

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.: IPR2024-01490
U.S. Patent No. 11,973,731

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

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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. Patent No. 6,630,944 (“Kakuta”)
Exh-1006	U.S. Patent No. 7,426,540 (“Matsumoto”)
Exh-1007	U.S. Patent Application Publication No. 2013/0069969 (“Chang”)
Exh-1008	Return of Service in Related Action
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Exh-1010	Scheduling Order in Related Action
Exh-1011	Provisional Application No. 62/253,229
Exh-1012	John E. Grayson, Python and Tkinter Programming, (2000)
Exh-1013	Apple, Human Interface Guidelines: The Apple Desktop Interface (1987)

<i>Exhibit No.</i>	<i>Description</i>
Exh-1014	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-1015	Andrew Cockburn and Saul Greenberg, “Making Contact: Getting the Group Communicating with Groupware.” In <i>Proceedings of the conference on Organizational computing systems (COCS ‘93)</i> , Association for Computing Machinery, New York, NY, USA, 31–41 (1993)
Exh-1016	Thomas F. Stafford and Dennis Gonier, <i>What Americans Like About Being Online</i> , 47 Communications of the ACM, 107, 107–12 (2004)
Exh-1017	Petitioners’ Reasons for Parallel Petitions and Petition Ranking
Exh-1018	’731 Patent Claim Elements

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 cancelation 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 (“PO”) 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-1009. The Proofs of Service filed in the Delaware Action assert that Petitioners were served on May 24, 2024. Exh-1008. PO has asserted Claims 1, 15, and 25 of the ’731 Patent. Exh-1009. No rulings related to the ’731 Patent have been issued. Trial is currently set to begin on May 18, 2026. Exh-1010.

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-SlackSalesforceIPRMembers@Pillsburylaw.com.

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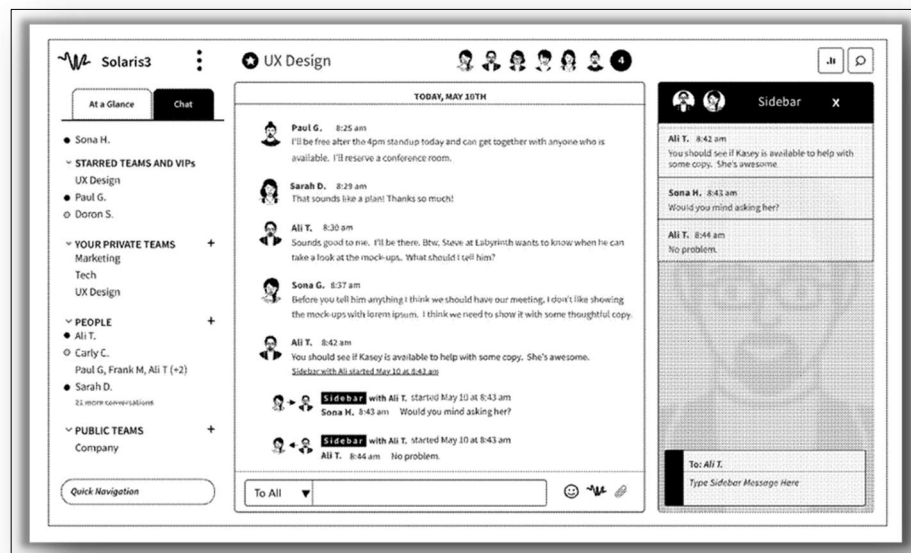
D. Payment of Fees (37 C.F.R. §42.103)

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, Abstract. Specifically, the '731 Patent discloses the creation of a subsidiary thread of communications that is displayed in a separate pane, allowing a list pane, messaging pane, and thread communication pane to be simultaneously visible within a defined display window. *Id.*, Abstract, Claims 1 and 30.



Id., FIG. 10F.

B. Claimed Priority Date

The '731 Patent purports to claim priority from the U.S. Provisional Application No. 62/253,229 (the "'229 Provisional") (Exh-1011) filed on November 10, 2015. Petitioners deny that the '731 Patent is entitled to the priority of the '229 Provisional, but for the purposes of this application use this date.

III. 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 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' Letter (Exh-1017), Petitioners have filed two parallel proceedings and believe that there is a sufficient need for two petitions. 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 PO claims is November 10, 2015, and Petitioners believe it is no earlier than June 21, 2018. Pursuant to the PTAB Consolidated Trial Practice

Guide (“CTPG”), Petitioners provide a letter (Exh-1017) that ranks 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. Patent No. 6,630,944 (“Kakuta”)	October 7, 2003	1005
U.S. Patent No. 7,426,540 (“Matsumoto”)	September 16, 2008	1006
U.S. Patent Application Publication No. 2013/0069969 (“Chang”)	March 21, 2013	1007

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 1-7, 9-12, 15-19, 21-22, 25-27, and 30 are anticipated by Kakuta (Exh-1005) under 35 U.S.C. §102(a)
2	Claims 1-7, 9-19, and 21-30 are obvious over Kakuta (Exh-1005)

Ground	Invalidity
3	Claims 1-7, 9-19, and 21-29 are obvious over Kakuta (Exh-1005) in view of Matsumoto (Exh-1006)
4	Claims 1-29 are obvious over Kakuta (Exh-1005) in view of Chang (Exh-1007) and in further view of Matsumoto (Exh-1006)
5	Claim 30 is obvious over Kakuta (Exh-1005) in view of Chang (Exh-1007)

IV. 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 Grounds 1, 2,3, 4, and 5 below.¹

V. 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

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

would have a master's degree in computer science (or similar discipline) and at least two years of similar experience. Exh-1003, ¶39.

VI. OVERVIEW OF THE STATE OF THE ART

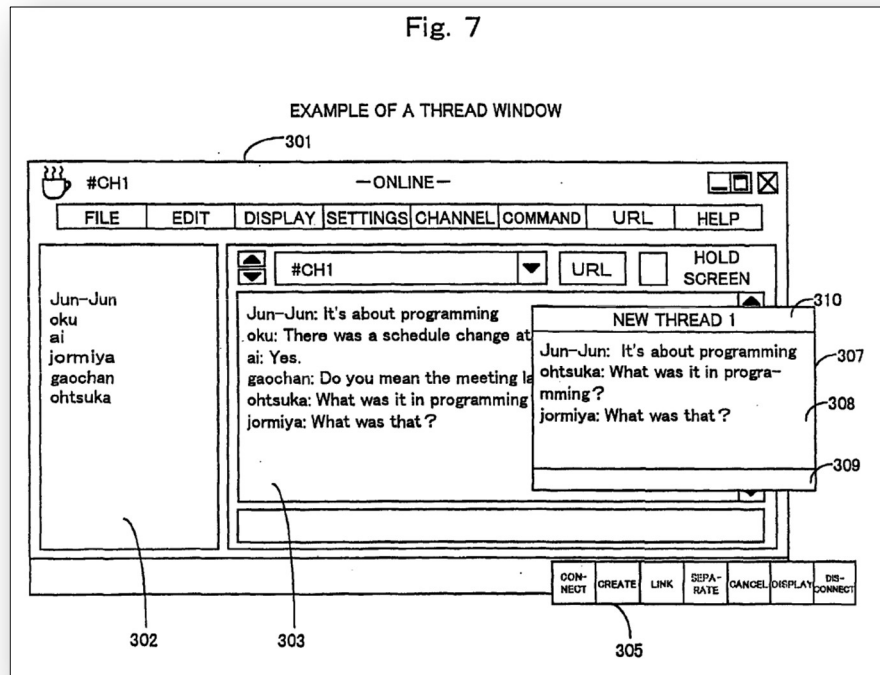
The '731 Patent addresses the integration of actionable objects into group-based messaging systems, focusing on features like subsidiary threads and simultaneous display panes within a chat interface. Exh-1001, Abstract, 2:40–44. By the time the '731 Patent was filed, however, the field of electronic chat communications was already well-developed, with 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.

A. U.S. Patent No. 6,630,944 (“Kakuta”) (Exh-1005).

Kakuta is a patent that was filed on December 22, 1999 and issued on October 7, 2003. Exh-1005. Kakuta is therefore prior art to the ’731 Patent under at least § 102(a)(1) and (2).

Kakuta describes a device and method designed to enhance the display of conversations within a network-based chat environment. Exh-1005, Abstract, 1:60–65. Kakuta teaches enabling users to create and manage message groups, or threads, based on their specific preferences, either by selecting individual messages or grouping users within a chat session. *Id.*, 3:36–37, 8:43–51. Kakuta also discloses using simultaneous panes, enabling multiple threads to be displayed at once. *Id.*, 1:60–65, FIG. 7.



Id., FIG. 7.

B. U.S. Patent No. 7,426,540 (“Matsumoto”) (Exh-1006).

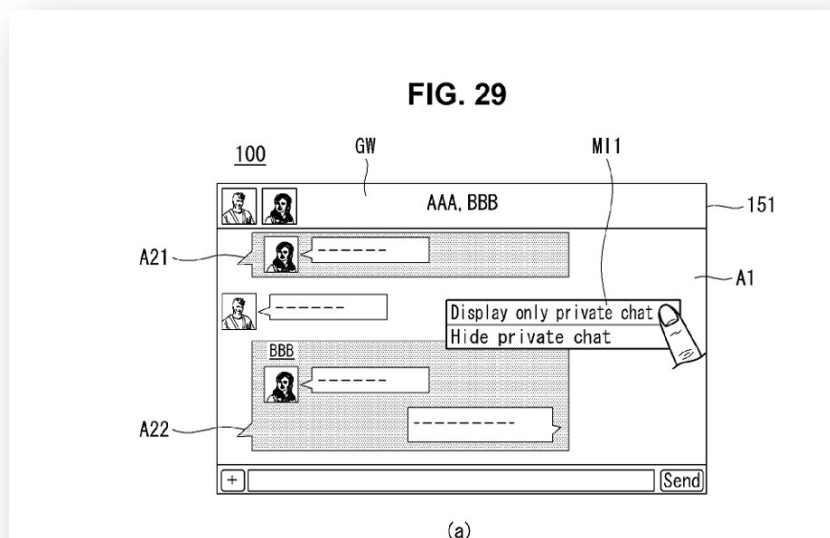
Matsumoto was filed on April 28, 2000 and issued on September 16, 2008. Matsumoto is therefore prior art to the '731 Patent under at least § 102(a)(1) and (2).

Matsumoto teaches a device and method for allowing a plurality of users to engage in messaging communication in a virtual space as well as to segregate communications into different threads. *See* Exh-1006, Abstract, 2:38-43. It discloses an IRC system that allows users to create and use channels. 1:17-22, 2:62-3:4.

**C. U.S. Patent Application Publication No. 2013/0069969
("Chang") (Exh-1007).**

Chang was filed on July 12, 2012 and published on March 21, 2013. Chang is therefore prior art to the '731 Patent under at least § 102(a)(1) and (2).

Chang teaches a device and method for displaying group messages in a main message thread, and allowing parties to message in a secondary thread or private window. Exh-1007, Abstract, [0153]. In Chang, a user can create a private window to message a subset of the users from the main thread. *See id.*, [0174]-[0175].



Id., FIG. 29(a).

VII. GROUND 1: KAKUTA ANTICIPATES CLAIMS 1-7, 9-12, 15-19, 21-22, 25-27, AND 30

Kakuta discloses each and every limitation of Claims 1-7, 9-12, 15-19, 21-22, 25-27, and 30, and therefore anticipates those claims.

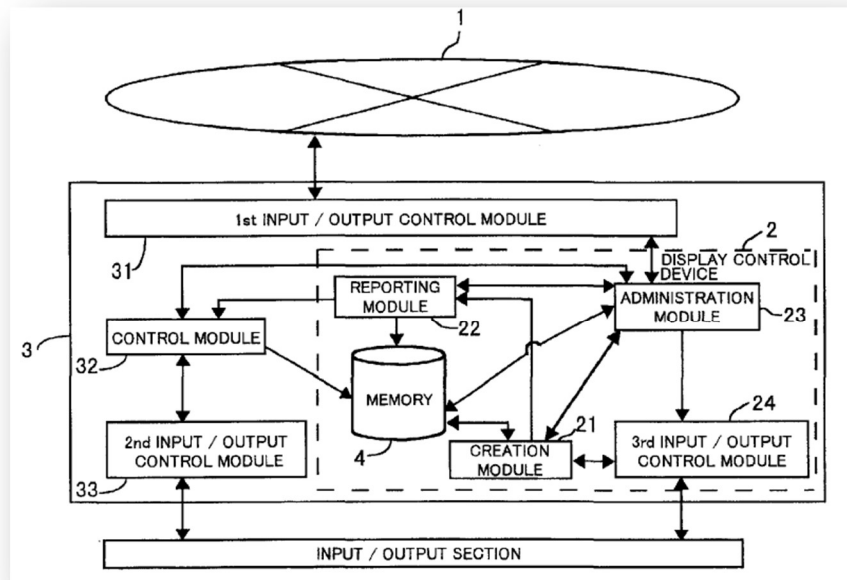
A. Claim 1²

1. 1[pre]

To the extent the preamble is limiting, Kakuta discloses this subject matter. Exh-1003, ¶48. For example, Kakuta describes “a *display control device* utilized in a chat device wherein, sharing an identical network mutually, *transmission/reception of text messages is possible*, and presents the *display control device* provided with creating means, reporting means, memory means and input/output control means.” Exh-1005, 2:30–35 (emphasis added).

Figure 1 from Kakuta depicts an exemplary display control device.

² See Exh-1018.

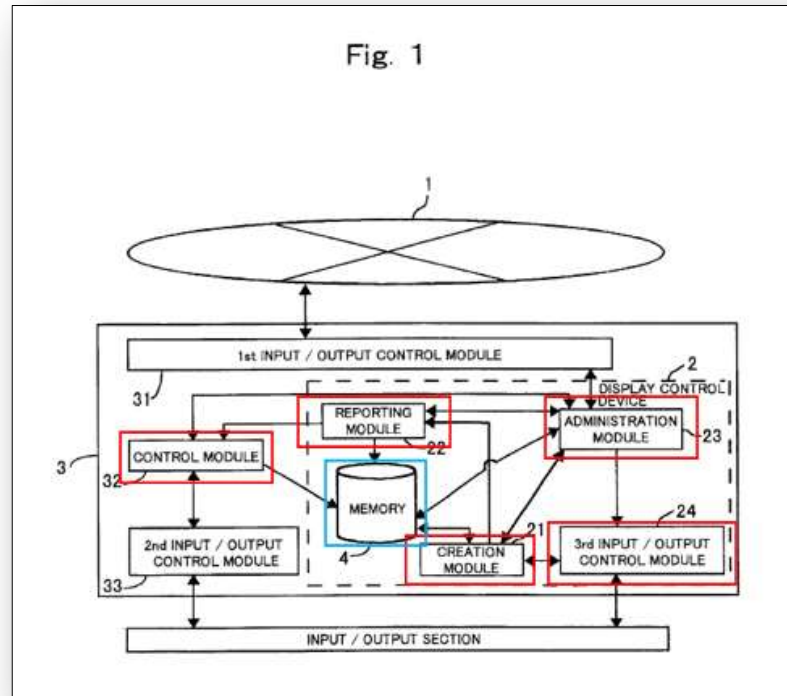


Id., FIG. 1; Exh-1003, ¶49.

2. 1[a]

Kakuta discloses this limitation. Exh-1003, ¶51. Specifically, Kakuta inherently discloses a processor as it describes a display control program, recorded on a computer-readable recording medium, that executes various processes, thereby requiring the existence of a processor to execute various processes. *Id.*; Exh-1005, Claims 10, 20; *see also id.*, 5:45–51, 7:39–59, FIG. 14. The display control program manages and coordinates the actions of several modules, including the creation, reporting, and input/output control modules, which interact with memory to handle the display and communication processes—tasks that inherently

require a processor. Exh-1003, ¶52; Exh-1005, 6:9-13. Figure 1 illustrates that the memory is directly associated with these modules:



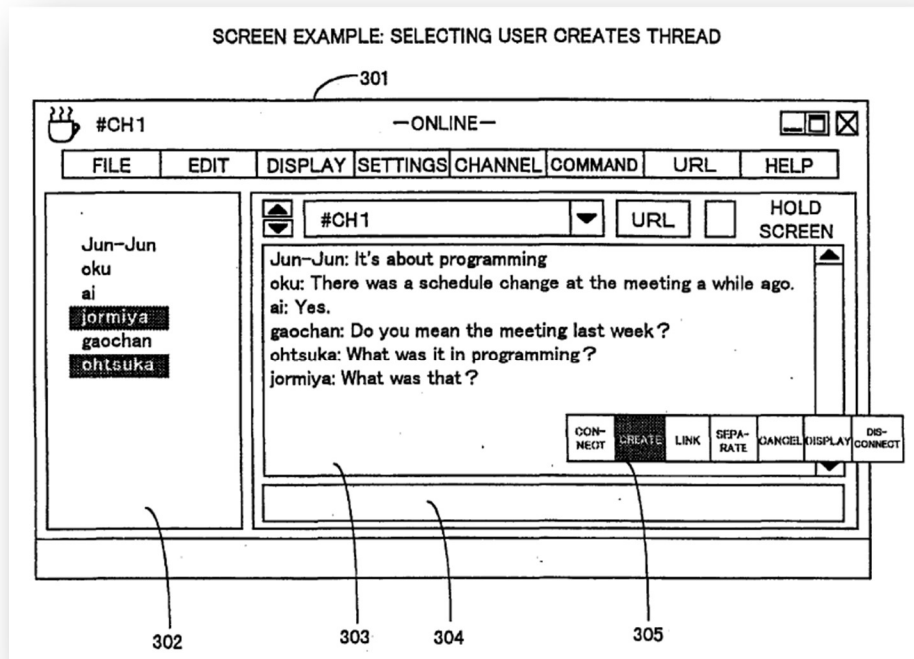
Exh-1005, FIG. 1 (annotated); Exh-1003, ¶52.

Therefore, a PHOSITA would understand that the instructions processed by the modules, and the information communicated between them, inherently discloses the use of at least one processor to coordinate and execute these activities between Kakuta’s various modules and the device’s memory. Exh-1003, ¶54.

3. 1[b]

Kakuta discloses this limitation. Exh-1003, ¶55. Kakuta teaches the use of a “user client device,” i.e., a “display control device.” *Id.*; Exh-1005, 3:27–29.

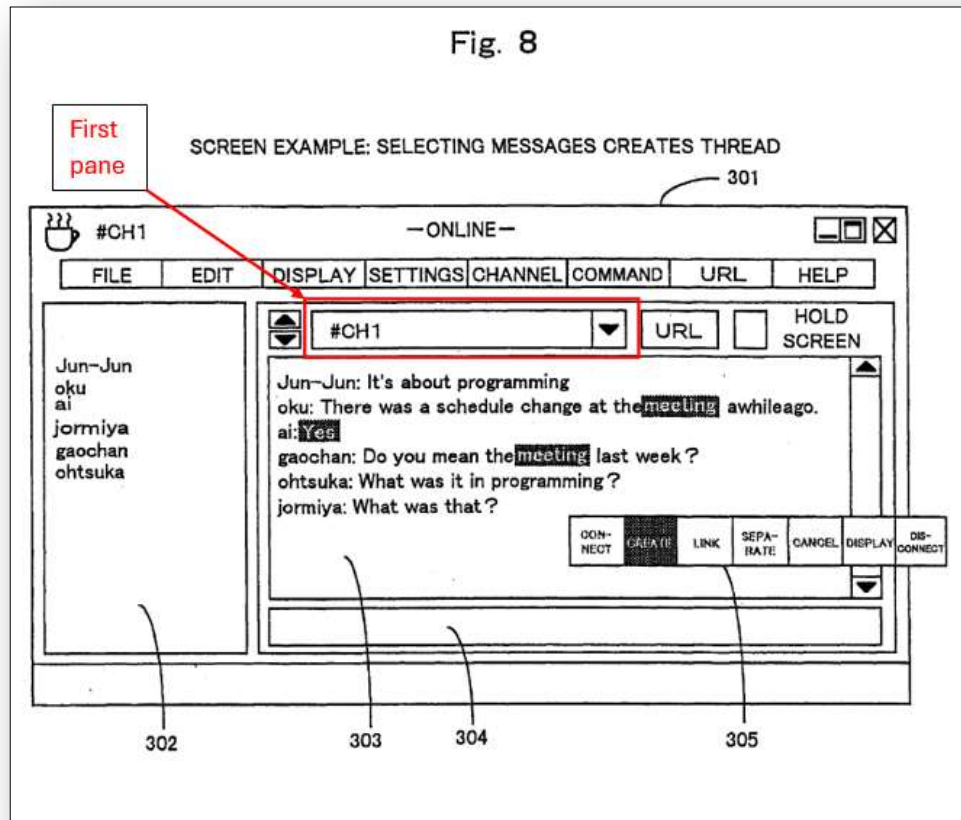
Specifically, Kakuta discloses that the group-based communication interface will be displayed on the display control device, which displays transmitted and received text messages from multiple users (i.e., a group-based communication). Exh-1003, ¶55; Exh-1005, 2:30-42. For instance, Figure 5 depicts an exemplary “group-based communication interface” that is displayed on a display control device:



Exh-1005, FIG. 5; *id.*, 7:60-64.

