

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SLACK TECHNOLOGIES, LLC. and
SALESFORCE, INC.,
Petitioners,

v.

WRINKL, INC.,
Patent Owner

Case No.: IPR2024-01489
U.S. Patent No. 11,973,731

**PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 11,973,731**

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

TABLE OF CONTENTS

	<u>Page</u>
I. MANDATORY NOTICES	1
A. Real Party-In-Interest (37 C.F.R. §42.8(b)(1))	1
B. Identification of Related Matters (37 C.F.R. §42.8(b)(2)).....	1
C. Counsel and Service Information (37 C.F.R. §§42.8(b)(3) & (b)(4))...	1
D. Payment of Fees (37 C.F.R. §42.103).....	2
II. SUMMARY OF THE '731 PATENT	3
A. Description of the Alleged Invention.....	3
B. Claimed Priority Date.....	4
C. Related Patent Applications	4
III. THE EFFECTIVE FILING DATE OF THE CHALLENGED CLAIMS	8
A. Priority Claim Challenges and the Use of Parent Applications or Publications as Invalidating Prior Art Are Permitted in IPR Proceedings	8
B. The Effective Filing Date of the '731 Patent is No Earlier Than June 21, 2018, and Falls More Than One Year After Cohen.	9
C. The Patent Owner Cannot Meet Its Burden of Production	12
IV. STATEMENT OF PRECISE RELIEF REQUESTED FOR EACH CHALLENGED CLAIM	13
A. Grounds For Standing Under 37 C.F.R. §42.104(a)	13
B. Claims for Which Review Is Requested	14
C. Statutory Grounds of Challenge.....	15
V. CLAIM CONSTRUCTION	15

VI.	A PHOSITA.....	16
VII.	OVERVIEW OF THE STATE OF THE ART.....	16
	A. U.S. Pub. No. 2017/0134316 (“Cohen”) (Exh-1005)	18
VIII.	GROUND 1: COHEN ANTICIPATES CLAIMS 1-30.....	19
	A. Independent Claim 1	20
	B. Dependent Claim 2	52
	C. Dependent Claim 3	55
	D. Dependent Claim 4.....	60
	E. Dependent Claim 5	61
	F. Dependent Claim 6.....	65
	G. Dependent Claim 7	67
	H. Dependent Claim 8.....	69
	I. Dependent Claim 9.....	72
	J. Dependent Claim 10.....	74
	K. Dependent Claim 11	76
	L. Dependent Claim 12.....	77
	M. Dependent Claim 13.....	78
	N. Dependent Claim 14.....	81
	O. Independent Claim 15	84
	P. Dependent Claim 16.....	89
	Q. Dependent Claim 17	89
	R. Dependent Claim 18.....	90

Petition for *Inter Partes* Review of
U.S. Patent No. 11,973,731

S.	Dependent Claim 19.....	90
T.	Dependent Claim 20.....	90
U.	Dependent Claim 21	91
V.	Dependent Claim 22.....	91
W.	Dependent Claim 23.....	91
X.	Dependent Claim 24.....	92
Y.	Independent Claim 25	92
Z.	Dependent Claim 26.....	97
AA.	Dependent Claim 27	97
BB.	Dependent Claim 28.....	98
CC.	Dependent Claim 29	99
DD.	Independent Claim 30	99
IX.	THE BOARD SHOULD NOT DENY INSTITUTION UNDER §314(a).	105
X.	CONCLUSION.....	107

TABLE OF AUTHORITIES

	<u>Page(s)</u>
Cases	
<i>Apple Inc. v. Fintiv, Inc.</i> , IPR2020-00019, Paper 11 (P.T.A.B. Mar. 20, 2020)	105
<i>Ariad Pharms., Inc. v. Eli Lilly & Co.</i> , 598 F.3d 1336 (Fed. Cir. 2010)	9
<i>Arthrex, Inc. v. Smith & Nephew, Inc.</i> , 35 F.4th 1328 (Fed. Cir. 2022)	8, 9
<i>Dish Network L.L.C. v. Broadband iTV, Inc.</i> , IPR2020-01359, Paper 15 (P.T.A.B. Feb. 12, 2021)	106
<i>Dynamic Drinkware, LLC v. Nat’l Graphics, Inc.</i> , 800 F.3d 1375 (Fed. Cir. 2015)	13
<i>Google LLC v. Uniloc 2017 LLC</i> , IPR2020-00115, Paper 10 (P.T.A.B. May 12, 2020)	107
<i>HTC Corp. v. Advanced Audio Devices, LLC</i> , IPR2014-01158, Paper 6 (P.T.A.B. Jan. 23, 2014)	8
<i>Indivior UK Ltd. v. Dr. Reddy’s Lab’ys S.A.</i> , 18 F.4th 1323 (Fed. Cir. 2021)	8
<i>Lockwood v. Am. Airlines, Inc.</i> , 107 F.3d 1565 (Fed. Cir. 1997)	9
<i>MaxLite, Inc. v. Jiaxing Super Lighting Elec. Appliance Co.</i> , IPR2020-00208, Paper 14 (P.T.A.B. June 1, 2021)	8
<i>Nat. Alts. Int’l, Inc. v. Iancu</i> , 904 F.3d 1375 (Fed. Cir. 2018)	13
<i>In re NTP, Inc.</i> , 654 F.3d 1268 (Fed. Cir. 2011)	12, 13

<i>Reckitt Benckiser v. Ansell Healthcare Prods</i> , IPR2017-00063 Paper 38 (P.T.A.B. Jan. 30, 2018)	8
<i>Reckitt Benckiser v. Ansell Healthcare Prods</i> , IPR2017-00066 Paper 35 (P.T.A.B. Jan. 30, 2018)	8
<i>Rsch. Corp. Techs., Inc. v. Microsoft Corp.</i> , 627 F.3d 859 (Fed. Cir. 2010)	13
<i>SAP America, Inc. v. Pi-Net Int’l, Inc.</i> , IPR2014-00414, Paper 11 (P.T.A.B. Aug. 18, 2014).....	8
<i>Sotera Wireless, Inc. v. Masimo Corp.</i> , IPR2020-01019, Paper 12 (P.T.A.B. Dec. 1, 2020)	106

Statutes

United States Code,	
Title 35 Section 102	1, 6, 12, 13, 15, 18
Title 35 Section 103	1, 15
Title 35 Section 112	8, 9, 12
Title 35 Section 120	8, 9, 12
Title 35 Section 315	13

Other Authorities

Code of Federal Regulations,	
Title 37 Section 42.6	106
Title 37 Section 42.8	1
Title 37 Section 42.10	2
Title 37 Section 42.15	2
Title 37 Section 42.24	106
Title 37 Section 42.103	2
Title 37 Section 42.104	13
Title 37 Section 42.108	15
Title 37 Section 42.300	14
Title 37 Section 42.302	13

EXHIBIT LIST

<i>Exhibit No.</i>	<i>Description</i>
Exh-1001	U.S. Patent No. 11,973,731 to Cohen
Exh-1002	File History for Application No. 18/535,572
Exh-1003	Declaration of Andrew Cockburn
Exh-1004	<i>Curriculum Vitae</i> of Andrew Cockburn
Exh-1005	U.S. Pub. No. 2017/0134316 (“Cohen”)
Exh-1006	Return of Service in Related Action
Exh-1007	Complaint in Related Action
Exh-1008	Scheduling Order in Related Action
Exh-1009	Provisional Application No. 62/253,229
Exh-1010	Quentin Jones, et al. “Empirical Evidence of Information Overload Constraining Chat Channel Community Interactions.” In <i>Proceedings of the 2008 ACM Conference on Computer Supported Cooperative Work (CSCW ‘08)</i> , Association for Computing Machinery, New York, NY, USA, 323–332 (2008)
Exh-1011	U.S. Patent Application No. 15/293,620
Exh-1012	U.S. Patent No. 9,712,466
Exh-1013	U.S. Application No. 15/858,696
Exh-1014	U.S. Patent No. 10,025,475

Petition for *Inter Partes* Review of
U.S. Patent No. 11,973,731

<i>Exhibit No.</i>	<i>Description</i>
Exh-1015	U.S. Provisional Application No. 62/666,137
Exh-1016	U.S. Application No. 16/014,578
Exh-1017	U.S. Patent No. 11,388,120
Exh-1018	Thomas F. Stafford and Dennis Gonier, <i>What Americans Like About Being Online</i> , 47 Communications of the ACM, 107, 107–12 (2004)
Exh-1019	Petitioners’ Reasons for Parallel Petitions and Petition Ranking

Petitioners Slack Technologies, LLC and Salesforce, Inc. (collectively “Petitioners”) respectfully request *inter partes* review of Claims 1-30 of U.S. Patent No. 11,973,731 (the “’731 Patent”) (Exh-1001), requesting cancellation of those claims as unpatentable under 35 U.S.C. §§ 102 and 103. Petitioners concurrently submit an additional request for *inter partes* review, similarly challenging Claims 1-30 of the ’731 Patent.

I. MANDATORY NOTICES

A. Real Party-In-Interest (37 C.F.R. §42.8(b)(1))

Petitioners are real parties-in-interest.

B. Identification of Related Matters (37 C.F.R. §42.8(b)(2))

Patent Owner has asserted the ’731 Patent against Petitioners in a co-pending litigation, *Wrinkl, Inc. v. Slack Technologies, LLC et al.*, No. 1:24-cv-00620 (D. Del.) (“Delaware Action”), filed on May 23, 2024. Exh-1007. The Proofs of Service filed in the Delaware Action assert that Petitioners were served on May 24, 2024. Exh-1006. Patent Owner has asserted Claims 1, 15, and 25 of the ’731 Patent. Exh-1007. No rulings related to the ’731 Patent have been issued. Trial is currently set to begin on May 18, 2026. Exh-1008.

C. Counsel and Service Information (37 C.F.R. §§42.8(b)(3) & (b)(4))

Petitioners designate the following Lead and Backup Counsel. Concurrently filed with this Petition is a Power of Attorney for appointing the following Lead

and Backup Counsel, per 37 C.F.R. § 42.10(b). Service via hand-delivery may be made at the postal mailing addresses below. Petitioners consent to electronic service by e-mail at the following address:

Case-SlackSalesforceIPR2Members@Pillsburylaw.com.

Lead Counsel	Back-Up Counsel
Robert C.F. Pérez (Reg. No. 39,328) PILLSBURY WINTHROP SHAW PITTMAN LLP 7900 Tysons One Place Suite 500 Tysons, VA 22102 Telephone: 703.770.7900 Facsimile: 703.770.7901 Email: robert.perez@pillsburylaw.com	Christopher Kao (<i>Pro hac vice</i> motion to be filed once authorized) Brock S. Weber (<i>Pro hac vice</i> motion to be filed once authorized) PILLSBURY WINTHROP SHAW PITTMAN LLP Four Embarcadero Center, 22nd Floor San Francisco, CA 94111 Telephone: 415.983.1000 Facsimile: 415.983.1200 Email: christopher.kao@pillsburylaw.com Email: brock.weber@pillsburylaw.com

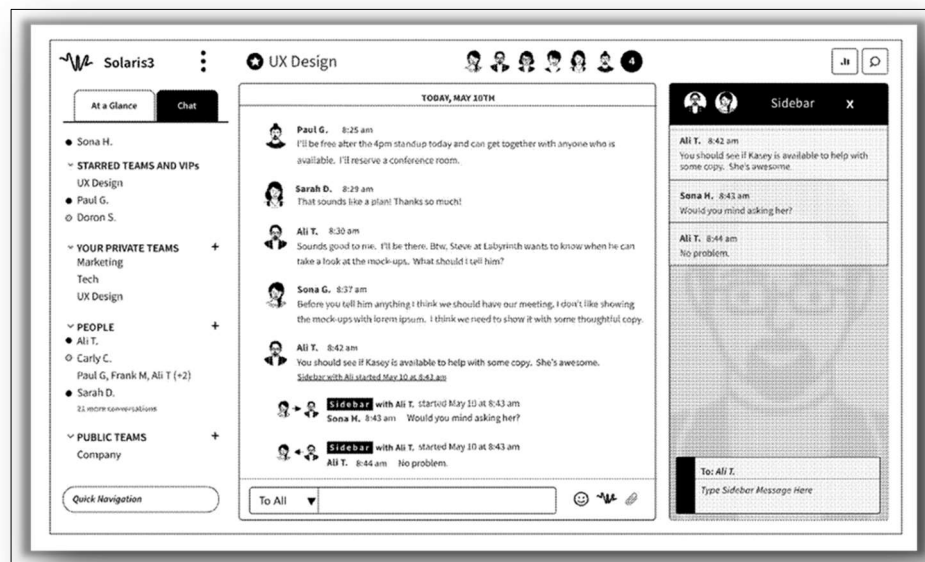
D. Payment of Fees (37 C.F.R. §42.103)

Petitioners authorize the Patent and Trademark Office to charge Deposit Account No. 033975 for the petition fee and for any other required fees required by 37 C.F.R. §42.15. The undersigned further authorizes any additional fees due for this Petition to be charged to that account.

II. SUMMARY OF THE '731 PATENT

A. Description of the Alleged Invention

The '731 Patent, titled “System and Methods for Subsidiary Channel-Based Thread Communications,” pertains to a method and apparatus for real-time electronic communications, specifically focusing on generating and displaying subsidiary channel-based thread communications within a group-based messaging system. Exh-1001 at Abstract. The '731 Patent recites a system that allows for the creation and display of a subsidiary thread of communications in a separate pane, allowing a list pane, messaging pane, and thread communication pane to be simultaneously visible within a defined display window. *Id.* at Abstract, Claims 1 and 30.



Id. at FIG. 10F.

B. Claimed Priority Date

The '731 Patent was filed on December 11, 2023, and purports to claim priority to U.S. Provisional Patent Application No. 62/253,229 (the "'229 Provisional"), filed on November 10, 2015.

C. Related Patent Applications

The '731 Patent is the last in the chain of 19 related applications and patents, all sharing similar written descriptions and figures:

1. On November 10, 2015, Patent Owner filed the '229 Provisional (Exh-1009).
2. On July 6, 2016, Patent Owner filed U.S. Provisional Application No. 62/358,719.
3. On October 14, 2016, Patent Owner filed U.S. Patent Application No. 15/293,620 (the "'620 Application") (Exh-1011), now U.S. Patent No. 9,712,466 (the "'466 Patent") (Exh-1012).
4. On January 13, 2017, Patent Owner filed U.S. Provisional Application No. 62/446,067.
5. On February 13, 2017, Patent Owner filed U.S. Application No. 15/431,077, now U.S. Patent No. 9,860,198.

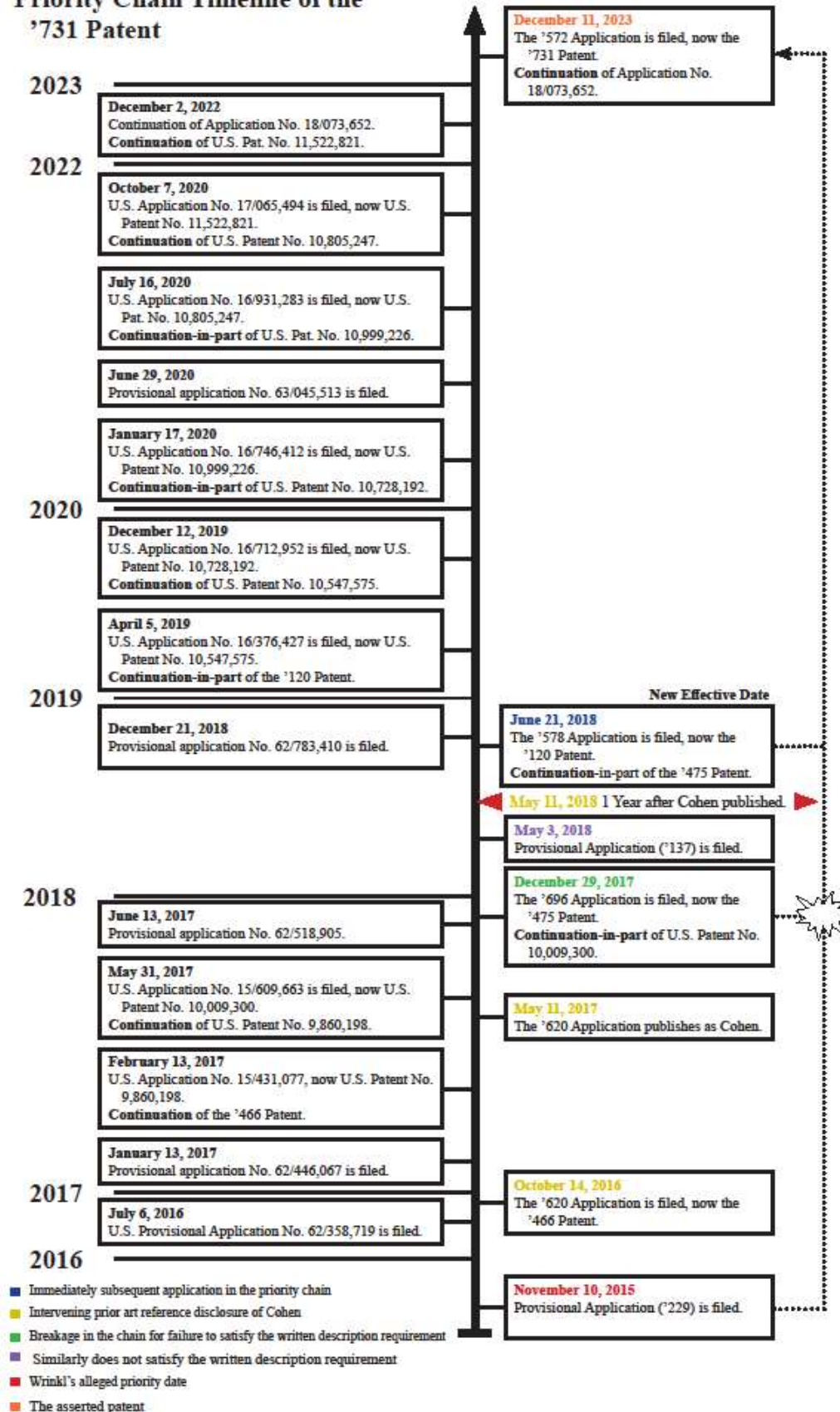
6. On May 31, 2017, Patent Owner filed U.S. Application No. 15/609,663, now U.S. Patent No. 10,009,300.
7. On June 13, 2017, Patent Owner filed U.S. Provisional Application No. 62/518,905.
8. On December 29, 2017, Patent Owner filed U.S. Application No. 15/858,696 (the “’696 Application”) (Exh-1013), now U.S. Patent No. 10,025,475 (the “’475 Patent”) (Exh-1014).
9. On May 3, 2018, Patent Owner filed U.S. Provisional Application No. 62/666,137 (the “’137 Provisional”) (Exh-1015).
10. On June 21, 2018, Patent Owner filed U.S. Application No. 16/014,578 (the “’578 Application”) (Exh-1016), now U.S. Patent No. 11,388,120 (the “’120 Patent”) (Exh-1017).
11. On December 21, 2018, Patent Owner filed U.S. Provisional Application No. 62/783,410.
12. On April 5, 2019, Patent Owner filed U.S. Application No. 16/376,427, now U.S. Patent No. 10,547,575.
13. On December 12, 2019, Patent Owner filed U.S. Application No. 16/712,952 is filed, now U.S. Patent No. 10,728,192.

14. On January 17, 2020, Patent Owner filed U.S. Application No. 16/746,412, now U.S. Patent No. 10,999,226.
15. On June 29, 2020, Patent Owner filed Provisional Application No. 63/045,513.
16. On July 16, 2020, Patent Owner filed U.S. Application No. 16/931,283, now U.S. Pat. No. 10,805,247.
17. On October 7, 2020, Patent Owner filed U.S. Application No. 17/065,494, now U.S. Patent No. 11,522,821.
18. On December 2, 2022, Patent Owner filed U.S. Application No. 18/073,652.
19. On December 11, 2023, Patent Owner filed U.S. Application No. 18/535,572 (“’572 Application”), now the ’731 Patent.

As discussed below, none of the claims of the ’731 Patent are entitled to claim priority to the filing dates of any applications prior to the ’578 Application. Thus, U.S. Patent Application Publication 2017/0134316 (“Cohen”), published on May 11, 2017, is a U.S.C. § 102(a)(1) (AIA) prior art reference to the claims of the ’731 Patent. *See* Section III.

Petition for *Inter Partes* Review of
U.S. Patent No. 11,973,731

Priority Chain Timeline of the
'731 Patent



III. THE EFFECTIVE FILING DATE OF THE CHALLENGED CLAIMS

A. Priority Claim Challenges and the Use of Parent Applications or Publications as Invalidating Prior Art Are Permitted in IPR Proceedings

The Board can assess whether the challenged claims of a continuation have written description support in a parent application to obtain the benefit of an earlier filing date under 35 U.S.C. § 120. *See, e.g., SAP America, Inc. v. Pi-Net Int'l, Inc.*, IPR2014-00414, Paper 11 at 11–14 (P.T.A.B. Aug. 18, 2014); *HTC Corp. v. Advanced Audio Devices, LLC*, IPR2014-01158, Paper 6 at 12 (P.T.A.B. Jan. 23, 2014); *Reckitt Benckiser v. Ansell Healthcare Prods.*, IPR2017-00063 Paper 38 and IPR2017-00066 Paper 35 (P.T.A.B. Jan. 30, 2018). Petitioners have successfully invalidated patents before the Board by breaking the chain of priority for lack of Section 112 support and using parent patents or publications as invalidating prior art, and the Federal Circuit has affirmed these challenges. *See, e.g., Indivior UK Ltd. v. Dr. Reddy's Lab 'ys S.A.*, 18 F.4th 1323, 1328-30 (Fed. Cir. 2021); *Arthrex, Inc. v. Smith & Nephew, Inc.*, 35 F.4th 1328, 1344-45 (Fed. Cir. 2022); *see also MaxLite, Inc. v. Jiaxing Super Lighting Elec. Appliance Co.*, IPR2020-00208, Paper 14 (P.T.A.B. June 1, 2021), *not appealed*.

In this proceeding, Petitioner challenges the claims of priority of all claims of the '731 Patent to earlier applications since the narrow disclosures of those

applications do not provide written description support under 35 U.S.C. § 112(a) (AIA) for the broader claims of the '731 Patent.

B. The Effective Filing Date of the '731 Patent is No Earlier Than June 21, 2018, and Falls More Than One Year After Cohen.

As discussed above, the '731 Patent purports to claim the benefit of priority under 35 U.S.C. § 120 to the '229 Provisional. “[T]o gain the benefit of the filing date of an earlier application under 35 U.S.C. § 120, *each application in the chain leading back to the earlier application* must comply with the written description requirement of 35 U.S.C. § 112.” *Lockwood v. Am. Airlines, Inc.*, 107 F.3d 1565, 1571 (Fed. Cir. 1997) (emphasis added). “That means each application in the chain must ‘reasonably convey[] to those skilled in the art that the inventor had possession of the [later-claimed] subject matter as of the filing date.’” *Arthrex*, 35 F.4th at 1343 (citing *Ariad Pharms., Inc. v. Eli Lilly & Co.*, 598 F.3d 1336, 1351 (Fed. Cir. 2010)). This includes the entire “series of intervening continuation, continuation-in-part, and divisional applications.” *Id.* at 1342.

It is not enough that the claims would have been obvious in view of the ancestor application’s disclosure. *See Lockwood*, 107 F.3d at 1571–72.

Determination of whether a disclosure provides sufficient written description support for a claim is a question of fact. *See Ariad Pharms.*, 598 F.3d at 1351.

Here, the '696 Application (Exh-1013), filed on December 29, 2017, fails to disclose the simultaneous display of three panes, with the third pane being a subsidiary communication thread—a necessary element found in all three independent claims of the '731 Patent. *See* Exh-1003, ¶¶45-47. As a result, it fails to provide the necessary written description support for all the claims of the '731 Patent that include this element, thereby causing a break in the chain of priority. Similarly, the '137 Provisional (Exh-1015), filed on May 3, 2018, also fails to disclose the same necessary element. *See* Exh-1003, ¶¶45-47.

The '696 Application and '137 Provisional do not disclose a third pane with a sidebar text entry field and a subsidiary communication thread, nor do they disclose a third pane that is simultaneously displayed/viewable with the first and second pane, as required in independent Claims 1, 15, 25, or 30. Exh-1003, ¶¶45-47.

The '696 Application describes referencing objects and drafting direct replies to specific messages, *all within a single message stream*. *See* Exh-1013 at Abstract, Specification at 6:14-15. In contrast, the independent claims of the '731 Patent require the display of a third pane, enabling a user to view both the second and third panes simultaneously, where the third pane presents a subsidiary communication thread. Exh-1005 at Claims 1, 15, 25, and 30. This structure allows

a user to send and receive messages while simultaneously viewing both the primary channel and the subsidiary communication thread. *Id.* at 20–28.

Unlike the '731 Patent, the '696 Application centers on referencing a message in the second pane to directly respond to that specific message, without enabling the creation of a distinct subsidiary communication thread in a separate third pane. *See* Exh-1013, FIGS. 8A–8F. After a direct reply is made, the messages remain in the second pane as part of a single message stream. *Id.* Any follow-up responses are entered into the same channel text-entry field, rather than a separate sidebar text-entry field, maintaining the communication within the primary messaging stream of the second pane. *Id.*

The '137 Provisional focuses on entirely different functionality than the '731 Patent. Exh-1015. The '137 Provisional teaches cross-channel communication, allowing users to respond across different group chat channels and move messages from one channel to another. *Id.* However, it does not disclose ***subsidiary communication threads*** within a particular channel, nor does it disclose the capability for a user to view multiple messaging streams in the interface simultaneously. Instead, the '137 Provisional merely discloses allowing users to navigate between distinct channels, each associated with separate sets of messages and different user groups. *Id.* The additional disclosures of bundling and tagging

techniques in the '137 Provisional pertain to selecting objects within a group communication interface, which is unrelated to the ability to generate a subsidiary communication thread in a third pane that is simultaneously displayed and allows for separate message input in a sidebar text-entry field. *See id.*

Thus, neither the '696 Application nor the '137 Provisional disclose a third pane that is simultaneously viewable, featuring both a sidebar text-entry field and a subsidiary communication thread. Exh-1003, ¶¶45-47. As a result, the '696 Application and '137 Provisional fail to adequately disclose or provide a written description for the limitations found in the claims of the '731 Patent.

