the QlikView experience. Petition p.69; EX1009 p.0013l. A POSA would understand that the statement is in fact touting the advantages of the QlikView 8 system (which includes a Chart Wizard) and not a call for further changes. EX2001 ¶278. That design goal also lacks specificity and therefore would not point a POSA to the Bales system. *Id.*

Petitioner's argument that a POSA would have been motivated to use Bale's drag and drop approach to reduce server workload also lacks merit because a POSA would have understood that switching to the drag and drop system would

have meant giving up the advantages of the Chart Wizard. EX2001 ¶279. For example, in describing the Quick Chart Wizard, the QlikView Manuals state that that the Quick Chart feature has been developed for the user who wants to create a simple chart in a quick and easy way without bothering about the great number of different setting and options available. EX1008 p.0216.

Moreover, a POSA would understand there are not sufficient teachings in either the QlikView Manuals or in Bales as to how to implement the Bales drag and drop feature in the QlikView system. EX2001 ¶280. There was no reasonable expectation of success in modifying the QlikView System to include the Bales drag and drop feature given the lack of disclosure in both the QlikView Manuals and Bales. *Id.*

Furthermore, it would involve impermissible hindsight, based on the disclosure of the ’000 Patent, to combine the QlikView Manuals and Bales. *Id.*

In addition, even if the QlikView Manuals and Bales were combined, the combination would not disclose, teach, or suggest the limitation of claim 1 of “a chart box folder connected to the chart box.” As discussed above, the QlikView Manuals do not disclose a chart box on a second website. *Supra*, §IV.D.1(a). Petitioner’s reliance on the “connector code” are off base. Petition p.85-87. The sample Java Objects code that Petitioner points to on p.0136 of EX1009 is in a section 14.4 entitled “Applying QlikView Java Objects to a web page.” EX1009

0135-136The webpage referred to is a webpage on the QlikView Server, not on a second website. EX2001 ¶281; 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 user of QlikView Client would use the Internet Explorer web browser to view a webpage on the QlikView Server, as explained above. EX2001 ¶281. Petitioner next relies on "Java applets" (EX1009 pp.0130, 0135), but a POSA would understand, based on the discussion above, that a chart generated on the QlikView server is hosted on the QlikView Server and is not sent to a second website. EX2001 ¶281.

Bales likewise does not disclose a chart box on a second website. Bales discloses that the drag and drop tag library allows a user to drag and drop various resources and portlets from one page element to another. EX1006 [0158]:2-5. Although Bales discloses that when a user drops the draggable resource onto a drop zone, a dynamic content call can be made to a remote server for updating the drop zone area of the user interface with an HTML fragment (EX1006 [0168]:19-24), there is no disclosure in Bales of a chart box on a second website. EX2001 ¶282.

d) QlikView Manuals and Bales do not disclose "wherein the at least one interactive chart is automatically displayed on the second website using a data feed from the first website to the second website upon the dragging and dropping selection"

As discussed above, the QlikView Manuals do not disclose a second website. *Supra*, §IV.D.1(a). Therefore, the QlikView Manuals do not disclose that at least one interactive chart is automatically displayed on the second website using a data feed from the first website to the second website. EX2001 ¶283.

As discussed above, a POSA would not have been motivated to combine the QlikView Manuals with Bales. *Supra*, §IV.D.1.(c).

In addition, even if the QlikView Manuals and Bales were combined, the combination would not disclose, teach, or suggest this limitation. EX2001 ¶285. As discussed above, the QlikView Manuals do not disclose a second website. *Supra*, §IV.D.1(a).

Petitioner's reliance on the AJAX is misplaced. The QlikView Manuals refute Petitioner's position: "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." EX1009 p.0155. A POSA would understand a QlikView client user uses a web browser to a web page on the QlikView Server. EX2001 ¶285. A POSA would understand that Dynamic HTML manipulates the structure and content of a

webpage on the QlikView Server after it loads, enabling interactive elements and changes without reloading the entire page. EX2001 ¶285.

User feedback occurs when the user clicks on the QlikView Server web page via the client browser. EX2001 ¶285.. Therefore, the QlikView Manuals do not disclose that at least one interactive chart is automatically displayed on the second website using a data feed from the first website. *Id.* The "dragging and dropping selection" is dragging and dropping into a chart box folder connected to a chart box and that the chart box is on a second website. EX1001, cl.1. Bales does not disclose a chart box on a second website. EX2001 ¶286. Bales discloses that the drag and drop tag library provides for the ability of a user to drag and drop various resources and portlets from one page element to another. EX1006 [0158]:2-5. Although Bales discloses that when a community member drops the draggable resource onto a drop zone, a dynamic content call can be made to a remote server for updating the drop zone area of the user interface with an HTML fragment (EX1006 [0168]:19-24), there is no disclosure in Bales of a chart box on a second website. EX2001 ¶286.

2. Quick View Manuals and Bales Do Not Render Obvious Claims 3 and 4

Because Petitioner has failed to show that the QlikView Manuals in view of Bales render claim 1 obvious, Petitioner necessarily fails to show that the

QlikView Manuals in view of Bales teach claims 3 and given that claims 3 and 4 depend from claim 1. *Supra*, §IV.D.1(a)-(d).

V. CONCLUSION

For the foregoing reasons, iCHARTS respectfully requests that the Board deny all grounds of challenge, dismiss the Petition, and decline institution.

Respectfully submitted,

Dated: February 18, 2025

/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 13,781 words.

Dated: February 18, 2025

Respectfully submitted,

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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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