4. 1[c]

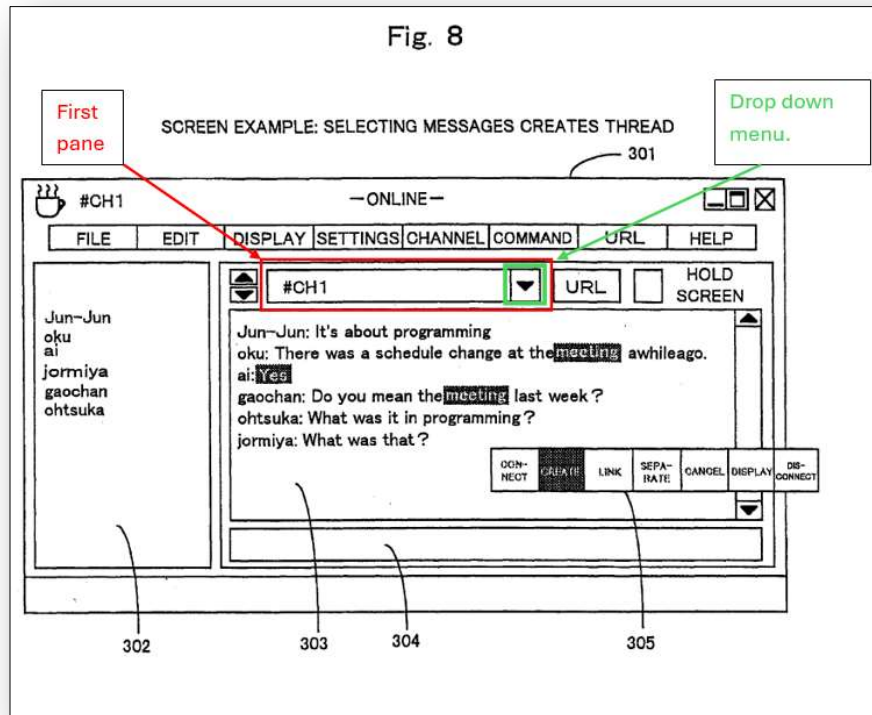
Kakuta discloses this limitation. Exh-1003, ¶57. Specifically, Kakuta provides a first pane, illustrated below, that displays a channel identifier (CH1).



Exh-1005, FIG. 8 (annotated); Exh-1003, ¶57.

Kakuta discloses that a “channel” is a “virtual space that chat clients share in IRC.” Exh-1003, ¶58; Exh-1005, 1:18–19. An IRC is “a chat system formed by connecting a chat server with a plurality of chat clients on the Internet, and the plurality of chat clients sharing the same virtual space, enabling simultaneous conversation.” Exh-1005, 1:13–17. Thus, Kakuta provides that CH1 is a channel identifier. Exh-1003, ¶58; Exh-1005, 6:28–31 (“FIG. 2 message list is a message list for the channel ‘CH1’.”).

The first pane is configured to display a plurality of channel identifiers because it has a drop-down menu indicating that there is more than one channel identifier that can be chosen. Exh-1003, ¶59.



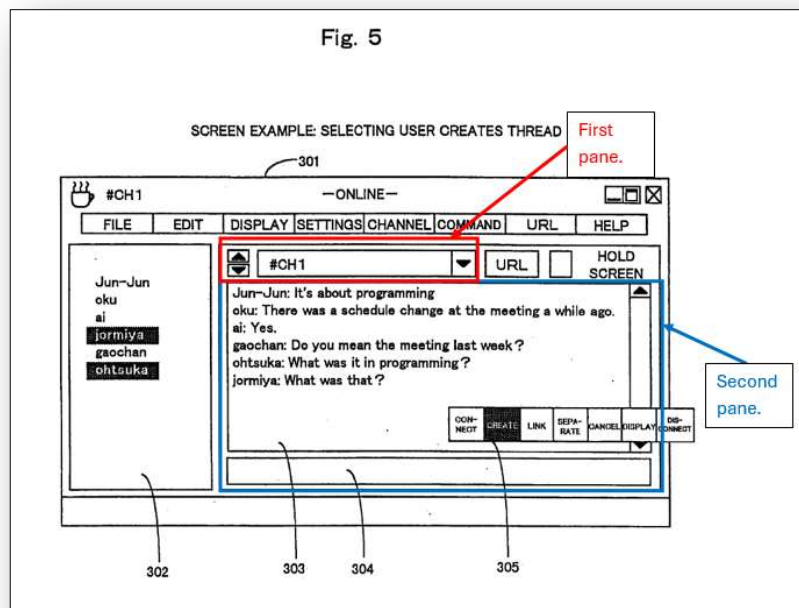
Exh-1005, FIG. 8 (annotated). A PHOSITA would understand that Kakuta's drop-down menu would be needed to allow the user to choose between multiple channels, not least based on Kakuta's statement that "in IRC creating channels that differ according to topic is easy." Exh. 1005, 1:57-58; Exh, 1003, ¶59. A PHOSITA would also understand that the drop-down would necessarily list

different channels. Exh-1003, ¶59; *see, e.g.*, Exh-1012, 52-53, 549-51 (discussing combo boxes).

Finally, it is clear that each channel is associated with a group of members who are users of the system. Exh-1003, ¶60. Kakuta discloses that each channel (groups of users) exchange messages on a network (the system). *Id.*; Exh-1005, 2:4-9, 2:36-41, Claim 1.

5. 1[d]

Kakuta discloses this limitation. Exh-1003, ¶62. Specifically, Kakuta teaches a second pane that displays the messaging communications associated with the selected channel identifier:

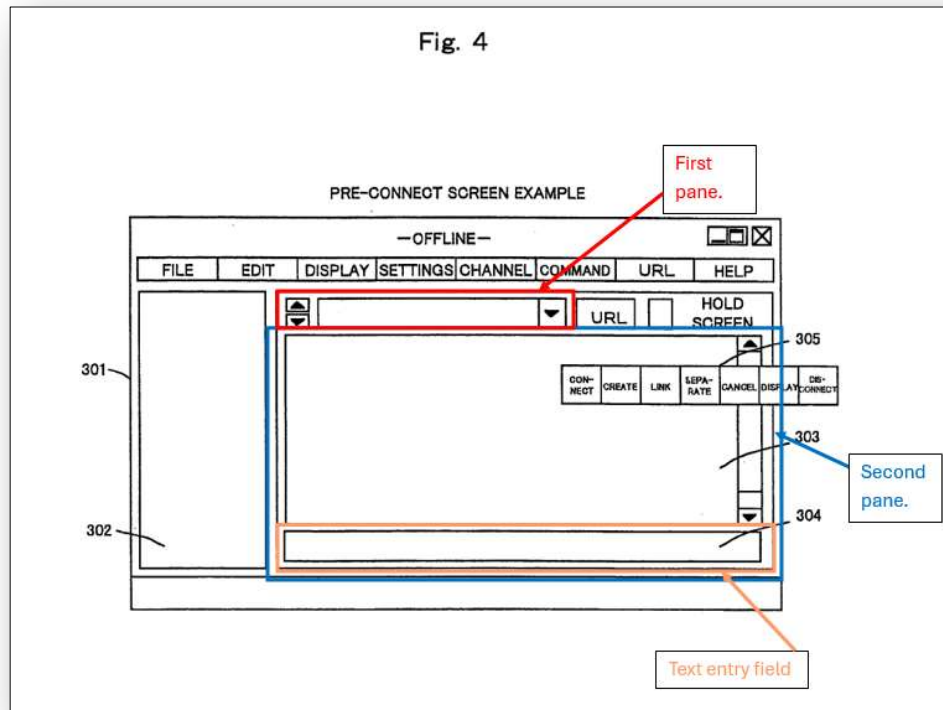


Exh-1005, FIG. 5 (annotated); Exh-1003, ¶62.

Kakuta teaches that the messaging communications in the second pane are linked to the group-based communications associated with a specific channel, which is selected from a plurality of available channel identifiers. Exh-1003, ¶63. For instance, Kakuta teaches that when the channel is selected, only the messages for that channel are displayed. Exh-1003, ¶63; Exh-1005, 6:28-33 (“The FIG. 2 message list is a message list for the channel ‘CH1’.”).

6. 1[e]

Kakuta discloses this limitation. Specifically, Kakuta teaches a text entry field (304) that is user operable to generate communications in the second pane. Exh-1003, ¶66. In particular, Kakuta provides “[a] main screen 301, a user window 302, and chat window 303, and message input field 304,” and the illustrations show that the text entry field (message input field 304) is displayed on the screen and corresponds to the “second pane.” *Id.*; Exh-1005, 7:66–8:1, FIG. 4.

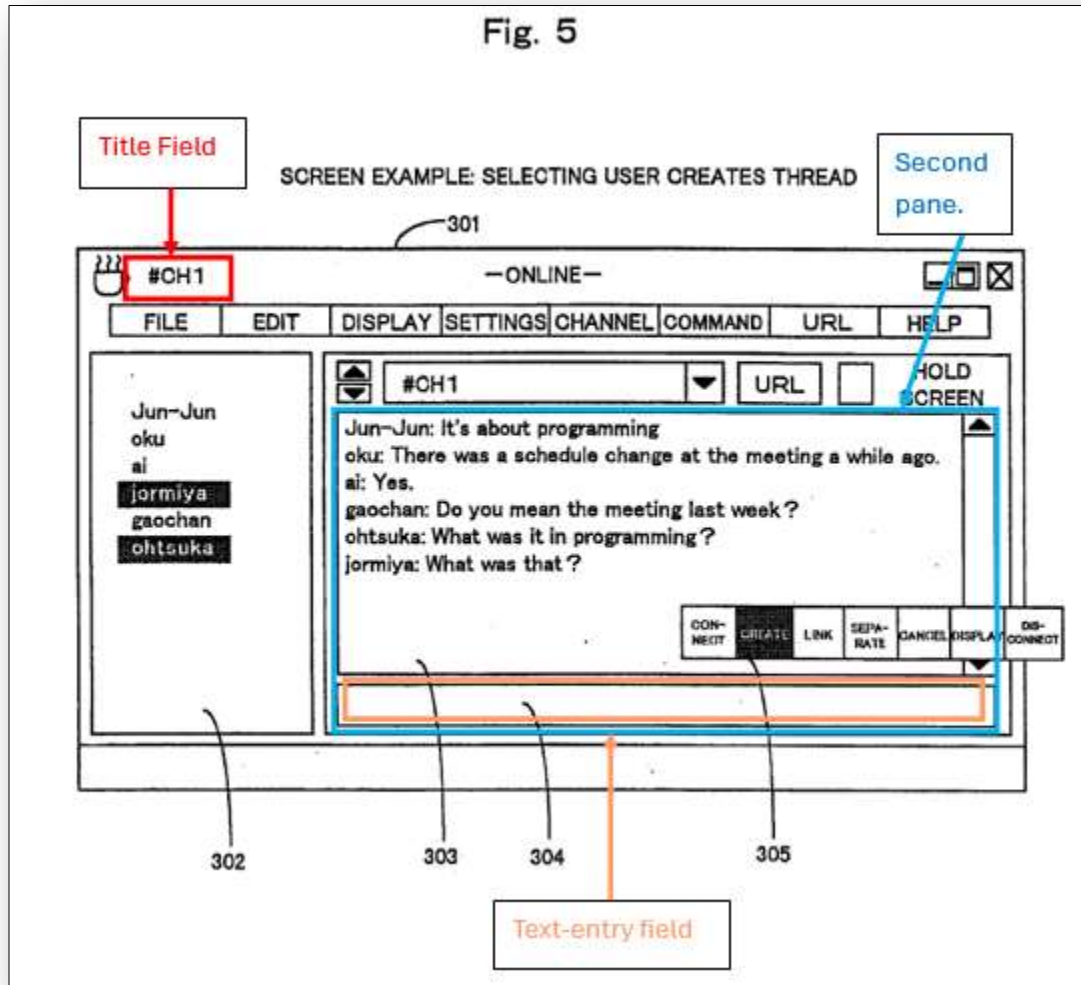


Exh-1005, FIG. 4 (annotated).

Kakuta explains that the text entered in the text entry field is user operable to generate communication in the second pane. Exh-1003, ¶67; Exh-1005, 1:66–2:3. This aligns with the functionality of displaying group-based communications in a dedicated pane with an associated text entry field. Exh-1003, ¶67.

Kakuta further teaches a title field displaying information identifying said selected one of said plurality of group-based communication channels. *Id.*, ¶68; Exh-1005, 8:30–37. Figure 5 illustrates this claim element, depicting an exemplary

“channel text entry field” (304) that is associated with the second pane and displaying a title field:



Exh-1005, FIG. 5 (annotated).

7. 1[f]

Kakuta discloses this limitation. Exh-1003, ¶70. Specifically, Kakuta teaches that the second pane will receive a first message communication associated with the selected channel identifier. *Id.* Kakuta teaches that the “main screen 301, a user window 302, and chat window 303, and **message input field 304** are displayed in the FIG. 4 screen. ***These windows are likewise as with general IRC clients; therefore explanation is omitted.***” *Id.*; Exh-1005, 7:66-8:3 (emphasis added). A PHOSITA would be familiar with the functioning of the message input field 304 for receiving a first messaging communication in a group-based communication channel because this was well known in typical IRC user interfaces such as MIRC, shown below (which includes a main chat window and a text input field for group communications at the bottom). Exh-1003, ¶70.

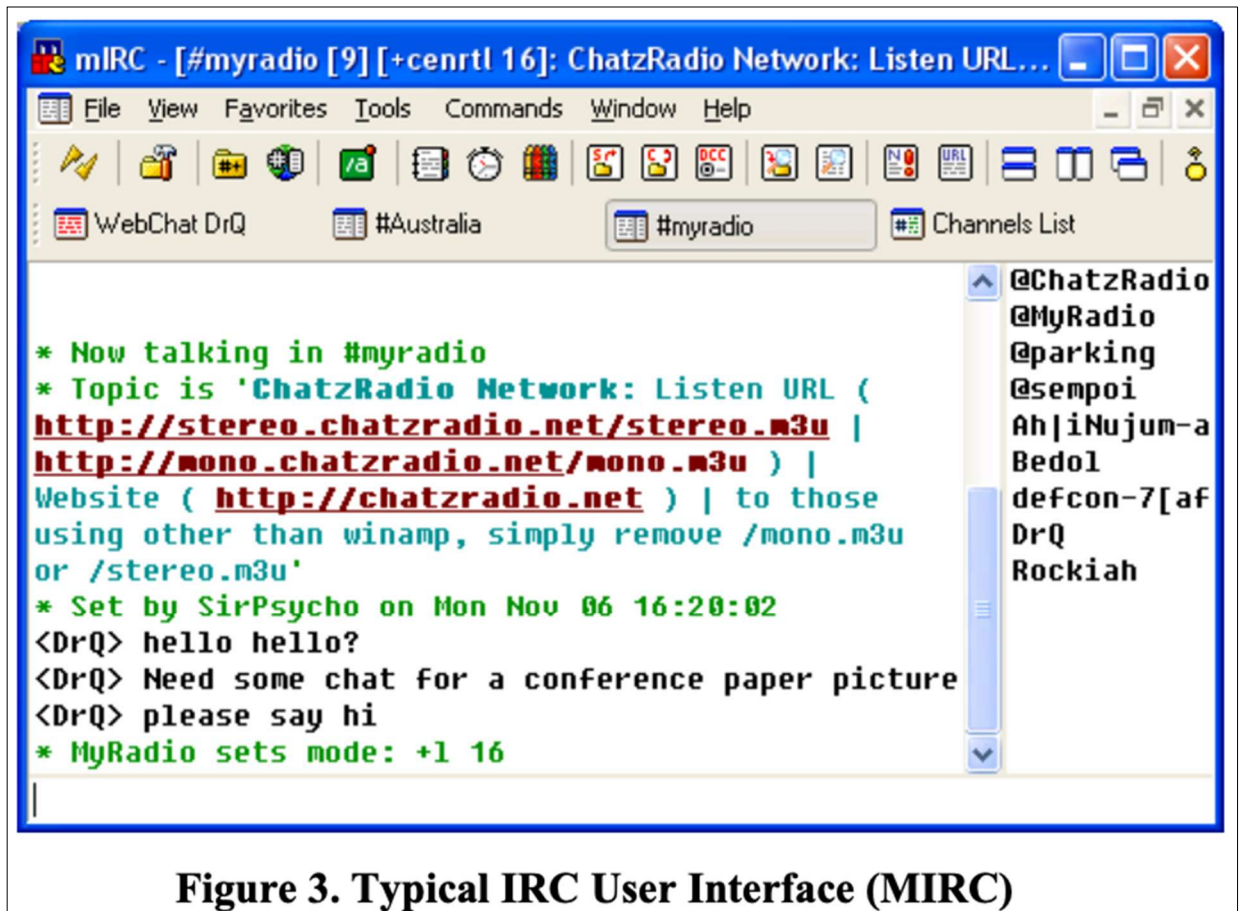
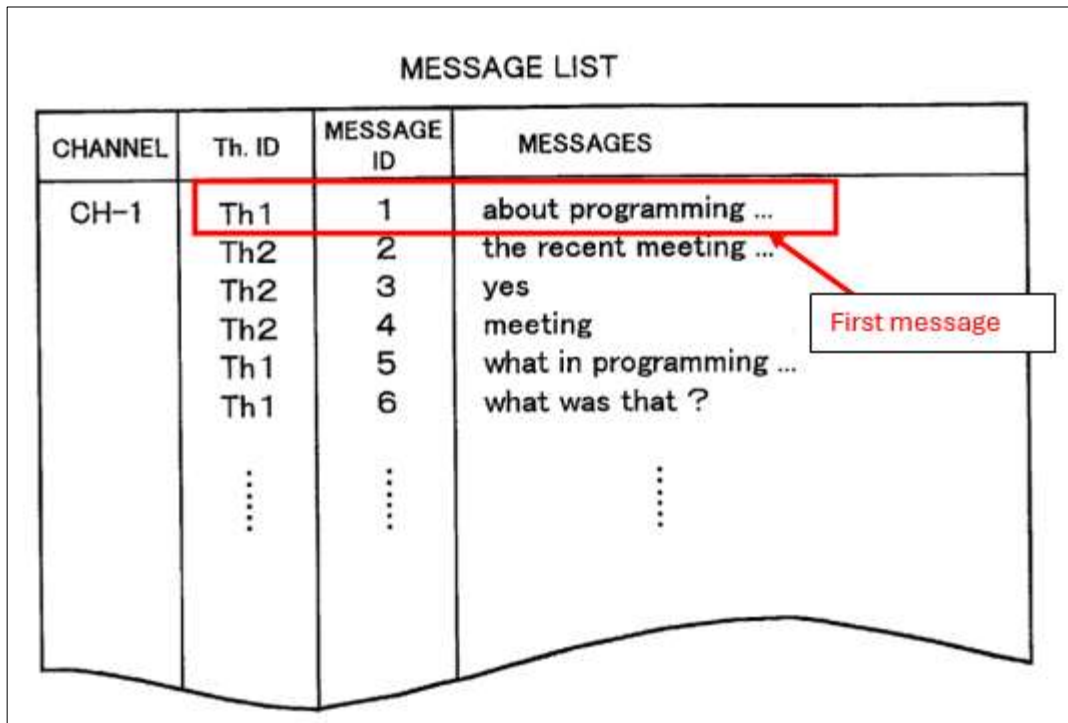


Figure 3. Typical IRC User Interface (MIRC)

Exh-1014.

Kakuta also teaches that messages are associated with a channel (CH1); messages are given a message ID; and the message ID determines whether a message is displayed in a particular message thread. Exh-1003, ¶71; Exh-1005, 6:23-34. This is illustrated in Figure 2, which discloses a first message (message ID 1):

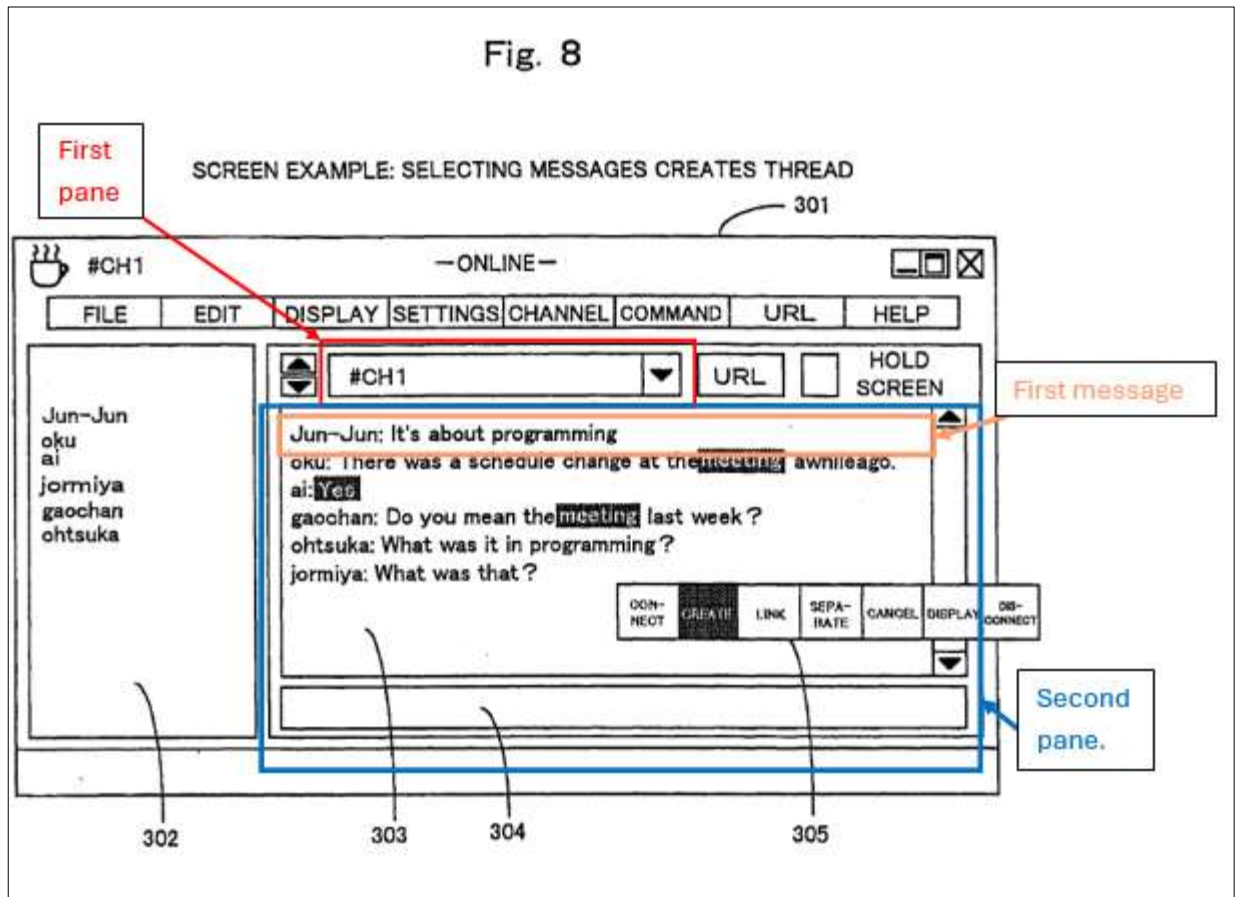
MESSAGE LIST			
CHANNEL	Th. ID	MESSAGE ID	MESSAGES
CH-1	Th1	1	about programming ...
	Th2	2	the recent meeting ...
	Th2	3	yes
	Th2	4	meeting
	Th1	5	what in programming ...
	Th1	6	what was that ?
	⋮	⋮	⋮



The diagram shows a table titled "MESSAGE LIST" with four columns: "CHANNEL", "Th. ID", "MESSAGE ID", and "MESSAGES". The first column contains "CH-1" for the first six rows, followed by vertical ellipsis dots. The second column contains "Th1", "Th2", "Th2", "Th2", "Th1", "Th1", followed by vertical ellipsis dots. The third column contains "1", "2", "3", "4", "5", "6", followed by vertical ellipsis dots. The fourth column contains "about programming ...", "the recent meeting ...", "yes", "meeting", "what in programming ...", "what was that ?", followed by vertical ellipsis dots. A red rectangular box highlights the first row (Th1, 1, about programming ...). A red arrow points from a box labeled "First message" to the text "the recent meeting ..." in the second row.