This break in the chain of priority across the series of intervening continuation and continuation-in-part applications results in the '731 Patent being entitled only to an effective priority date of June 21, 2018—the filing date of the '578 Application, the immediately subsequent application in the priority chain after the '137 Provisional. Since this date is more than one year after Cohen, Cohen qualifies as prior art under 35 U.S.C. § 102(a)(1).

C. The Patent Owner Cannot Meet Its Burden of Production

The Patent Owner has the burden of production to show that each claim has Section 112(a) support in the application to which Patent Owner claims priority. *In re NTP, Inc.*, 654 F.3d 1268, 1276-77 (Fed. Cir. 2011); *see also* 35 U.S.C. § 120

(AIA); *Nat. Alts. Int’l, Inc. v. Iancu*, 904 F.3d 1375, 1380 (Fed. Cir. 2018). This burden-shifting applies even when the applications from which the patent issued are designated “continuation” applications or “continuation-in-part” applications. *Rsch. Corp. Techs., Inc. v. Microsoft Corp.*, 627 F.3d 859, 865, 871 (Fed. Cir. 2010); *accord In re NTP*, 654 F.3d at 1276-79; *Dynamic Drinkware, LLC v. Nat’l Graphics, Inc.*, 800 F.3d 1375, 1379–80 (Fed. Cir. 2015).

Here, Petitioner asserts that Cohen, which published on May 11, 2017, more than one year prior to the actual effective filing date of the ’731 Patent (which should be June 21, 2018—the filing date of the ’578 Application), anticipates all of the challenged claims under 35 U.S.C. § 102(a)(1). Accordingly, the burden of production shifts to Patent Owner to demonstrate that its priority claim is proper, which it cannot do.

IV. STATEMENT OF PRECISE RELIEF REQUESTED FOR EACH CHALLENGED CLAIM

A. Grounds For Standing Under 37 C.F.R. §42.104(a)

Petitioners hereby certify that the ’731 Patent is available for *inter partes* review and they are not barred or estopped from requesting this *inter partes* review on the identified grounds, including under any of 35 U.S.C. §§ 315(e) or 325(e) or 37 C.F.R. § 42.302(b) or (c).

As set forth in Petitioners' Reasons for Parallel Petitions and Petition Ranking (Exh-1019), Petitioners have filed two parallel proceedings and believe that there is a sufficient need for two petitions. The Board has "recognize[d] that there may be circumstances in which more than one petition may be necessary, including, for example, when the patent owner has asserted a large number of claims in litigation or when there is a dispute about priority date requiring arguments under multiple prior art references." Patent Trial and Appeal Board Consolidated Trial Practice Guide ("CTPG"), 59 (November 2019). Both grounds are present here. First, Petitioners are challenging 30 claims, and the claim language alone constitutes approximately 3,000 words. Second, there is a dispute regarding the priority date, which the Patent Owner claims is November 10, 2015, and Petitioners assert is no earlier than June 21, 2018. Pursuant to the CTPG, Petitioners provide a letter (Exh-1019) that identifies the rankings of the petitions and identifies the differences between the petitions.

B. Claims for Which Review Is Requested

Petitioners respectfully requests review of Claims 1–30 of the '731 Patent pursuant to 37 C.F.R. § 42.300 and cancellation of those claims as unpatentable.

C. Statutory Grounds of Challenge

Petitioners request cancellation of the '731 Patent's Claims 1–30 in view of the following references:

Document	Date Effective as Prior Art	Exhibit Number
U.S. Pub. No. 2017/0134316 ("Cohen")	May 11, 2017	1005

Claims 1–30 of the '731 Patent are unpatentable under 35 U.S.C. §§ 102 and 103 because they are anticipated and/or obvious, as shown in the grounds below:

Ground	Invalidity
1	Claims 1–30 are anticipated by Cohen (Exh-1005) under 35 U.S.C. §102(a)

V. CLAIM CONSTRUCTION

For the purposes of this Petition, Petitioners give the claim terms in the '731 Patent their plain and ordinary meaning that they would have to a person having ordinary skill in the art at the time of the alleged invention ("PHOSITA") in view of the intrinsic evidence. Petitioners' interpretation of the claim terms is further explained for each claim limitation in relation to the prior art discussed in invalidity Ground 1 below.¹

¹ Petitioners reserve the right to address any claim construction positions taken by the Patent Owner in its Preliminary Response, including under 37 C.F.R. § 42.108(c).

VI. A PHOSITA

A PHOSITA with respect to the '731 Patent would have at least a bachelor's degree in computer science or a related degree, and at least four years of experience with graphical user interfaces, and at least two years of experience in the graphical user interface field. Alternatively, a person of ordinary skill in the art would have a master's degree in computer science (or similar discipline) and at least two years of similar experience. Exh-1003, ¶40.

VII. OVERVIEW OF THE STATE OF THE ART

The '731 Patent discusses the integration of actionable objects into group-based messaging systems, focusing on features like subsidiary threads and simultaneous display panes within a chat interface. Exh-1001 at Abstract, 2:40–44. The purported invention purports to address “problems in chat technology of disjointed, ad hoc electronic communications.” *Id.* at 3:60–61. By the time the '731 Patent was filed, however, the field of electronic chat communications was already well-developed, with many platforms like Internet Relay Chat (IRC), AOL Instant Messenger (AIM), Gaim (now Pidgin), MSN Messenger (later rebranded as Windows Live Messenger) and others offering various messaging functionalities.

For example, IRC, one of the earliest and most influential platforms, enabled real-time chat and established the foundational structure for group conversations,

where messages were displayed sequentially and visible to all participants. Despite its simplicity, IRC allowed for topic-based channels, private messaging, and rudimentary command-based actions, laying the groundwork for more sophisticated communication systems. This is shown, for example, in Figure 3 below, which depicts an early IRC interface that already allowed chats to be organized and grouped by different channels.

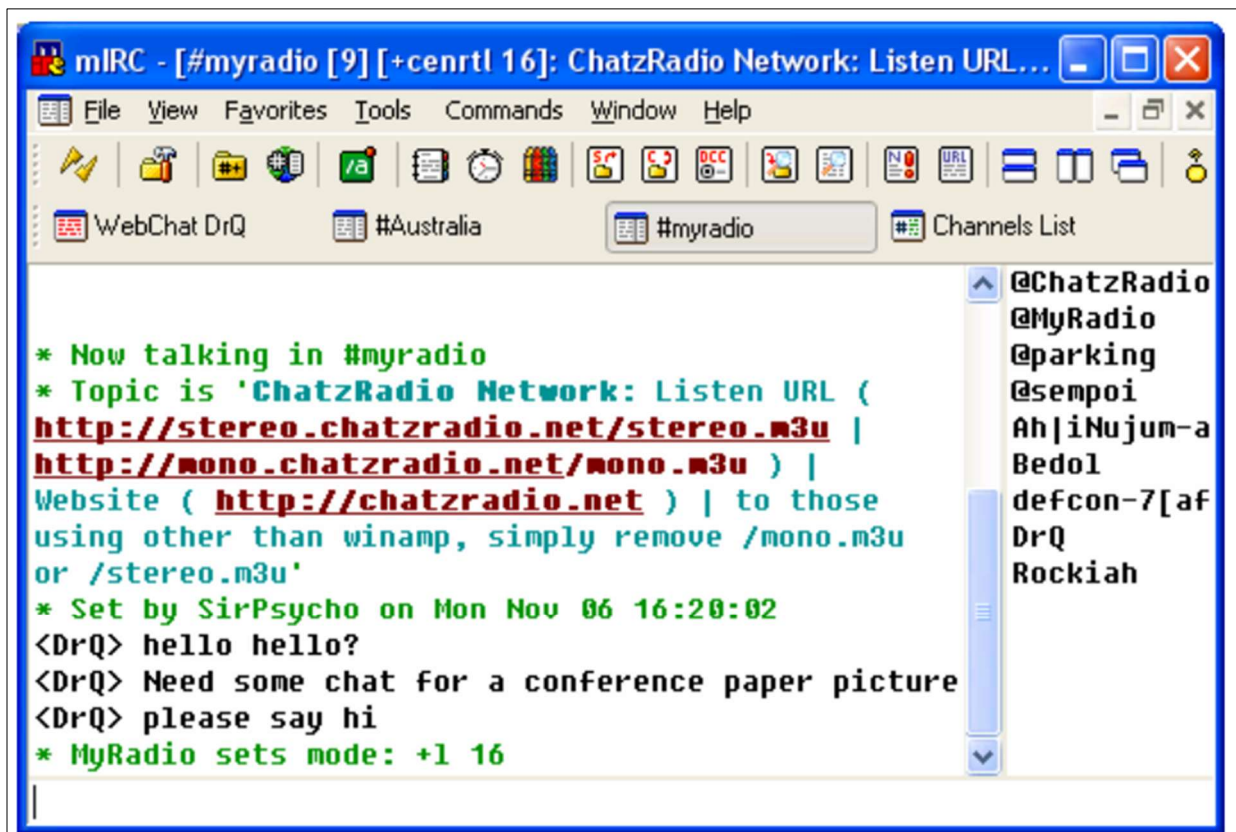


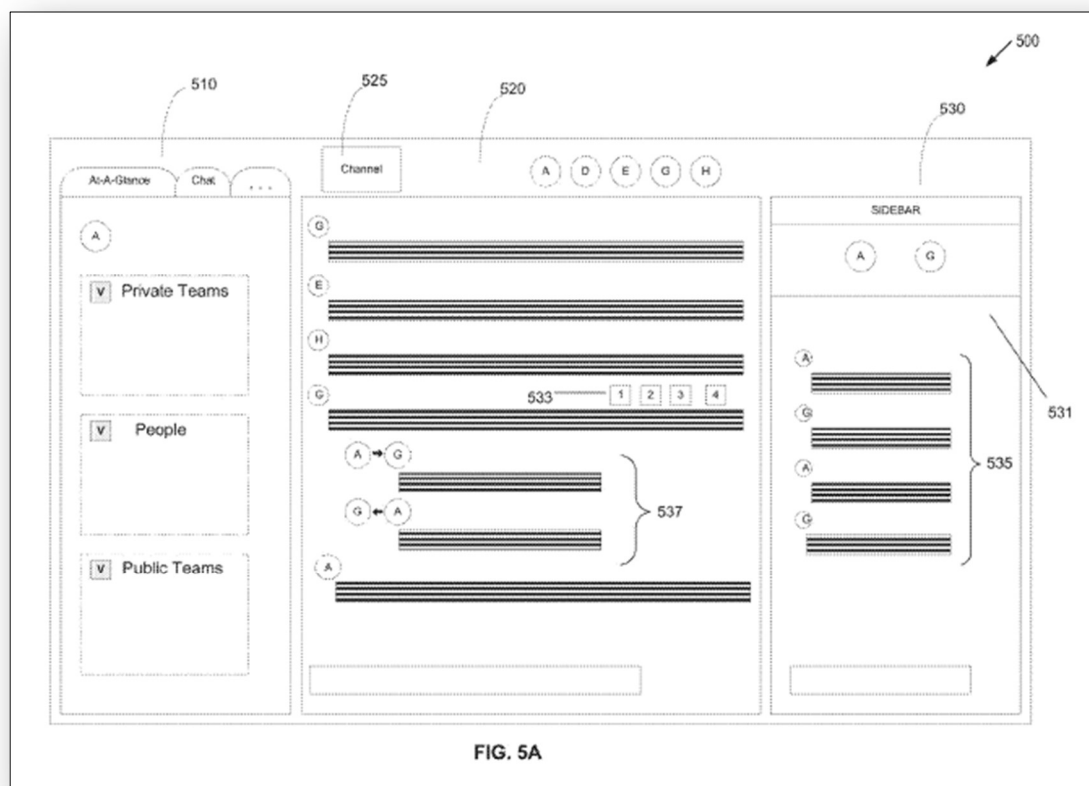
Figure 3. Typical IRC User Interface (MIRC)

Exh-1010.

A. U.S. Pub. No. 2017/0134316 (“Cohen”) (Exh-1005)

Cohen was published on May 11, 2017. Exh-1005. As discussed above, the actual effective filing date of the ’731 Patent should be June 21, 2018. Cohen is therefore prior art to the ’731 Patent under at least § 102(a)(1) and (2).

Cohen has virtually the same disclosure as the ’731 Patent, although the ’731 Patent includes additional figures and further description concerning “Sidebars and Asymmetrical Group Messaging Views.” Nevertheless, Cohen discloses the same group chat functionality as the ’731 Patent. Specifically, Cohen describes a system “integrating actionable objects into an on-line chat communications platform.” Exh-1005 at Abstract. The actionable objects allow users to interact with specific, perceivable actions during chat sessions, providing an “interactive presentment of messaging activity.” *Id.* at [0049]. Cohen discloses a sidebar conversation feature that enables private one-on-one chats within a larger group, allowing participants to communicate directly without disrupting the group discussion. *Id.* at [0072]–[0073]. This system is meant to streamline communication by combining interactive tools with flexible private messaging and message management options among multiple interfaces and channels as illustrated in Figure 5A:



Id. at FIG. 5A.

VIII. GROUND 1: COHEN ANTICIPATES CLAIMS 1-30

Cohen is a patent publication from a preceding ancestral application (the '620 Application) and anticipates the later-filed '731 Patent.

A. Independent Claim 1

- 1. 1[pre] An apparatus for use with a group-based communication system to facilitate messaging communication over a network between users of said system, comprising:**

To the extent that the preamble is limiting, Cohen anticipates this limitation.

Exh-1003, ¶49. Cohen explicitly discloses an apparatus: “Examples described herein also relate to an *apparatus* for performing the methods described herein.”

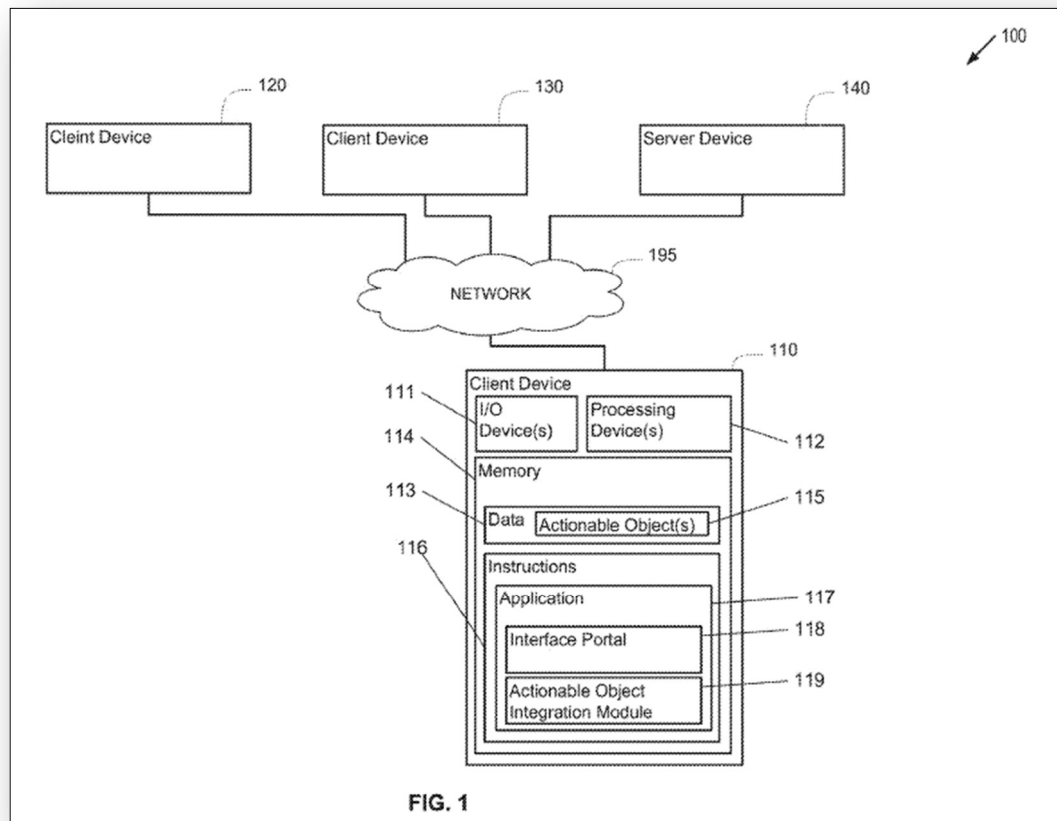
Exh-1005, [0106] (emphasis added); *see also id.* at [0107]. The apparatus disclosed in Cohen is used with a group-based communication system permitting users to communicate within a “group chat conversation.” Exh-1003, ¶49; Exh-1005, [0037]. “The system 100 may facilitate the transfer of electronic communications between computing devices of two or more users or participants over a communication network.” Exh-1005, [0022]. Thus, Cohen discloses this limitation. Exh-1003, ¶49.

- 2. 1[a] a processor, and a memory associated with said processor having computer coded instructions therein, with said computer coded instructions configured to, when executed by said processor, cause the apparatus to:**

Cohen discloses this limitation. Exh-1003, ¶50. Cohen discloses that “computing devices of system 100, such as client device 110, may include one or more I/O (input/output) devices 111, processors 112, memory 114, and other

components typically present in general purpose computers. ‘Processor’ or ‘Processing device’ herein refers to a device capable of executing instructions encoding arithmetic, logical, or I/O operations.” Exh-1005, [0025]; Exh-1003, ¶50.

Figure 1 depicts such a computing device:

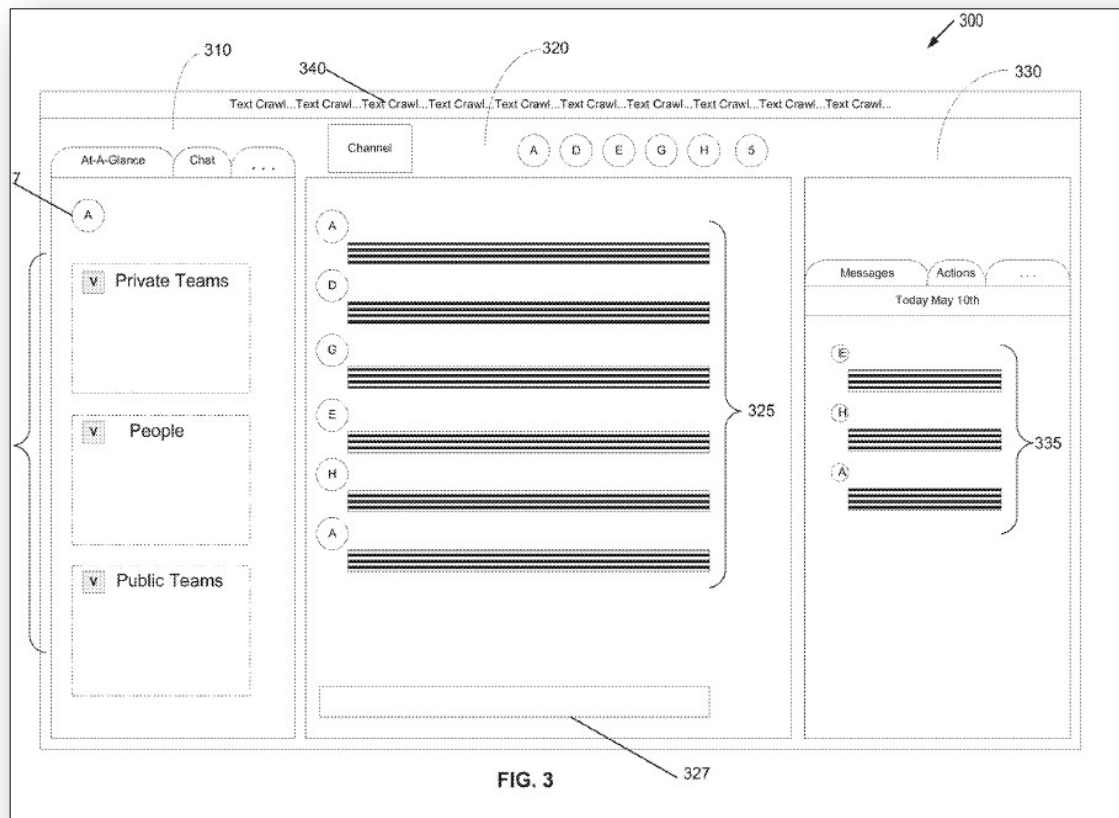


Exh-1005, FIG. 1. Because the processors execute instructions for each function, Cohen teaches the computer coded instructions. Exh-1003, ¶50; Exh-1005, FIG. 9 (see processing device 902). Thus, Cohen discloses this claim limitation. Exh-1003, ¶50.

3. 1[b] generate a group-based communication interface on a display screen of a user client device, the group-based communication interface defining:

Cohen discloses this limitation. Exh-1003, ¶¶51-53. Cohen discloses a variety of interactive interfaces available to participants in a chat session. *Id.*, ¶51; Exh-1005, FIGS. 3-5. Cohen discloses that these interfaces are flexibly configurable and present formatted content (including buttons, cursors, and tools) on the display screen of a client device. Exh-1003, ¶52; Exh-1005, [0037].

Figure 3 illustrates an example interface:

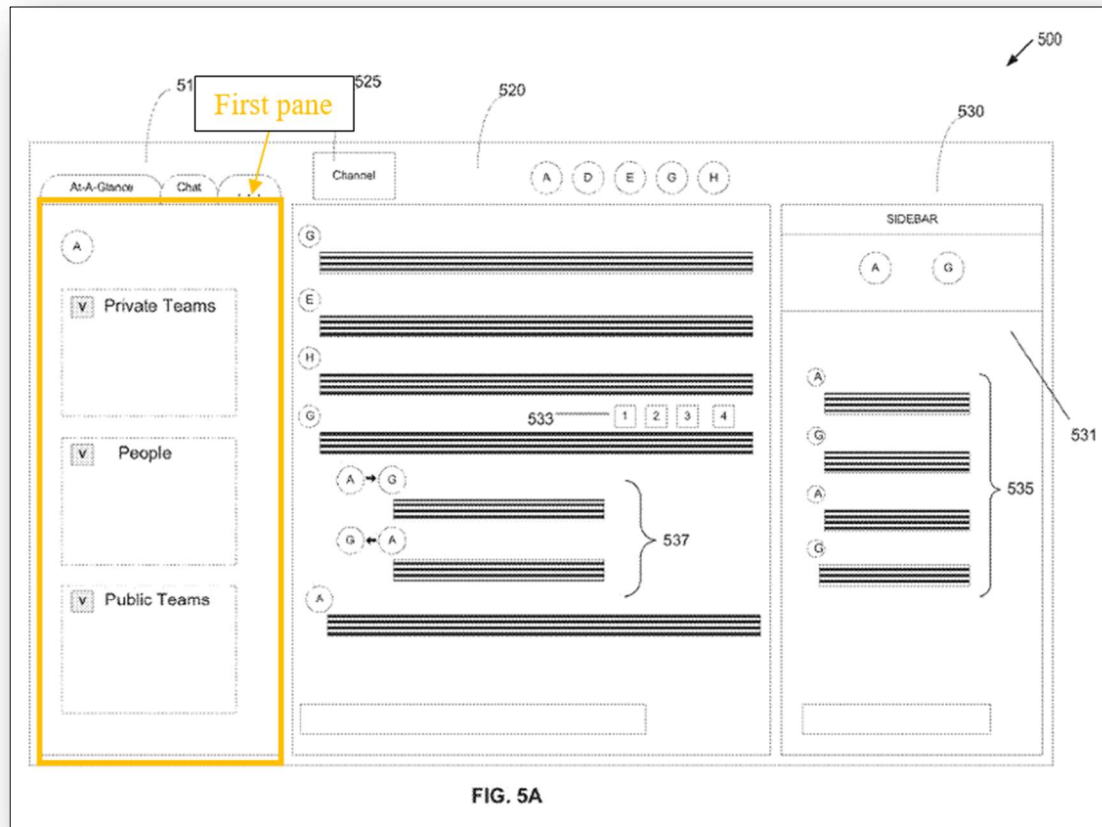


Exh-1005, FIG. 3. Thus, Cohen discloses this limitation. Exh-1003, ¶¶51-53.

4. **1[c] a first pane configured to display a plurality of channel identifiers, each of said plurality of channel identifiers corresponding to a respective one of a plurality of group-based communication channels, each of such channels having an associated group of members who are users of said system, and**

Cohen discloses this limitation. Exh-1003, ¶¶54-55. Cohen discloses a “channel/dialog panel 310” as part of an interface portal that “displays the different chat session groups 315 that a particular participant 317 has joined.” *Id.* The channel/dialog panel (310, 410, and 510) displays a plurality of channel identifiers, and the channel identifiers each correspond to a plurality of group-based communication channels [317]. Exh-1003, ¶54; Exh-1005, [0038], [0071]. A PHOSITA would have understood that each channel has an associated group of members who are users of said system. Exh-1003, ¶54.

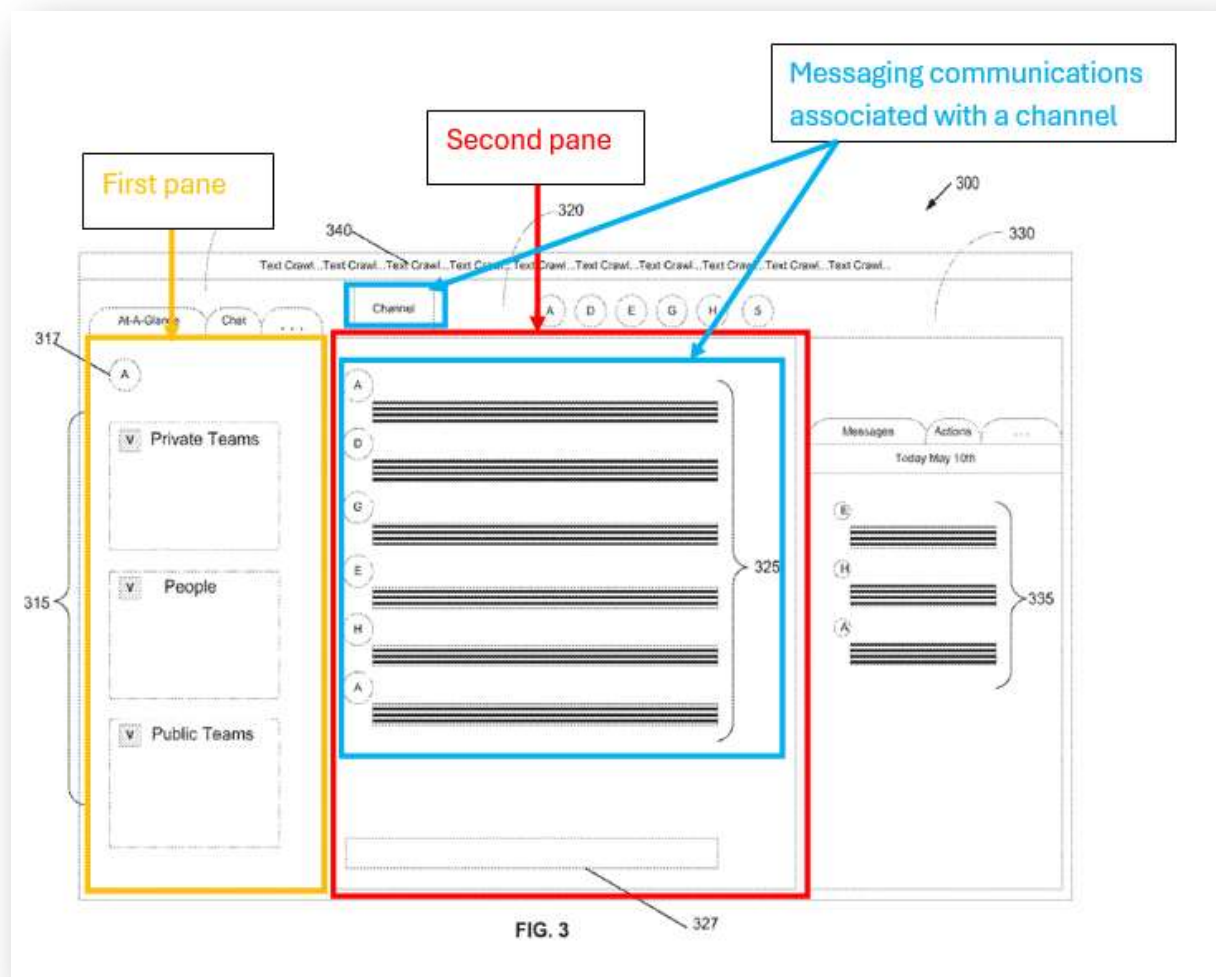
Figure 5A depicts an example of this group-based communication interface with a first pane configured to display a plurality of channel identifiers [510]:



Exh-1005, 5A (annotated); Exh-1003, ¶55. Thus, Cohen discloses this limitation.
Exh-1003, ¶¶54-55.

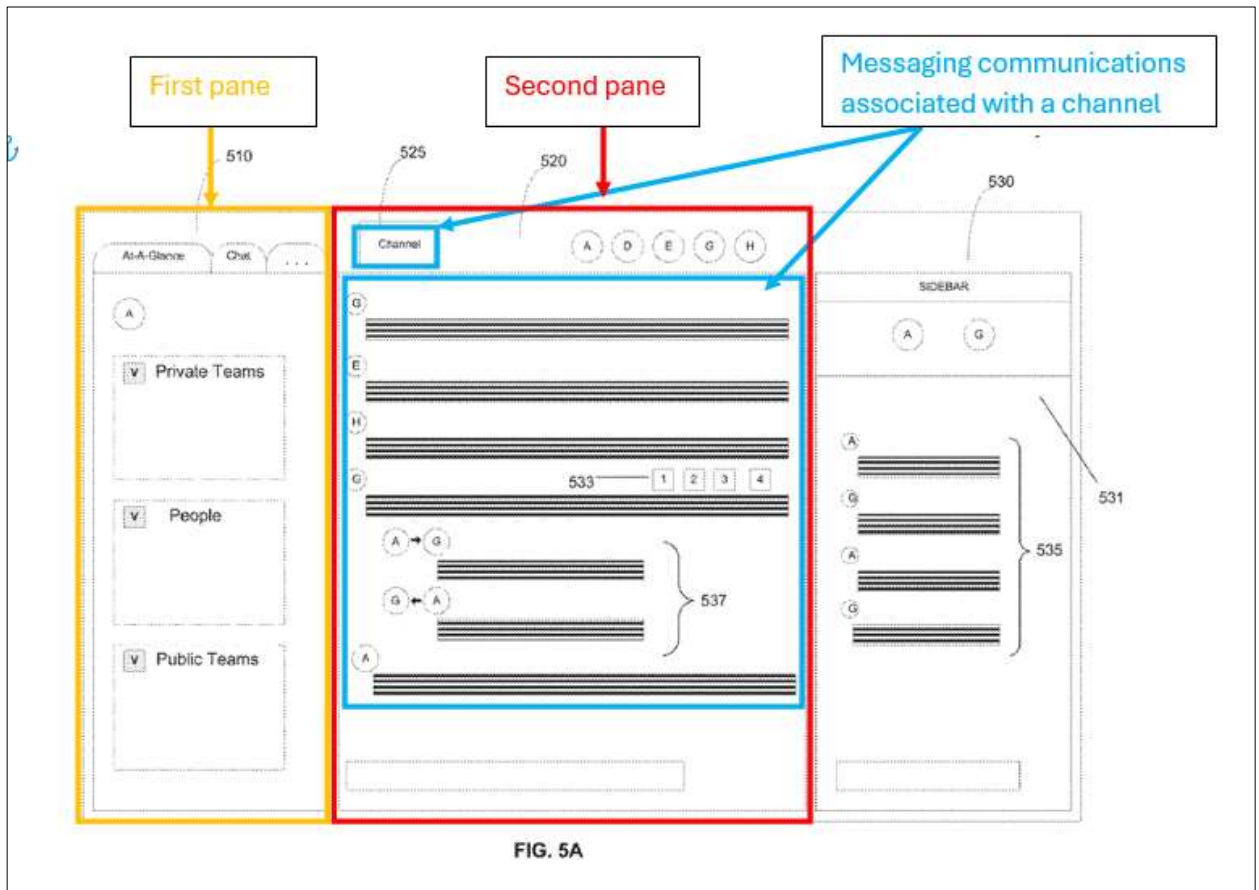
5. **1[d] a second pane configured to display messaging communications associated with a selected one of said plurality of group-based communication channels corresponding to one of said plurality of channel identifiers,**

Cohen discloses this limitation. Exh-1003, ¶¶56-57. Cohen discloses a
“message window panel 320 [second pane] [that] displays the chat messages 325
exchanged by the participants[,]” (Exh-1005, [0038]) as illustrated in Figure 3:



Exh-1005, FIG. 3 (annotated); Exh-1003, ¶56.

This is also illustrated in Figure 5A, and Cohen teaches that the messages are correlated to a particular channel (525) (*Id.* at [0071]):



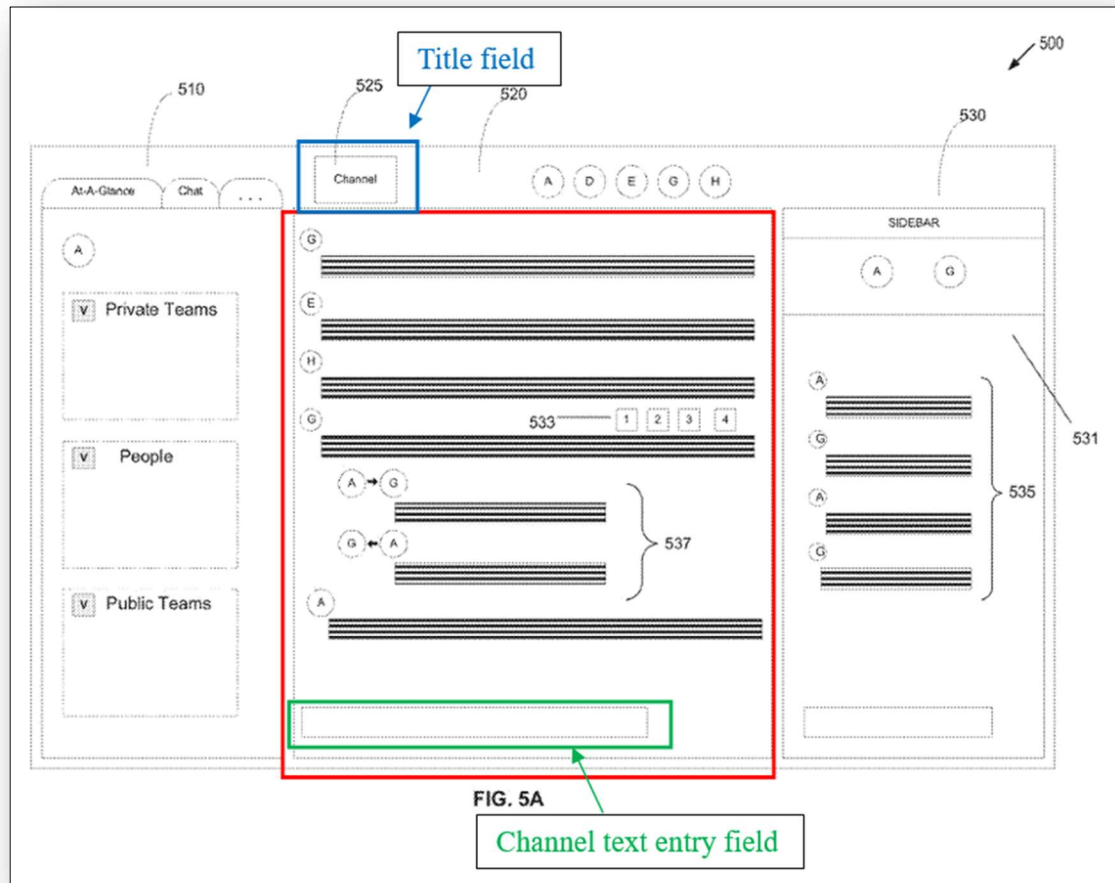
Exh-1005, FIG. 5A (annotated); Exh-1003, ¶57. Thus, Cohen discloses this limitation. Exh-1003, ¶¶56-57.

6. 1[e] wherein, associated with said second pane, is a channel text entry field that is user operable to generate communication in said selected one of said plurality of group-based communication channels, and a title field displaying information identifying said selected one of said plurality of group-based communication channels,

Cohen discloses this limitation. Exh-1003, ¶¶58-59. Cohen discloses a “message window panel 320 [that] also includes ... *a text entry region 327* that

allows the participants to insert and reformat the text (i.e., bold, italics, color), add a link (hypertext link) or file, or insert an actionable object or bundle communications into a chat session.” Exh-1005, [0038] (emphasis added). “Each message that is entered into the text entry region 327 is displayed in the message window panel 320.” *Id.* at [0039].

Figure 5A depicts an example of this group-based communication interface displaying a second pane configured to display messaging communications corresponding to one channel along with a title field and channel text entry field:

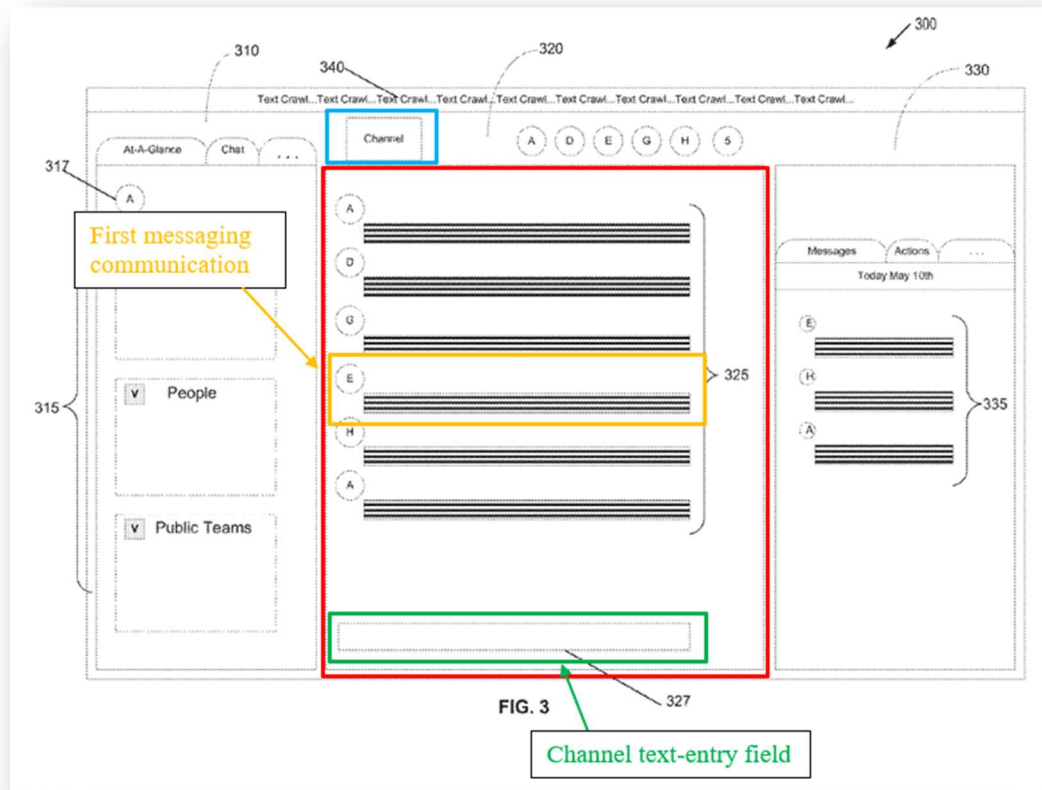


Exh-1005, FIG. 5A (annotated); Exh-1003, ¶¶59. Thus, Cohen discloses this limitation. Exh-1003, ¶¶58-59.

7. **1[f] receive a first messaging communication associated with the selected one of the plurality of group-based communication channels, the selected one of the plurality of group-based communication channels comprising messaging communications, including said first messaging communication, between members of the group associated with said selected one of the plurality of group-based communication channels;**

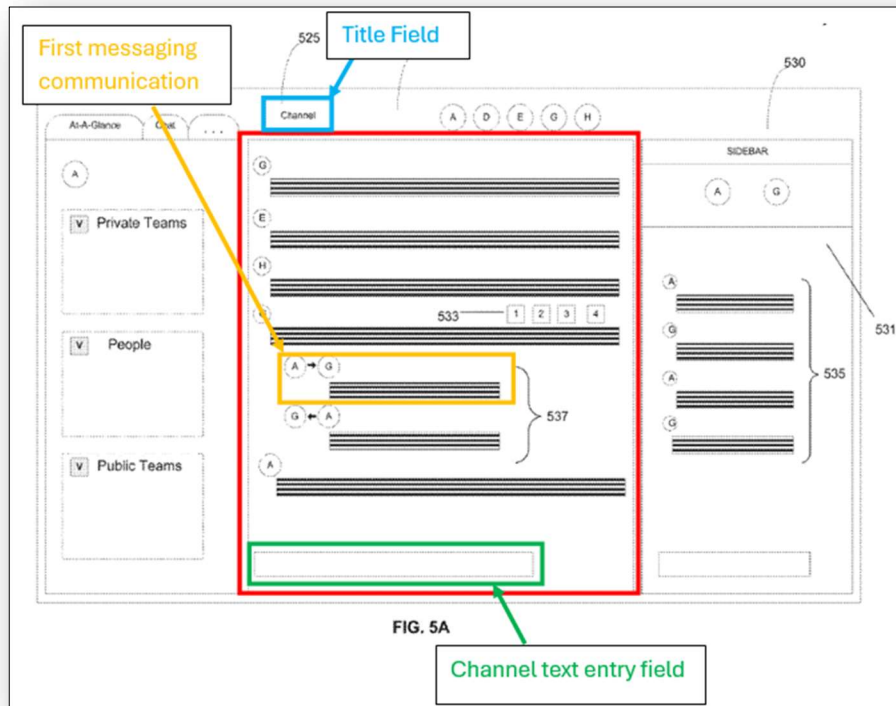
Cohen discloses this limitation. Exh-1003, ¶¶60-62. Cohen teaches that a participant can create and send a first messaging communication to the client device of a receiving participant who is actively engaged in the same chat session. Exh-1003, ¶60; Exh-1005, [0051]. The “message window panel 320 [then] displays the chat messages 325 exchanged by the participants.” *Id.* at [0038]. Note, 320, 420, and 520 are comparable fields. Exh-1005, [0071].

Figure 3 illustrates a group-based communication interface associated with a second pane that allows a user to input a message in the channel text-entry field, which is then displayed in the message window panel (second pane):



Id. at FIG. 3 (annotated).

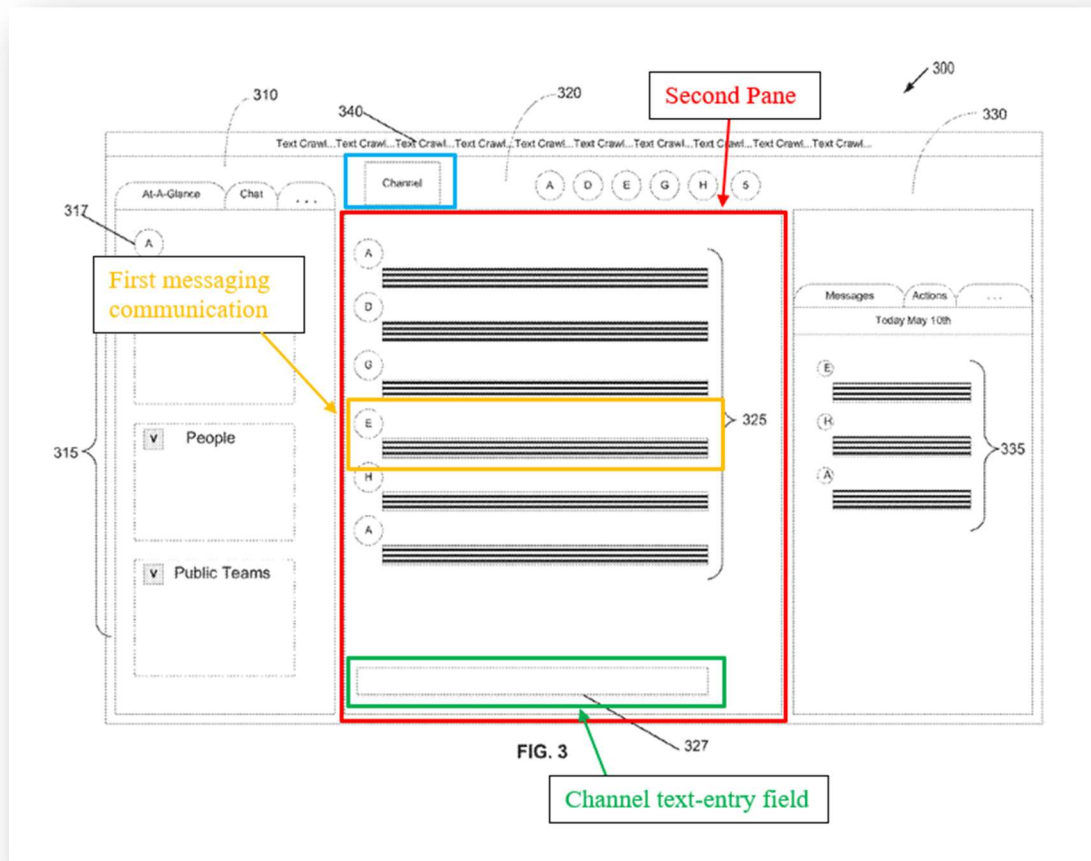
Figure 5A also illustrates a group-based communication interface with a second pane that receives a first messaging communication, which is then displayed in the message window panel:



Id. at FIG. 5A (annotated); Exh-1003, ¶¶62. Thus, Cohen discloses this limitation. Exh-1003, ¶¶60-62.

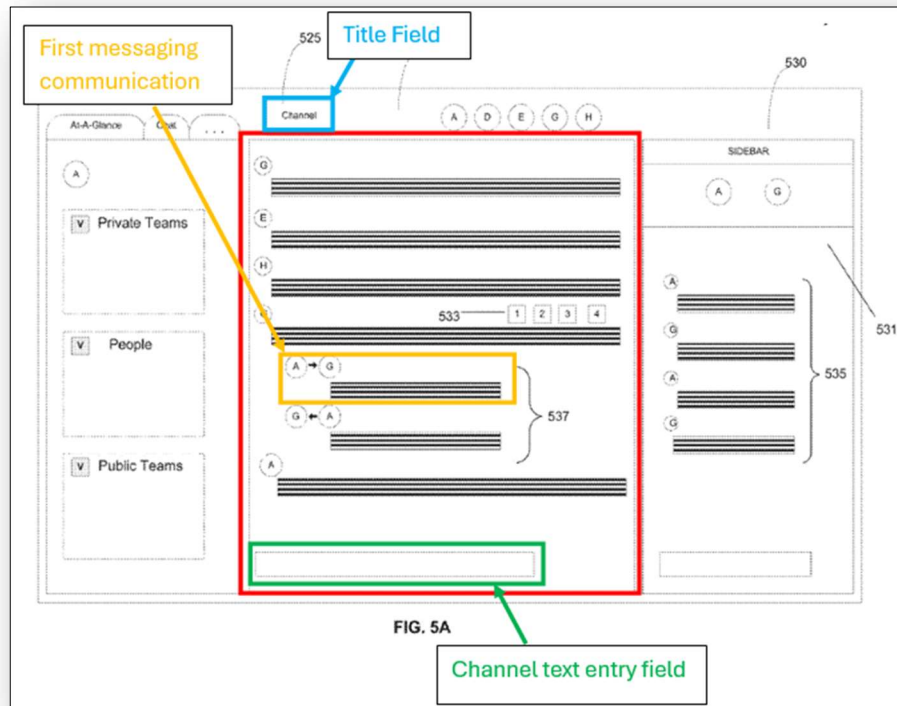
8. 1[g] display said first messaging communication within said second pane;

Cohen discloses this limitation. Exh-1003, ¶¶63-64. Figure 3 illustrates a group-based communication interface with a second pane, and that allows a user to input a first messaging communication, which is then displayed in the messaging window (second pane). Exh-1003, ¶¶63; Exh-1005 at [0038], [0051], [0071].



Id. at FIG. 3 (annotated).

Figure 5A also illustrates a group-based communication interface with a first messaging communication displayed within the second pane:



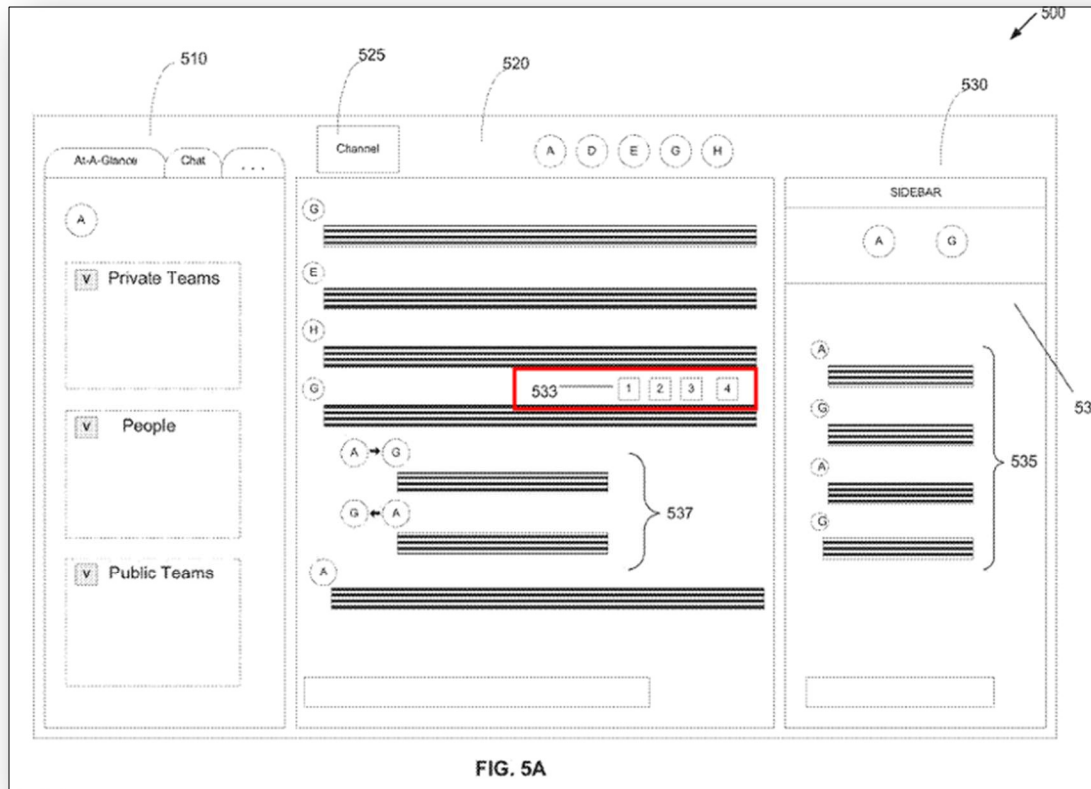
Id. at FIG. 5A (annotated); Exh-1003, ¶64. Thus, Cohen discloses this limitation. Exh-1003, ¶¶63-64.

9. 1[h] display a first user-selectable control associated with said first messaging communication;

Cohen discloses this limitation. Exh-1003, ¶¶65-66. Cohen discloses “techniques for integrating *actionable objects* into an on-line chat communications platform.” Exh-1005, [0014] (emphasis added); *Id.* at [0027]. Specifically, “the client device 110 may integrate into a chat session user perceivable actionable objects, such as actionable objects 115, which can be executed by the client device 110 to enhance communications between participants of that session.” *Id.* at

[0030]. These actionable objects (i.e., user-selectable controls) may be associated with the messages within the messaging window panel. *Id.* at [0075] (“the first chat participant may also initiate the sidebar session 531 by activating a control 533 associated with a message from the second chat participant.”); *see also id.* at [0040] (“In one example, the participant taps on a control associated to a particular message in the message window 320 to bring up a palette of color tags.”); *see also id.* at [0075] (“a first chat participant, such as participant A, clicks on and/or hovers over the display name for a second chat participant, such as participant G, in the main window 520, a sidebar session 531 opens.”)