Exh-1005, FIG. 2 (annotated); Exh-1003, ¶71.

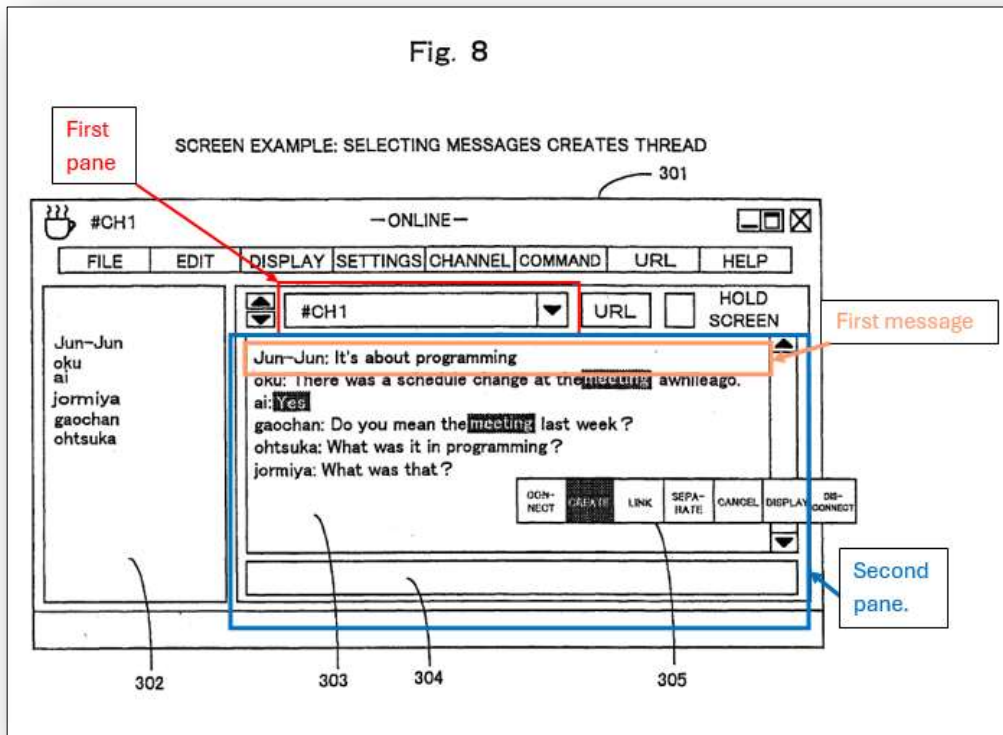
As further illustrated in Kakuta, this first message is displayed in the second pane between members of the group (e.g., Jun-Jun, oku, ai, goachan, etc.) associated with the channel (CH1):



Exh-1005, FIG. 8 (annotated); Exh-1003, ¶72.

8. 1[g]

Kakuta discloses this limitation. Exh-1003, ¶75. Specifically, Kakuta teaches that the first messaging communication will be displayed in the second pane. *Id.* Figure 8 illustrates an exemplary “second pane” displaying a “first communication message.”

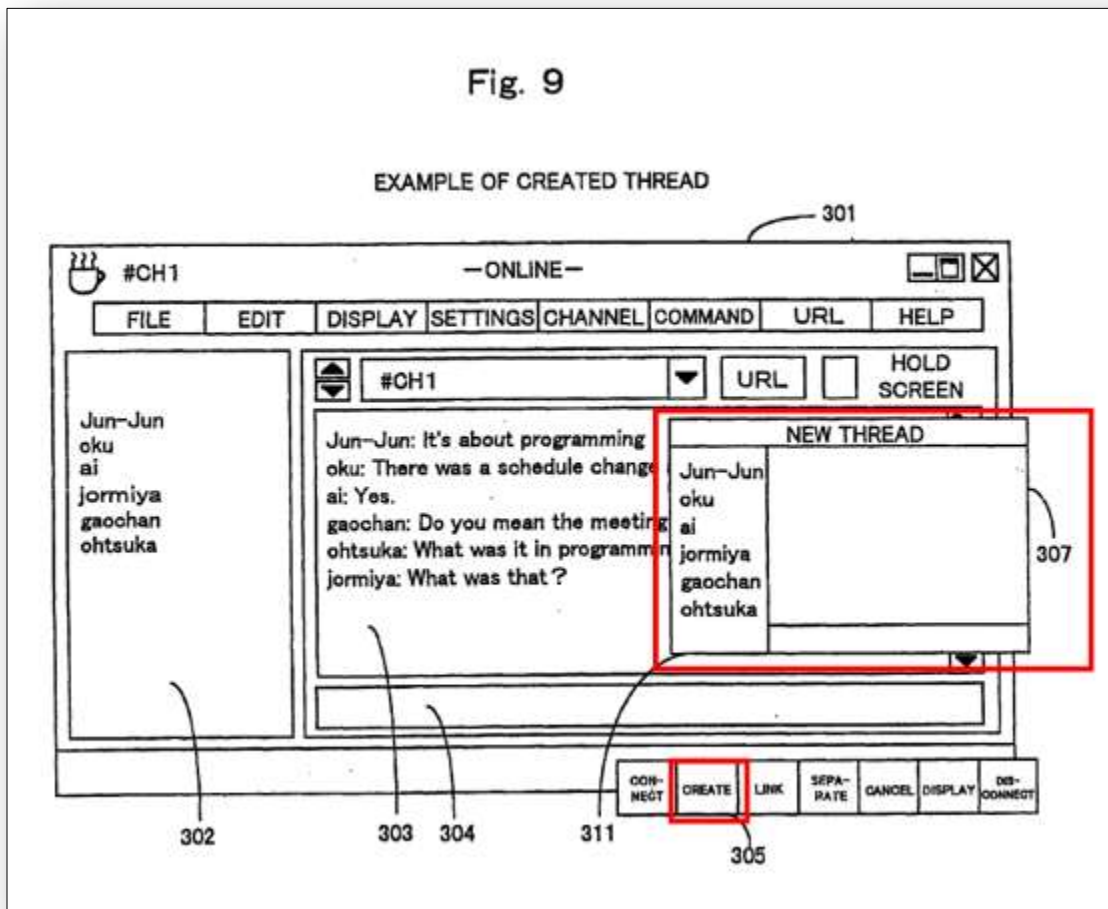


Exh-1005, FIG. 8 (annotated); Exh-1003, ¶76.

9. 1[h]

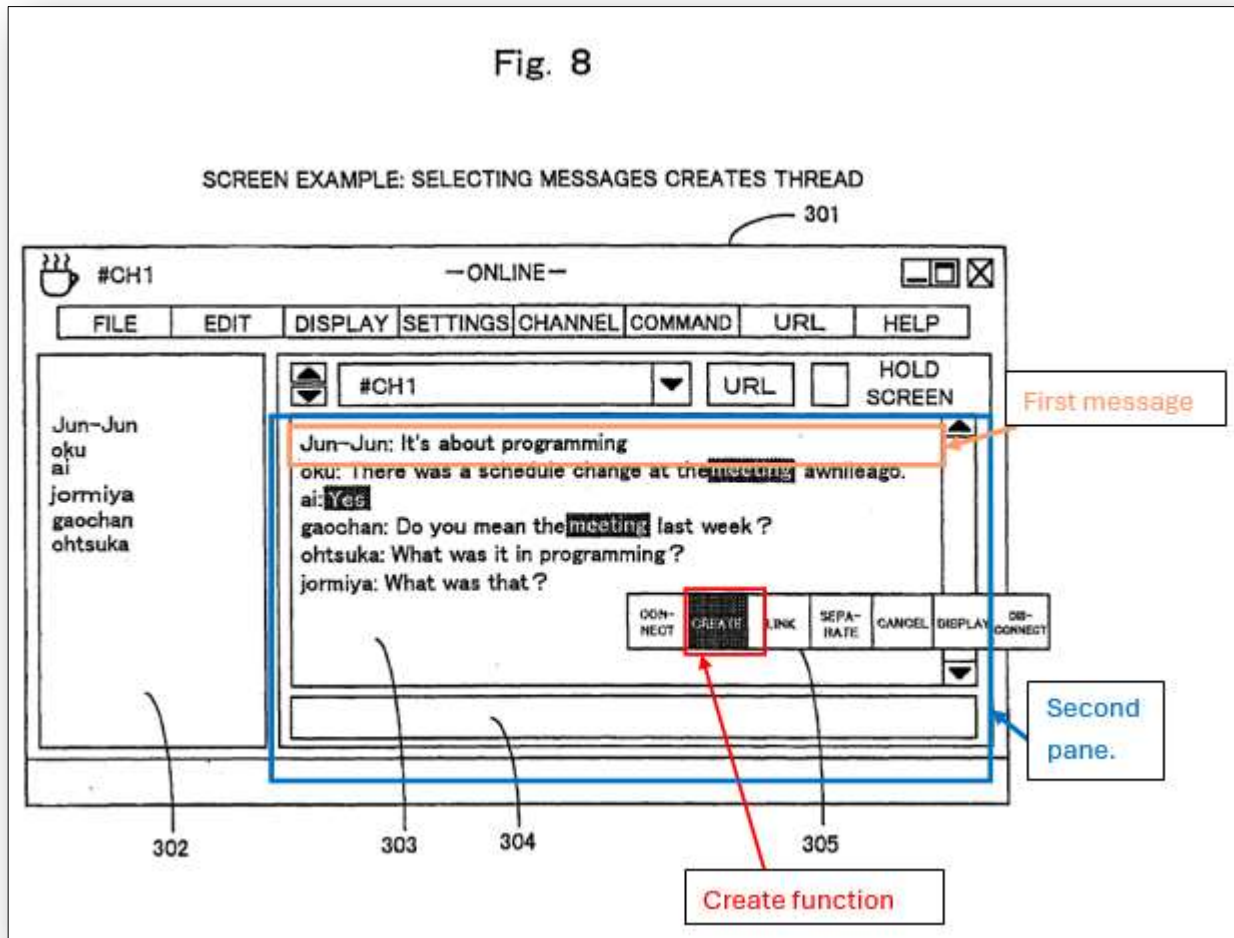
Kakuta discloses this limitation. Exh-1003, ¶78. Kakuta teaches displaying a first user-selectable control associated with the first messaging communication. *Id.* In particular, Kakuta describes a floating “toolbar 305” comprised of various tools (i.e., “user-selectable controls”), such as “Create,” “Display,” “Link,” “Separate,” “Connect,” “Cancel,” and “Disconnect,” which are available in isolation or may be used in conjunction with the selection of other messaging communications and/or user IDs. *Id.*; Exh-1005, FIG. 4, 8:30–58. “For example, wherein ‘Create’ is

pressed without making any selection, as shown in FIG. 9 a new thread window 307 is simply displayed with no message. Displaying a list of users in the channel by displaying a user list 311, shown in FIG. 9 in the new thread window, is desirable.” Exh-1005, 8:53–58; Exh-1003, ¶78.



Exh-1005, FIG. 9 (annotated).

Figure 8 illustrates the use of a “first user-selectable control” (Create) in the toolbar (305) that is associated with a first communication message (i.e., highlighted selected messages). Exh-1003, ¶80.

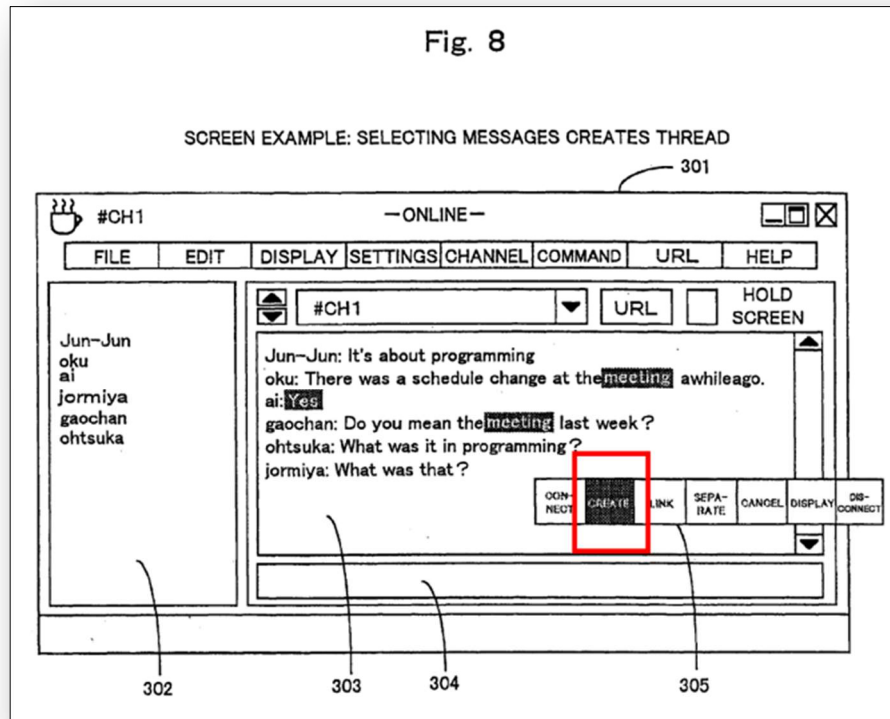


Exh-1005, FIG. 8 (annotated); Exh-1003, ¶80.

10. 1[i]

Kakuta discloses this limitation. Exh-1003, ¶82. Kakuta teaches that when a user selects the “Create” user-selectable control and selects the first message (*see*

Section VII.A.9), a third pane will be displayed: “FIG. 8 depicts the situation in which a thread is created by selecting messages as a whole, or words included in messages.” Exh-1003, ¶82; Exh-1005, 8:45–47.



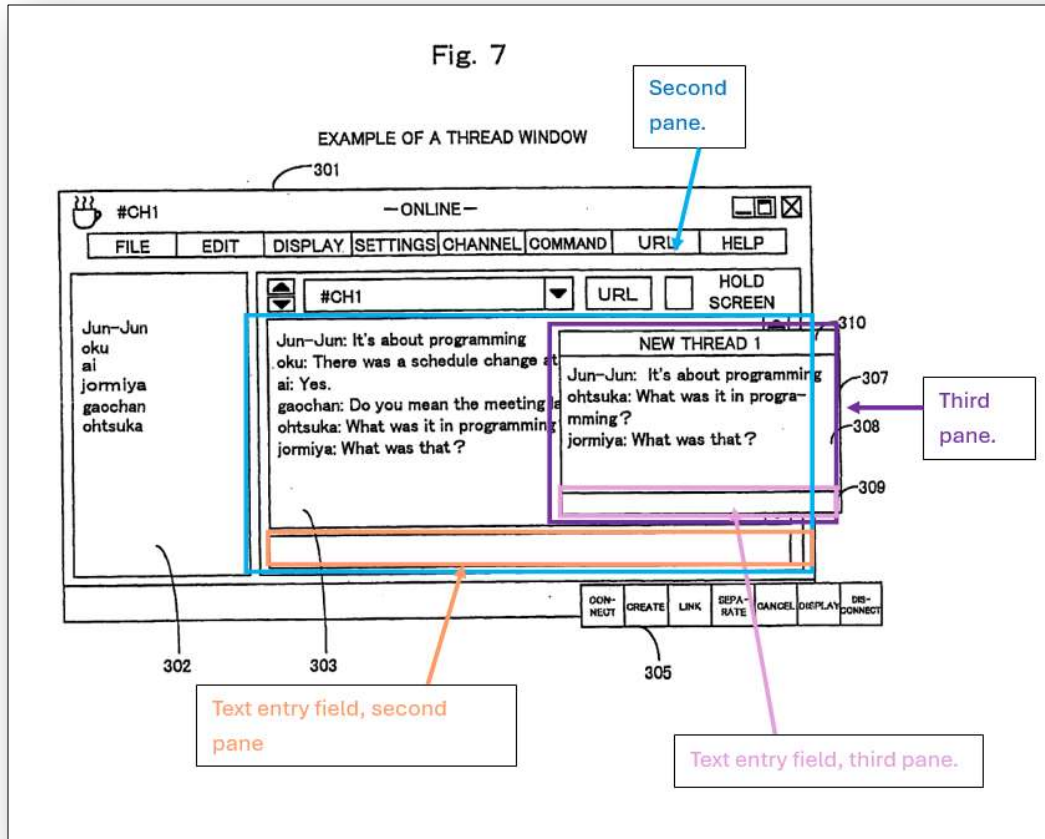
Exh-1005, FIG. 8 (annotated); Exh-1003, ¶82.

In response to the user’s selection of “Create” (i.e., the first user-selectable control), a thread window 307 is generated, displaying user messages in a message window 308, with an associated input field 309 for additional messaging communication. Exh-1003, ¶83; Exh-1005, 8:30–37. This thread window acts as a

“third pane” where messages are displayed separately from the main chat window.

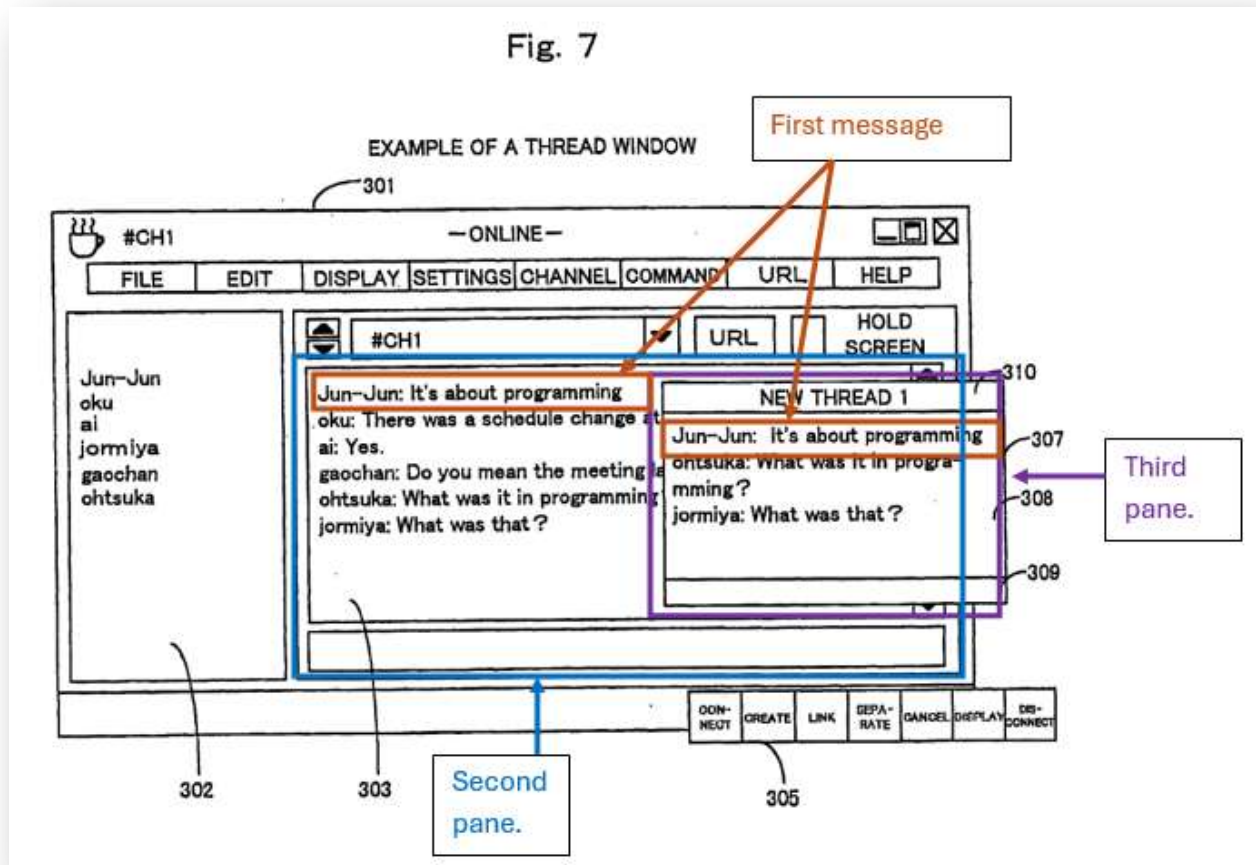
Exh-1003, ¶83; Exh-1005, 8:30–3.

Kakuta further teaches that this “third pane” will have an associated sidebar text-entry field operable to receive user input, distinct from the channel text-entry field of the second pane, as depicted in Figure 7. Exh-1003, ¶84. Specifically, Kakuta discloses that “[t]hread window 307 includes message window 308, *input field 309*, and title field 310. User messages composing the thread are displayed in the message window 308. *Messages for the thread can be input in the input field [309].*” *Id.*, 8:31-33.