Figure 5A illustrates a group-based communication interface with a second pane displaying a first user-selectable control (number 1) associated with a first messaging communication:

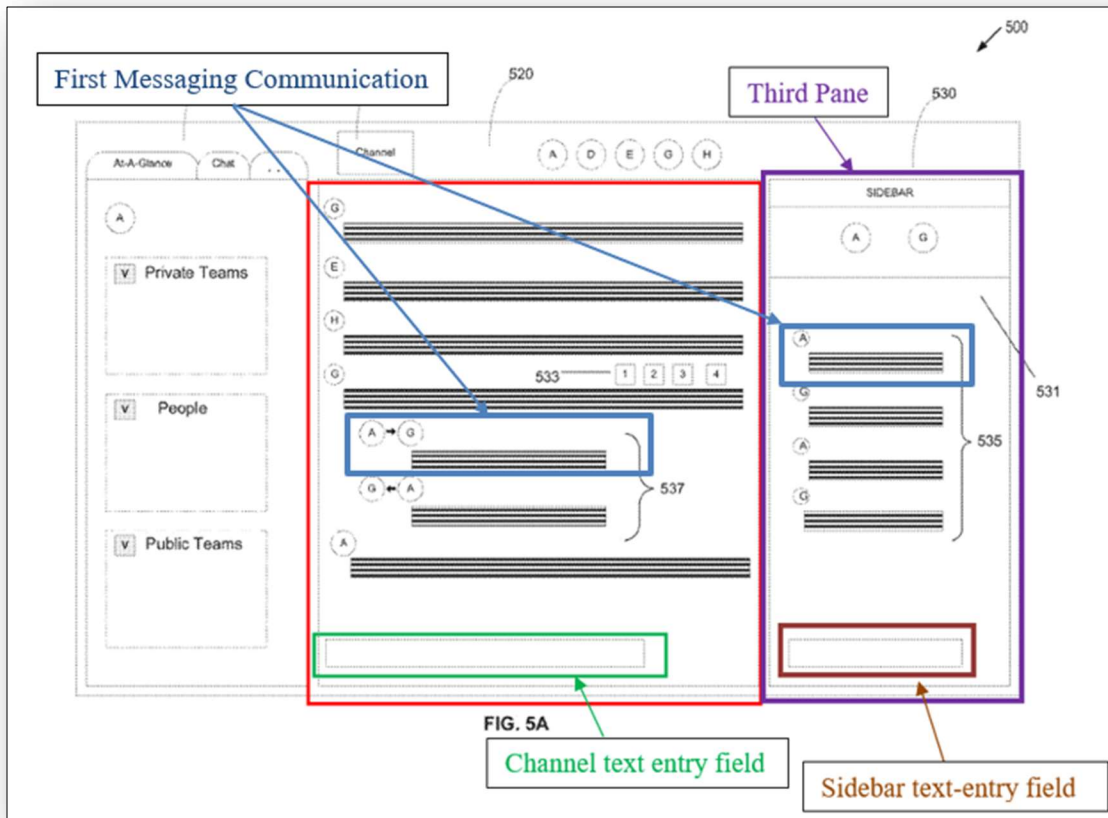


Id. at FIG. 5A (annotated); Exh-1003, ¶66. A PHOSITA would have understood that the controls 533 would be associated with any message within interface 500, as Cohen explicitly teaches the integration of various actionable objects into an online chat communications platform. Exh-1003, ¶66; Exh-1005, Abstract; *cf. id.* at FIGS. 5A, 5D (depicting controls 533 among different panes). Thus, Cohen discloses this limitation. Exh-1003, ¶¶65-66.

10. **1[i] in response to a user selection of said first user-selectable control, display a third pane, said third pane displaying said first messaging communication and having an associated sidebar text-entry field that is different from said channel text-entry field and operable to receive user input of an additional messaging communication;**

Cohen discloses this limitation. Exh-1003, ¶¶67-69. Cohen teaches a “side panel 330 [that] can be adjusted to dynamically display elements regarding various messages or groups of messages 335.” Exh-1005, [0038]. “[T]he first chat participant may also *initiate the sidebar session 531 by activating a control 533 associated with a message* from the second chat participant.” *Id.* at [0075] (emphasis added).

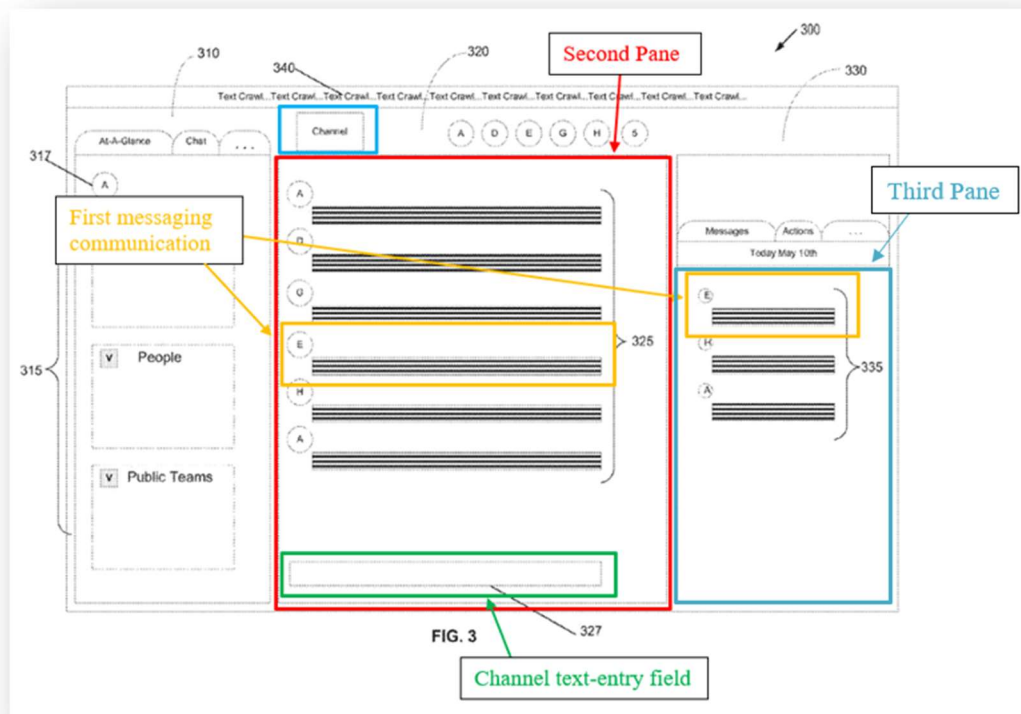
Figure 5A illustrates a group-based communication interface with a third pane displaying a distinct side-bar text entry field operable to receive user input of an additional messaging communication, and includes a first message:



Id. at FIG. 5A (annotated); Exh-1003, ¶68. Cohen discloses that item 537 (within the main window 520) presents a “**private chat session 537**” between members A and G. Exh-1003, ¶68; Exh-1005, [0074] (emphasis added). Cohen also discloses that item 535 is within “sidebar selection 531 that allows two or more members, such as member A and G of a larger group session channel 525 to communicate privately in a **private chat session 535**.” Exh-1003, ¶68; Exh-1005, [0073] (emphasis added). A PHOSITA would understand that these two representations of the private chat session between members A and G would contain the same

messages, and that selecting a message within the private chat session 537 would open the sidebar 531 to allow continuation of the private message session, by using the sidebar text entry field. Exh-1003, ¶68.

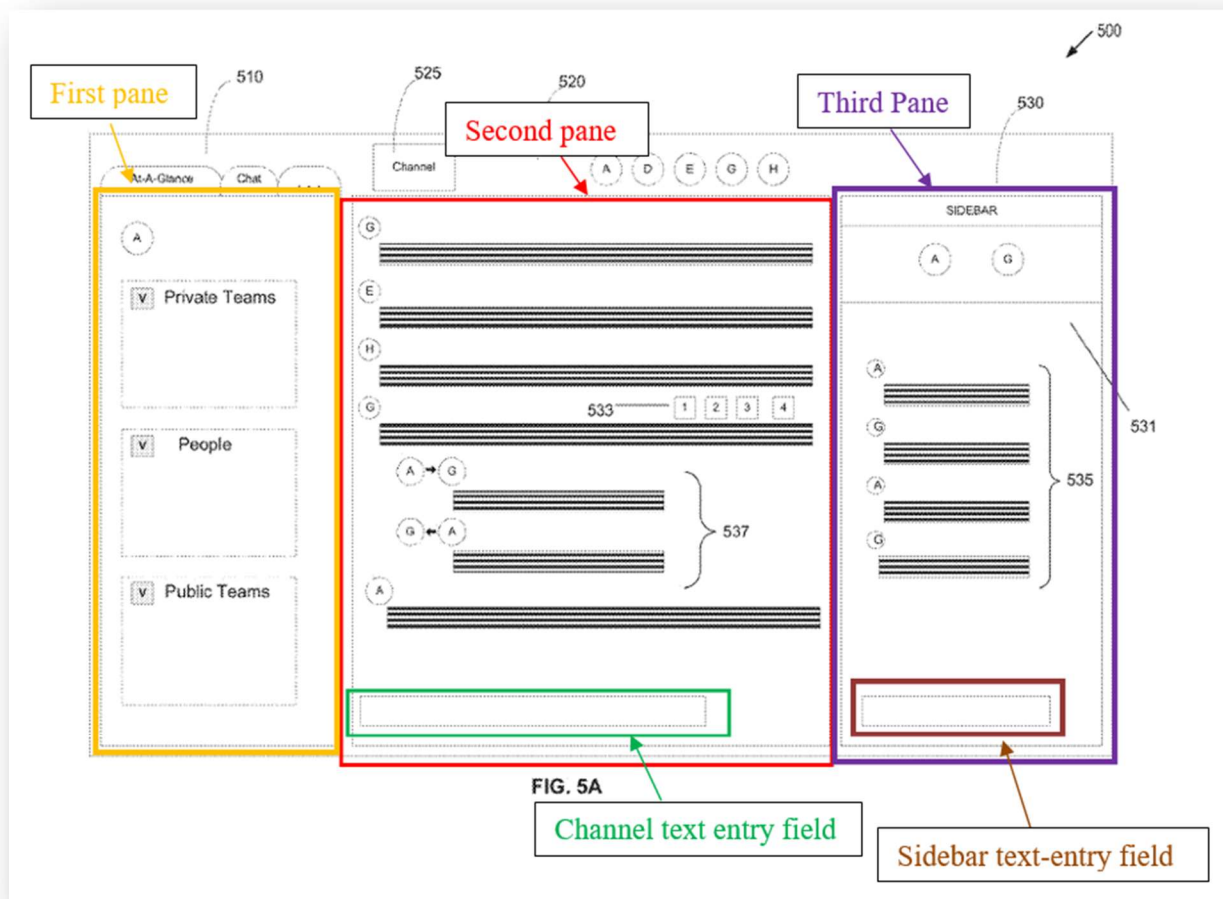
Figure 3 also illustrates an embodiment where a first messaging communication is displayed within both the second and third pane:



Exh-1005 at FIG. 3 (annotated); Exh-1003 at ¶69. Thus, Cohen discloses this limitation. Exh-1003, ¶¶67-69.

11. 1[j] wherein said third pane and said sidebar text-entry field are displayed simultaneously with said first pane, said second pane and said channel text-entry field; and

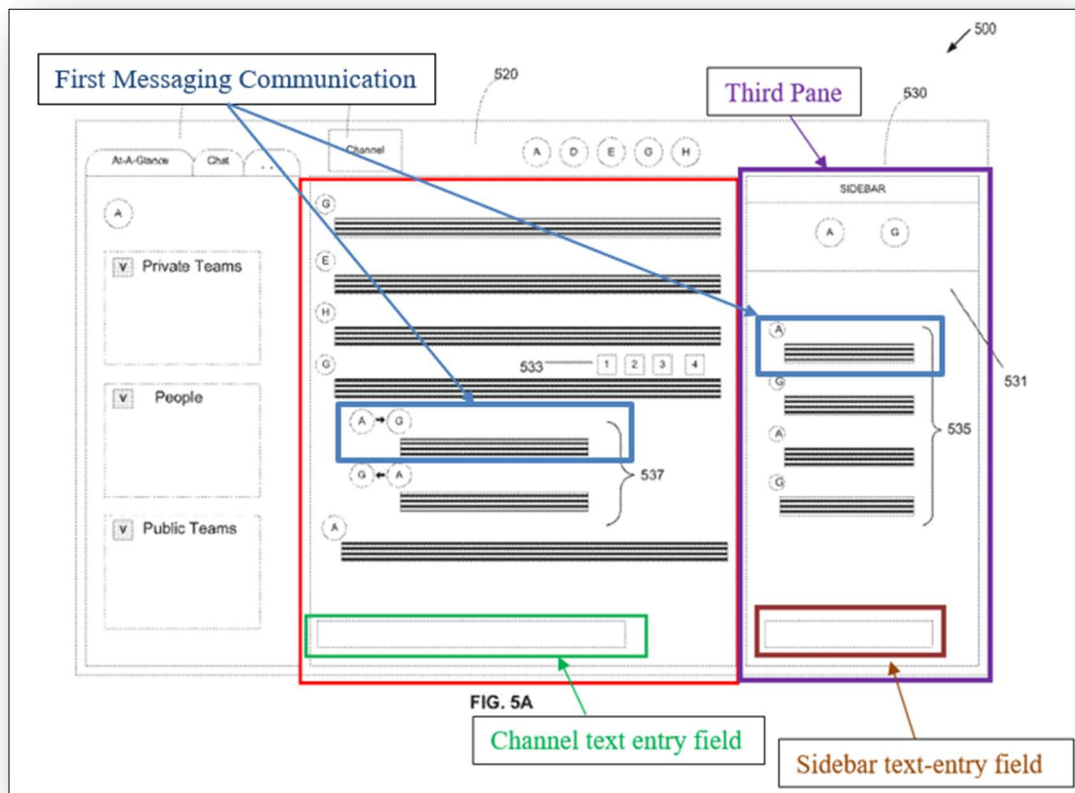
Cohen discloses this limitation. Exh-1003, ¶70. Figure 5A illustrates a third pane with a sidebar text-entry field displayed simultaneously with the first pane, second pane and channel text-entry field:



Exh-1005, FIG. 5A (annotated); Exh-1003, ¶70. Thus, Cohen discloses this limitation. Exh-1003, ¶70.

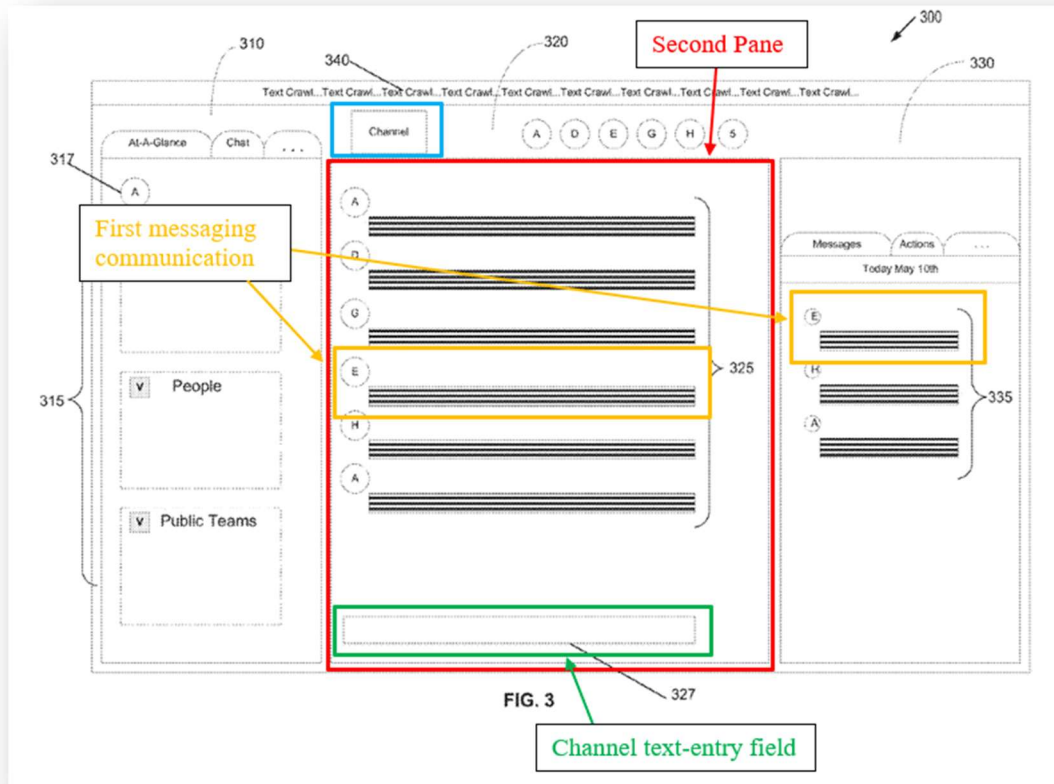
12. 1[k] wherein said first messaging communication is displayed within said third pane and said second pane simultaneously;

Cohen discloses this limitation. Exh-1003, ¶¶71-73. Figure 5A illustrates an example where a first messaging communication is displayed within the third pane and second pane simultaneously:



Exh-1005, FIG. 5A (annotated); Exh-1003, ¶72.

Additionally, Figure 3 also illustrates an embodiment where a first messaging communication is displayed within both the second and third pane simultaneously:



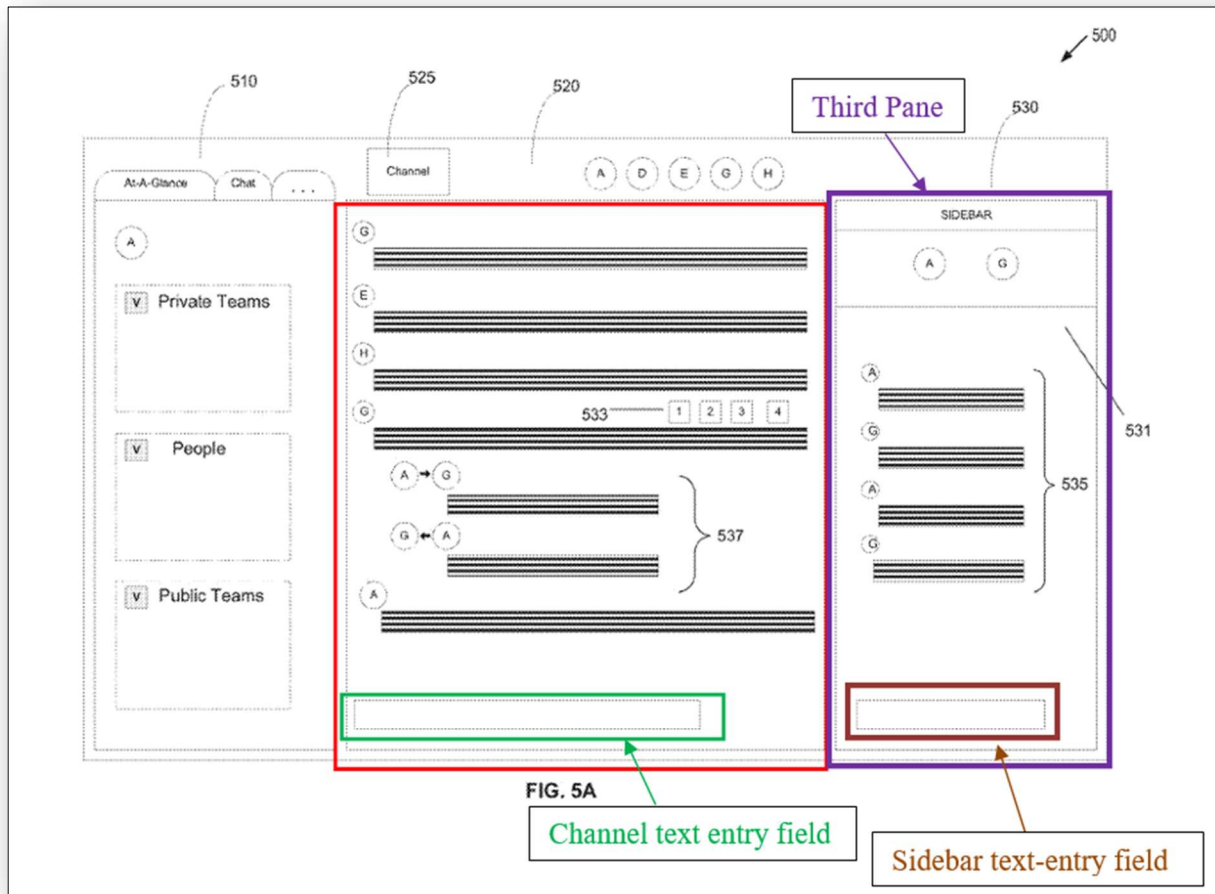
Exh-1005, FIG. 3 (annotated); Exh-1003, ¶¶73. Thus, Cohen discloses this limitation. *Id.* at ¶¶71-73.

13. 1[l] receive user input of an additional messaging communication in said sidebar text-entry field;

Cohen discloses this limitation. Exh-1003, ¶¶74-75. Cohen describes a “sidebar session 531” that enables a first chat participant to interact directly with a

second chat participant outside of the larger group session channel. Exh-1003, ¶74; Exh-1005, [0075]. This sidebar session allows the user to “reply directly to someone in a group chat that can be kept private from other group members without having to engage the entire group.” Exh-1003, ¶74; Exh-1005, [0072]. The “sidebar session 531 includes functions available to users of interface portal 500[,]” Exh-1005, [0075] which includes a text entry field.

Figure 5A illustrates a group-based communication interface with a third pane displaying a distinct side-bar text entry field operable to receive user input of an additional messaging communication:



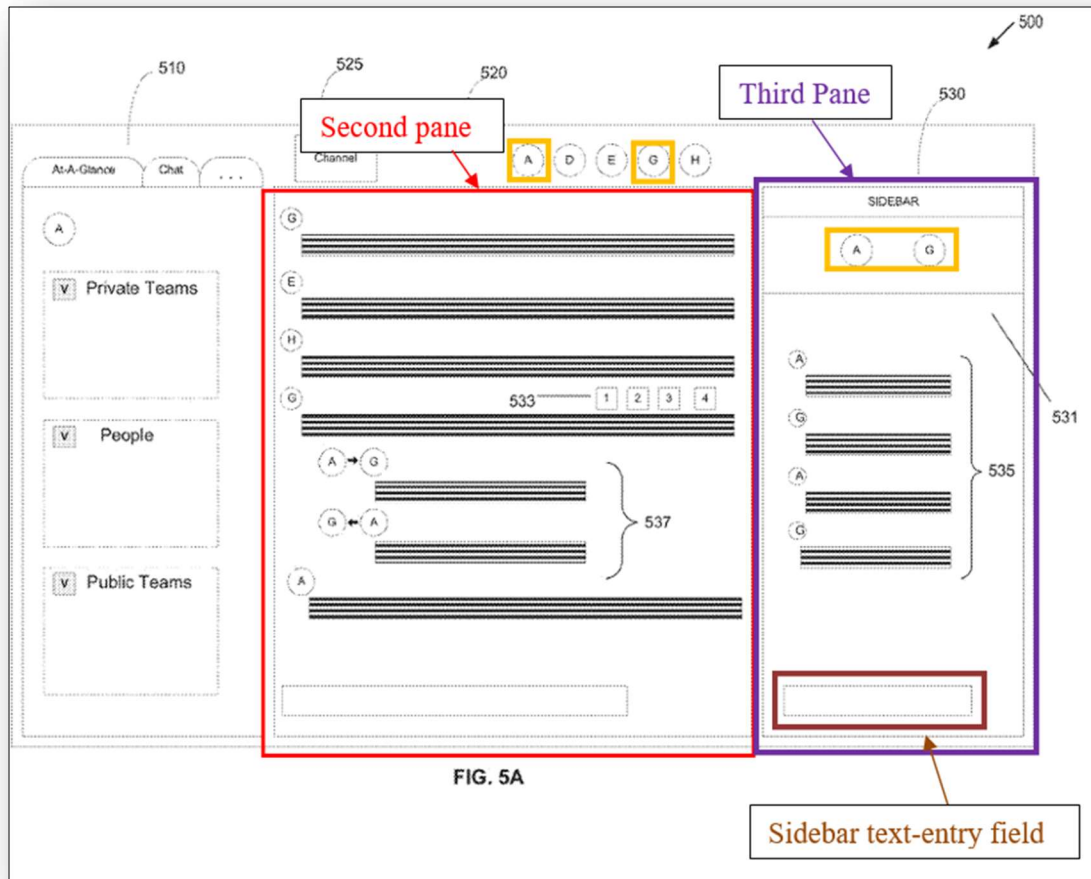
Exh-1005, FIG. 5A (annotated); Exh-1003, ¶¶75. Thus, Cohen discloses this limitation. Exh-1003, ¶¶74-75.

14. 1[m] after receipt of said user input: transmit said additional messaging communication, via a network, to at least one member of the group associated with said selected group-based communication channel and

Cohen discloses this limitation. Exh-1003, ¶¶76-77. Cohen describes a system that facilitates asymmetrical chat through channels generally visible to all

participants or directed at specific participants within a group. Exh-1003, ¶76; Exh-1005, [0072]. This communication is conducted via a “communication network.” Exh-1003, ¶76; Exh-1005, [0022]. This means that after receiving user input, the system transmits the additional message to at least one participant in the group via a network, satisfying the claim’s requirement. Exh-1003, ¶76.

Figure 5A illustrates a group-based communication interface with a third pane, enabling a user to transmit an additional communication via the side-bar text entry field to at least one member of the group-based communication channel:

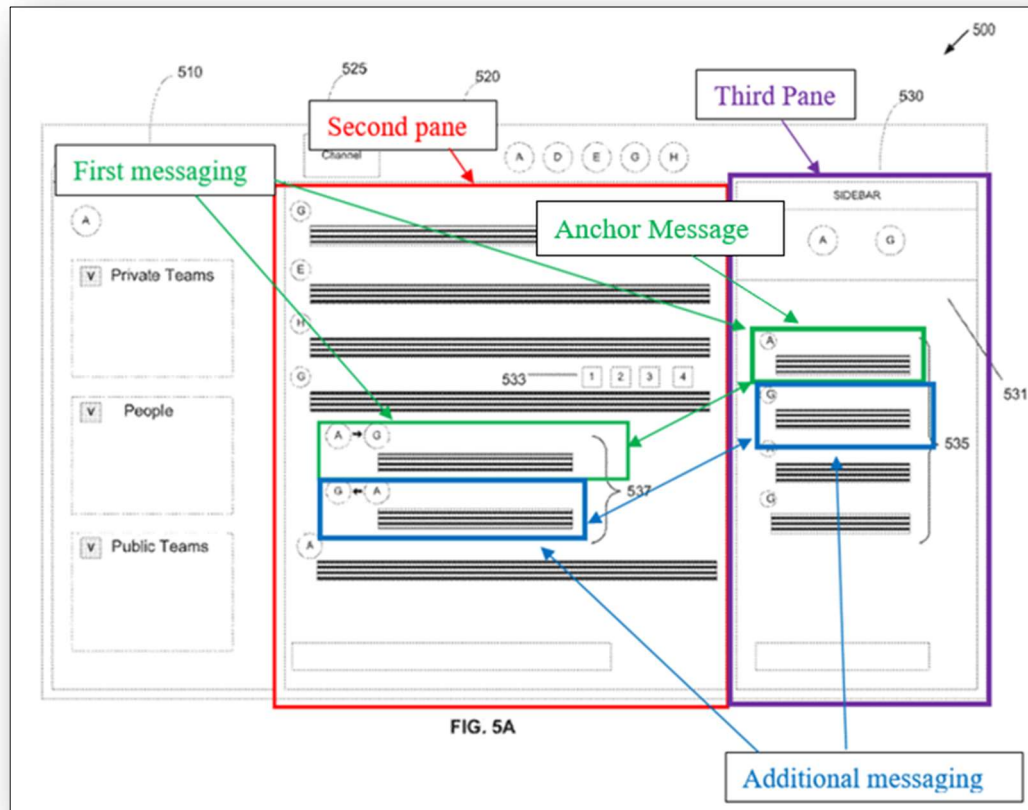


Exh-1005, FIG. 5A (annotated); Exh-1003, ¶77. Thus, Cohen discloses this limitation. Exh-1003, ¶¶76-77.

15. **1[n] display, in said third pane, a first subsidiary communication thread having an anchor message, said thread comprising said first messaging communication together with said additional messaging communication, wherein said first messaging communication is the anchor message of said first subsidiary communication thread;**

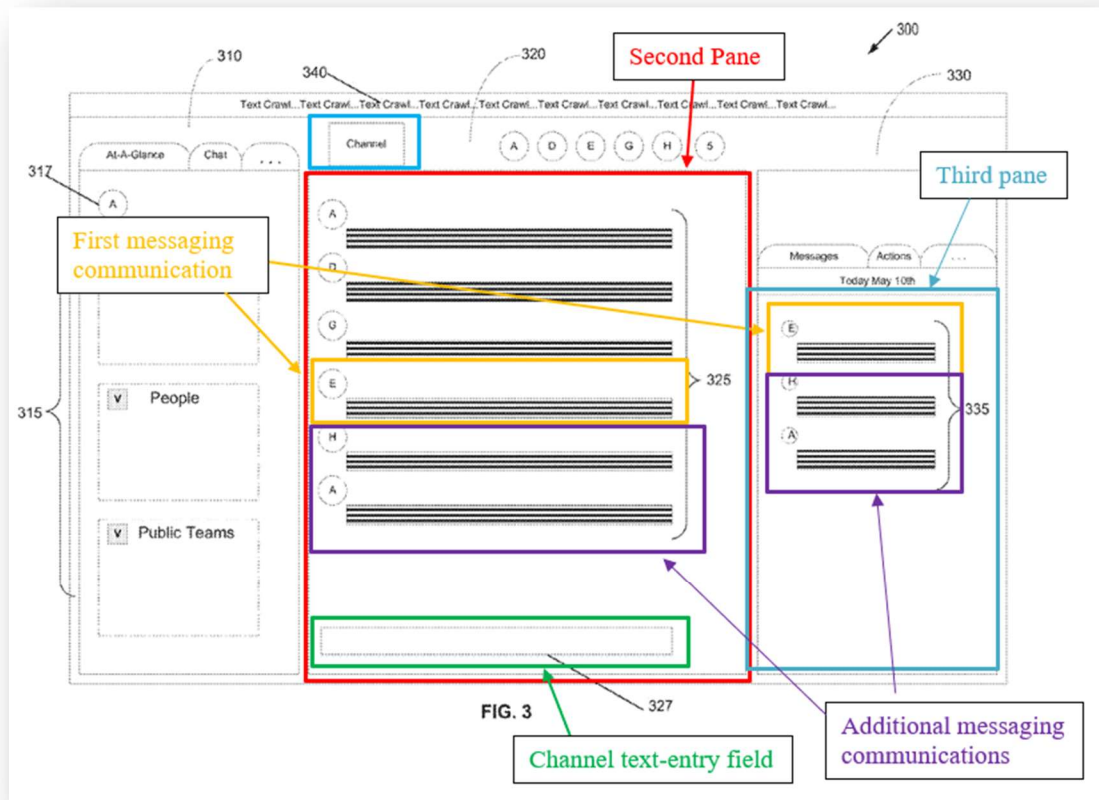
Cohen discloses this limitation. Exh-1003, ¶¶78-80. Cohen teaches that “the first chat participant may also initiate the sidebar session 531 by activating a control 533 *associated with a message* from the second chat participant.” Exh-1005, [0075] (emphasis added). A PHOSITA would have understood that the associated message (i.e., first messaging communication) would be displayed as the anchor message among the third pane once a sidebar session 531 (i.e., subsidiary communication thread) was invoked. Exh-1003, ¶78.

Figure 5A illustrates an example where a first messaging communication is displayed in both the third and second panes, with the first message serving as an anchor message within the subsidiary communication thread:



Id. at FIG. 5A (annotated); Exh-1003, ¶79.

Figure 3 also illustrates a subsidiary communication thread having an anchor message, that is the first subsidiary message, and where the subsidiary thread comprises the first messaging communication together with said additional messaging communication:



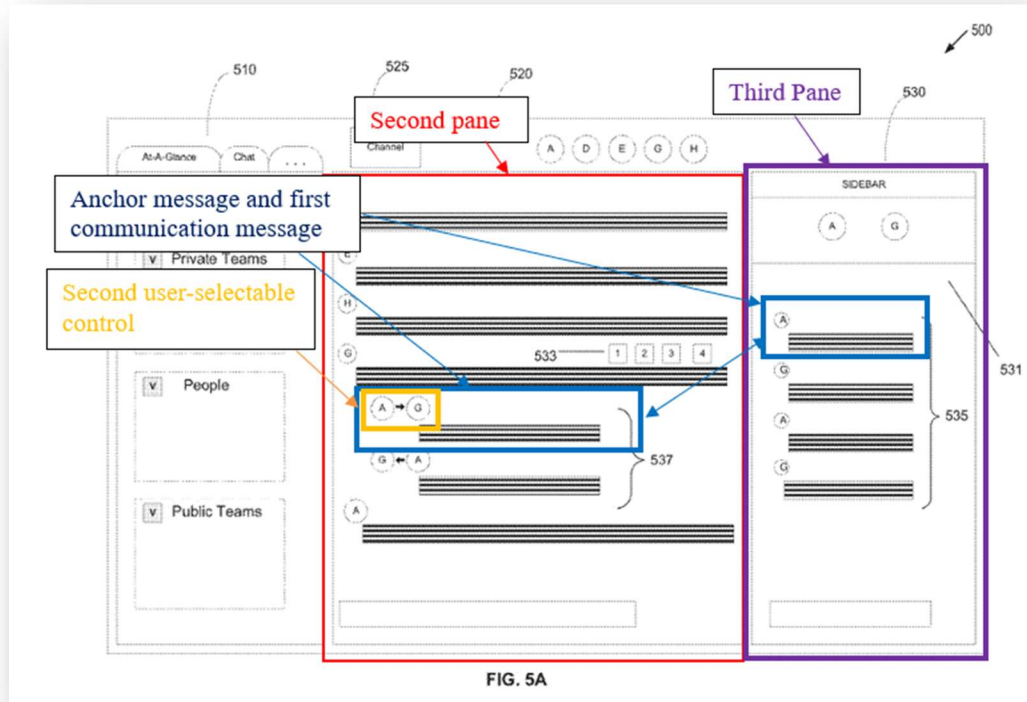
Exh-1005, FIG. 3 (annotated); Exh-1003, ¶80. Thus, Cohen discloses this limitation. Exh-1003, ¶¶78-80.

16. 1[o] display a second user-selectable control associated with said first messaging communication in said second pane, said second user-selectable control being associated with an indication that said first messaging communication is an anchor message of a subsidiary communication thread, and being configured to:

Cohen discloses this limitation. Exh-1003, ¶¶81-83. Cohen discloses “techniques for integrating *actionable objects* into an on-line chat communications

platform.” Exh-1005, [0014] (emphasis added); *Id.* at [0027]. Cohen teaches an actionable object where a first chat participant may click on and/or hover over the display name for a second chat participant in the main widow 520 to open a sidebar session 531 (i.e., a subsidiary communication thread); Exh-1003, ¶81; Exh-1005, [0075].

Figure 5A illustrates a group-based communication interface with a second pane displaying a second user-selectable control (A→G), associated with an indication that said first messaging communication is an anchor message of a subsidiary communication thread because the arrow points from member A and because it is displayed in proximity to the top-most message, the first messaging communication within the private session 537:



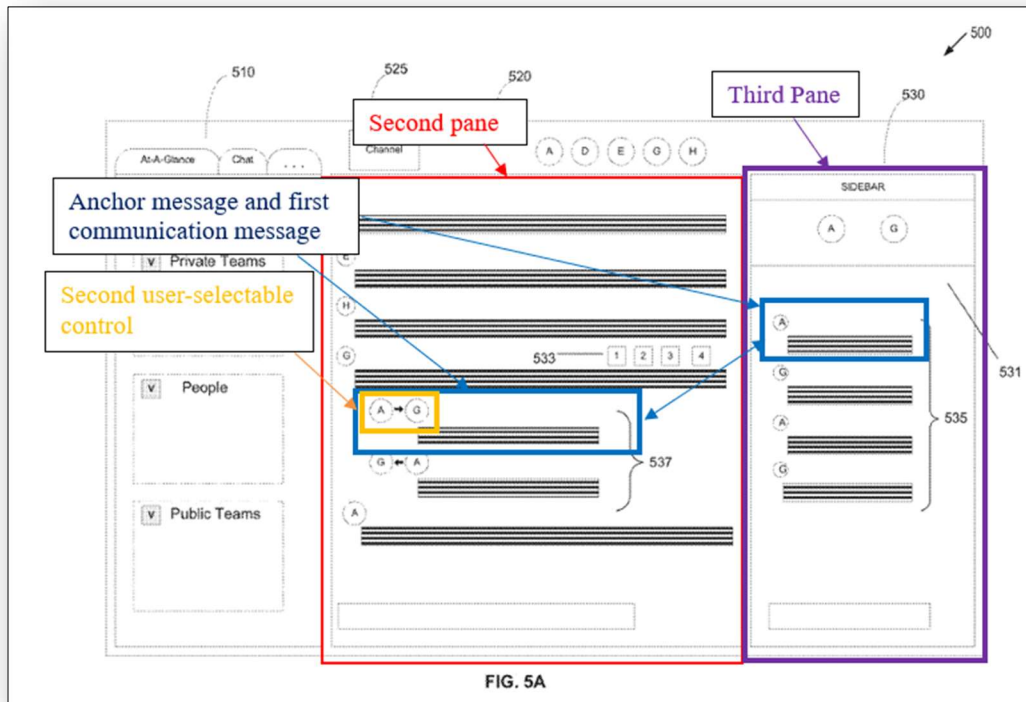
Exh-1005, FIG. 5A (annotated). Exh-1003, ¶¶82. Thus, Cohen discloses this limitation. Exh-1003, ¶¶81-83.

17. **1[p] in response to a user selection of said second user selectable control, cause at least a portion of said first subsidiary communication thread containing said first messaging communication to be displayed in said third pane.**

Cohen discloses this limitation. Exh-1003, ¶¶84-86. Cohen teaches an actionable object where a first chat participant may click on and/or hover over the display name for a second chat participant in the main widow 520 to open a sidebar

session 531 (i.e., a subsidiary communication thread). Exh-1003, ¶84; Exh-1005, [0075].

Figure 5A illustrates an example where a first messaging communication may be displayed among the third pane and second pane simultaneously on account of a user selecting a control (A→G) among the second pane that is associated with the first messaging communication:



Exh-1005, FIG. 5A (annotated); Exh-1003, ¶85. Thus, Cohen discloses this limitation. Exh-1003, ¶86.

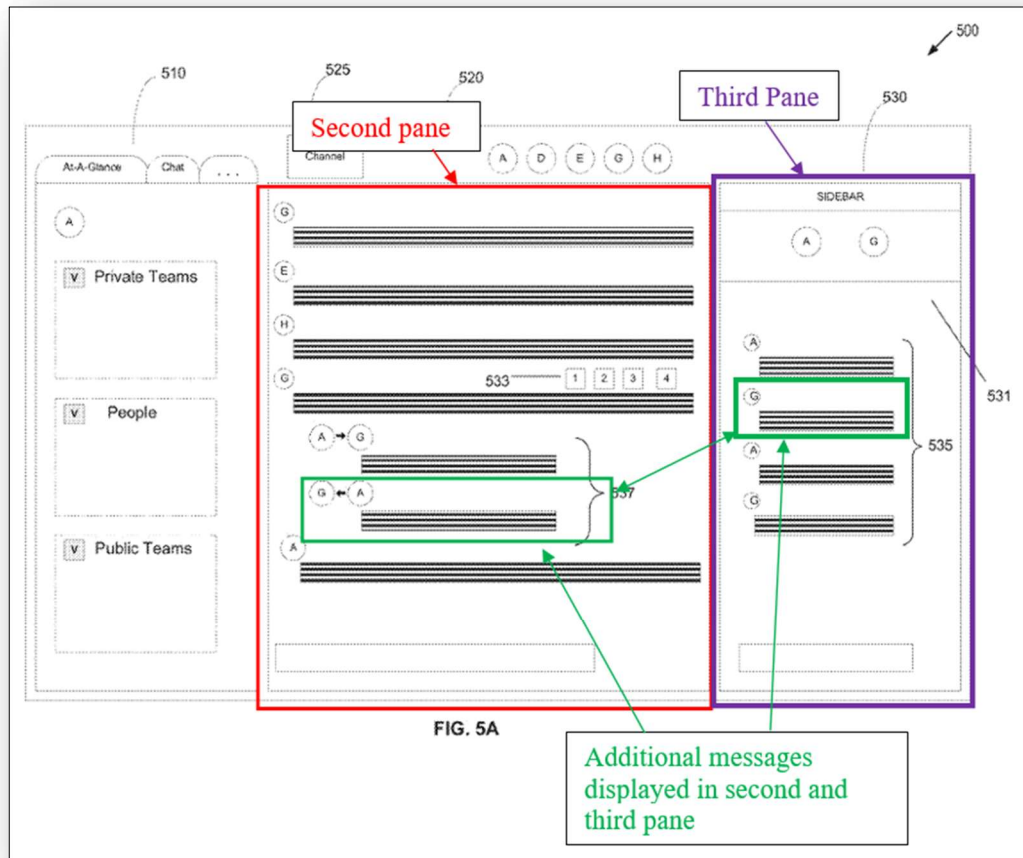
B. Dependent Claim 2

The apparatus of claim 1, further comprising instructions for causing the apparatus to display said additional messaging communication in said second pane while said additional messaging communication is being displayed in said third pane.

Cohen discloses this claim. Exh-1003, ¶¶87-91. First, Cohen discloses the apparatus of claim 1 limitation, as described above, which is incorporated by reference. *See* Section VIII.A, *supra*; Exh-1003, ¶87. Second, Cohen teaches that “the first chat participant may also initiate the sidebar session 531 by activating a control 533 associated with a message from the second chat participant.” Exh-1005, [0075].

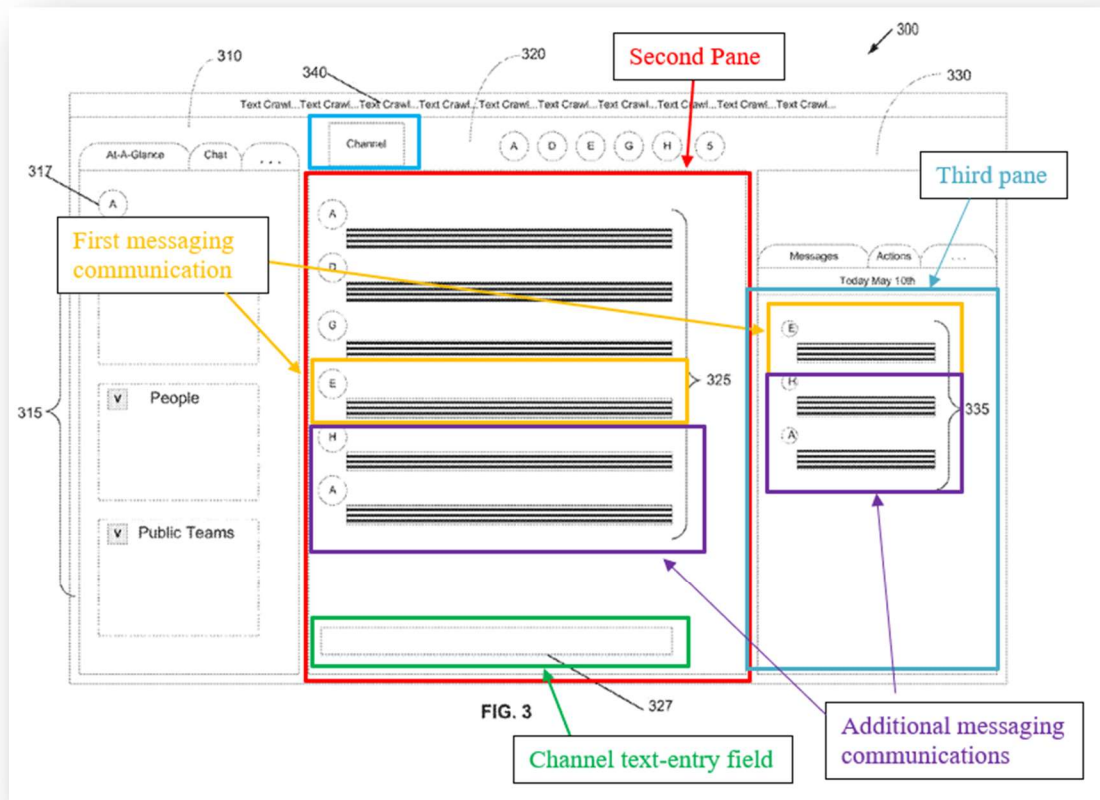
Cohen also teaches that, in some embodiments, the private chat session 535 is hidden from other participants in the larger group session. Exh-1003, ¶88; Exh-1005, [0074]. In other cases, “the interface portal 500 may include controls 533 to *integrate some or all of the private chat session 537 into the larger group session channel 525* for display to other participants.” Exh-1005, [0074] (emphasis added).

Figure 5A illustrates an example where an additional communication may be displayed among the second pane and third pane simultaneously:



Exh-1005, FIG. 5A (annotated); Exh-1003, ¶89.

Figure 3 also illustrates displaying an additional messaging communication in the second pane while the additional messaging communication is being displayed in said third pane:



Exh-1005, FIG. 3 (annotated); Exh-1003, ¶90.

Cohen also teaches a “computer system 900 within which a set of *instructions*, for causing the machine to perform any one or more of the methodologies discussed herein, may be executed.” Exh-1005, [0096] (emphasis added), FIG. 9; Exh-1003, ¶91. Thus, Cohen discloses this claim. Exh-1003, ¶¶87-91.

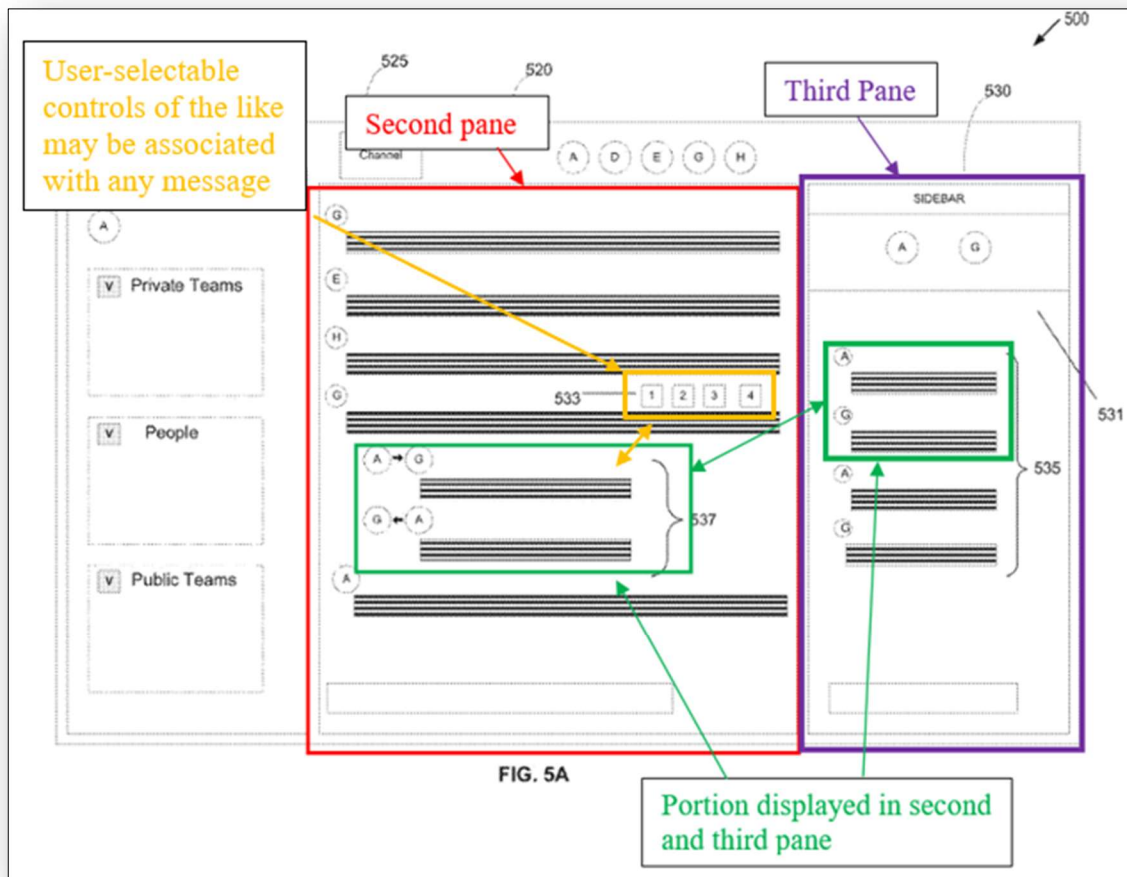
C. Dependent Claim 3

- 1. 3[pre] The apparatus of claim 2, wherein displaying said additional messaging communication in said second pane comprises providing a third user-selectable control associated with said additional messaging communication in said second pane, wherein said third user-selectable control is configured to:**

Cohen discloses this claim. Exh-1003, ¶¶92-93. First, Cohen discloses the apparatus of claim 2, as described above, which is incorporated by reference. *See* Section VIII.B, *supra*; Exh-1003, ¶92. Second, Cohen discloses “techniques for integrating actionable objects into an on-line chat communications platform.” Exh-1005, [0014], [0027]. Specifically, “the client device 110 may integrate into a chat session user perceivable actionable objects, such as actionable objects 115, which can be executed by the client device 110 to enhance communications between participants of that session.” *Id.* at [0030]. These actionable objects (i.e., controls) may be associated with the messages among the messaging window panel. Exh-1003, ¶92; Exh-1005, [0075] (“the first chat participant may also initiate the sidebar session 531 by activating a control 533 associated with a message from the second chat participant.”); *see also* Exh-1005, [0040] (“In one example, the participant taps on a control associated to a particular message in the message window 320 to bring up a palette of color tags.”). A PHOSITA would have

understood that a control 533 (i.e., a third user-selectable control) may be associated with an additional messaging communication among the second pane.
Exh-1003, ¶92.