Exh-1005, FIG. 7 (annotated); Exh-1003, ¶84.

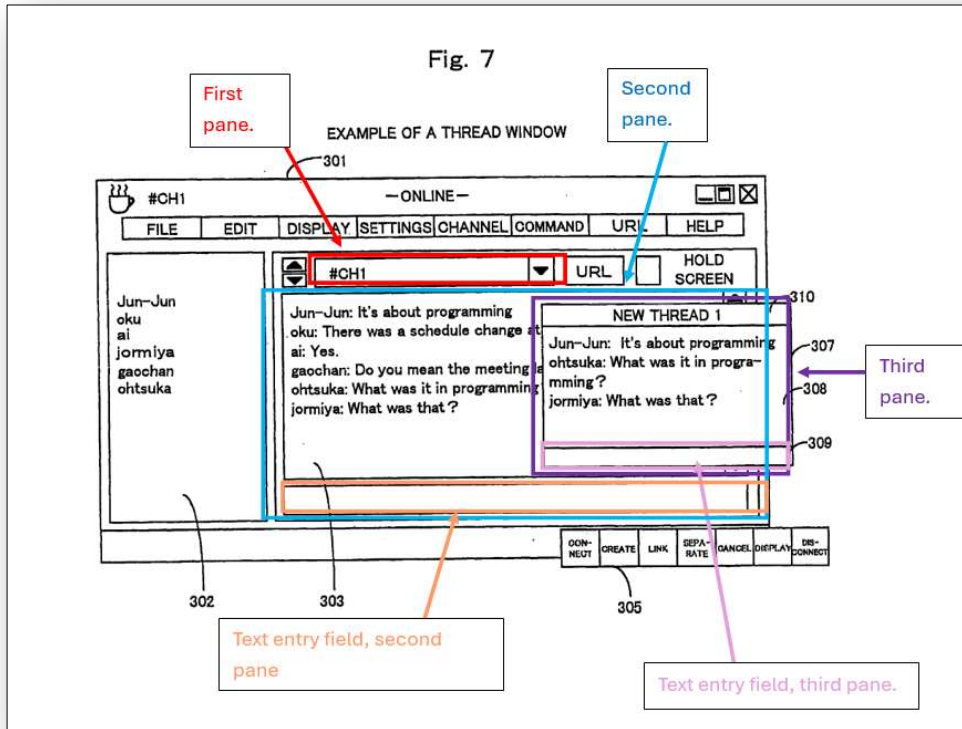
Additionally, Kakuta teaches that the first messaging communication from the second pane will be displayed in the third pane, as illustrated in Figure 7:



Exh-1005, FIG. 7 (annotated); Exh-1003, ¶85.

11. 1[j]

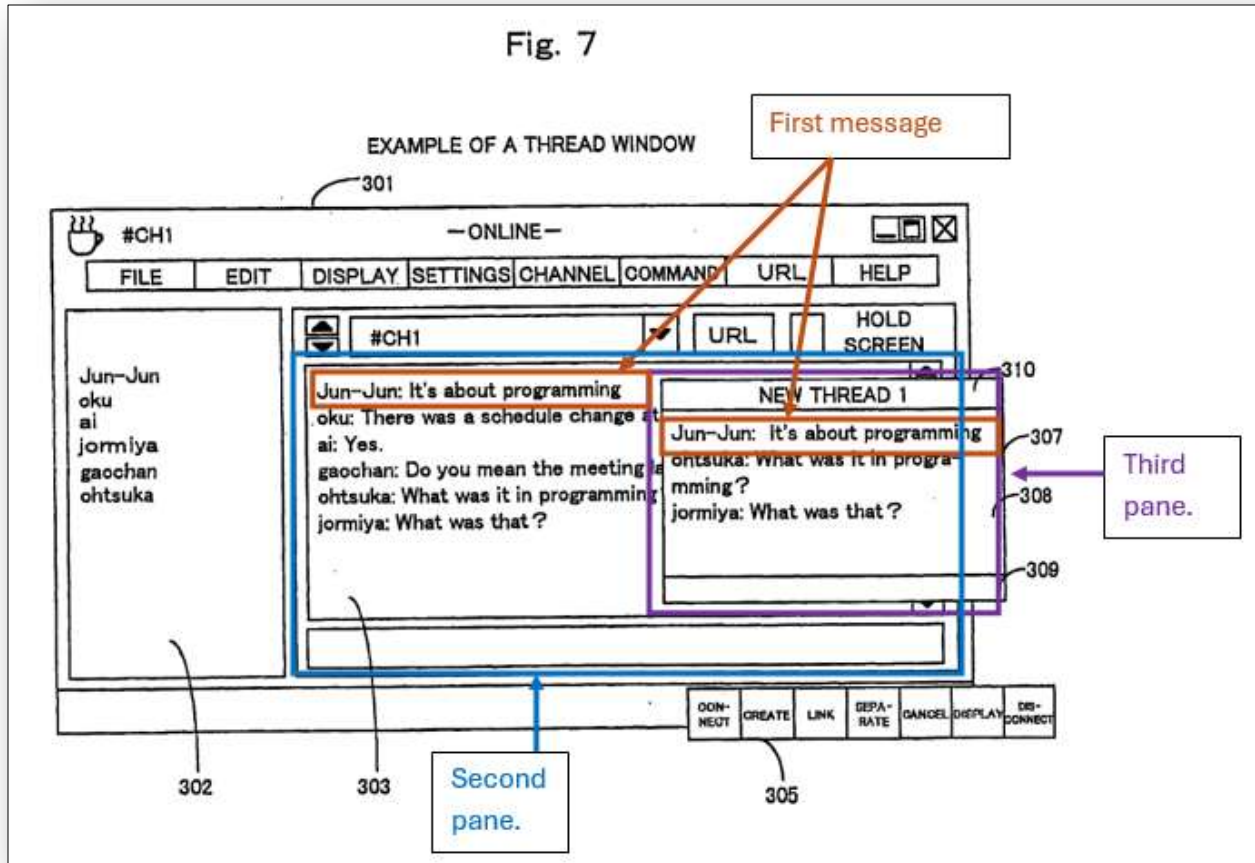
Kakuta discloses this limitation. Exh-1003, ¶87. Kakuta provides that the third pane with a text-entry field will be displayed simultaneously with the first pane and with the second pane and the second pane's text entry field. *Id.* This is illustrated in Figure 7:



Exh-1005, FIG. 7 (annotated); Exh-1003, ¶87.

12. 1[k]

Kakuta discloses this limitation. Exh-1003, ¶90. Kakuta illustrates a first messaging communication being displayed within said third pane and said second pane simultaneously:



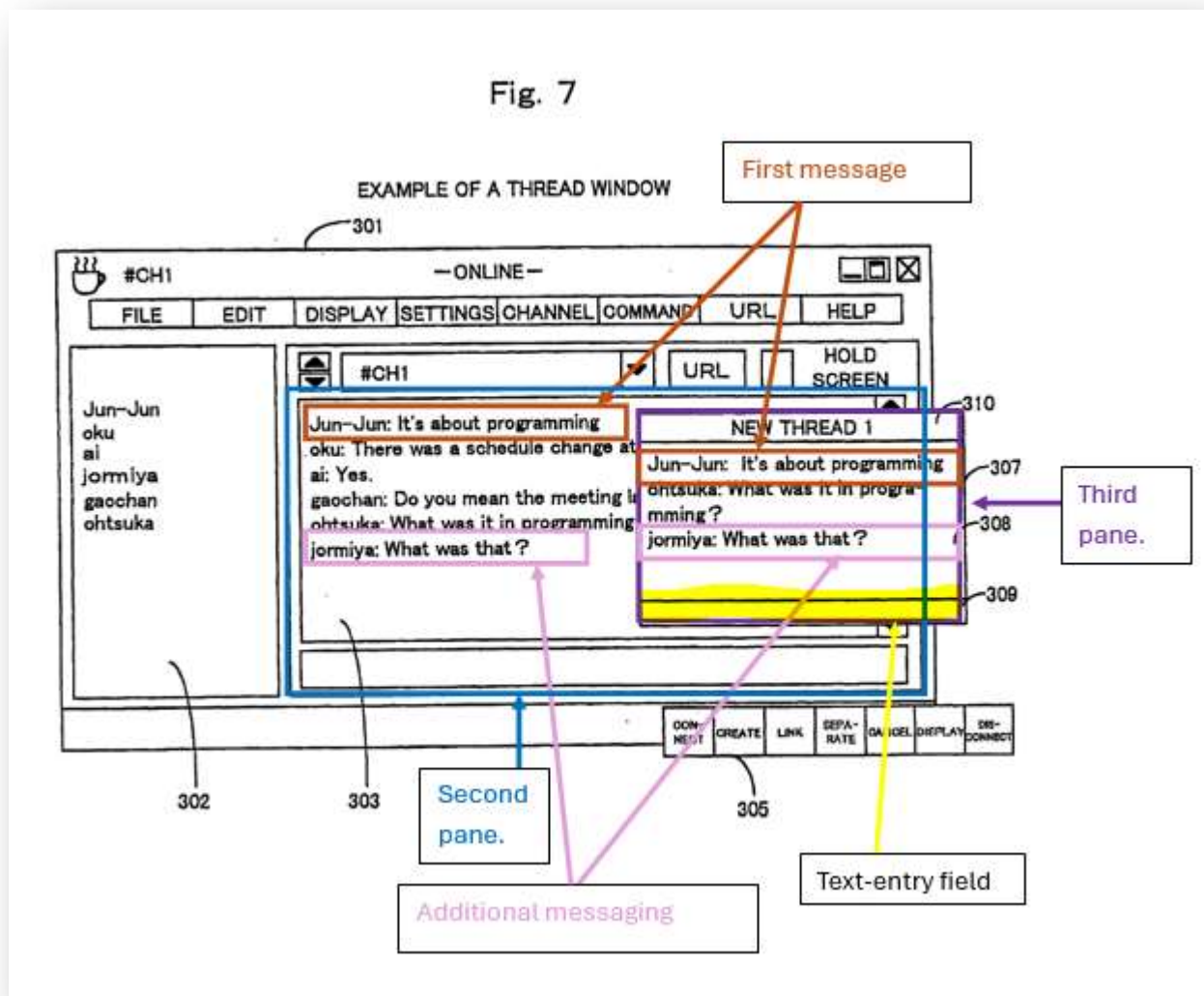
Exh-1005, FIG. 7 (annotated); Exh-1003, ¶90.

13. 1[I]

Kakuta discloses this limitation. Exh-1003, ¶93. Specifically, Kakuta describes a thread window 307 that includes a message window 308 and an input field 309, which is intended to receive user input for additional messaging communications. *Id.*; Exh-1005, 8:30–33. “User messages composing the thread are displayed in the message window 308. Messages for the thread can be input in the input field....” Exh-1003, ¶93; Exh-1005, 8:33–35, 9:42–44, FIG. 13 (Step 1).

This demonstrates the functionality of receiving user input in a designated text-entry field, consistent with the claimed sidebar text-entry field. Exh-1003, ¶93.

Figure 7 illustrates an exemplary third pane that may receive user input of an additional messaging communication within the sidebar text-entry field.

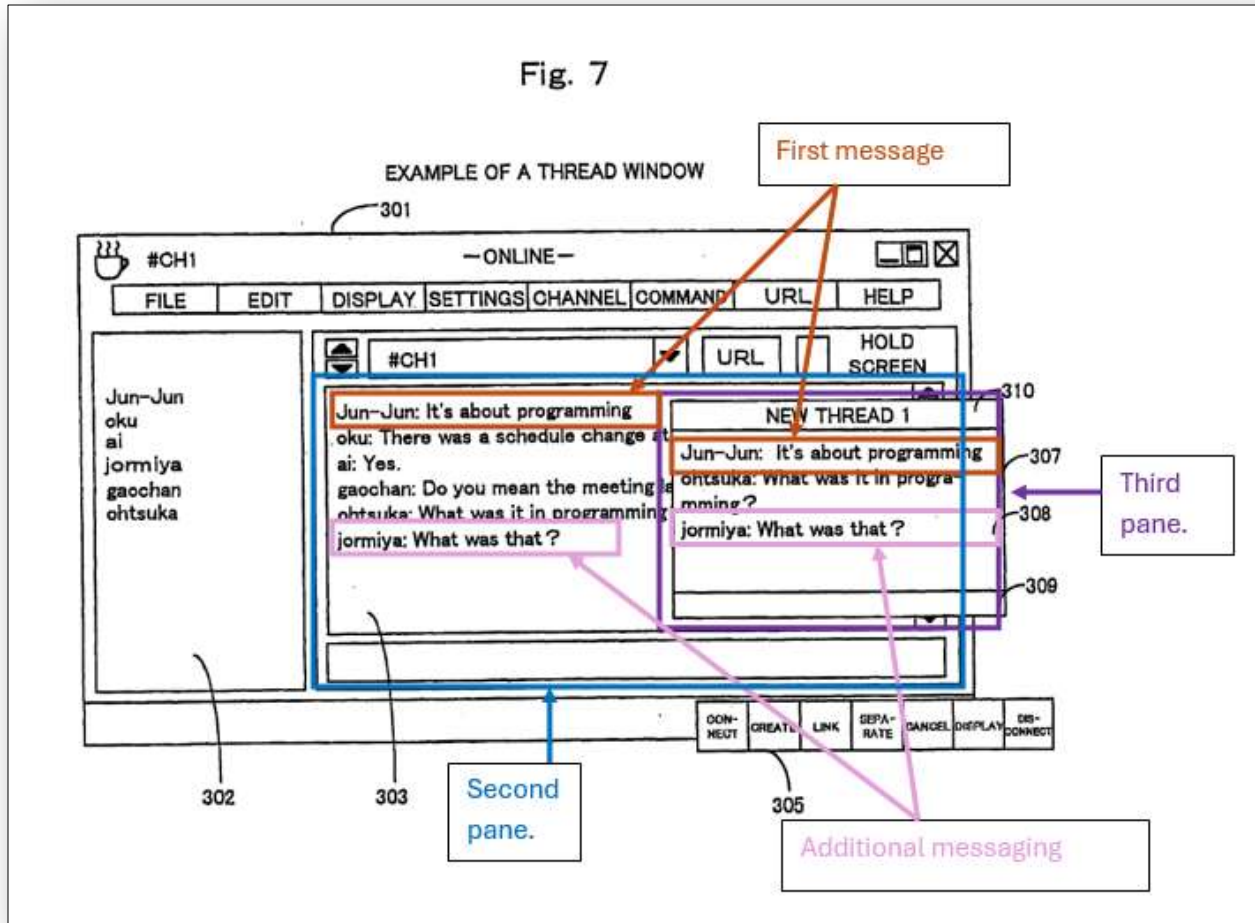


Exh-1005, FIG. 7 (annotated); Exh-1003, ¶¶94.

14. 1[m]

Kakuta discloses this limitation. Exh-1003, ¶96. Specifically, Kakuta describes a system where user input, such as messages composed in an input field (e.g., input field 309 in thread window 307), is transmitted as part of a thread or message group to designated users. *Id.*; Exh-1005, 8:30–33. This is done in accordance with thread-forming instructions from users, and the resulting thread information, including the messages, is created and stored. Exh-1003, ¶96; Exh-1005, 8:30–37, FIG. 13 (Step 2-3), 9:44-53, FIG. 14 (Step 11), 10:3-5.

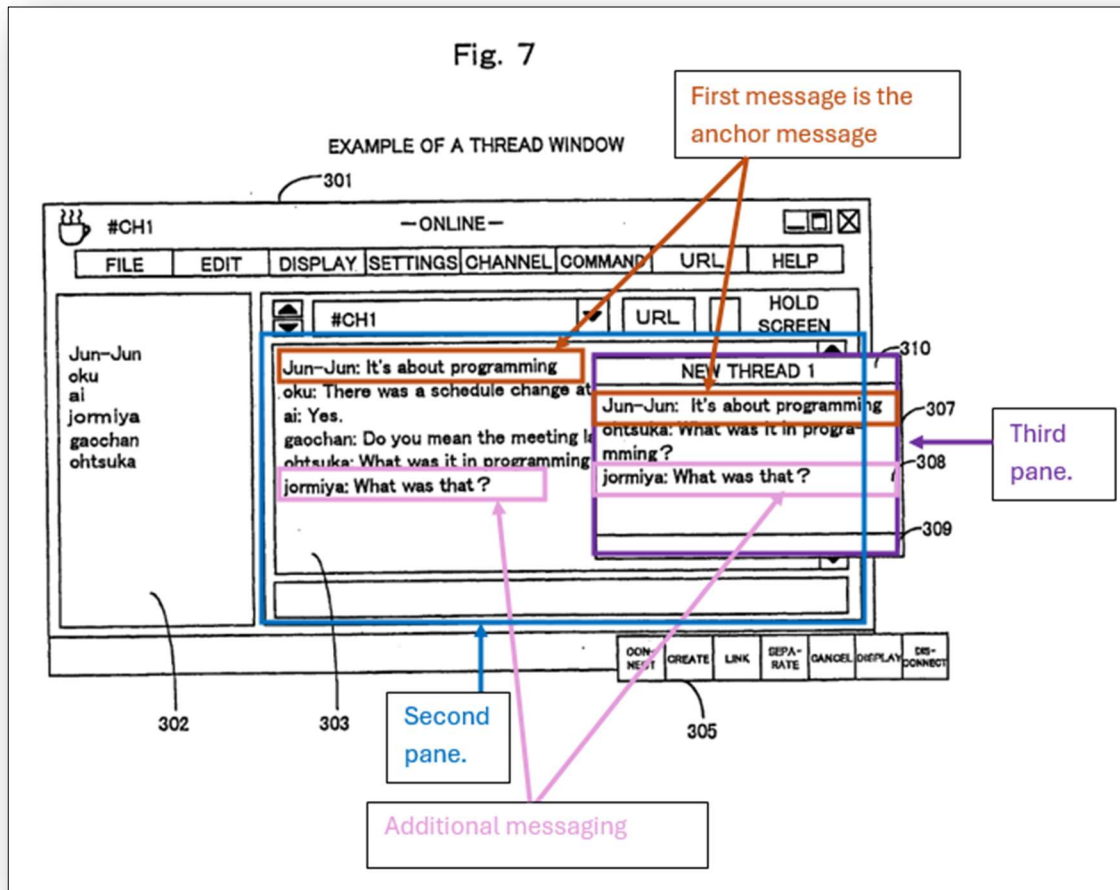
Figure 7 illustrates an exemplary interface that enables transmission of an additional messaging communication, via a network, to at least one member of the group associated with said selected group-based communication channel. Exh-1003, ¶98; Exh-1005, FIG. 7.



Exh-1005, FIG. 7 (annotated); Exh-1003, ¶98.

15. 1[n]

Kakuta discloses this limitation. Exh-1003, ¶100. Specifically, Kakuta teaches that the first messaging communication of both pane two and pane three is the anchor message of pane three. *Id.* This is illustrated in Figure 7:



Exh-1005, FIG. 7 (annotated); Exh-1003, ¶100.

Kakuta further describes methods and devices for displaying conversations on a network, where threads are created from user instructions and remarks. Exh-1003, ¶101; Exh-1005, Abstract. These threads, composed of user messages, are stored and displayed in a thread window. Exh-1003, ¶101; Exh-1005, 8:30–33. The thread window (307) includes a message window (308) where the messages comprising the thread are displayed. Exh-1003, ¶101; Exh-1005, 8:30–37. The

system of Kakuta is capable of displaying a communication thread in a pane, where the first messaging communication can serve as the anchor message, with additional messaging communications being part of the same thread, fulfilling the claimed functionality. Exh-1003, ¶101; Exh-1005, FIG. 14 (Steps 15-16), 10:20-30, 10:38-42.

Additionally, Figure 2 teaches the use of an “anchor message” among threads where the “Message ID” is listed as “1” for a particular “Th. ID”:

MESSAGE LIST			
CHANNEL	Th. ID	MESSAGE ID	MESSAGES
CH-1	Th1	1	about programming ...
	Th2	2	the recent meeting ...
	Th2	3	yes
	Th2	4	meeting
	Th1	5	what in programming ...
	Th1	6	what was that ?
	...	...	...

Exh-1005, FIG. 2 (annotated). Exh-1003, ¶102.