Figure 5A illustrates an example where a first messaging communication may be displayed among the third pane and second pane simultaneously on account of a user selecting a control (number 3) associated with a message:



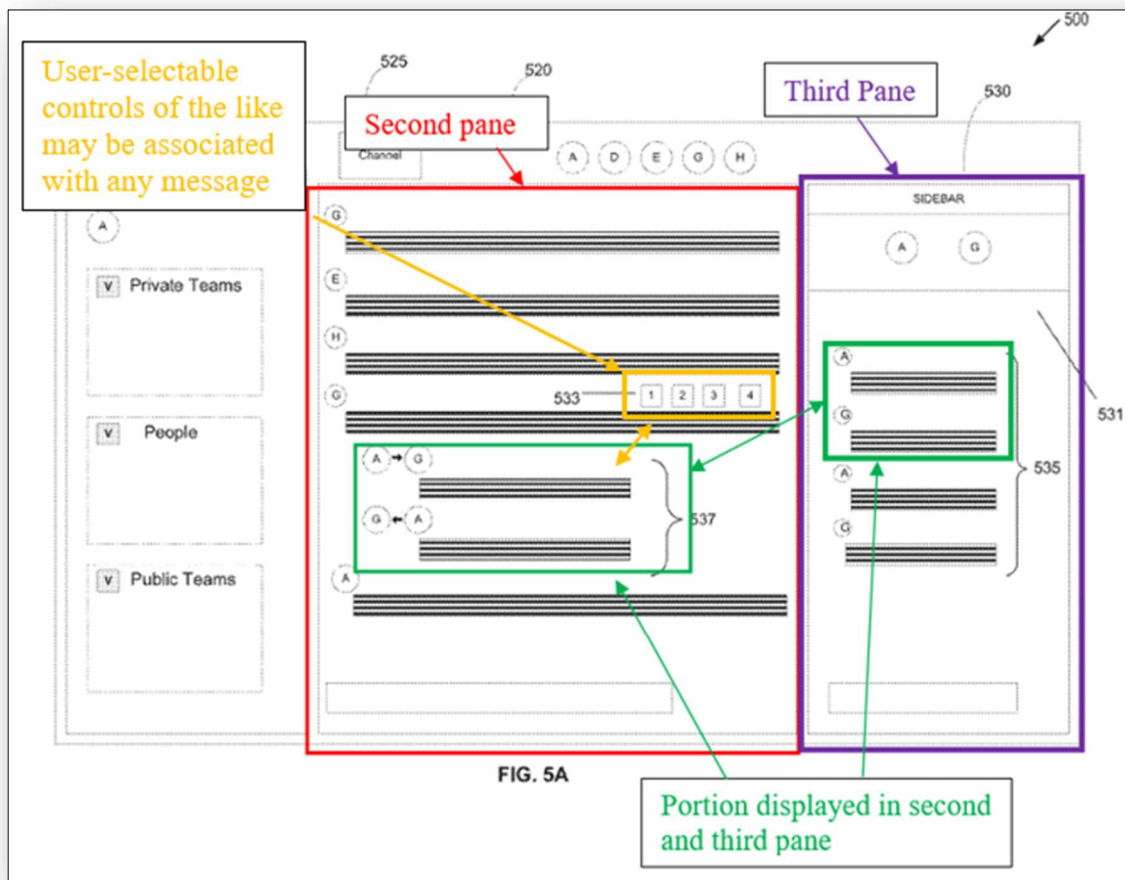
Exh-1005, FIG. 5A (annotated); Exh-1003, ¶93. A PHOSITA would have understood that the controls 533 could be associated with any message within interface 500, as Cohen explicitly teaches the integration of various actionable objects into an online chat communications platform. Exh-1003, ¶93; Exh-1005, Abstract; FIGS. 5A, 5D (depicting controls 533 among different panes). Thus, Cohen discloses this limitation. Exh-1003, ¶¶92-93.

2. **3[a] in response to user selection of said third user-selectable control, cause at least a portion of said first subsidiary communication thread containing said additional messaging communication to be displayed in a third pane.**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.B.1, *supra*; Exh-1003, ¶¶94-97. Cohen teaches that “[t]he first chat participant may also *initiate the sidebar session 531 by activating a control 533 associated with a message* from the second chat participant.” Exh-1005, [0075] (emphasis added). A PHOSITA would have understood that a user may select a control 533 (i.e., a third user-selectable control) to cause a portion of the first subsidiary communication thread containing the additional messaging communication to be displayed in the third pane. Exh-1003, ¶94. Cohen teaches that “[i]n some implementations, the private chat session 535 in response to a request from the first participant or the second participant may permit a third

participant to join the second chat session that is either currently in or not in the larger group session channel 525.” Exh-1005, [0074]. For example, a user would make such a request upon a selection of the third-user selectable control (such as number 3 within control 533).

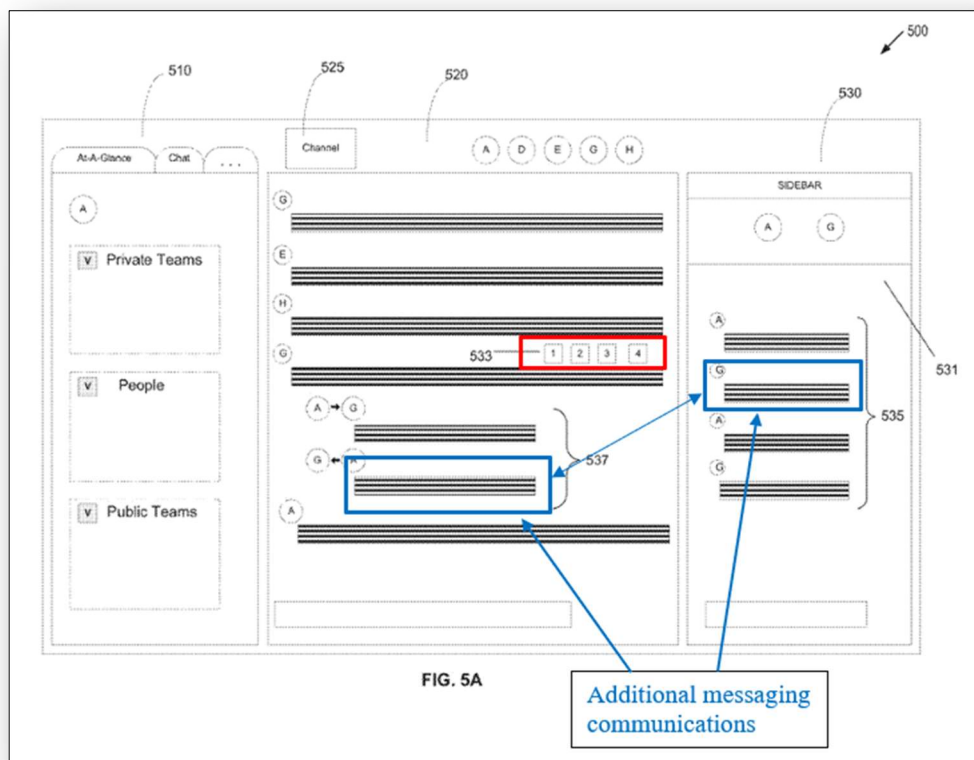
Figure 5A illustrates an example where a portion of the first subsidiary communication thread containing the additional messaging communication to be displayed in the third pane:



D. Dependent Claim 4

The apparatus of claim 3, wherein providing said third user-selectable control comprises displaying said third user-selectable control proximate to said additional messaging communication.

Cohen discloses this claim. Exh-1003, ¶98. First, Cohen discloses the apparatus of claim 3 limitation, as described above, which is incorporated by reference. *See* Section VIII.C, *supra*; Exh-1003, ¶98. Second, Figure 5A illustrates a group-based communication interface with a second pane displaying a third user-selectable control (number 3) that is proximate to an additional messaging communication:



Exh-1005, FIG. 5A (annotated); Exh-1003, ¶98. These actionable objects 553 (i.e., user-selectable controls) may be associated with *any* of the messages among the messaging window panel. Exh-1003, ¶98; Exh-1005, [0075] (emphasis added). Cohen explicitly teaches the integration of various actionable objects into an online chat communications platform, rendering the controls 533 to be proximate to the additional messaging communication. Exh-1003, ¶98; Exh-1005, Abstract; *cf.*, Exh-1005, FIGS. 5A, 5D (depicting controls 533 among different panes). Thus, Cohen discloses this claim. Exh-1003, ¶98.

E. Dependent Claim 5

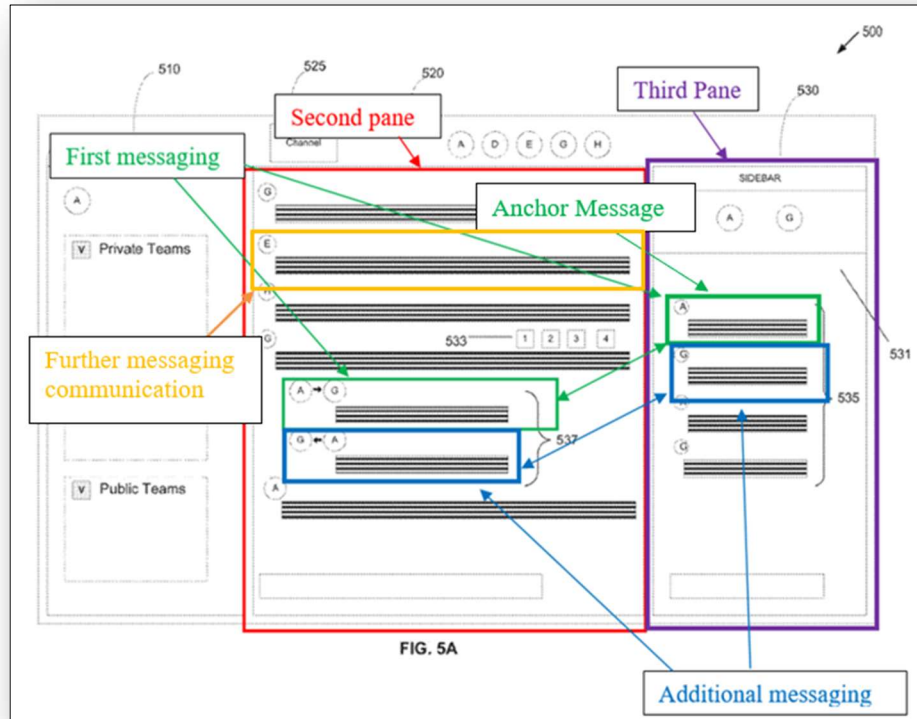
The apparatus of claim 2, wherein further messaging communications other than said first messaging communication and said additional messaging communications are also displayed in said second pane, and wherein displaying said additional messaging communication comprises displaying said additional messaging communication in the second pane in chronological order relative to said further messaging communications that are displayed in the second pane.

Cohen discloses this claim. Exh-1003, ¶¶99-103. First, Cohen discloses the apparatus of claim 2 limitation, as described above, which is incorporated by reference. *See* Section VIII.B, *supra*; Exh-1003, ¶99. Second, Cohen discloses a system capable of storing “state information 275 [which] may include . . . an order in which chat messages are received as well as other relevant information.” Exh-1003, ¶99; Exh-1005, [0036]. This suggests that Cohen’s system inherently

supports the chronological display of messages in a messaging interface, maintaining the order of received communications, including the first and additional messaging communications. Exh-1003, ¶99.

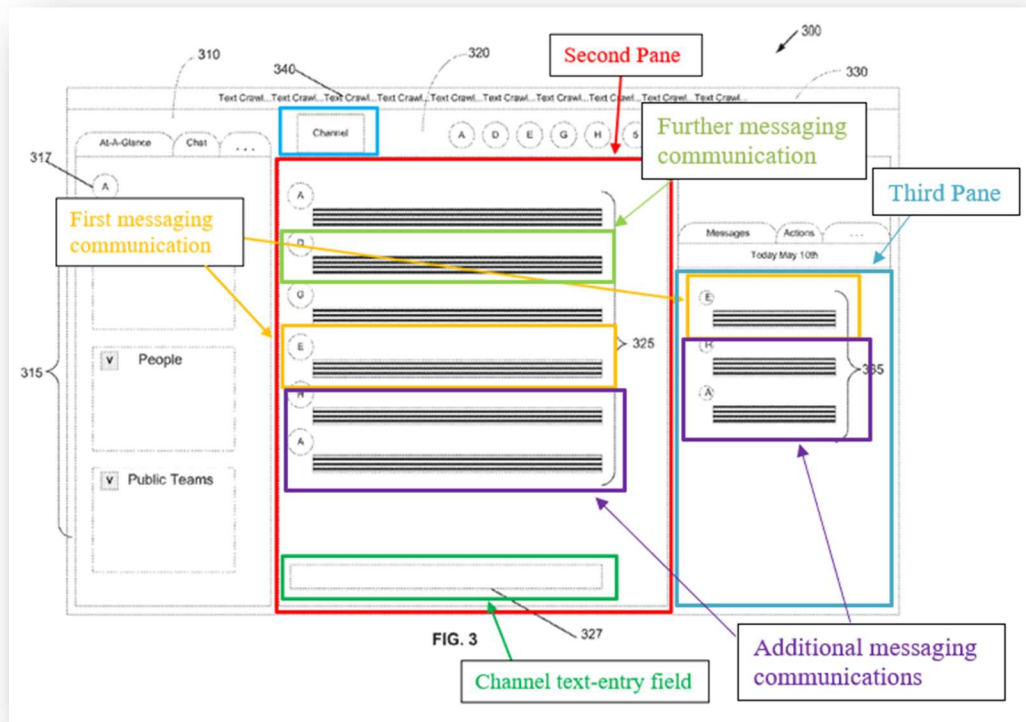
Cohen also teaches that, “the interface portal 500 may include controls 533 to *integrate some or all of the private chat session 537 into the larger group session channel 525* for display to other participants.” Exh-1005, [0074] (emphasis added).

Figure 5A illustrates further messaging communication, including the first and additional messaging communications, displayed in chronological order within the second pane:



Id. at 5A (annotated); Exh-1003, ¶101.

Figure 3 also illustrates a first messaging communication, additional messaging communication, and further messaging communication, all within the second pane and displayed in chronological order:



Exh-1005, FIG. 3 (annotated); Exh-1003, ¶102.

A PHOSITA would understand that Cohen's system, which tracks the order of received messages and allows the integration of private chat sessions into the group chat interface, inherently supports the chronological display of all communications, including first and additional messaging communications, within the second pane. Exh-1003, ¶103. Cohen's ability to integrate messages and display them in the order they were received further supports the claimed functionality of displaying additional messaging communications in chronological

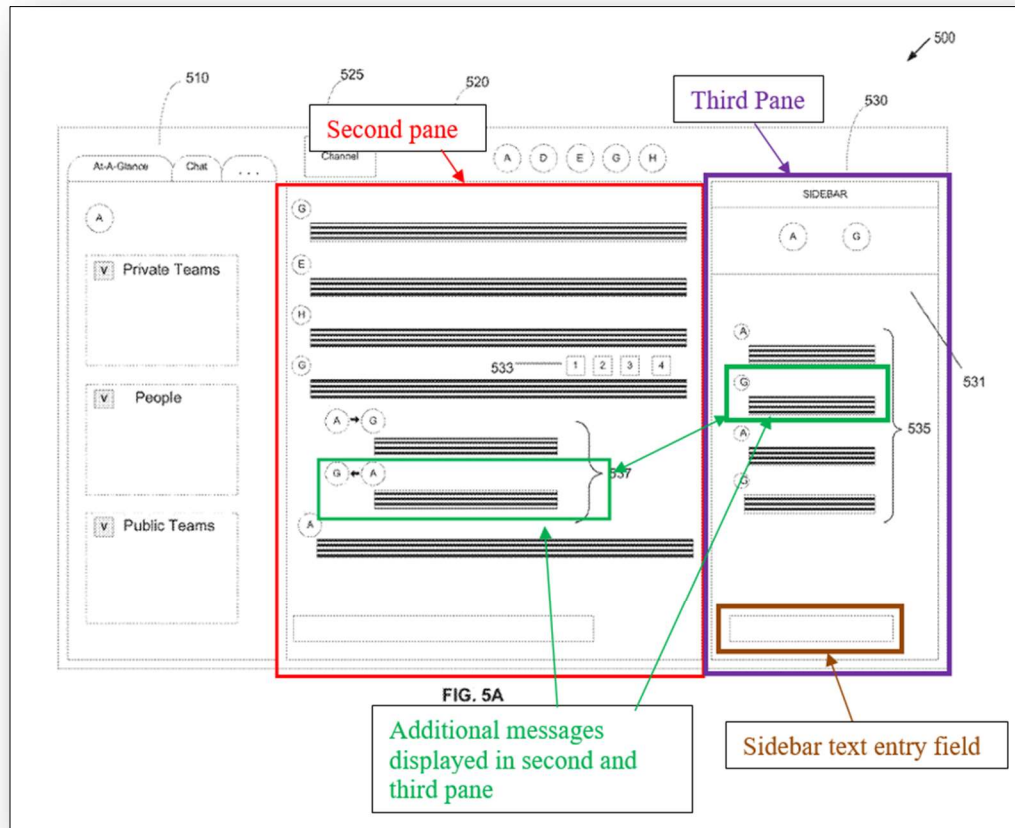
sequence relative to other messages. *Id.* Thus, Cohen discloses this claim. Exh-1003, ¶¶99-103.

F. Dependent Claim 6

The apparatus of claim 3, wherein causing at least a portion of said first subsidiary communication thread containing said additional messaging communication to be displayed in said third pane comprises displaying said sidebar text-entry field associated with said third pane that is operable to receive said additional messaging communication.

Cohen discloses this claim. Exh-1003, ¶¶104-106. First, Cohen discloses the apparatus of claim 3 limitation, as described above, which is incorporated by reference. *See* Section VIII.C, *supra*; Exh-1003, ¶104. Second, Cohen teaches that “[t]he first chat participant may also *initiate the sidebar session 531 by activating a control 533 associated with a message* from the second chat participant.” Exh-1005, [0075] (emphasis added). This sidebar session is capable of displaying the subsidiary communication thread and is operable to receive additional messaging communications, allowing users to “reply directly to someone in a group chat that can be kept private from other group members without engaging the entire group, while retaining context and relevance to the broader conversation.” Exh-1003, ¶104; Exh-1005, [0072]. Further, “[t]he sidebar session 531 includes functions available to users of interface portal 500[,]” which includes a sidebar text-entry field operable to receive additional messaging communications. Exh-1005, [0075].

Figure 5A illustrates an example where a portion of the third pane contains the additional messaging communications as well as the sidebar text-entry field associated operable to receive said additional messaging communication:



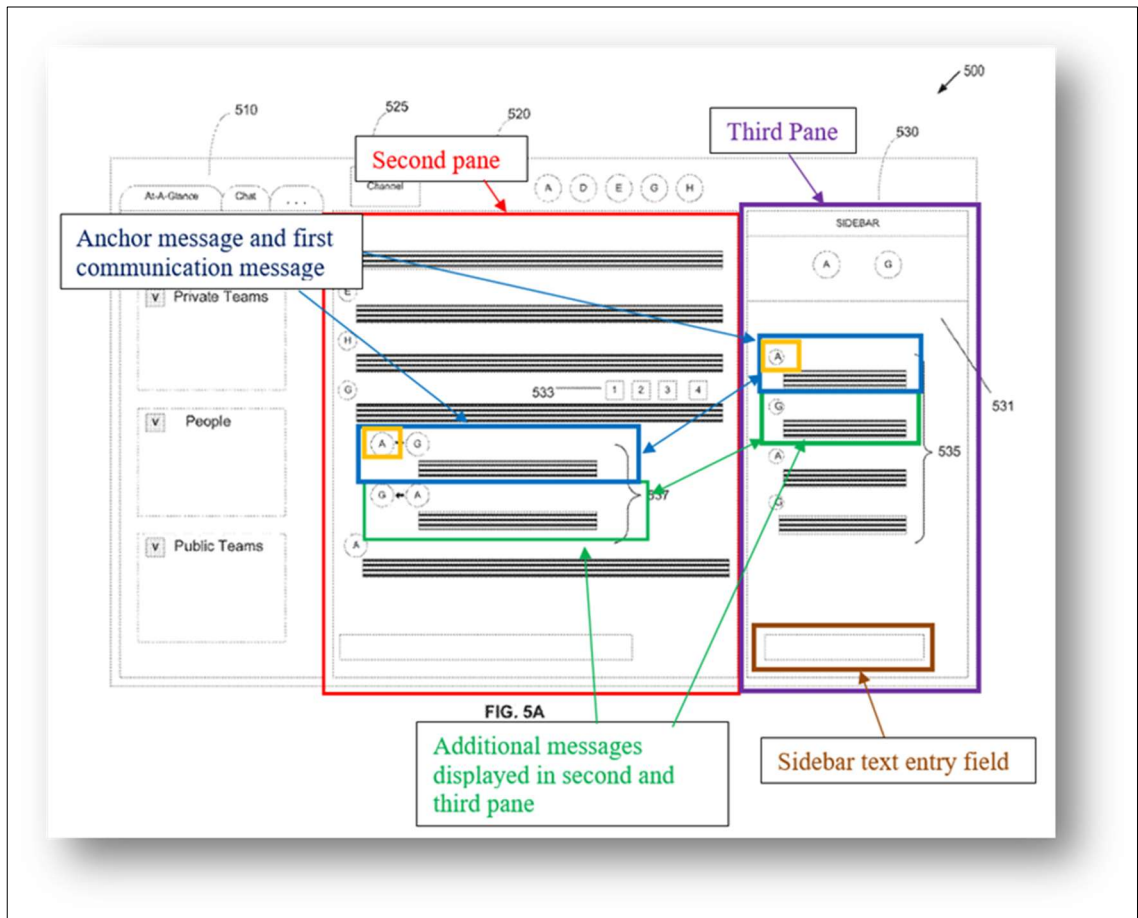
Exh-1005, FIG. 5A (annotated); Exh-1003, ¶106. Thus, Cohen discloses this claim.
Exh-1003, ¶¶104-106.

G. Dependent Claim 7

The apparatus of claim 3, wherein displaying said additional messaging communication in said second pane comprises, while said additional messaging communication is displayed in said second pane, displaying identifying information associated with the anchor message in association with said additional messaging communication in said second pane.

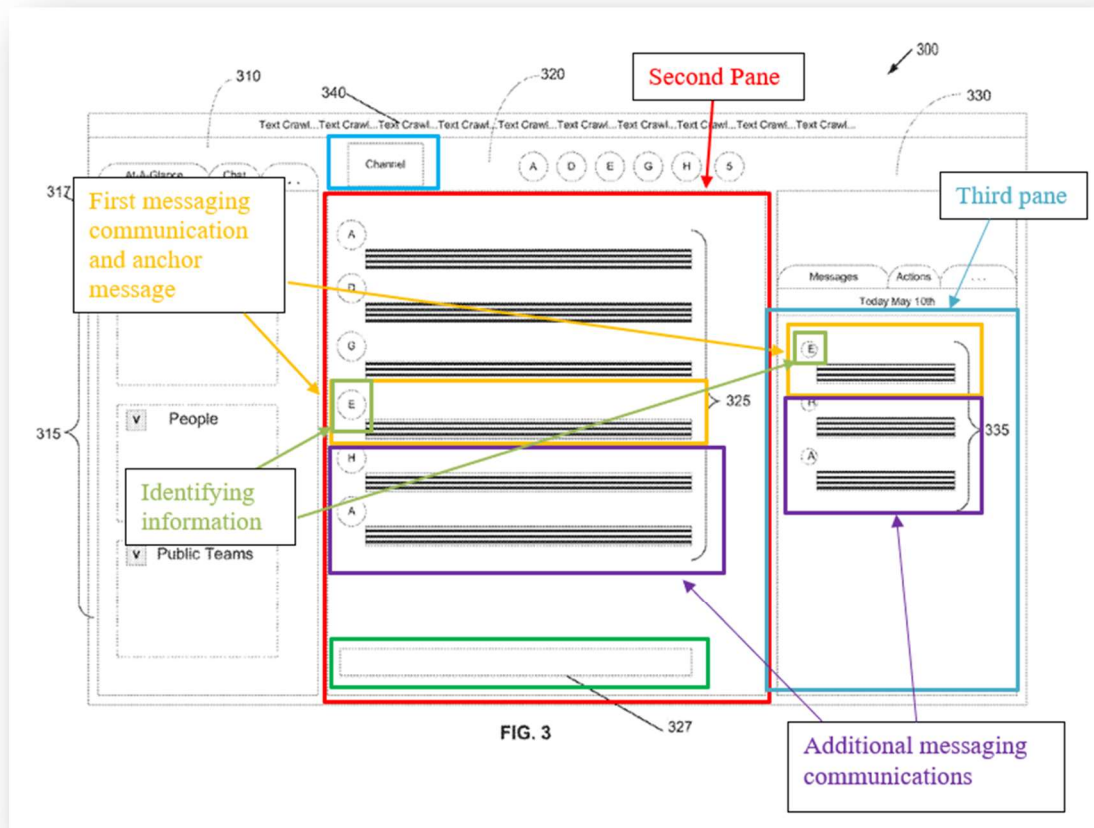
Cohen discloses this claim. Exh-1003, ¶¶107-109. First, Cohen discloses the apparatus of claim 3 limitation, as described above, which is incorporated by reference. *See* Section VIII.C, *supra*; Exh-1003, ¶107. Second, Cohen teaches an “interactive interface portal 500 includes the capability of opening a sidebar selection 531 that allows two or more members, such as member A and G of a larger group session channel 525 to communicate privately in a private chat session 535.” Exh-1005, [0073].

Figure 5A illustrates the display of the identifying information (member A) associated with the messages among the second and third panes:



Id. at FIG. 5A (annotated); Exh-1003, ¶108.

Figure 3 also illustrates displaying the additional messaging communication in the second pane while the additional messaging communication is displayed in said second pane, displaying identifying information associated with the anchor message in association with said additional messaging communication in said second pane:



Exh-1003, ¶¶107-109.

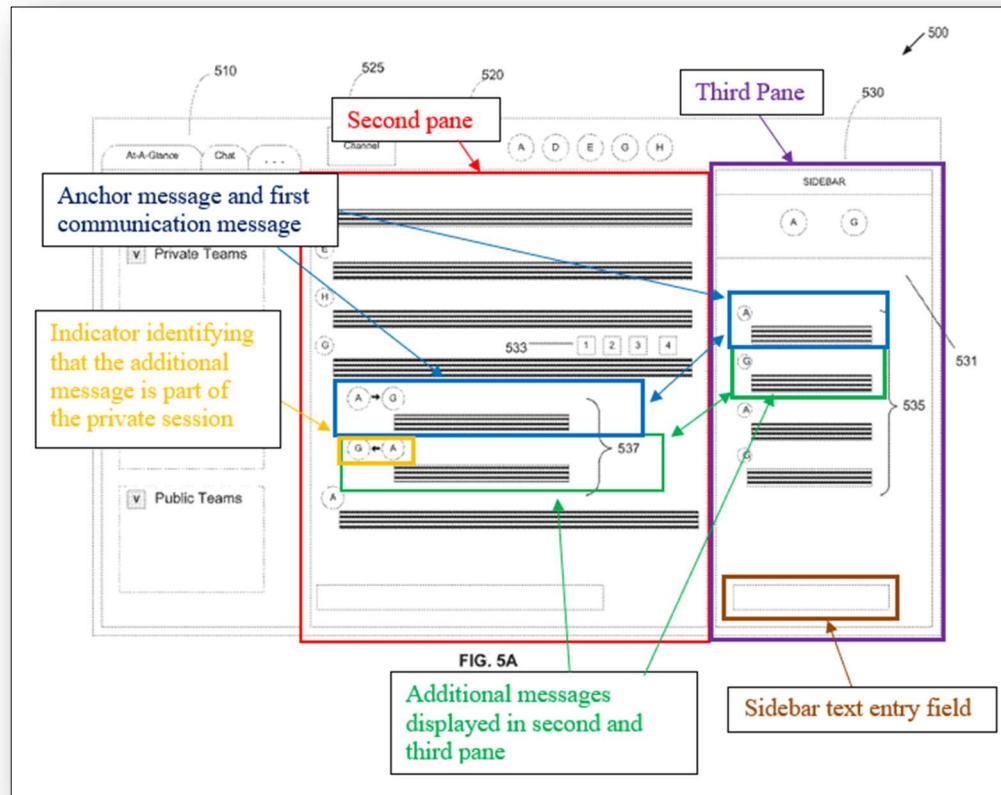
H. Dependent Claim 8

The apparatus of claim 3, wherein, displaying said additional messaging communication in said second pane comprises, while said additional messaging communication is displayed in said second pane, displaying an indicator identifying said additional messaging communication as associated with a subsidiary communication thread in association with said additional messaging communication in said second pane.

Cohen discloses this claim. Exh-1003, ¶¶110-111. First, Cohen discloses the apparatus of claim 3 limitation, as described above, which is incorporated by

reference. *See* Section VIII.C, *supra*; Exh-1003, ¶110. Second, Cohen teaches an “interactive interface portal 500 includes the capability of opening a sidebar selection 531 that allows two or more members, such as member A and G of a larger group session channel 525 to communicate privately in a private chat session 535.” Exh-1005, [0073].

Figure 5A illustrates the display of an indicator identifying that there is a private communication session among members G and A, associated with the additional messages among the second and third panes:



Id. at FIG. 5A (annotated); Exh-1003, ¶111. Additionally, a PHOSITA would have understood that there are two further indicators identifying additional messages as part of a subsidiary communication thread. Exh-1003, ¶111. These indicators could include the indentation of related communications within the private chat session 537, as well as the truncation and scaling of the message items within that same session. *Id.* Thus, Cohen discloses this claim. Exh-1003, ¶¶110-111.

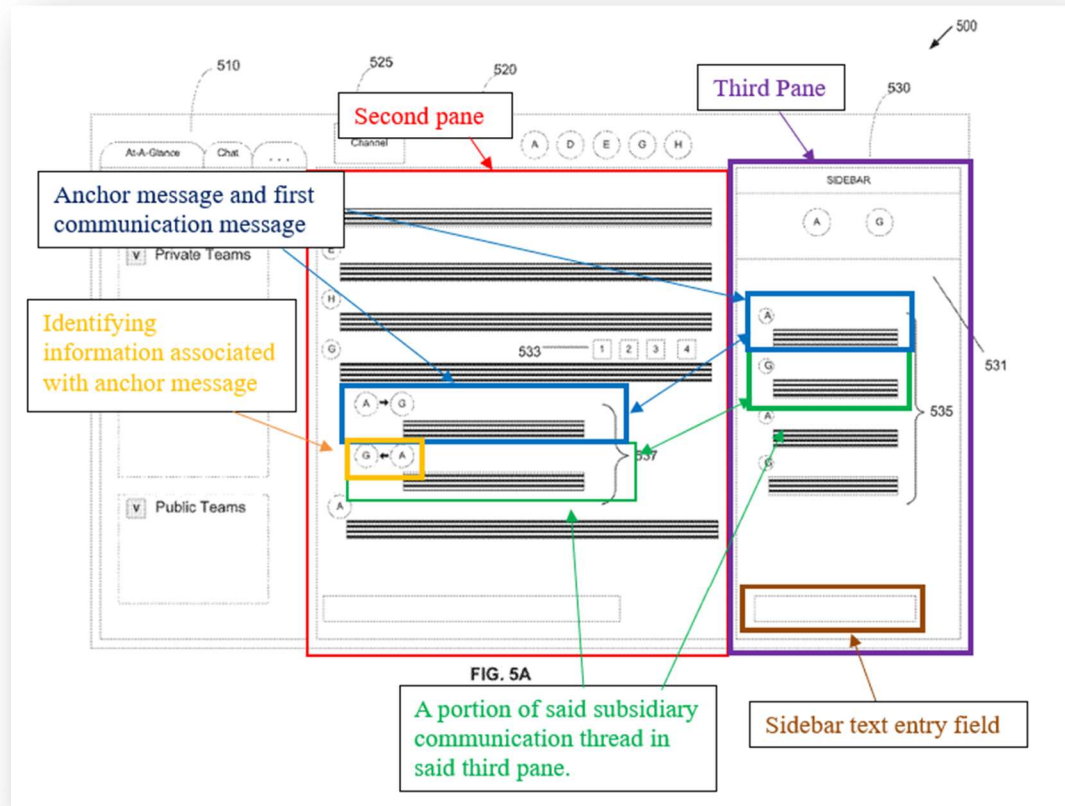
I. Dependent Claim 9

The apparatus of claim 7, wherein at least some of said identifying information associated with said anchor message comprises a fourth user-selectable control operable to cause the display of at least a portion of said subsidiary communication thread in said third pane.

Cohen discloses this claim. Exh-1003, ¶¶112-114. First, Cohen discloses the apparatus of claim 7 limitation, as described above, which is incorporated by reference. *See* Section VIII.G, *supra*; Exh-1003, ¶112. Second, Cohen teaches that when “a first chat participant, such as participant A, *clicks on and/or hovers over the display name* for a second chat participant, such as participant G, in the main window 520, a sidebar session 531 opens.” Exh-1005, [0075] (emphasis added). A PHOSITA would have understood that the display name would constitute an action object (i.e., a “fourth user-selectable control”) and upon selection, causes the display of at least a portion of said subsidiary communication thread in said third pane. Exh-1003, ¶112; Exh-1005, Abstract (teaching integrating various actionable objects into an online chat communications platform).

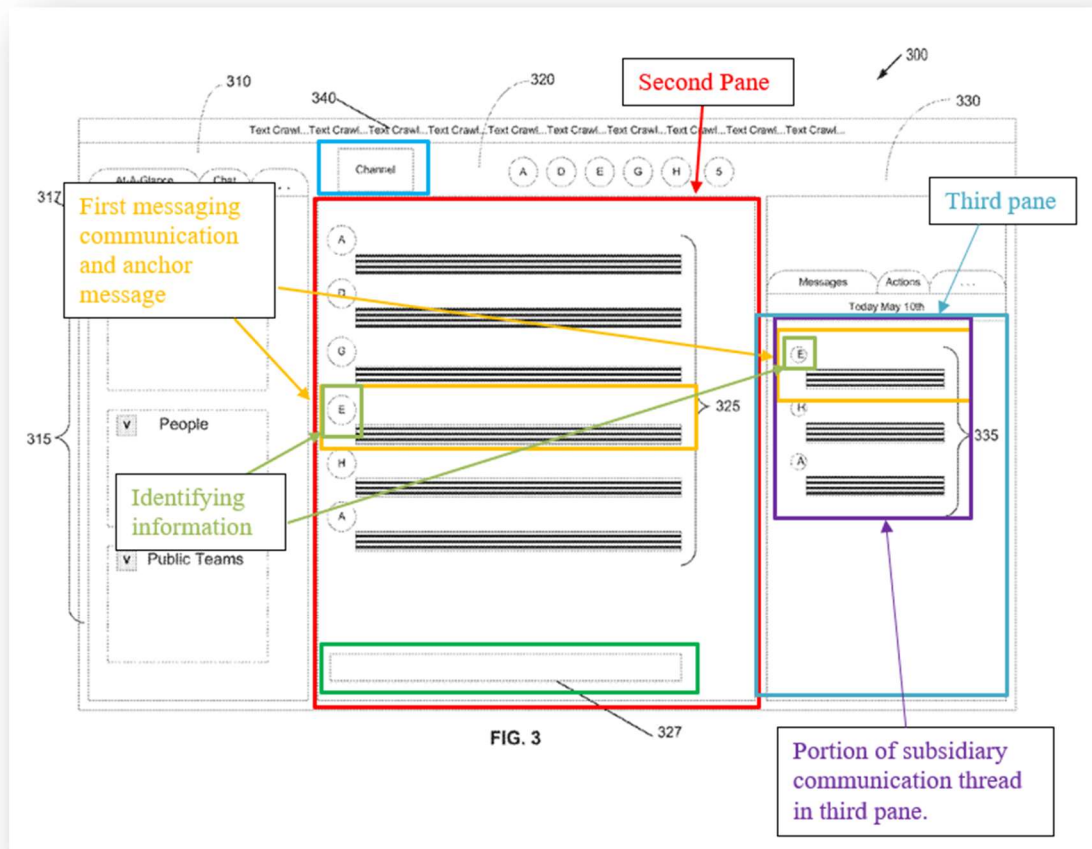
Figure 5A illustrates the display of the identifying information (members G and A and their private communication session indicated as G←A), which is associated with the messages among the second and third panes. G←A is associated with said anchor message, which originates from member A, as the arrow points from member A and because such messages are clearly displayed

within the indented private session 537 with the anchor message displayed as the top-most message:



Exh-1005, FIG. 5A (annotated); Exh-1003, ¶113.

Figure 3 also illustrates where the identifying information is a fourth user selectable control (Exh-1005, [0075]) causing the display of at least a portion of the subsidiary communication thread in the third pane:



Exh, 1005, FIG. 3 (annotated); Exh-1003, ¶114. Thus, Cohen discloses this claim.

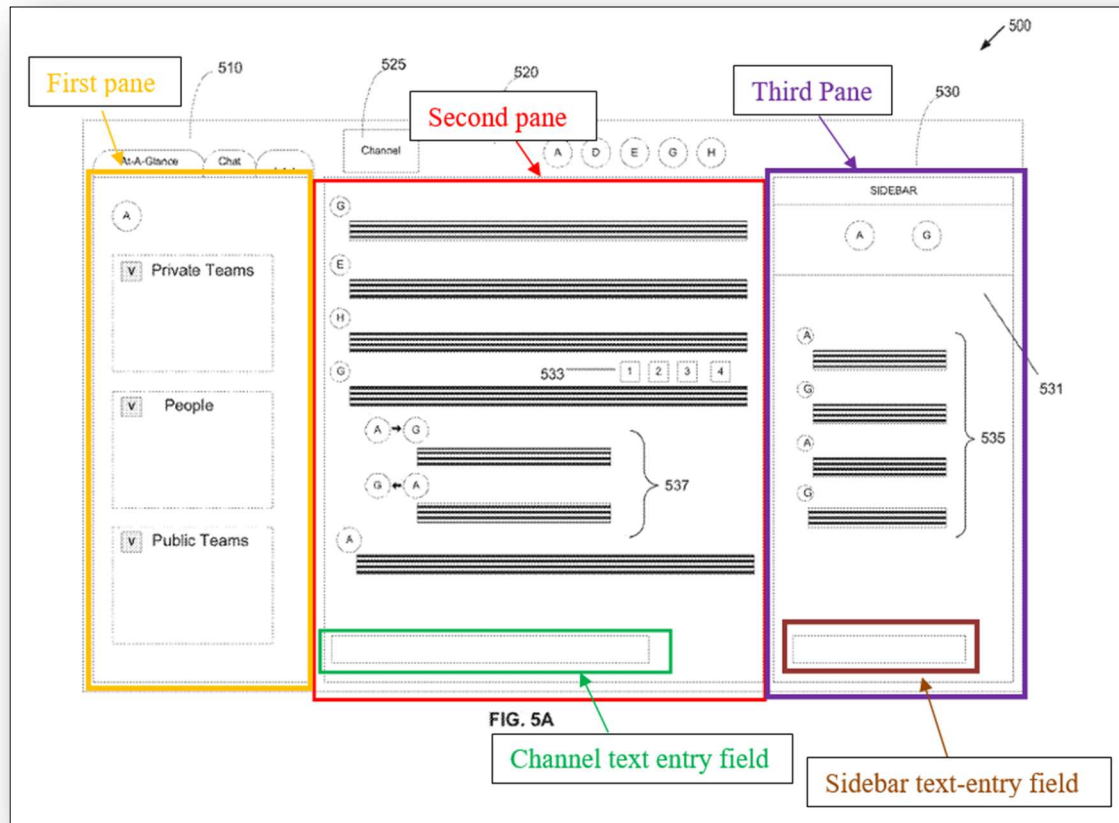
Exh-1003, ¶¶112-114.

J. Dependent Claim 10

The apparatus of claim 1, wherein displaying said third pane having said associated sidebar text-entry field further comprises displaying said sidebar text-entry field simultaneously with the display of said channel text-entry field, and wherein both said sidebar text-entry field and said channel text-entry field are selectable by a user to receive input representing a new message while they are being simultaneously displayed.

Cohen discloses this claim. Exh-1003, ¶¶115-116. First, Cohen discloses the apparatus of claim 1 limitation, as described above, which is incorporated by reference. *See* Section VIII.A, *supra*; Exh-1003, ¶115. Second, Cohen teaches that sidebar session 531 allows a user to create a private chat session 535, enabling direct replies within a group chat that remain private from other members while retaining context and relevance to the broader conversation Exh-1003, ¶115; Exh-1005, [0072], [0075]. Cohen discloses that “the interactive interface portal 500 includes the capability of opening a sidebar selection 531 that allows two or more members ... to communicate privately in a private chat session 535.” Exh-1005, [0073]. Further, “[t]he sidebar session 531 includes functions available to users of interface portal 500[,]” which includes a sidebar text-entry field operable to receive additional messaging communications. *Id.* at [0075].

Figure 5A illustrates third pane with a sidebar text-entry field displayed simultaneously with the first pane, second pane and channel text-entry field:



Id. at FIG. 5A (annotated); Exh-1003, ¶116. Thus, Cohen discloses this claim.

Exh-1003, ¶¶115-116.

K. Dependent Claim 11

The apparatus of claim 1, wherein transmitting said additional messaging communication, via said network, to at least one member of the group associated with the selected group-based communication channel comprises transmitting said additional messaging communication to fewer than all of the members of said group.

Cohen discloses this claim. Exh-1003, ¶117. First, Cohen discloses the apparatus of claim 1 limitation, as described above, which is incorporated by

reference. *See* Section VIII.A, *supra*; Exh-1003, ¶117. Second, the sidebar session 531 also enables a user to create a “*private chat session* 535 to enhance the electronic communications between the participants.” Exh-1005, [0075] (emphasis added); Exh-1003, ¶117. This allows a user to “reply directly to someone in a group chat that can be kept private from other group members without having to engage the entire group, while retaining context and relativity to the broader conversation for the participants of the 1 to 1 conversation.” Exh-1003, ¶117; Exh-1005, [0072]. “In some implementations, the private chat session 535 is hidden from other participants in the larger group session.” Exh-1005, [0074]. This communication is conducted via a “communication network.” *Id.* at [0022]; Exh-1003, ¶117. Thus, Cohen discloses this claim. Exh-1003, ¶117.

L. Dependent Claim 12

The apparatus of claim 1, further comprising instructions for receiving a request to permit a non-member user that is not a member of the associated group of members of said group-based communication channel to receive messaging communications comprising said subsidiary communication thread and, in response to receiving said request, enabling said non-member user to receive such communications.

Cohen discloses this claim. Exh-1003, ¶118. First, Cohen discloses the apparatus of claim 1 limitation, as described above, which is incorporated by reference. *See* Section VIII.A, *supra*; Exh-1003, ¶118. Second, Cohen teaches that

“[i]n some implementations, the private chat session 535 in response to a request from the first participant or the second participant *may permit a third participant to join the second chat session that is either currently in or not in the larger group session channel* 525.” Exh-1005, [0075]. Thus, Cohen discloses this claim. Exh-1003, ¶118.

M. Dependent Claim 13

- 1. 13[pre] The apparatus of claim 1, further comprising instructions for displaying a fifth user-selectable control, said control being operable to:**

Cohen discloses this claim. Exh-1003, ¶¶119-121. First, Cohen discloses the apparatus of claim 1 limitation, as described above, which is incorporated by reference. *See* Section VIII.A, *supra*; Exh-1003, ¶119. Second, Cohen teaches a “fifth user-selectable control.” Exh-1003, ¶119. The fifth user-selectable control is the bundle creation. Exh-1003, ¶120; Exh-1005, [0080]. A PHOSITA would understand that this would be one of the controls (533) available to the user. Exh-1003, ¶120. Once the bundle creation is underway, messages are selectively added to the bundle using selectors or indicators (554). *Id.*; Exh-1005, [0081]. The messages within the bundle are a specific type (i.e., they are part of a bundle type). Exh-1003, ¶120; Exh-1005, [0081]. As the messages are added to the bundle using

selectors (554), they are selectively displayed at item (553). Exh-1003, ¶120; Exh-1005, [0081].

Regarding the “from at least two channels” limitation, when a bundle is “Shared” and the “Allow others to Append” button is checked (552), a PHOSITA would understand that recipients across any channel could append to the bundle using an interface similar to that shown in Figure 5C. Exh-1003, ¶121; Exh-1005, [0081]. Sharing among recipients across multiple channels is consistent with Cohen’s statement that “by integrating a system of identifying and grouping together past messages from within a channel and even allowing those messages to be combined with other past messages from other channels.” Exh-1003, ¶121; Exh-1005, [0016]. Thus, Cohen discloses this limitation. Exh-1003, ¶¶119-121.

- i. **13[a] in response to user selection of said fifth user-selectable control, selectively display messaging communications having a specific type associated with said selected fifth user-selectable control, said messaging communications being from at least two separate group-based communication channels.**

Cohen discloses this limitation. Exh-1003, ¶¶122-124. Cohen teaches an “idea actionable object” (i.e., a “fifth user-selectable control) where “if the user selects the idea actionable object, the interface 400 may adjust the side panel 430 to provide characteristics relating to a *specific type* of input for an idea actionable object to include in the chat session. For example, the participants may be part of a

work group and the sending participant wants to propose an idea to the work group.” Exh-1005, [0067] (emphasis added); Exh-1003, ¶122.

Further, Cohen teaches “identifying and grouping together past messages from within a channel and even allowing those messages to be combined with other past messages from *other channels*.” Exh-1005, [0016] (emphasis added). Cohen teaches the capability to perform broad searches across channels to locate information that meets the specified search criteria, which would encompass cross-channel searching. Exh-1003, ¶123; Exh-1005, [0040] (“In some implementations, the interface portal 300 provides context relevant searching to display messages that match an inputted search criterion[.]”), [0041] (“a user . . . may want to quickly identify all of the ‘mutual’ chats/conversations . . . with the other person,” which “allows the user to switch between chat groups, dialogs, threads or conversations.”).

Additionally, Cohen teaches the use of “bundle communications [that] can include a bundle message associated with a particular topic, such as a bundle of best practices or a bundle consisting of an important team discussion or decisions.” Exh-1003, ¶124; Exh-1005, [0080]. “The discussion bundle 550 may include . . . an indicator of the messages 553 included in the bundle.” Exh-1005, [0081]. Further, “[a]fter identifying the message to be included discussion bundle 550, the

sending participant may integrate discussion bundle 550 into chat session by activating a control 555 on the interface portal 500. In this regard, an indicator 556 of the messages incorporated in the chat session may be displayed on the main window 520 of the interface portal 500.” *Id.* Thus, Cohen discloses this limitation. Exh-1003, ¶¶122-124.

N. Dependent Claim 14

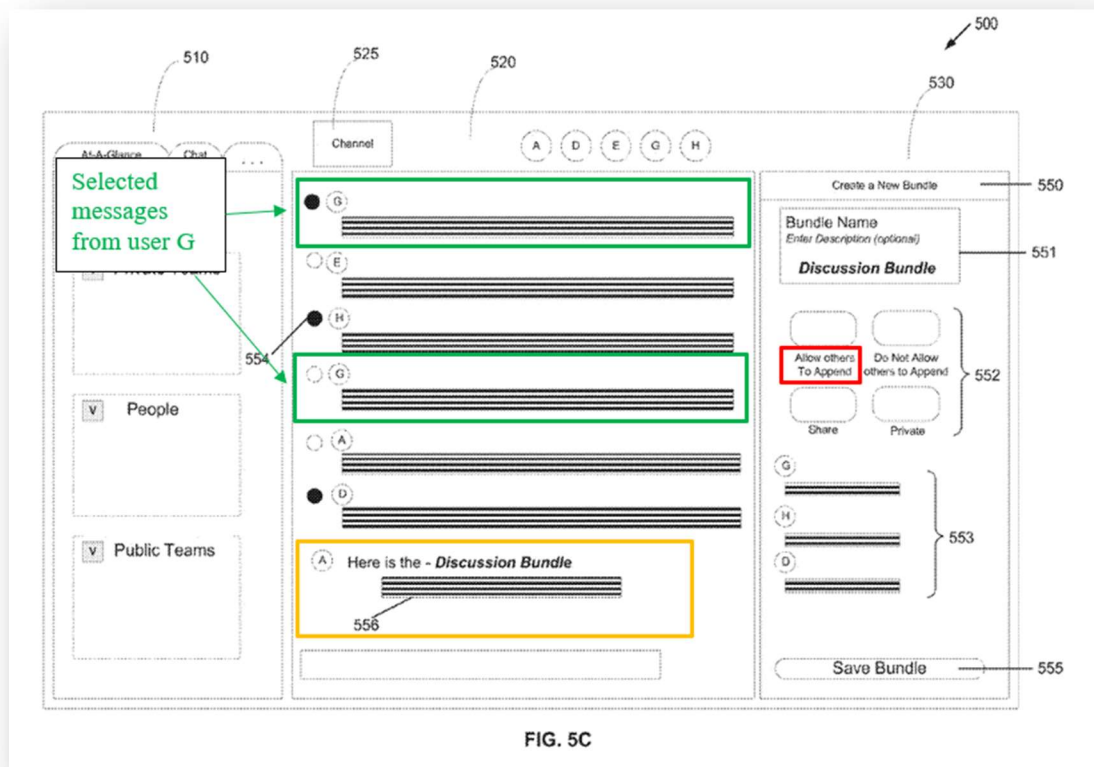
The apparatus of claim 13, wherein said specific type is a class of messaging communications in which the messaging communications are all parts of subsidiary communication threads that incorporate messaging communications generated by a specific user of said system.

Cohen discloses this claim. Exh-1003, ¶¶125-128. First, Cohen discloses the apparatus of claim 13 limitation, as described above, which is incorporated by reference. *See* Section VIII.M, *supra*; Exh-1003, ¶125. Second, Cohen teaches that “if the user selects the idea actionable object, the interface 400 may adjust the side panel 430 to provide characteristics relating to a *specific type* of input for an idea actionable object to include in the chat session. For example, the participants may be part of a work group and the sending participant wants to propose an idea to the work group.” Exh-1005, [0067] (emphasis added). This demonstrates that Cohen discloses messaging communications specific to particular inputs or actions initiated by a user. Exh-1003, ¶125.

Further, Cohen teaches “identifying and grouping together past messages from within a channel and even allowing those messages to be combined with other past messages from *other channels*.” Exh-1005, [0016] (emphasis added). Cohen teaches the capability to perform broad searches across channels and threads to locate information, such as messaging communications generated by a specific user, that meets the specified search criteria. Exh-1003, ¶126; Exh-1005, [0040] (“In some implementations, the interface portal 300 provides context relevant searching to display messages that match an inputted search criterion[.]”), [0041] (“a user may want to quickly identify all of the ‘mutual’ chats/conversations with the other person,” which “allows the user to switch between chat groups, dialogs, threads or conversations.”).

Additionally, Cohen teaches the use of “bundle communications [that] can include a bundle message associated with a particular topic, such as a bundle of best practices or a bundle consisting of an important team discussion or decisions.” Exh-1005, [0080]. “The discussion bundle 550 may include an indicator of the messages 553 included in the bundle.” *Id.* at [0081]. Further, “[a]fter identifying the message to be included discussion bundle 550, the sending participant may integrate discussion bundle 550 into chat session by activating a control 555 on the interface portal 500. In this regard, an indicator 556 of the

messages incorporated in the chat session may be displayed on the main window 520 of the interface portal 500.” *Id.* For example, in FIG. 5C, user A could select only the messages associated with one particular user, such as the two messages from user G, where the bundle type is a class of messages from user G. A PHOSITA would understand that user A might share the message amongst recipients with “Allow others To Append” selected, and a bundle name “Please add messages from G”:



Id. at FIG. 5C (annotated); Exh-1003, ¶127.

Cohen also teaches the use of a side bar session 533 (i.e., a subsidiary communication thread) where participants may interact directly with one another outside of larger group session channel 525. Exh-1003, ¶128; Exh-1005, [0075]. A PHOSITA would understand that this side bar session allows for communication threads that are specific to certain users, incorporating messages generated by those users within a subsidiary thread. Exh-1003, ¶128. Thus, Cohen discloses this claim. Exh-1003, ¶¶125-128.

O. Independent Claim 15

- 1. 15[pre] A method for operating an apparatus for use with a group-based communication system to facilitate messaging communication over a network between users of said system, comprising:**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.1, *supra*; Exh-1003, ¶129.

- 2. 15[a] generating a group-based communication interface on a display screen of a user client device, the group-based communication interface defining:**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.3, *supra*; Exh-1003, ¶130.

3. **15[b] a first pane configured to display a plurality of channel identifiers, each of said plurality of channel identifiers corresponding to a respective one of a plurality of group-based communication channels, each of such channels having an associated group of members who are users of said system, and**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.4, *supra*; Exh-1003, ¶131.

4. **15[c] a second pane configured to display messaging communications associated with a selected one of said plurality of group-based communication channels corresponding to one of said plurality of channel identifiers,**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.5, *supra*; Exh-1003, ¶132.

5. **15[d] wherein, associated with said second pane, is a channel text entry field that is user operable to generate communication in said selected one of said plurality of group-based communication channels, and a title field displaying information identifying said selected one of said plurality of group-based communication channels,**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.6, *supra*; Exh-1003, ¶133.