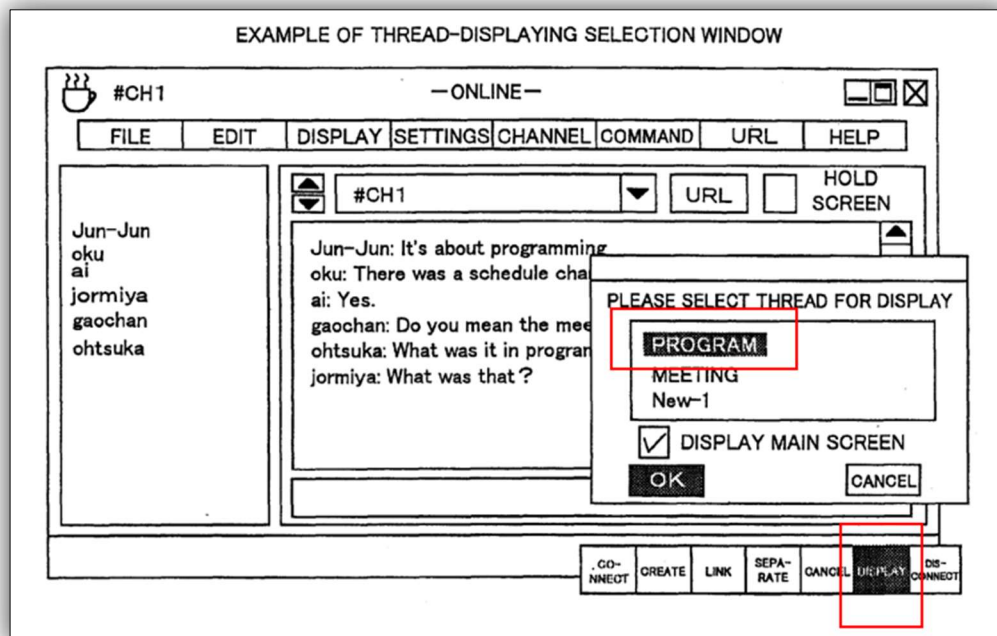
16. 1[o]

Kakuta discloses this limitation. Exh-1003, ¶104. Kakuta teaches the use of “Display,” which is a user selectable control that can be associated with the first messaging communication in the second pane and the anchor message in the third pane. *Id.* In particular, Kakuta describes a floating “toolbar 305” comprising various tools (i.e., “user-selectable controls”), such as “Create,” “Display,” “Link,” “Separate,” “Connect,” “Cancel,” and “Disconnect,” which are available in isolation or may be used in conjunction with the selection of other messaging communications and/or user IDs. *Id.*; Exh-1005, FIG. 4, 8:30–58. The “second user-selectable control” is the “Display” tool, which is associated with a first messaging communication in the second pane, enabling the user to select a specific thread to be shown within the subsidiary communication thread (i.e., the third pane). Exh-1003, ¶104; Exh-1005, 9:23–31, FIGS. 12, 16 and 19.³ The first message is then displayed as an anchor message within this subsidiary communication thread. Exh-1003, ¶104; Exh-1005, 9:23–31 (“FIG. 12 illustrates an example of a selection window displaying the situation wherein ‘Display’ has

³ The step for displaying a thread in the creation process (S357) has similar description as displaying thread in the display process (S434), so the message output in the third pane should be the same. Exh. 1005, 12:50-54, 15:1-5, FIGS. 16, 19).

been clicked on the toolbar. A list of created thread titles is displayed in the selection window. When any of the threads is selected and the ‘OK’ button is pressed, the selected thread window is displayed.), FIG.7; *see also* Exh-1005, 14:51–61, 12:50–61, 15:1–5, FIGS. 16 and 19.

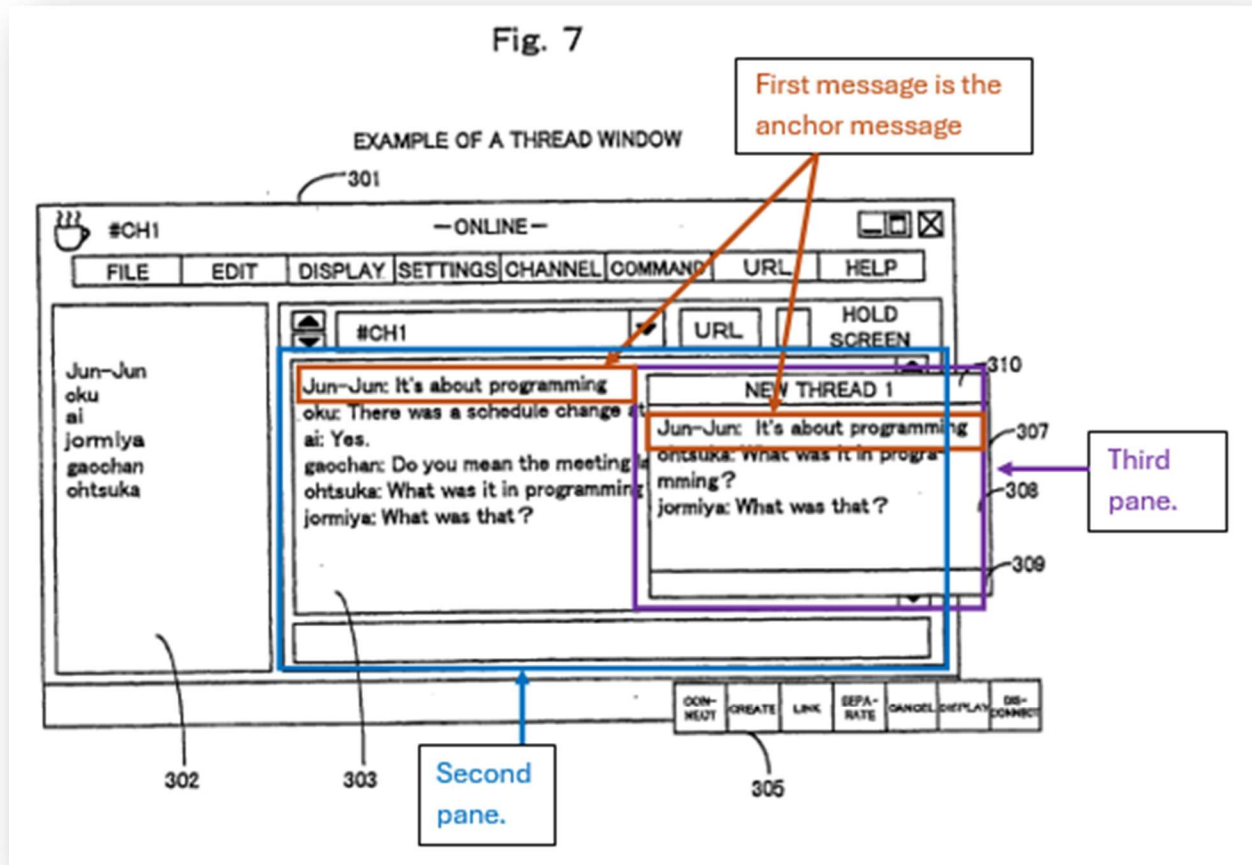
Figure 12 illustrates the “Display” tool being invoked to show a particular “Program” thread within the third pane, representing the subsidiary communication thread. Exh-1003, ¶105; Exh-1005, FIG. 12.



Exh-1005, FIG. 12 (annotated); Exh-1003, ¶105.

Figure 7 illustrates the third pane displaying the first communication message as the anchor message within the subsidiary thread. Exh-1003, ¶106; Exh-

1005, FIG. 7. The first communication message is indicated as an anchor message because it is presented as the first (i.e., top-most) message within the thread:



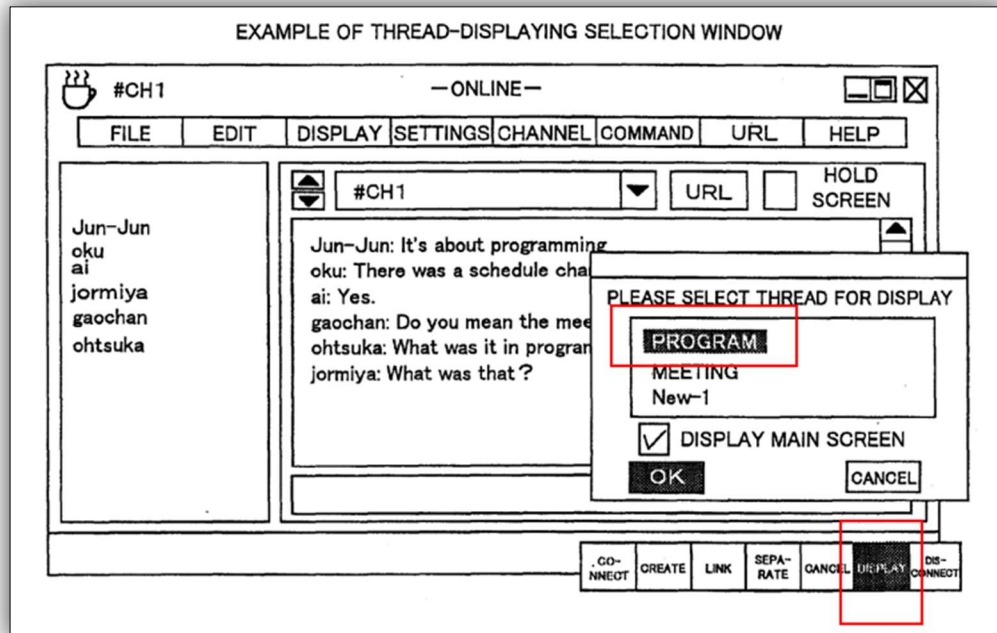
Exh-1005, FIG. 7 (annotated); Exh-1003, ¶106. Alternatively, Figure 12 of Kakuta illustrates that the second user-selectable control is associated with an indication that the first messaging communication is the anchor message of a subsidiary communication thread, as the thread selection labeled "Program" corresponds to

the first communication message discussing “programming,” which also serves as the anchor message. Exh-1003, ¶106.

17. 1[p]

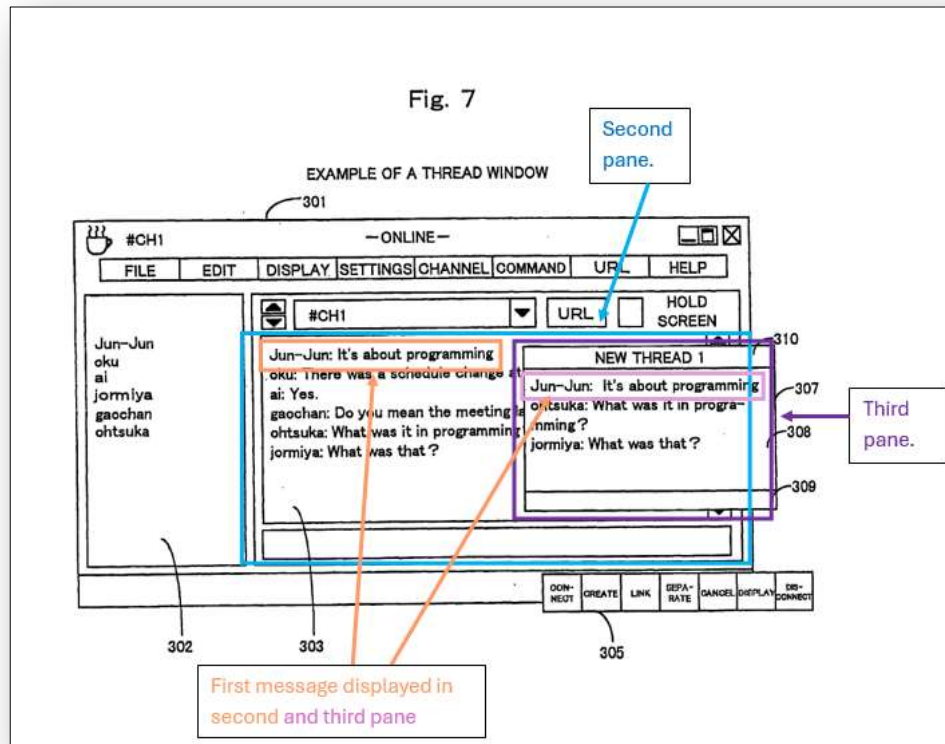
Kakuta discloses this limitation. Exh-1003, ¶108. Kakuta teaches that selecting the “Display” tool (“second user-selectable control associated with a first messaging communication in the second pane”) (*see* Section VII.A.16) will cause at least a portion of the first subsidiary communication from the first messaging communication to be displayed in the third pane. Exh-1003, ¶108; Exh-1005, 9:23–31, FIGS. 12, 16 and 19. In response to the user’s selection of “Display,” selecting the thread to be displayed, and clicking “OK,” a new subsidiary thread will be displayed where the first message is displayed is the first message of the second pane. Exh-1003, ¶108; Exh-1005, 9:23–31, FIG. 7; *see also* Exh-1005, 14:1–14, 12:50–54, 15:1–5, FIGS. 16 and 19.

Figure 12 of Kakuta demonstrates the “Display” control being used to show a particular “Program” thread within the third pane, representing the subsidiary communication thread. Exh-1003, ¶109; Exh-1005, FIG. 12.



Exh-1005, FIG. 12 (annotated); Exh-1003, ¶109.

Figure 7 of Kakuta shows the third pane displaying the first communication message of the second pane also being the first communication message of the subsidiary thread (third pane). Exh-1003, ¶110; Exh-1005, FIG. 7.

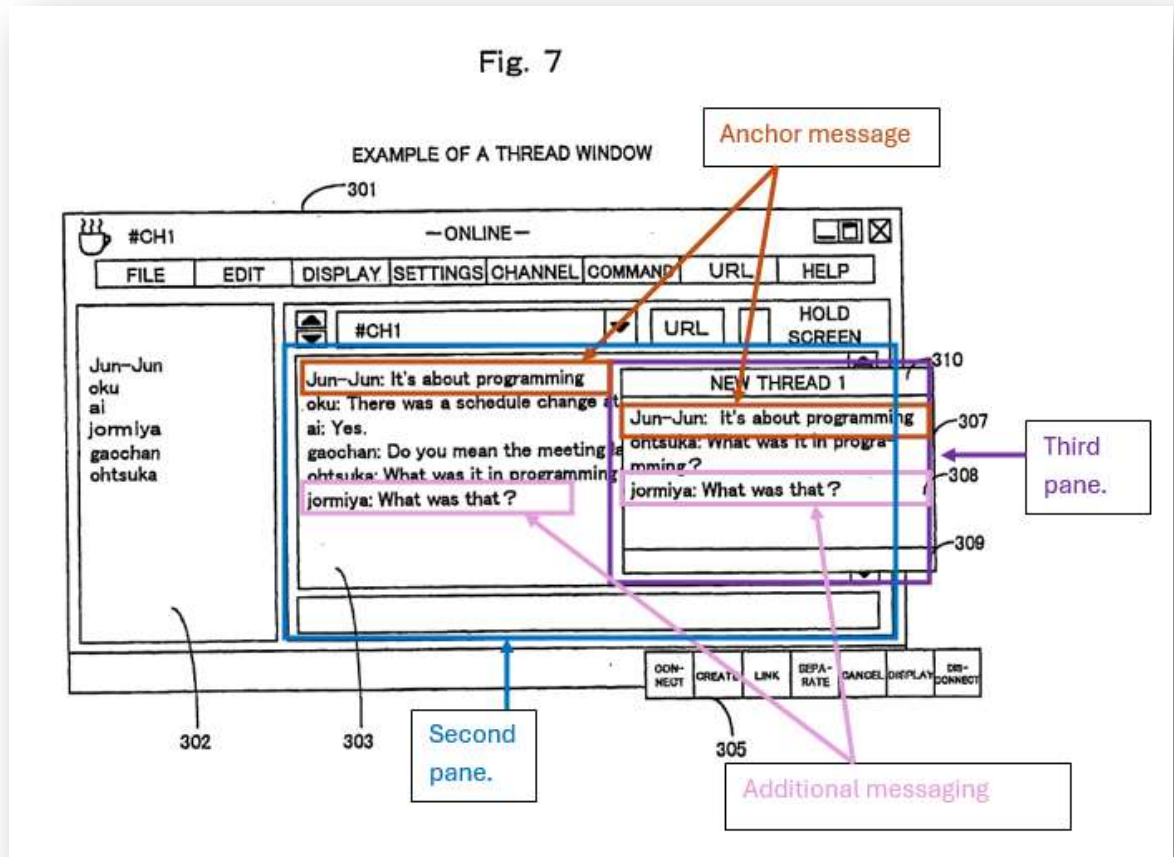


Exh-1005, FIG. 7 (annotated); Exh-1003, ¶110.

B. Claim 2

Kakuta discloses this claim. Exh-1003, ¶112. First, Kakuta discloses the apparatus of claim 1. *See* Section VII.A, *supra*; Exh-1003, ¶112. Second, Kakuta describes that messages displayed in thread window 307 can also be simultaneously displayed in chat window 303. Exh-1003, ¶112; Exh-1005, 15:11–13, 9:23–31. The system allows for settings to control whether messages are displayed in both windows or exclusively in one, with a preference for user-configurable settings. Exh-1003, ¶112; Exh-1005, 15:18–22.

Figure 7 illustrates an exemplary interface where additional messaging communications are displayed in both the second pane and third pane. Exh-1003, ¶113; Exh-1005, FIG. 17.



Exh-1005, FIG. 7 (annotated); Exh-1003, ¶113.

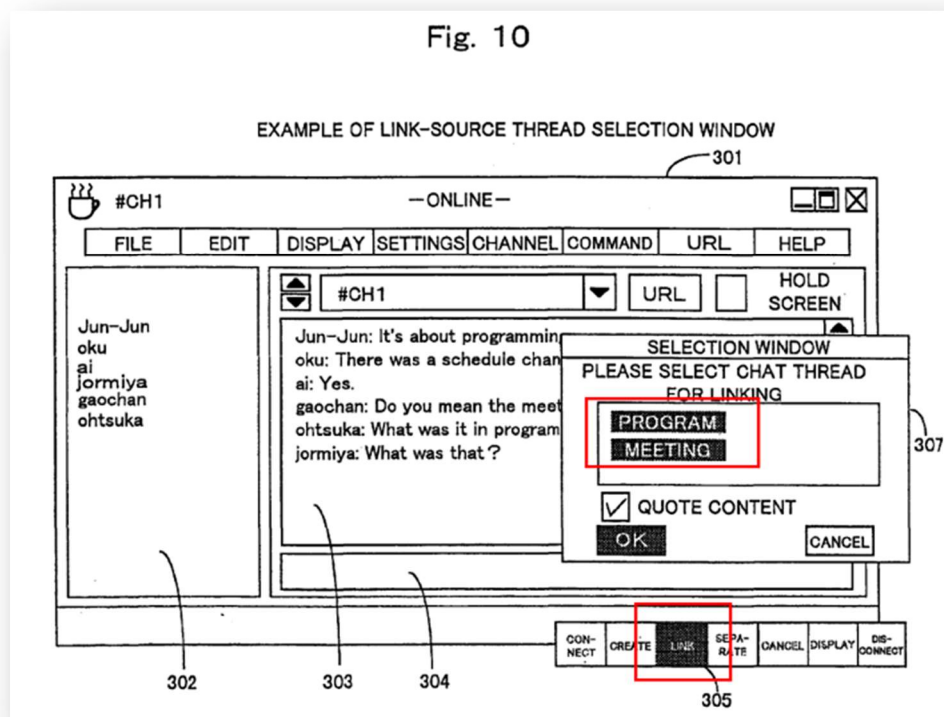
C. Claim 3

1. 3[pre]

Kakuta discloses this claim. Exh-1003, ¶115. First, Kakuta discloses the apparatus of claim 2. *See* Section VII.B, *supra*; Exh-1003, ¶115. Second, Kakuta discloses a third user-selectable control, “Link,” that is associated with the messaging of the second pane. Exh-1003, ¶115.

Kakuta describes various user-selectable controls within a thread window, such as “Create,” “Display,” “Link,” “Separate,” “Connect,” “Cancel,” and “Disconnect,” which are available on the floating “toolbar 305” when interacting with messaging communications and user IDs. *Id.*, ¶116; Exh-1005, FIG. 4, 8:30–58. The “Link” tool is the “third user-selectable control,” and it allows users to link different threads for display. Exh-1003, ¶116; Exh-1005, 8:59–9:4. The “Link” tool is associated with all additional communication messages displayed in the second pane (i.e., all the threads a user may choose from), allowing a user to link messages from one specific thread corresponding to the additional messaging communications to another. Exh-1003, ¶116; Exh-1005, FIG. 17, 13:6–14, 13:28–30. Selecting “Link” causes the display of the selection window shown in Figure 10, and that selection window is created by examining data in the “Administration Table.” Exh-1003, ¶116; Exh-1005, 13:1–6.

Figure 10 illustrates a user selecting the “Link” tool, which enables the linking of messages across two or more threads—in this case, the “Program” and “Meeting” threads—associated with the additional messages. Exh-1003, ¶117; Exh-1005, FIG. 10.



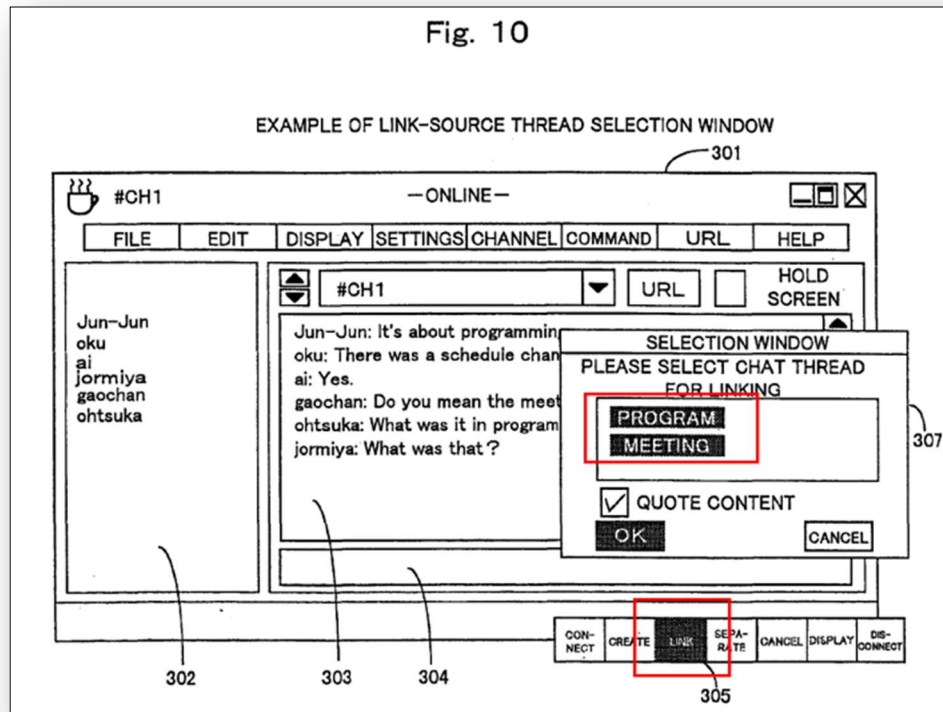
Exh-1005, FIG. 10 (annotated); Exh-1003, ¶117.

2. 3[a]

Kakuta discloses this limitation. *See* Section VII.B.1, *supra*; Exh-1003, ¶118. The “third user-selectable control” is the “Link” tool, which permits users to link different threads for display and to be displayed in the first subsidiary

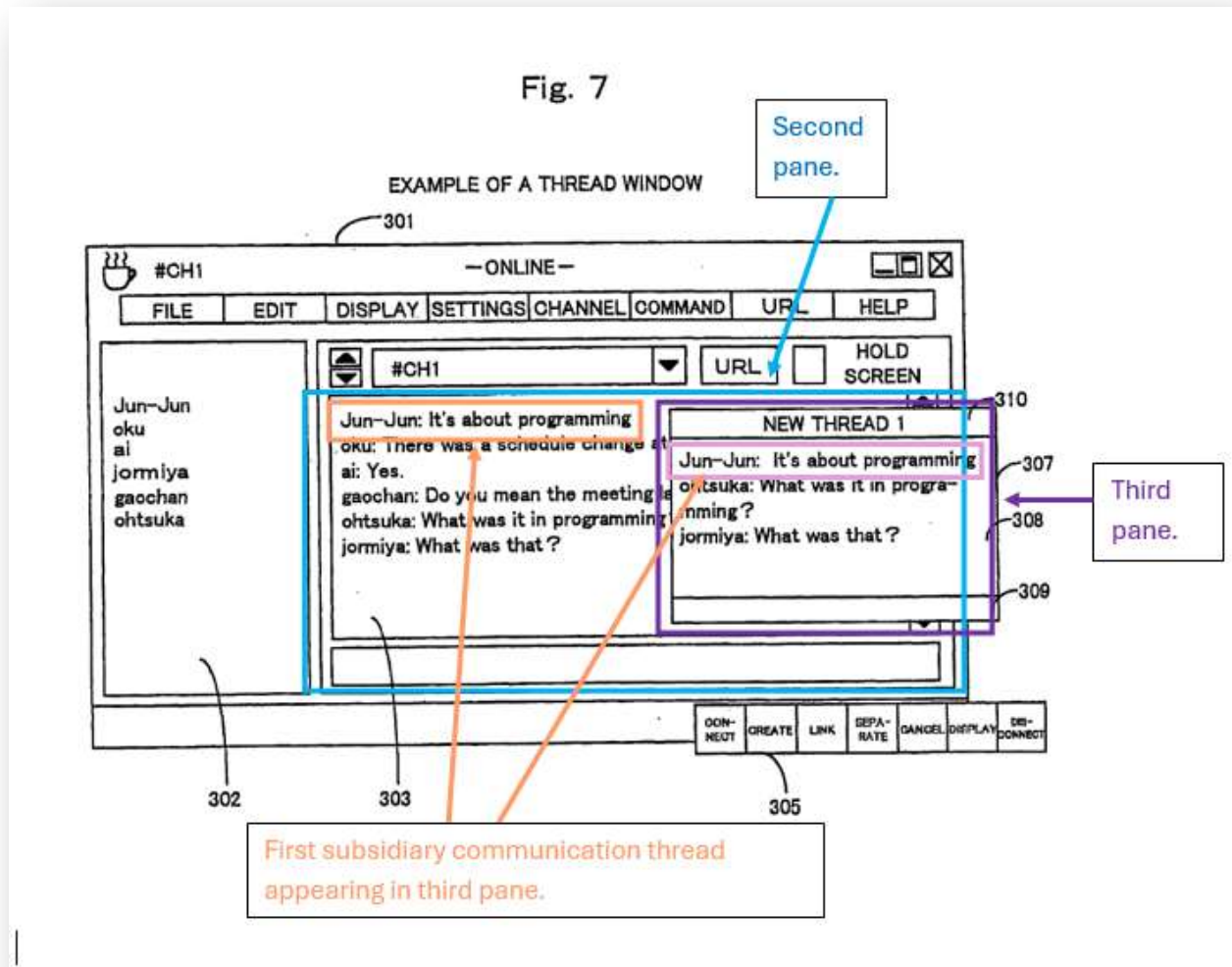
communication thread (i.e., the third pane). Exh-1003, ¶118; Exh-1005, 8:59–9:4. The “Link” tool is associated with additional communication messages displayed in the second pane, allowing a user to link messages from one specific thread corresponding to the additional messaging communications to another. Exh-1003, ¶118; Exh-1005, FIG. 17, 13:6–14, 13:28–30. In response to the user’s selection of “Link,” a new subsidiary thread will be displayed in the third pane, where at least a portion of the subsidiary thread (i.e., among the third pane) contains the additional messaging communication. Exh-1003, ¶118; Exh-1005, 8:59–9:4.

Figure 10 illustrates a user selecting the “Link” tool, which enables the linking of messages across two or more threads—in this case, the “Program” and “Meeting” threads—associated with the additional messages. Exh-1003, ¶119; Exh-1005, FIG. 10.



Exh-1005, FIG. 10 (annotated); Exh-1003, ¶119.

Figure 7 illustrates an embodiment of a new thread that may depict the additional messaging communications, the programming thread, to be among the new subsidiary communication thread and displayed among the third pane. Exh-1003, ¶120; Exh-1005, FIG. 7.



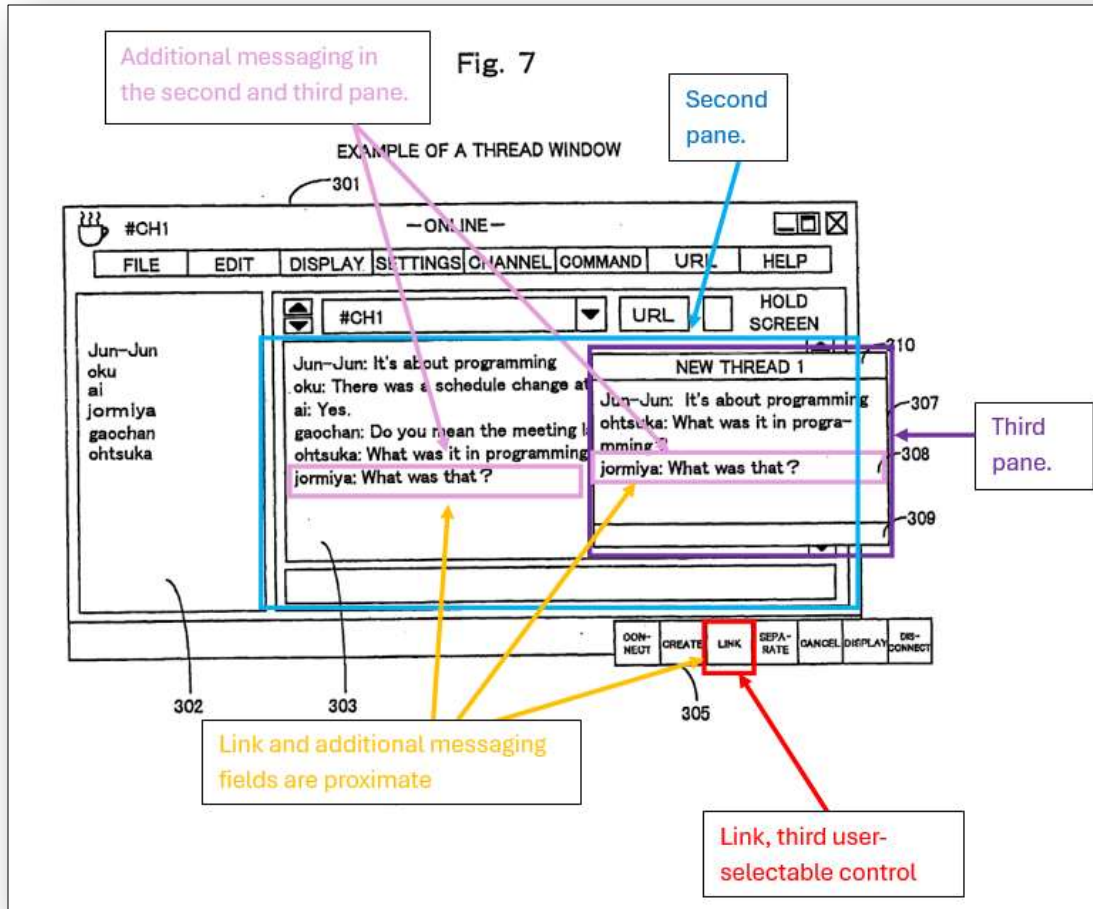
Exh-1005, FIG. 7 (annotated); Exh-1003, ¶120.

D. Claim 4

Kakuta discloses this claim. First, Kakuta discloses the apparatus of claim 3. See Section VII.C, *supra*; Exh-1003, ¶121. Second, Kakuta discloses a third user-selectable control, "Link," which is displayed proximate to the additional messaging communication. Exh-1003, ¶121.

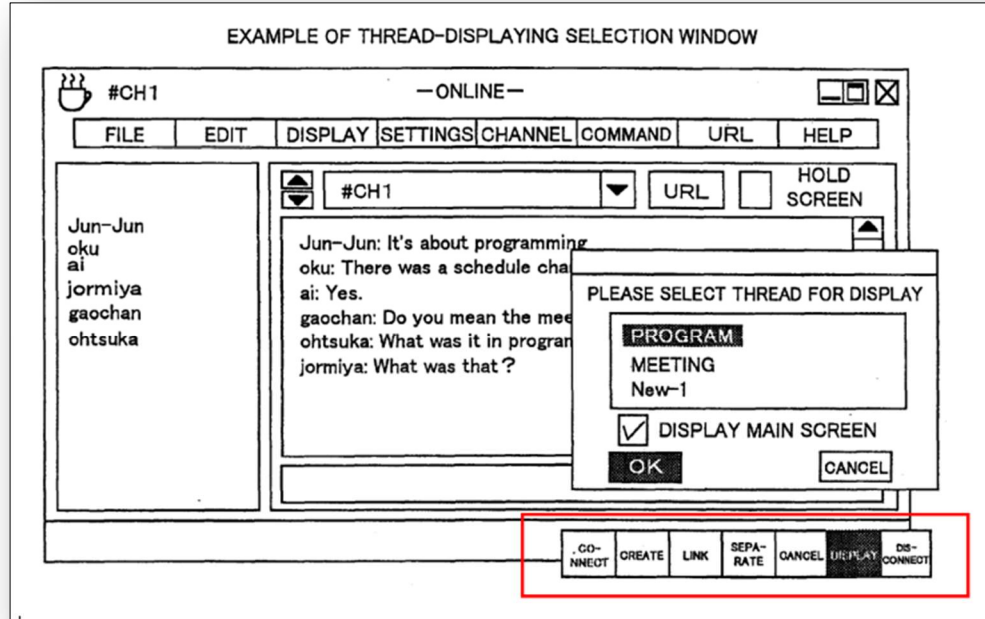
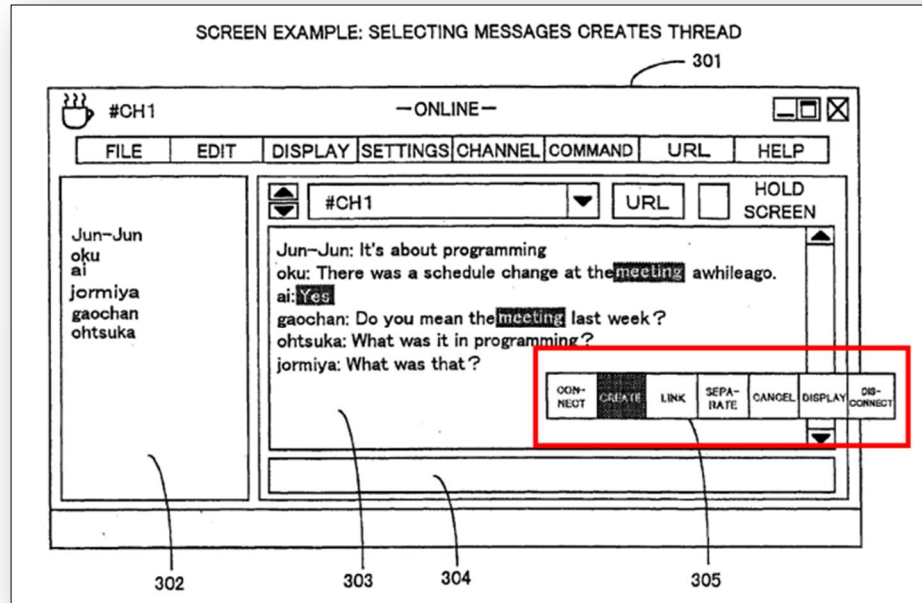
As noted above, Kakuta describes various user-selectable controls within a thread window, such as “Create,” “Display,” “Link,” “Separate,” “Connect,” “Cancel,” and “Disconnect,” which are available on the “toolbar 305” when interacting with messaging communications and user IDs. Exh-1003, ¶122; Exh-1005, FIG. 4, 8:30–58.

As illustrated in Figure 7, Kakuta discloses positioning the “toolbar 305” (containing the third user-selectable control) “proximate to said additional messaging communication.” Exh-1003, ¶123; Exh-1005, FIG. 5.



Exh-1005, FIG. 7 (annotated); Exh-1003, ¶123.

To the extent it is not explicitly proximate in the figures, the “toolbar 305” is “floating,” permitting movement among the user interface of the display control device. Exh-1003, ¶125; Exh-1005, FIGS. 1 and 12; *see also* Exh-1005, FIGS. 4 and 6 (illustrating “tool bar 305” in different locations).



Exh-1005, FIGS. 8 and 12 (annotated); Exh-1003, ¶¶125-126.

E. Claim 5

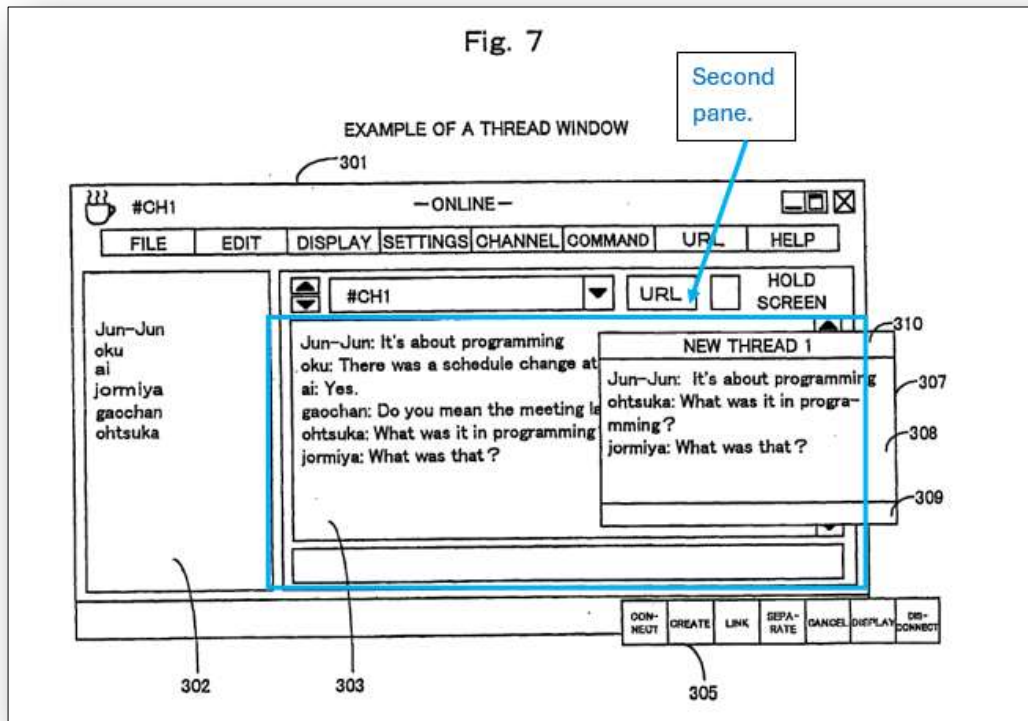
Kakuta discloses this claim. Exh-1003, ¶127. First, Kakuta discloses the apparatus of claim 2. *See* Section VII.B, *supra*; Exh-1003, ¶127. Second, Kakuta teaches that the additional messaging in the second pane can be “display[ed] in a time sequence, display[ed] in a user-and-time sequence, or otherwise designed to meet needs.” Exh-1003, ¶127; Exh-1005, 9:1–4.

Furthermore, Figure 2 indicates that the messaging in Figure 7, including the first, additional, and subsequent messages, are displayed in the second pane in chronological order. Exh-1003, ¶128; Exh-1005, FIGS. 2 and 7.

Fig. 2

MESSAGE LIST			
CHANNEL	Th. ID	MESSAGE ID	MESSAGES
CH-1	Th1	1	about programming ...
	Th2	2	the recent meeting ...
	Th2	3	yes
	Th2	4	meeting
	Th1	5	what in programming ...
	Th1	6	what was that ?
	⋮	⋮	⋮

Exh-1005, FIG. 2.

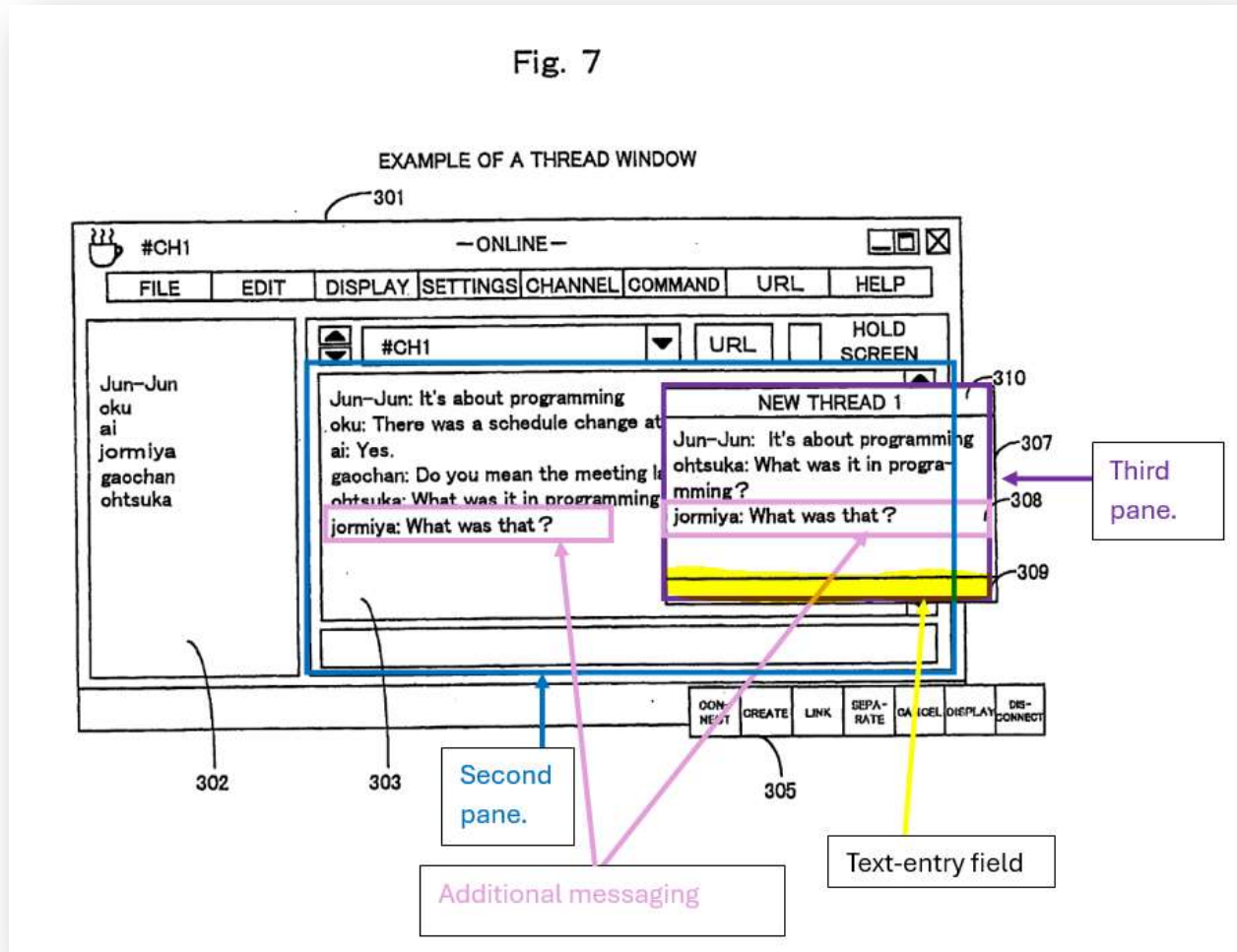


Exh-1005, FIG. 7 (annotated).