6. **15[e] receiving a first messaging communication associated with the selected one of the plurality of group-based communication channels, the selected one of the plurality of group-based communication channels comprising messaging communications, including said first messaging communication, between members of the group associated with said selected one of the plurality of group-based communication channels;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.7, *supra*; Exh-1003, ¶134.

7. **15[f] displaying said first messaging communication within said second pane;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.8, *supra*; Exh-1003, ¶135.

8. **15[g] displaying a first user-selectable control associated with said first messaging communication;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.9, *supra*; Exh-1003, ¶136.

9. **15[h] in response to a user selection of said first user-selectable control, displaying a third pane, said third pane displaying said first messaging communication and having an associated sidebar text-entry field that is different from said channel text-entry field and operable to receive user input of an additional messaging communication;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.10, *supra*; Exh-1003, ¶137.

- 10. 15[i] wherein said third pane and said sidebar text-entry field are displayed simultaneously with said first pane, said second pane and said channel text-entry field; and**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.11, *supra*; Exh-1003, ¶138.

- 11. 15[j] wherein said first messaging communication is displayed within said third pane and said second pane simultaneously;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.12, *supra*; Exh-1003, ¶139.

- 12. 15[k] receiving user input of an additional messaging communication in said sidebar text-entry field;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.13, *supra*; Exh-1003, ¶140.

- 13. 15[l] after receipt of said user input: transmitting said additional messaging communication, via a network, to at least one member of the group associated with said selected group-based communication channel and**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.14, *supra*; Exh-1003, ¶141.

14. **15[m] displaying, in said third pane, a first subsidiary communication thread having an anchor message, said thread comprising said first messaging communication together with said additional messaging communication, wherein said first messaging communication is the anchor message of said first subsidiary communication thread;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.15, *supra*; Exh-1003, ¶142.

15. **15[n] displaying a second user-selectable control associated with said first messaging communication in said second pane, said second user-selectable control being associated with an indication that said first messaging communication is an anchor message of a subsidiary communication thread and being configured to:**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.16, *supra*; Exh-1003, ¶143.

16. **15[o] in response to a user selection of said second user-selectable control, cause at least a portion of said first subsidiary communication thread containing said first messaging communication to be displayed in said third pane.**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.17, *supra*; Exh-1003, ¶144.

P. Dependent Claim 16

The method of claim 15, further comprising displaying said additional messaging communication in said second pane while said additional messaging communication is being displayed in said third pane.

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Sections VIII.B, VIII.O, *supra*; Exh-1003, ¶145.

Q. Dependent Claim 17

- 1. 17[pre] The method of claim 16, wherein displaying said additional messaging communication in said second pane comprises providing a third user-selectable control associated with said additional messaging communication in said second pane, wherein said third user-selectable control is configured to:**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Sections VIII.C.1, VIII.P *supra*; Exh-1003, ¶146.

- 2. 17[a] in response to user selection of said third user-selectable control, cause at least a portion of said first subsidiary communication thread containing said additional messaging communication to be displayed in a third pane.**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.C.2, *supra*; Exh-1003, ¶147.

R. Dependent Claim 18

The method of claim 17, wherein displaying said additional messaging communication in said second pane comprises causing at least a portion of said subsidiary communication thread to be displayed in said third pane comprises displaying said sidebar text-entry field associated with said third pane that is operable to receive said additional messaging communication.

Cohen discloses this claim, as described above, which is incorporated by reference. *See* Sections VIII.F, VIII.Q, *supra*; Exh-1003, ¶148.

S. Dependent Claim 19

The method of claim 17, wherein displaying said additional messaging communication in said second pane comprises, while said additional messaging communication is displayed in said second pane, identifying information associated with the anchor message is also displayed in association with said additional messaging communication in said second pane.

Cohen discloses this claim, as described above, which is incorporated by reference. *See* Sections VIII.G, VIII.Q, *supra*; Exh-1003, ¶149.

T. Dependent Claim 20

The method of claim 17, wherein, while said additional messaging communication is displayed in said second pane, an indicator identifying said additional messaging communication as associated with a subsidiary communication thread is also displayed in association with said additional messaging communication in said second pane.

Cohen discloses this claim, as described above, which is incorporated by reference. *See* Sections VIII.H, VIII.Q, *supra*; Exh-1003, ¶150.

U. Dependent Claim 21

The method of claim 19, wherein at least some of said identifying information associated with said anchor message comprises a fourth user-selectable control operable to cause the display of at least a portion of said subsidiary communication thread in said third pane.

Cohen discloses this claim, as described above, which is incorporated by reference. *See* Sections VIII.I, VIII.S, *supra*; Exh-1003, ¶151.

V. Dependent Claim 22

The method of claim 15, wherein displaying said third pane having said associated sidebar text-entry field further comprises displaying said sidebar text-entry field simultaneously with the display of said channel text-entry field, and wherein both said sidebar text-entry field and said channel text-entry field are selectable by a user to receive input representing a new message while they are being simultaneously displayed.

Cohen discloses this claim, as described above, which is incorporated by reference. *See* Sections VIII.J, VIII.O, *supra*; Exh-1003, ¶152.

W. Dependent Claim 23

- 1. 23[pre] The method of claim 15, further comprising displaying a fifth user-selectable control, said control being operable to:**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Sections VIII.M.1, VIII.O, *supra*; Exh-1003, ¶153.

2. **23[a] in response to user selection of said fifth user-selectable control, selectively display messaging communications having a specific type associated with said selected fifth user-selectable controls, said messaging communications being from at least two separate group-based communication channels.**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.M.2, *supra*; Exh-1003, ¶154.

X. Dependent Claim 24

The method of claim 23, wherein said specific type is a class of messaging communications in which the messaging communications are all parts of subsidiary communication threads that incorporate messaging communications generated by a specific user of said system.

Cohen discloses this claim, as described above, which is incorporated by reference. *See* Sections VIII.N, VIII.W, *supra*; Exh-1003, ¶155.

Y. Independent Claim 25

1. **25[pre] One or more non-transitory computer-readable media storing instructions executable by one or more processors that, when executed by the one or more processors, cause the one or more processors to perform acts comprising:**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.2, *supra*; Exh-1003, ¶156.

2. **25[a] generating a group-based communication interface on a display screen of a user client device, the group-based communication interface defining:**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.3, *supra*; Exh-1003, ¶157.

3. **25[b] a first pane configured to display a plurality of channel identifiers, each of said plurality of channel identifiers corresponding to a respective one of a plurality of group-based communication channels, each of such channels having an associated group of members who are users of said system, and**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.4, *supra*; Exh-1003, ¶158.

4. **25[c] a second pane configured to display messaging communications associated with a selected one of said plurality of group-based communication channels corresponding to one of said plurality of channel identifiers,**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.5, *supra*; Exh-1003, ¶159.

5. **25[d] wherein, associated with said second pane, is a channel text entry field that is user operable to generate communication in said selected one of said plurality of group-based communication channels, and a title field displaying information identifying said selected one of said plurality of group-based communication channels,**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.6, *supra*; Exh-1003, ¶160.

6. **25[e] receiving a first messaging communication associated with the selected one of the plurality of group-based communication channels, the selected one of the plurality of group-based communication channels comprising messaging communications, including said first messaging communication, between members of the group associated with said selected one of the plurality of group-based communication channels;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.7, *supra*; Exh-1003, ¶161.

7. **25[f] displaying said first messaging communication within said second pane;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.8, *supra*; Exh-1003, ¶162.

8. **25[g] displaying a first user-selectable control associated with said first messaging communication;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.9, *supra*; Exh-1003, ¶163.

9. **25[h] in response to a user selection of said first user-selectable control, displaying a third pane, said third pane displaying said first messaging communication and having an associated sidebar text-entry field that is different from said channel text-entry field and operable to receive user input of an additional messaging communication;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.10, *supra*; Exh-1003, ¶164.

10. **25[i] wherein said third pane and said sidebar text-entry field are displayed simultaneously with said first pane, said second pane and said channel text-entry field; and**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.11, *supra*; Exh-1003, ¶165.

11. **25[j] wherein said first messaging communication is displayed within said third pane and said second pane simultaneously;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.12, *supra*; Exh-1003, ¶166.

12. **25[k] receiving user input of an additional messaging communication in said sidebar text-entry field;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.13, *supra*; Exh-1003, ¶167.

13. **25[l] after receipt of said user input: transmitting said additional messaging communication, via a network, to at least one member of the group associated with said selected group-based communication channel and**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.14, *supra*; Exh-1003, ¶168.

14. **25[m] display, in said third pane, a first subsidiary communication thread having an anchor message, said thread comprising said first messaging communication together with said additional messaging communication, wherein said first messaging communication is the anchor message of said first subsidiary communication thread;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.15, *supra*; Exh-1003, ¶169.

15. **25[n] displaying a second user-selectable control associated with said first messaging communication in said second pane, said second user-selectable control being associated with an indication that said first messaging communication is an anchor message of a subsidiary communication thread, and being configured to:**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.16, *supra*; Exh-1003, ¶170.

16. **25[o] in response to a user selection of said second user-selectable control, cause at least a portion of said first subsidiary communication thread containing said first messaging communication to be displayed in said third pane.**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.17, *supra*; Exh-1003, ¶171.

Z. Dependent Claim 26

The one or more non-transitory computer-readable media of claim 25, wherein said acts further comprise displaying said additional messaging communication in said second pane while said additional messaging communication is being displayed in said third pane.

Cohen discloses this claim, as described above, which is incorporated by reference. *See* Sections VIII.B, VIII.Y *supra*; Exh-1003, ¶172.

AA. Dependent Claim 27

1. **27[pre] The one or more non-transitory computer-readable media of claim 26, wherein displaying said additional messaging communication in said second pane comprises providing a third user-selectable control associated with said additional messaging communication in said second pane, wherein said third user-selectable control is configured to:**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Sections VIII.B.1, VIII.Z *supra*; Exh-1003, ¶173.

2. **27[a] in response to user selection of said third user-selectable control, cause at least a portion of said first subsidiary communication thread containing said additional messaging communication to be displayed in a third pane.**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.B.2, *supra*; Exh-1003, ¶174.

BB. Dependent Claim 28

1. **28[pre] The one or more non-transitory computer-readable media of claim 25, further comprising instructions for displaying a fifth user-selectable control, said control being operable to:**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Sections VIII.M.1, VIII.Y *supra*; Exh-1003, ¶175.

2. **28[a] in response to user selection of said fifth user-selectable control, selectively display messaging communications having a specific type associated with said selected fifth user-selectable controls, said messaging communications being from at least two separate group-based communication channels.**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.M.2, *supra*; Exh-1003, ¶176.

CC. Dependent Claim 29

The one or more non-transitory computer-readable media of claim 28, wherein said specific type is a class of messaging communications in which the messaging communications are all parts of subsidiary communication threads that incorporate messaging communications generated by a specific user of said system.

Cohen discloses this claim, as described above, which is incorporated by reference. *See* Sections VIII.N, VIII.BB *supra*; Exh-1003, ¶177.

DD. Independent Claim 30

- 1. 30[pre] An apparatus comprising at least a processor, and a memory associated with the processor having computer coded instructions therein, wherein the computer coded instructions are configured to, when executed by the processor, cause the apparatus to perform acts comprising:**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Sections VIII.A.1–2, *supra*; Exh-1003, ¶178.

- 2. 30[a] receiving a first messaging communication associated with a communication platform;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.7, *supra*; Exh-1003, ¶179.

- 3. 30[b] causing the first messaging communication to be rendered within a messaging pane in a communication interface of the communication platform;**

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.A.5, VIII.A.8, *supra*; Exh-1003, ¶180.

4. 30[c] receiving a thread request to create a subsidiary thread communication;

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Sections VIII.A.16–17, *supra*; Exh-1003, ¶181. Further, Cohen teaches the creation of a sidebar session (i.e., subsidiary thread communication). Exh-1003, ¶181; Exh, 1005, [0072], FIG 5A, [0074] (“in some implementations, the private chat session 535 *in response to a request* from the first participant or the second participant may permit a third participant to join the second chat session that is either currently in or not in the larger group session channel 525.” (emphasis added)). This demonstrates that the response to a participant’s request initiates the creation of a subsidiary thread communication within the broader group environment. Exh-1003, ¶181. Thus, Cohen discloses this limitation. *Id.*

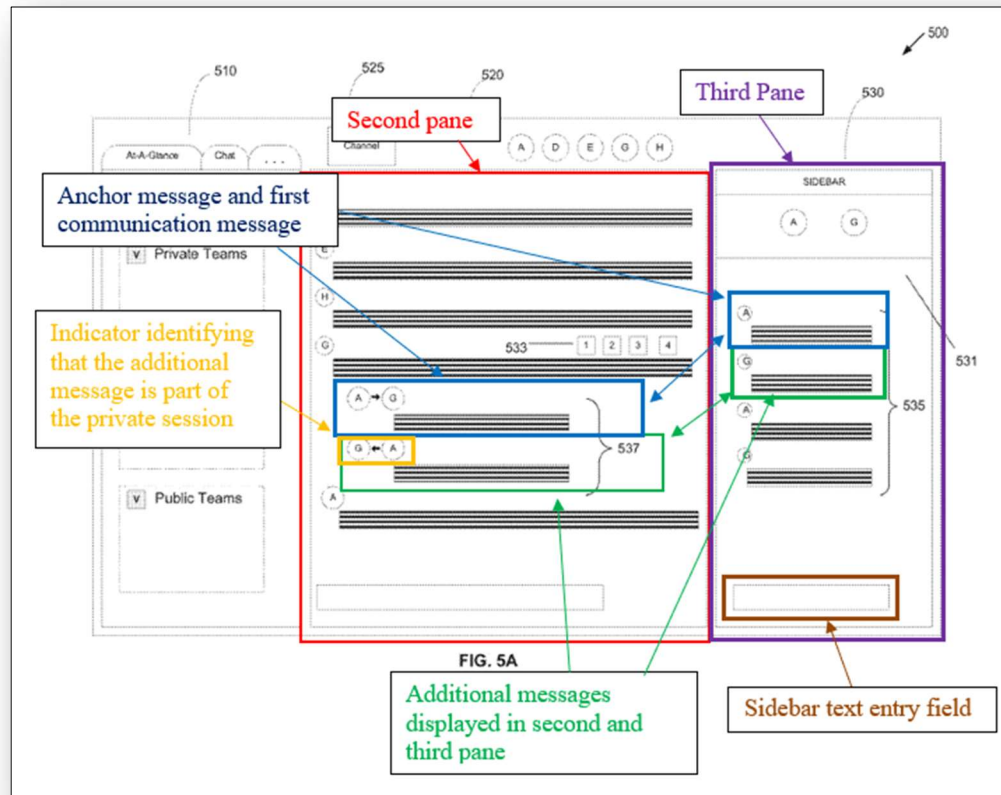
5. 30[d] in response to receiving the thread request, generating and transmitting for display a thread summary indicator renderable within the messaging pane proximate the first messaging communication, wherein the thread summary indicator is configured to be selectable by a user with access to the first messaging communication;

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Sections VIII.A.16–17, *supra*; Exh-1003, ¶182. Further, Cohen teaches that, “the interface portal 500 may include controls 533 to *integrate some or all of the private chat session 537 into the larger group session channel 525*

for display to other participants.” Exh-1005, [0074] (emphasis added). This indicates that a thread summary indicator may be embedded within the messaging pane, proximate the first messaging communication. Exh-1003, ¶182.

Further, Cohen teaches that “[t]he first chat participant may also initiate the sidebar session 531 by activating a control 533 associated with a message from the second chat participant.” *Id.* at [0075] (emphasis added). Cohen discloses that item 537 (within the main window 520) presents a “***private chat session 537***” between members A and G (i.e., a thread summary indicator). Exh-1003, ¶183; Exh-1005, [0074]. This indicates that the thread summary indicator associated among the messages of the private chat session are user selectable.

For example, Figure 5A illustrates the display of a thread summary indicator identifying that there is a private communication session among members G and A, associated with the additional messages among the second and third panes:

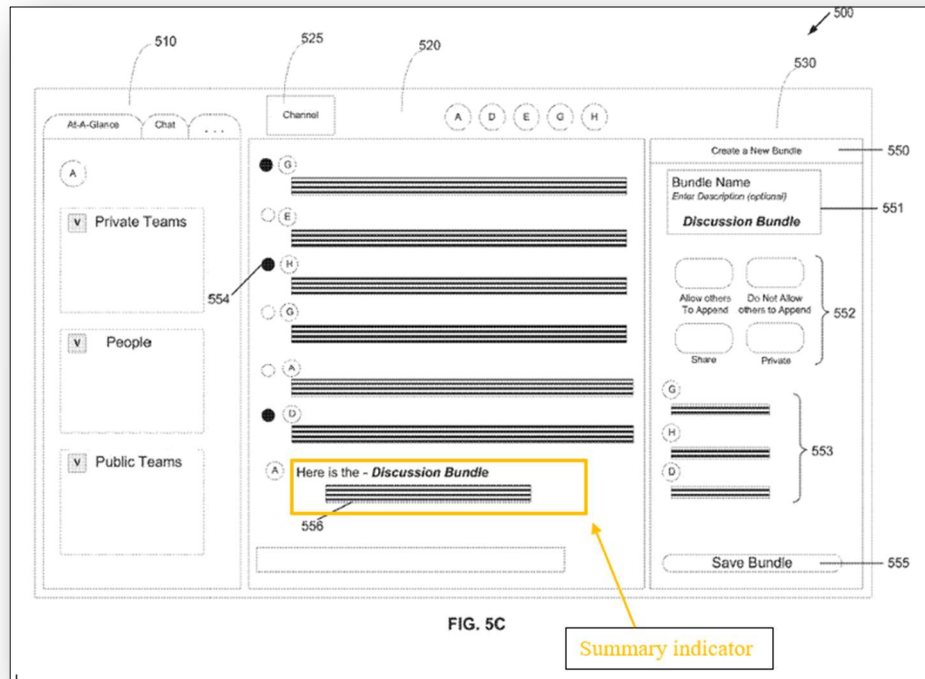


Exh-1005, FIG. 5A (annotated); Exh-1003, ¶184. Additionally, a PHOSITA would have understood that there are two further thread summary indicators identifying additional messages as part of a subsidiary communication thread. *Id.* These indicators include the indentation of related communications within the private chat session 537, as well as the truncation and scaling of the message items within that same session. *Id.*

Alternatively, Cohen teaches the use of “bundle communications [that] can include a bundle message associated with a particular topic, such as a bundle of

best practices or a bundle consisting of an important team discussion or decisions.” Exh-1005, [0080]. “The discussion bundle 550 may include . . . an indicator of the messages 553 included in the bundle.” Exh-1003, ¶185; Exh-1005, [0081]. Further, “[a]fter identifying the message to be included discussion bundle 550, the sending participant may integrate discussion bundle 550 into chat session by activating a control 555 on the interface portal 500. In this regard, an *indicator 556* of the messages incorporated in the chat session may be displayed on *the main window 520* of the interface portal 500.” Exh-1005, [0081] (emphasis added). A PHOSITA would understand that the bundle communication indicator (i.e., summary indicator) may also be placed even closer to an associated messaging communication similar to the placement of indicator 554. Exh-1003, ¶185; Exh-1005, FIG. 5C.

Figure 5C further illustrates this concept, showing an indicator corresponding to a bundle of communications placed within the main window 520 and near a first messaging communication, supporting Cohen’s disclosure of this limitation:



Exh-1005, FIG. 5C (annotated); Exh-1003, ¶186. A PHOSITA would understand that this bundle of communications functions as a summary of related messaging, with a corresponding indicator appearing within the messaging pane, near the first messaging communication. *Id.* This setup provides a clear and accessible summary of discussions or messages organized by a particular topic or thread, with the indicator strategically positioned for user selection. *Id.* This configuration aligns with the claimed functionality, where the thread summary indicator is displayed in proximity to the first messaging communication, enhancing efficient user interaction. *Id.* Thus, Cohen discloses this limitation. *Id.*

6. 30[e] receiving an indication of an input indicating a selection of the thread summary indicator; and

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Section VIII.DD.5, *supra*; Exh-1003, ¶187.

7. 30[f] causing, based at least in part on receiving the indication of the input, rendering of the subsidiary thread communication to a thread communication pane within the communication interface, wherein a list pane, the messaging pane, and the thread communication pane are configured to be rendered within a defined display window as viewable simultaneously.

Cohen discloses this limitation, as described above, which is incorporated by reference. *See* Sections VIII.A.15–17, *supra*; Exh-1003, ¶188.

IX. THE BOARD SHOULD NOT DENY INSTITUTION UNDER §314(a).

The Board should decline to exercise its discretion to deny institution based on the co-pending district court litigation, Delaware Action. The factors set forth in *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 11 (P.T.A.B. Mar. 20, 2020) (precedential) (“*Fintiv* factors”) favor institution.

The first *Fintiv* factor favors institution, or is at a minimum neutral, because the potential of a stay exists in the Delaware Action if this proceeding is instituted—especially as Petitioners have filed IPRs against all asserted claims—and Petitioners intend to request a stay if the IPR is instituted.

The second *Fintiv* factor favors institution. Trial is not currently set to begin in the Delaware Action for another nineteen months, on May 18, 2026. Exh-1008. Accordingly, the statutory deadline for a Final Written Decision in this IPR would occur before trial in the Delaware Action.

The third *Fintiv* factor weighs in favor of institution. The Delaware Action is in its early stages. A Scheduling Order was only recently issued on August 30, 2024. Petitioners have diligently prepared two IPR petitions challenging all 30 claims of the patent, not just the three claims identified in the Patent Owner's Complaint. *See Dish Network L.L.C. v. Broadband iTV, Inc.*, IPR2020-01359, Paper 15 (P.T.A.B. Feb. 12, 2021).

The fourth *Fintiv* factor, weighs in favor of institution or is, at a minimum, neutral. As discussed above, the Delaware Action is still in its early stages, with a Scheduling Order only recently issued. Petitioners intend to file in the parallel district court litigation a stipulation that, if IPR is instituted, it will not pursue in the parallel litigation any ground that is raised or that could have reasonably been raised in an IPR. This favors institution. *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 at 19 (P.T.A.B. Dec. 1, 2020) (precedential).

Also, despite Petitioners being the defendant in the Delaware Action (*Fintiv* factor five)—something out of Petitioners' control—other circumstances weigh

against discretionary denial (*Fintiv* factor six). For one, the strength of the merits in the proposed invalidity grounds favors institution. *Fintiv*, 14-15. Furthermore, this IPR is one of two IPRs simultaneously filed by the Petitioners on the same day before the Board, both challenging all claims of the '731 Patent. There are no other pending petitions concerning the '731 Patent. The Board has explained that a “crucial fact” when exercising discretion to deny is that “the challenged patent is currently the subject of [other] instituted IPRs.” *Google LLC v. Uniloc 2017 LLC*, IPR2020-00115, Paper 10 at 6 (P.T.A.B. May 12, 2020).

X. CONCLUSION

For the foregoing reasons, Petitioners respectfully request that a trial for *inter partes* review of the '731 Patent be instituted and that Claims 1-30 be canceled.

Dated: September 26, 2024

Respectfully submitted,

/Robert C.F. Pérez/

Robert C.F. Pérez
(Reg. No. 39,328)
PILLSBURY WINTHROP SHAW
PITTMAN LLP
7900 Tysons One Place, Suite 500
Tysons, VA 22102
Telephone: 703.770.7759
Facsimile: 703.770.7901
Email: robert.perez@pillsburylaw.com

Petition for *Inter Partes* Review of
U.S. Patent No. 11,973,731

Christopher Kao (*pro hac vice* to be filed)
Brock S. Weber (*pro hac vice* to be filed)
PILLSBURY WINTHROP SHAW
PITTMAN LLP
Four Embarcadero Center, 22nd Floor
San Francisco, CA 94111
Telephone: 415.983.1000
christopher.kao@pillsburylaw.com
brock.weber@pillsburylaw.com.

Counsel for Petitioners Slack
Technologies, LLC and Salesforce, Inc.

CERTIFICATE OF COMPLIANCE

1. The undersigned certifies that this brief complies with the type volume limitations of 37 CFR § 42.24(a)(1)(i). This brief contains 13,703 words (excluding the table of contents, the table of authorities, mandatory notices under 37 CFR § 42.8, the certificate of service, certificate of compliance, and appendix of exhibits), as calculated by the “Word Count” feature of Microsoft Word 360, the word processing program used to create it.

2. The undersigned further certifies that this brief complies with the typeface requirements of 37 CFR § 42.6(a)(2)(ii) and typestyle requirements of 37 CFR § 42.6(a)(2)(iii). This brief has been prepared in a proportionally spaced typeface using Microsoft Word in Times New Roman 14-point font

Dated: September 26, 2024

Respectfully submitted,

/ Robert C.F. Pérez /

Robert C.F. Pérez

Counsel for Petitioners
Slack Technologies, LLC and
Salesforce, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing
**PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO.
11,973,731** and supporting materials have been served in its entirety by electronic
mail this 26th day of September, 2024, and to be sent by FedEx on September 27,
2024 on Patent Owner at the correspondence address for the attorney of record for
U.S. Patent No. 11,973,731 shown in USPTO Patent Center, as well as on counsel
for Patent Owner in the co-pending litigation:

Patent Owner in Patent Center:

Robert Plotkin, Esq.
Cynthia Gilbert, Esq.
Blueshift IP LLC
1 Broadway 14th Floor
Cambridge, MA 02142

Counsel for Patent Owner in co-pending litigation:

Kelly Allenspach Del Dotto
Martina Tyreus Hufnal
Taylor Reeves
FISH & RICHARDSON
222 Delaware Avenue, 17th Floor
Wilmington, DE 19801
Email: kad@fr.com
Email: tyreushufnal@fr.com
Email: reeves@fr.com

Frank E. Scherkenbach
Lawrence K. Kolodney
Steven R. Katz
Adam J. Kessel
Alexander M. Pechette
FISH & RICHARDSON
One Marine Park Drive
Boston, MA 02210
Tel: (617) 542-5070
Email: scherkenbach@fr.com
Email: kolodney@fr.com
Email: katz@fr.com
Email: kessel@fr.com
Email: pechette@fr.com.

/ Robert C.F. Pérez /

Robert C.F. Pérez