F. Claim 6

Kakuta discloses this claim. Exh-1003, ¶129. First, Kakuta discloses the apparatus of claim 3. *See* Section VII.C, *supra*; Exh-1003, ¶129. Second, Kakuta also teaches that the subsidiary communication thread (third pane) contains additional messaging and that the third pane has a text-entry field 309 operable to receive additional messaging communications. Figure 7 illustrates this:

Fig. 7

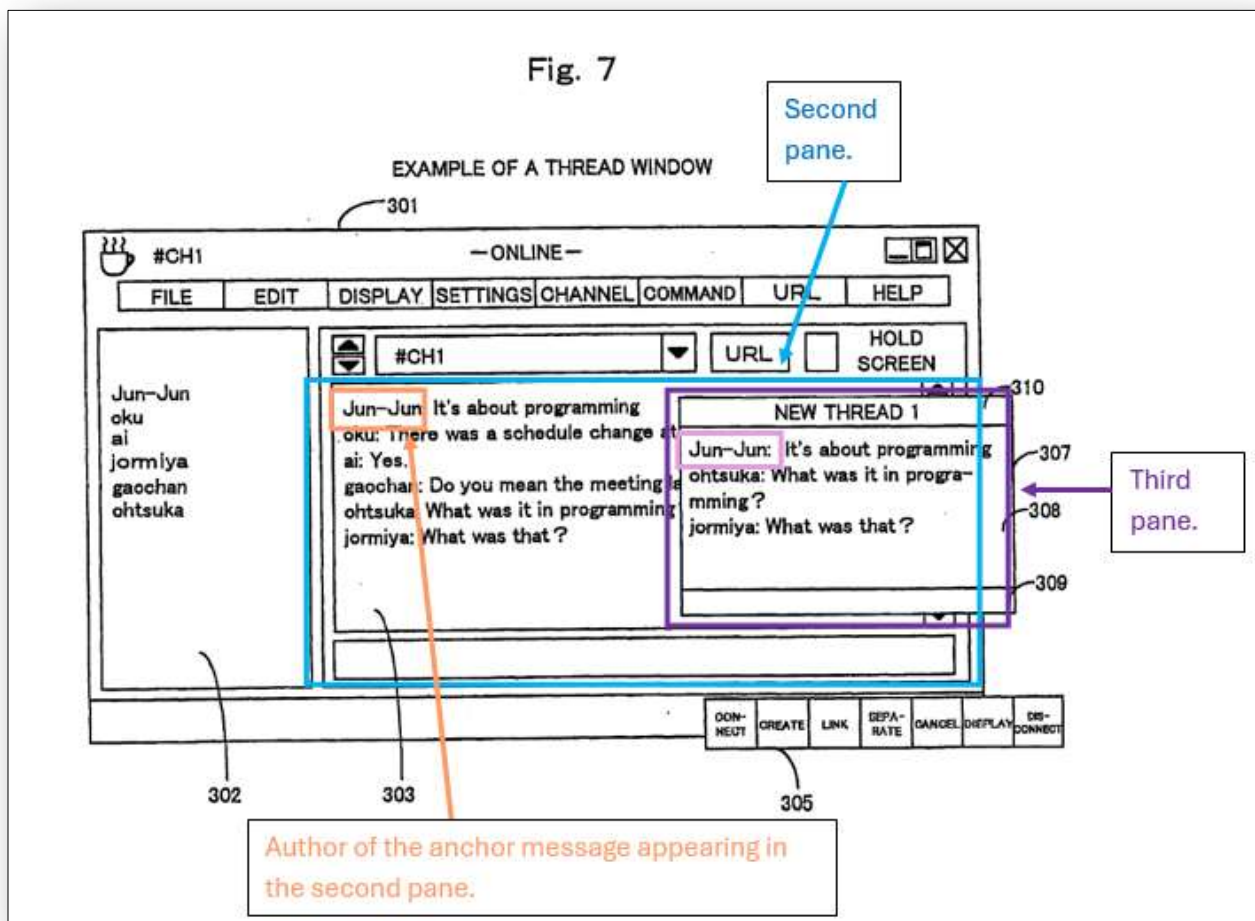


Exh-1005, FIG. 7 (annotated); Exh-1003, ¶129.

G. Claim 7

Kakuta discloses this claim. Exh-1003, ¶130. First, Kakuta discloses the apparatus of claim 3. *See* Section VII.C, *supra*; Exh-1003, ¶130. Second, Kakuta also discloses displaying identifying information (author) associated with the

anchor message in the second and third panes. Exh-1003, ¶130. Figure 7 illustrates the display of “identifying information” in the form of the author associated with the anchor message that is associated with the additional messaging communication in the second pane. *Id.*; Exh-1005, FIG. 7.



Exh-1005, FIG. 7 (annotated).

H. Claim 9

Kakuta discloses this claim. Exh-1003, ¶131. First, Kakuta discloses the apparatus of claim 7. *See* Section VII.G, *supra*; Exh-1003, ¶131. Second, Kakuta also teaches an anchor message with identifying user information (author) and a fourth user-selectable control causing the display of at least a portion of the subsidiary communication thread in the third pane. Exh-1003, ¶131.

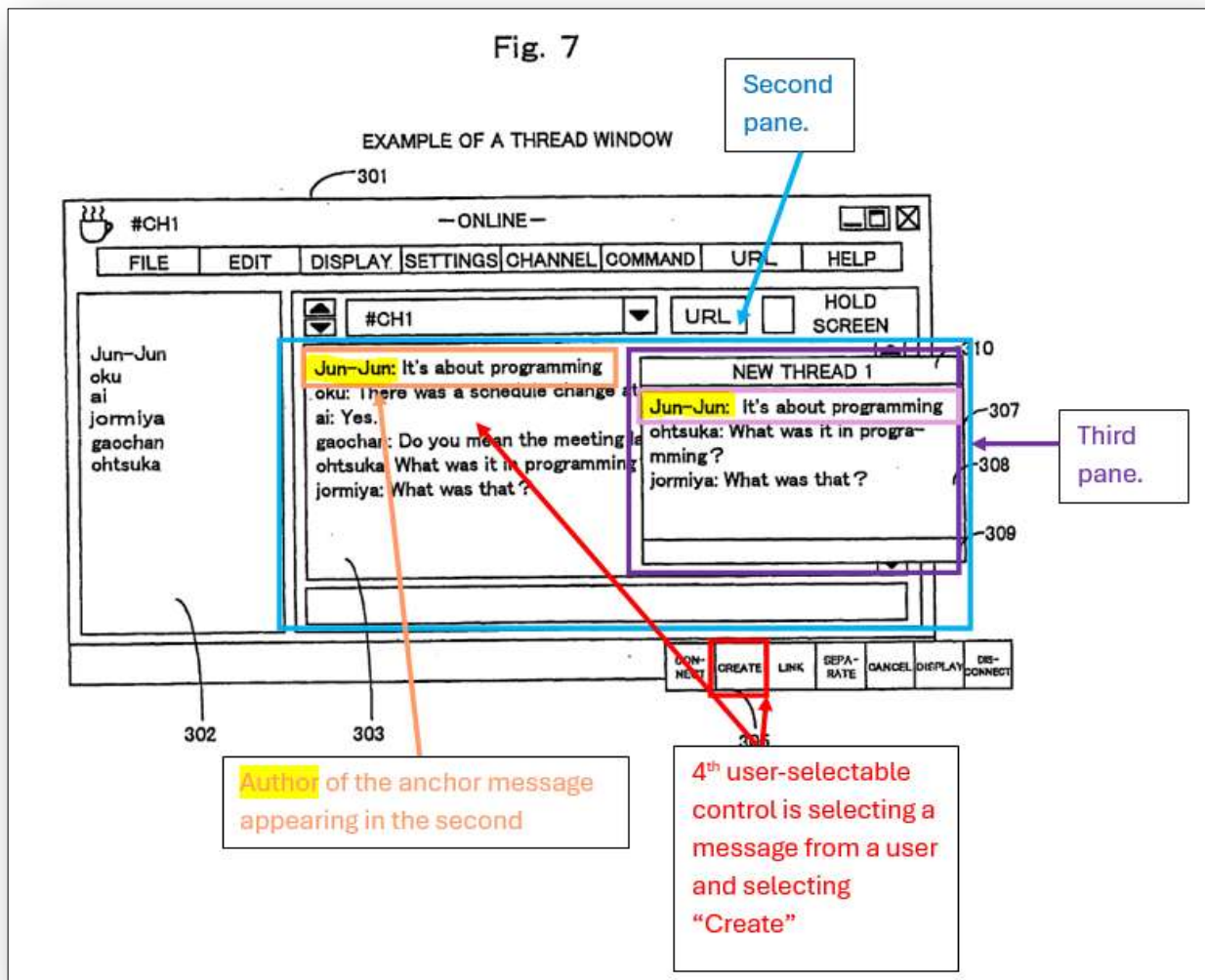
The fourth user-selectable control is the selection of a user or a message with an identifying author in a thread, which will “create” a third pane. Exh-1003, ¶132; Exh-1005, 5:3-4, FIG. 8. Kakuta teaches that “the creation means creates, ***based on the selection of the messages from a user, message groups containing the selected messages and message group information containing message-identifying information for the selected messages.***” Exh-1003, ¶132; Exh-1005, 3:43-47 (emphasis added). The “***thread is created by selecting messages as a whole, or words included in messages.***” Exh-1005, 8:45-47 (emphasis added).

A PHOSITA would understand that one way of “selecting messages as a whole” (in the second pane) would be to select an entire message, which includes selecting the name of the sender at the start of the line. Selecting the sender/author at the start of the line would meet the “identifying information associated with said anchor message” requirement. Exh-1003, ¶133. Furthermore, a PHOSITA would

understand that a standard interface means for selecting an entire line or paragraph of text (since at least the late-1980s) was to triple click anywhere within the line. So triple clicking on the user's name would select the entire line. *Id.*; Exh-1013, 96. The selected lines (including the usernames that are the fourth user-selectable control) are then "operable to cause ... third pane" because the "thread is created by selecting messages as a whole, or words included in the messages." Exh-1003, ¶133; Exh-1005, 8:45-47.

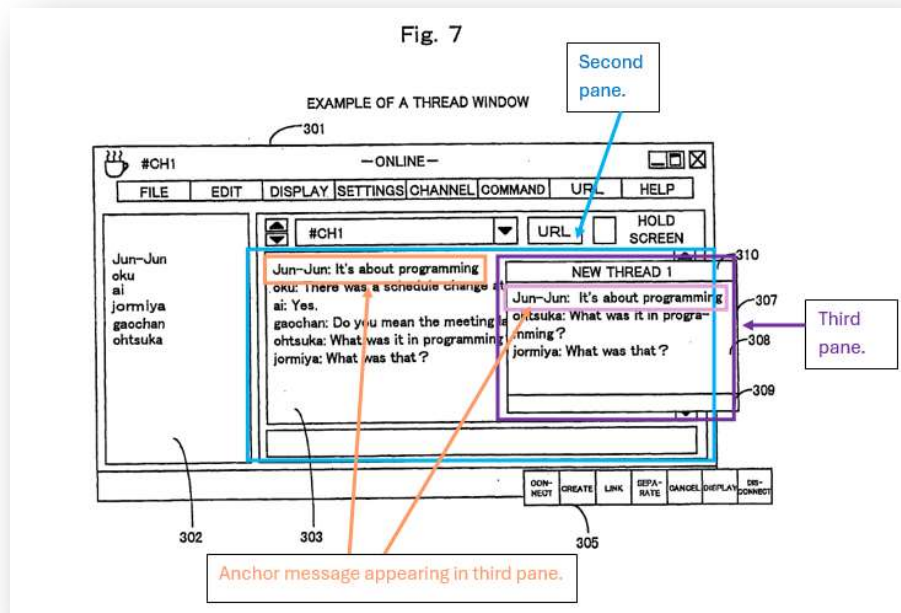
Alternatively, as noted above, Kakuta describes various user-selectable controls within a thread window, such as "Create," "Display," "Link," "Separate," "Connect," "Cancel," and "Disconnect," which are available among "toolbar 305" when interacting with messaging communications and user IDs. Exh-1003, ¶134; Exh-1005, FIG. 4, 8:30–58; *see also id.*, FIG. 8 (message selection). In the alternative, the "fourth user-selectable control" is the selectable user ID or author (i.e., identifying information) that is associated with an anchor message. Exh-1003, ¶134. This selection is "operable to cause" the display of at least a portion of said subsidiary-communication thread because the selection influences the behavior of the information that is included in the selection window (*see id.*, FIG.16 (Step 351), 12:15–18) and therefore determines what information is displayed in the third pane. *Id.*, ¶134. After selecting the user ID or author and then selecting the

“Create” tool (*Id.*, FIG. 5, 8:11–12.), a user may initiate a new subsidiary thread (i.e., a third pane) that quotes the messages, including the anchor message, which is then generated and displayed in the third pane. *Id.*, ¶134; Exh-1005, 8:20–37, FIGS. 6 and 7. Figure 7 illustrates the user selecting a user ID or author and invoking the “Create” tool. Exh-1003, ¶134; Exh-1005, FIG. 7.



Exh-1005, FIG. 7 (annotated illustrating the user ID and create selections). Once those two items are selected, a third pane is created that will display the messages from that author in the third pane. Exh-1003, ¶135; Exh-1005, 12:10–59 (stating that when a user composing a thread is selected, a confirmation window will appear, and once “OK” is selected from the confirmation window, the selected information will be displayed in the third pane), FIG. 16, claim 2.

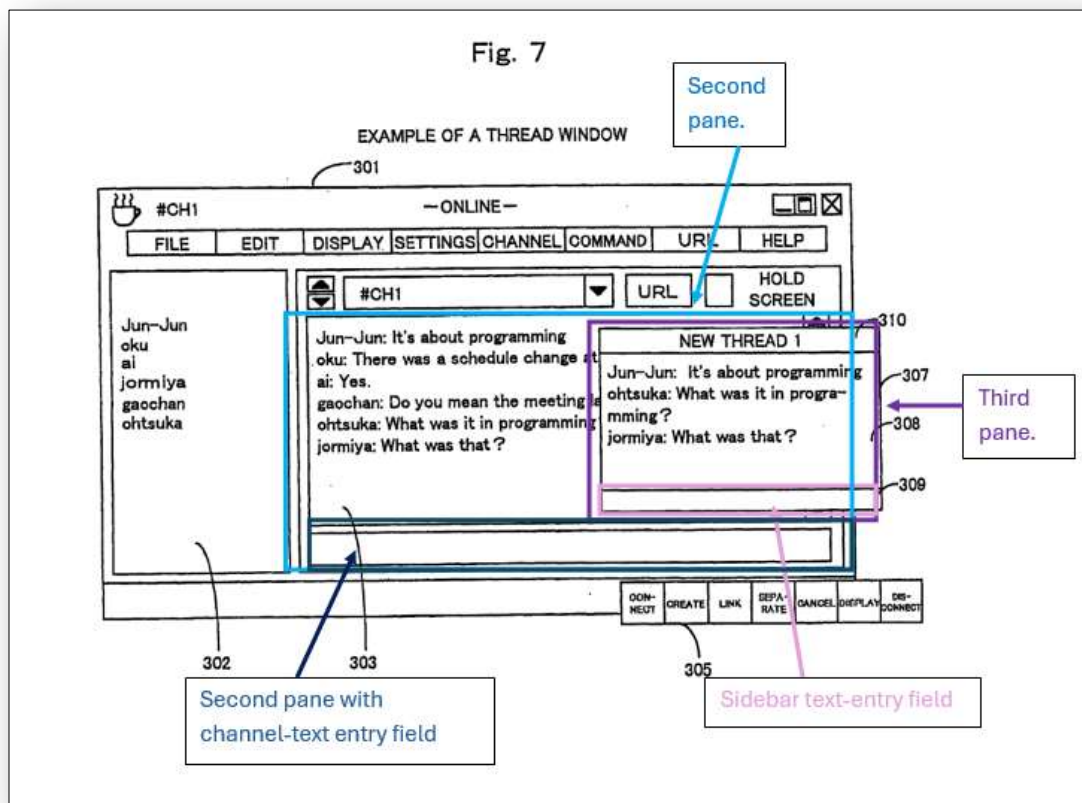
Figure 7 illustrates the display of the generated third pane with the anchor message being the additional communication messages among the second pane. Exh-1003, ¶136; Exh-1005, FIG. 7.



Exh-1005, FIG. 7 (annotated).

I. Claim 10

Kakuta discloses this claim. Exh-1003, ¶137. First, Kakuta discloses the apparatus of claim 1. *See* Section VII.A, *supra*; Exh-1003, ¶137. Second, Kakuta teaches the simultaneous display of the sidebar text-entry field in the third pane with the display of said channel text-entry field in the second pane, and both are selectable by a user to receive input representing a new message. Exh-1003, ¶137. This is illustrated in Figure 7:

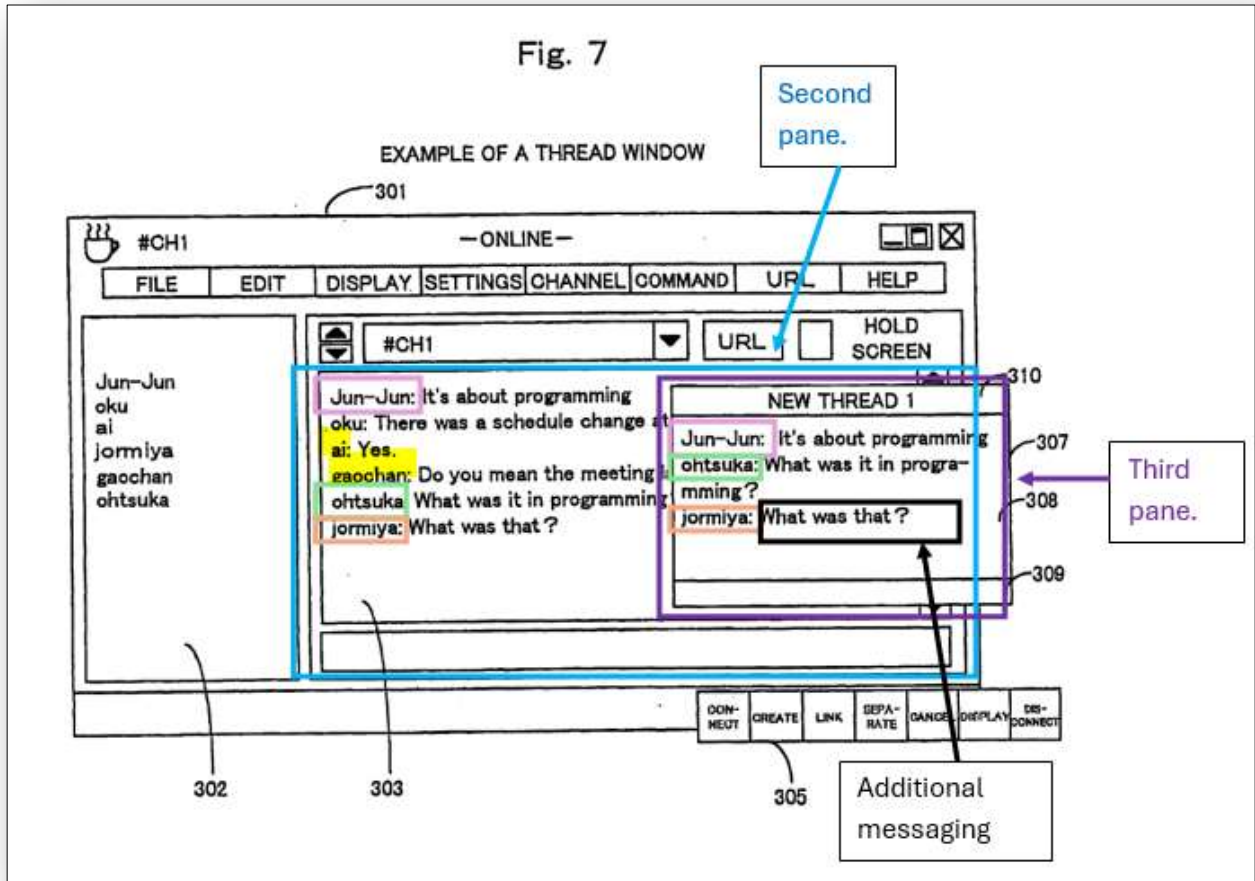


Exh-1005, FIG. 7 (annotated).

J. Claim 11

Kakuta discloses this claim. Exh-1003, ¶138. First, Kakuta discloses the apparatus of claim 1. *See* Section VII.A, *supra*; Exh-1003, ¶138. Second, Kakuta discloses at least one member of the group transmitting additional communication to fewer than all the group members. Exh-1003, ¶138. For instance, Kakuta has a private group chat functionality where only a select few members from the main, public chat channel are placed among the new private thread. *Id.*; Exh-1005, 3:54–63.

Figure 7 illustrates the transmission of the additional messaging communication to selected members of the group, rather than to all members. Exh-1003, ¶139; Exh-1005, FIG. 7.



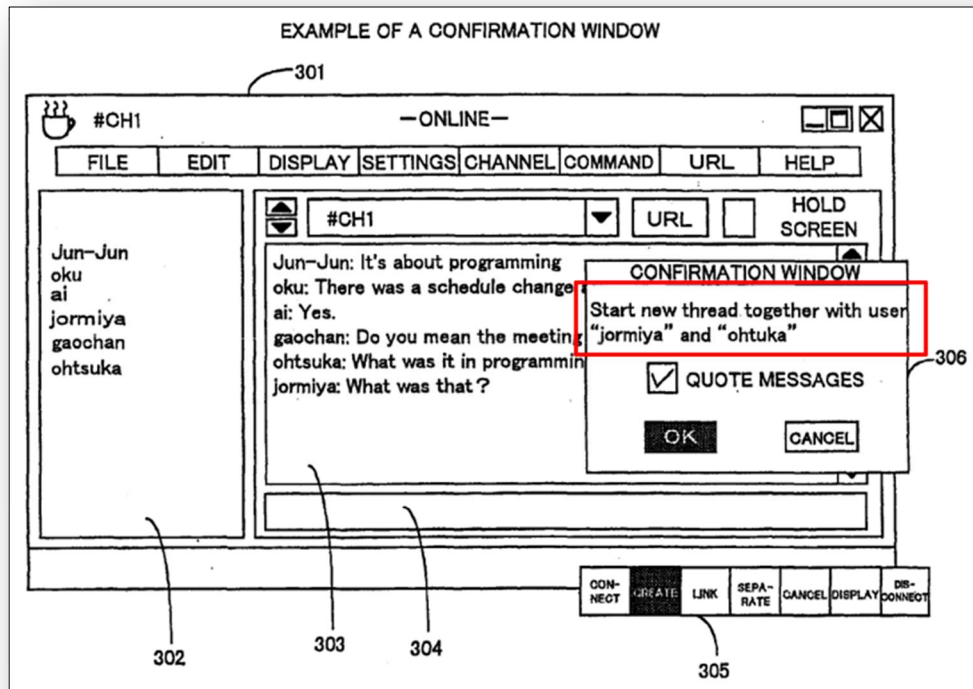
Exh-1005, FIG. 7 (annotated).

Additionally, this is further disclosed by Figure 3, which shows the network's "ADMINISTRATION TABLE," where the "DISCLOSURE LEVEL" may be set to "PRIVATE" and limit the communication to specific member users only. Exh-1003, ¶140.

ADMINISTRATION TABLE								
Th. ID	TITLE	AUTHOR	MEMBER USERS	MESSAGE ID	LINK SOURCE	FORWARDING DEST.	DISCLOSURE LEVEL	STATUS
1	PROGRAM	Jun-Jun	Jun-Jun, ohtsuka, jermiya	2,3,4			PRIVATE	DISPLAY
2	MEETING	oku					PUBLIC	DON'T DISPLAY

Exh-1005, FIG. 3 (annotated).

Even further, Figure 6 demonstrates the capability to create a private thread with only two members from the public thread, as well as a confirmation window that is converted into a subsidiary thread, which can be viewed simultaneously alongside the main thread pane. Exh-1003, ¶141; Exh-1005, FIG. 6, FIG. 14 (Steps 14-16, 18), 10:20-27, 10:38-44.



Exh-1005, FIG. 6 (prompting the user to establish a subsidiary chat thread with among only a select few users among the greater channel); Exh-1003, ¶141.

K. Claim 12

Kakuta discloses this claim. Exh-1003, ¶142. First, Kakuta discloses the apparatus of claim 1. *See* Section VII.A, *supra*; Exh-1003, ¶142. Second, Kakuta discloses instances where changes in the channel, such as adding users who are not members of the channel, are managed by the system. Exh-1003, ¶142; Exh-1005, 11:6–9. Specifically, Kakuta teaches “instances in which the *joining/departing of channel participating users*, change in topic, altering channel mode, or altering channel operator characteristics, for example, are received. Herein, the received

data is sent from the reporting module 22 to the control module 32.” Exh-1005,
11:6–10.

L. Claim 15

1. 15[pre]

Kakuta discloses this limitation. *See* Section VII.A.1, *supra*; Exh-1003,
¶144.

2. 15[a]

Kakuta discloses this limitation. *See* Section VII.A.3, *supra*; Exh-1003,
¶145.

3. 15[b]

Kakuta discloses this limitation. *See* Section VII.A.4, *supra*; Exh-1003,
¶146.

4. 15[c]

Kakuta discloses this limitation. *See* Section VII.A.5, *supra*; Exh-1003,
¶147.

5. 15[d]

Kakuta discloses this limitation. *See* Section VII.A.6, *supra*; Exh-1003,
¶148.

6. 15[e]

Kakuta discloses this limitation. *See* Section VII.A.7, *supra*; Exh-1003,
¶149.

7. 15[f]

Kakuta discloses this limitation. *See* Section VII.A.8, *supra*; Exh-1003,
¶150.

8. 15[g]

Kakuta discloses this limitation. *See* Section VII.A.9, *supra*; Exh-1003,
¶151.

9. 15[h]

Kakuta discloses this limitation. *See* Section VII.A.10, *supra*; Exh-1003,
¶152.

10. 15[i]

Kakuta discloses this limitation. *See* Section VII.A.11, *supra*; Exh-1003,
¶153.

11. 15[j]

Kakuta discloses this limitation. *See* Section VII.A.12, *supra*; Exh-1003,
¶154.

12. 15[k]

Kakuta discloses this limitation. *See* Section VII.A.13, *supra*; Exh-1003, ¶155.

13. 15[l]

Kakuta discloses this limitation. *See* Section VII.A.14, *supra*; Exh-1003, ¶156.

14. 15[m]

Kakuta discloses this limitation. *See* Section VII.A.15, *supra*; Exh-1003, ¶157.

15. 15[n]

Kakuta discloses this limitation. *See* Section VII.A.16, *supra*; Exh-1003, ¶158.

16. 15[o]

Kakuta discloses this limitation. *See* Section VII.A.17, *supra*; Exh-1003, ¶159.

M. Claim 16

Kakuta discloses this limitation. *See* Sections VII.B, VII.L, *supra*; Exh-1003, ¶160.

N. Claim 17

1. 17[pre]

Kakuta discloses this limitation. *See* Sections VII.C.1, VII.M, *supra*; Exh-1003, ¶161.

2. 17[a]

Kakuta discloses this limitation. *See* Section VII.C.2, *supra*; Exh-1003, ¶162.

O. Claim 18

Kakuta discloses this limitation. *See* Sections VII.F, VII.N, *supra*; Exh-1003, ¶163.

P. Claim 19

Kakuta discloses this limitation. *See* Sections VII.G, VII.N, *supra*; Exh-1003, ¶164.

Q. Claim 21

Kakuta discloses this limitation. *See* Sections VII.H, VII.P, *supra*; Exh-1003, ¶165.

R. Claim 22

Kakuta discloses this limitation. *See* Sections VII.I, VII.L, *supra*; Exh-1003, ¶166.

S. Claim 25

1. 25[pre]

Kakuta discloses this limitation. *See* Section VII.A.2, *supra*; Exh-1003,
¶167.

2. 25[a]

Kakuta discloses this limitation. *See* Section VII.A.3, *supra*; Exh-1003,
¶168.

3. 25[b]

Kakuta discloses this limitation. *See* Section VII.A.4, *supra*; Exh-1003,
¶169.

4. 25[c]

Kakuta discloses this limitation. *See* Section VII.A.5, *supra*; Exh-1003,
¶170.

5. 25[d]

Kakuta discloses this limitation. *See* Section VII.A.6, *supra*; Exh-1003,
¶171.

6. 25[e]

Kakuta discloses this limitation. *See* Section VII.A.7, *supra*; Exh-1003,
¶172.

7. 25[f]

Kakuta discloses this limitation. *See* Section VII.A.8, *supra*; Exh-1003,
¶173.

8. 25[g]

Kakuta discloses this limitation. *See* Section VII.A.9, *supra*; Exh-1003,
¶174.

9. 25[h]

Kakuta discloses this limitation. *See* Section VII.A.10, *supra*; Exh-1003,
¶175.

10. 25[i]

Kakuta discloses this limitation. *See* Section VII.A.11, *supra*; Exh-1003,
¶176.

11. 25[j]

Kakuta discloses this limitation. *See* Section VII.A.12, *supra*; Exh-1003,
¶177.

12. 25[k]

Kakuta discloses this limitation. *See* Section VII.A.13, *supra*; Exh-1003,
¶178.

13. 25[l]

Kakuta discloses this limitation. *See* Section VII.A.14, *supra*; Exh-1003, ¶179.

14. 25[m]

Kakuta discloses this limitation. *See* Section VII.A.15, *supra*; Exh-1003, ¶180.

15. 25[n]

Kakuta discloses this limitation. *See* Section VII.A.16, *supra*; Exh-1003, ¶181.

16. 25[o]

Kakuta discloses this limitation. *See* Section VII.A.17, *supra*; Exh-1003, ¶182.

T. Claim 26

Kakuta discloses this limitation. *See* Sections VII.B, VII.S, *supra*; Exh-1003, ¶183.

U. Claim 27

1. 27[pre]

Kakuta discloses this limitation. *See* Sections VII.C.1, VII.T, *supra*; Exh-1003, ¶184.

2. 27[a]

Kakuta discloses this limitation. *See* Sections VII.C.2, *supra*; Exh-1003, ¶185.

V. Claim 30

1. 30[pre]

Kakuta discloses this limitation. *See* Section VII.A.1-2, *supra*; Exh-1003, ¶186.

2. 30[a]

Kakuta discloses this limitation. *See* Section VII.A.7, *supra*; Exh-1003, ¶187.

3. 30[b]

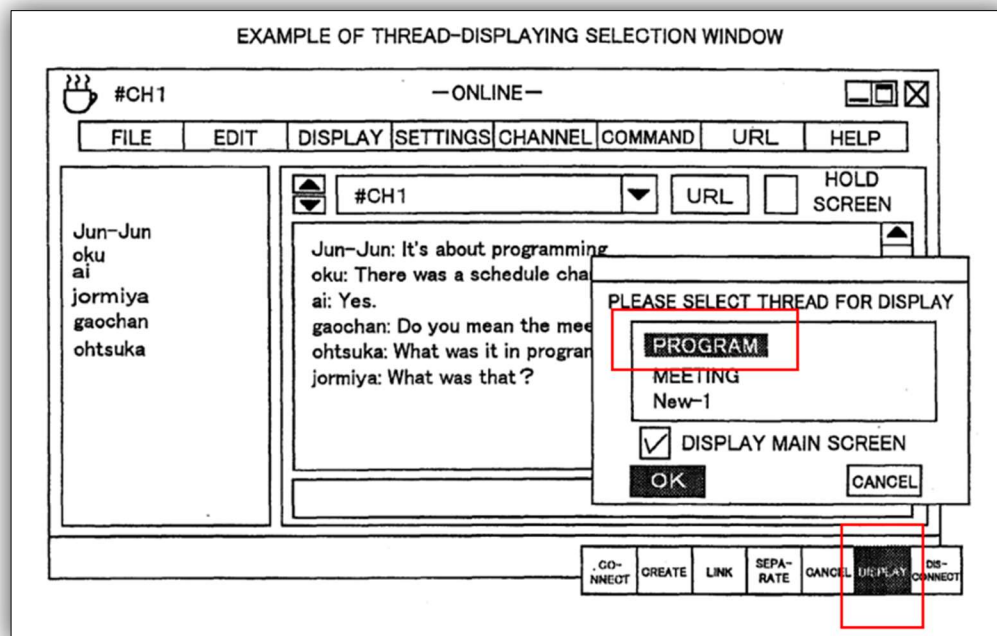
Kakuta discloses this limitation. *See* Sections VII.A.5, VII.A.8, *supra*; Exh-1003, ¶188.

4. 30[c]

Kakuta discloses this limitation. *See* Section VII.A.16-17, *supra*; Exh-1003, ¶189. Further, Kakuta discloses receiving a request to create a subsidiary thread. Exh-1003, ¶189. Kakuta provides multiple methods in which such a request can be made including using the “Create,” “Display,” and/or “Link” tools. *Id.*; Exh-1005, 8:30–58, FIG. 4. When Display is selected, the user is prompted to select a specific thread to be shown within the subsidiary communication thread. Exh-1003, ¶189;

Exh-1005, 9:23–31, FIGS. 12, 16 and 19. Thereafter, the messages of the selected thread will appear in the new (third pane) subsidiary communication thread. Exh-1003, ¶189; Exh-1005, 9:23–31; 11:63-67; 14:45-15:9 (providing the steps for the Display feature, including that in S434, a “thread window” (pane 3) is created); FIG. 19 (showing that the selected thread is displayed in step S434), FIG. 7 (illustrating the thread window).

Further, Kakuta’s Figure 12 illustrates a “selection window” where a user is prompted with a choice of subsidiary threads for the creation of new subsidiary thread communications. Exh-1003, ¶190; Exh-1005, FIG. 12.

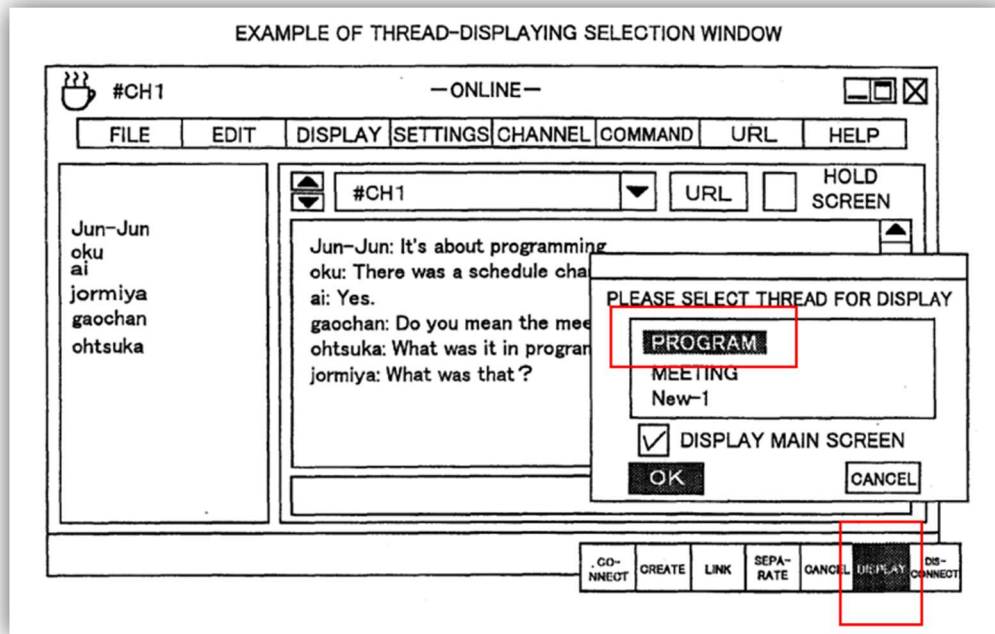


Exh-1005, FIG. 12 (annotated highlighting selection of a thread for display to create new subsidiary thread communications); Exh-1003, ¶190.

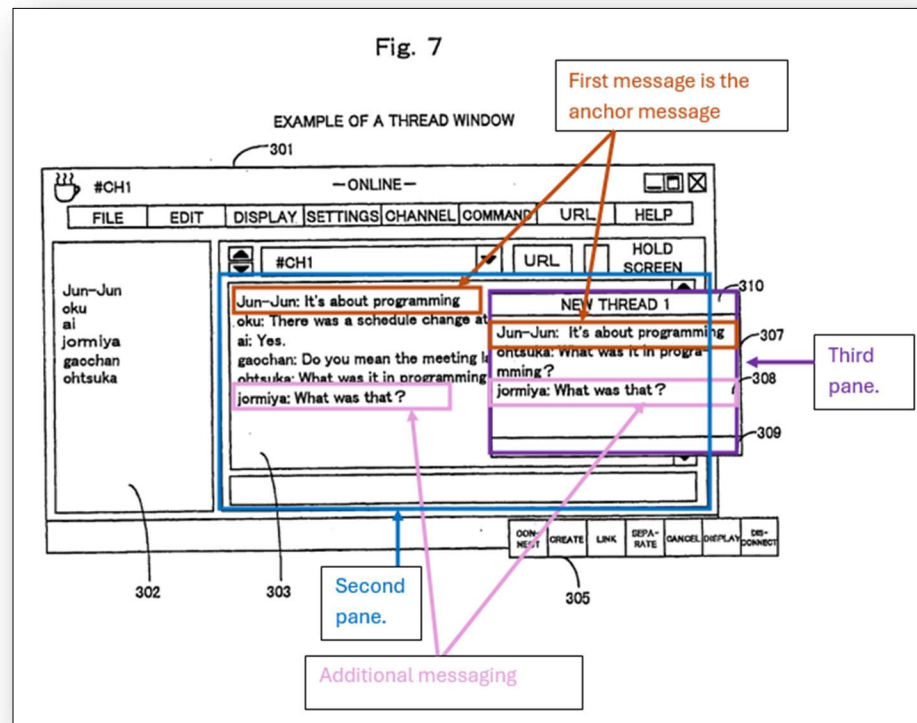
5. 30[d]

Kakuta discloses this limitation. *See* Section VII.A.16-17, *supra*; Exh-1003, ¶192. Further, when selected, “Display” generates a “pop-up selection window,” within the messaging pane, that contains a “thread summary indicator,” such as “Program.” Exh-1003, ¶192.

The thread summary indicator, “Program,” is then displayed proximate to the “first messaging communication.” Figure 12 illustrates the “Display” tool being invoked to show various thread summary indicators, including a “Program” thread, representing the subsidiary communication thread. *Id.*, ¶193; Exh-1005, FIG. 12.



Exh-1005, FIG. 12 (annotated); Exh-1003, ¶193. The thread summary indicator, “Program,” is then selectable by a user with access to the first messaging communication which is the anchor message of the particular thread. Figure 7 illustrates this:



Id., FIG. 7; Exh-1003, ¶194. Moreover, Kakuta discloses that—consistent with a PHOSITA’s understanding of windowing systems since the early 1980s—the selection window 307 is moveable, appearing at slightly different positions across Kakuta’s figures 10 and 12. Exh-1003, ¶195. To the extent the thread summary indicator “Program” is not explicitly proximate to the first messaging

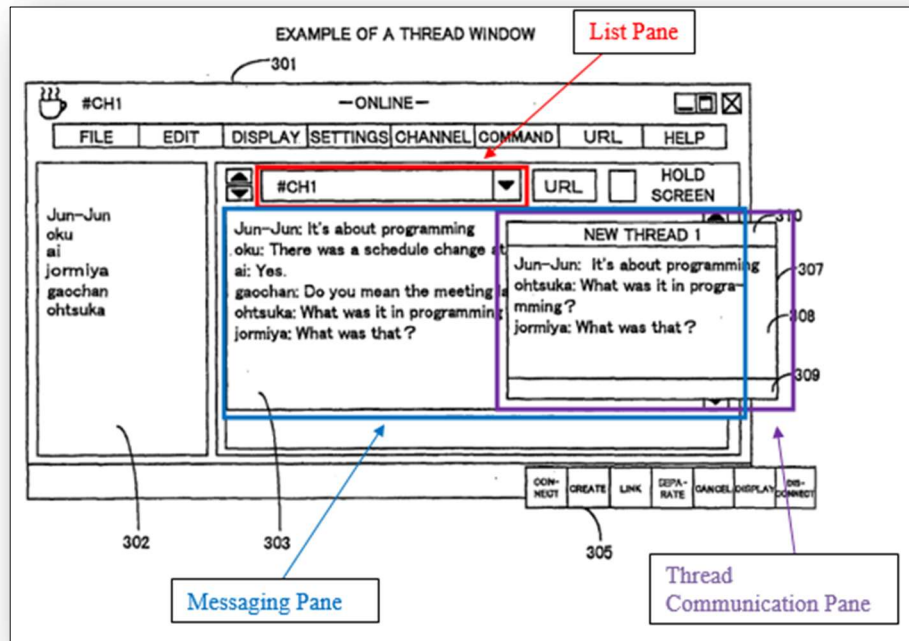
communication, it is inherent that the movable selection window discloses this element.

6. 30[e]

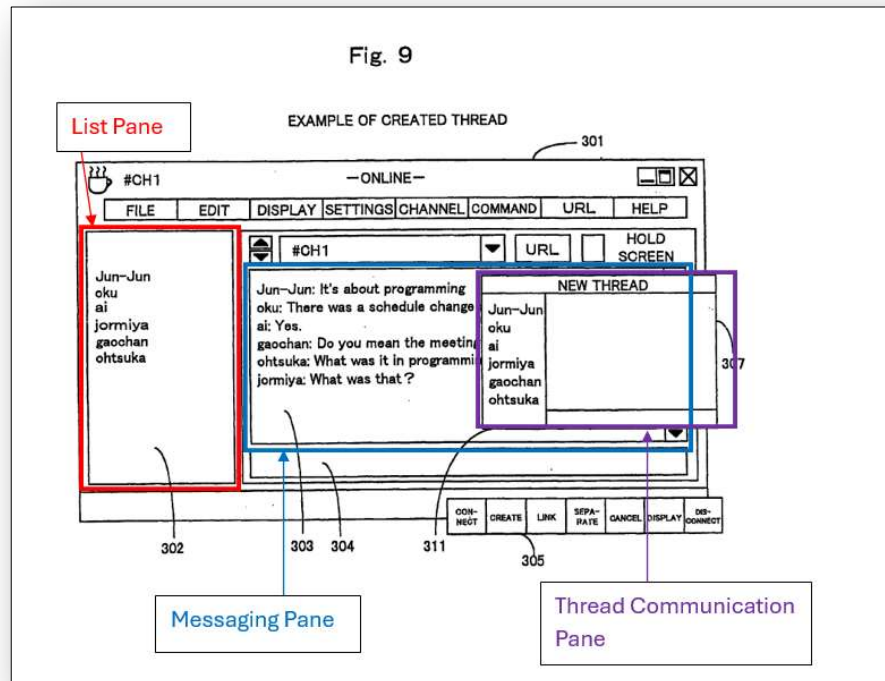
Kakuta discloses this limitation. *See* Section VII.V.5, *supra* (allowing the user to select a thread to view within the subsidiary thread window.); Exh-1003, ¶196.

7. 30[f]

Kakuta discloses this limitation. *See* Section VII.A.15–17, *supra*; Exh-1003, ¶197. Further, Figure 7 illustrates a “list pane,” “messaging pane,” and “thread communion pane” configured to be rendered within the display window simultaneously. Exh-1003, ¶197.



Exh-1005, FIG. 7 (annotated). In addition to the List Pane option above, 302 can also be considered a list pane as it provides the list of users. *Id.*, ¶198; Exh-1005, 8:56–58 (“Displaying a list of users in the channel by displaying a user list 311, shown in FIG. 9 in the new thread window, is desirable.”), FIG. 9 (providing the same list of users in 302 as 311). This is illustrated below:



Exh-1005, FIG. 9 (annotated); Exh-1003, ¶198.

To the extent Kakuta's figures show the boundary of the "thread communication pane" extending beyond the edge of a defined display window, a PHOSITA would understand such issues of window layout to be a simple matter of aesthetics. Exh-1003, ¶199. Instead, maintaining the boundaries of all graphical elements within a defined display window would be a simple and routine matter of design choice, and well within capabilities of a PHOSITA. *Id.*, ¶199. Moreover, Kakuta discloses that—consistent with a PHOSITA's understanding of windowing systems since the early 1980s—the thread window 307 is moveable, appearing at slightly different positions across Kakuta's figures 7 and 9. *Id.* To the extent the

thread window is not explicitly rendered within a defined display window, it is inherent that the movable thread window discloses this element. *Id.*

VIII. GROUND 2: CLAIMS 1-7, 9-19, AND 21-30 ARE OBVIOUS OVER KAKUTA

As detailed above in Section VII, Claims 1-7, 9-12, 15-19, 21-22, 25-27 and 30 are anticipated by Kakuta. Exh-1003, ¶200. To the extent PO contends that Kakuta does not anticipate any of these claims because it does not expressly teach certain aspects of these claims, as listed below, Kakuta on its own renders these claims obvious based on the knowledge of a PHOSITA. *Id.* Moreover, Claims 13-14, 23-24, and 28-29 are also obvious in light of Kakuta. *Id.*

A. Claims 1, 3, 13, 15, 17, 23, 25, and 27-28, and Claims 2-7, 9-14, 16-19, 21-24, and 26-30

1. Claims 1, 15, and 25, and Claims 2-7, 9-14, 16-19, 21-24, and 26-29

To the extent PO asserts that Kakuta does not expressly teach elements of independent Claims 1, 15, and 25 (1[a], 1[c], 1[d], 1[o], 15[pre], 15[b], 15[c], 15[n], 25[pre], 25[b], 25[c], and 25[n]), these elements are obvious in light of Kakuta. Exh-1003, ¶201. Anticipated Claims 2-7 and 9-12 depend from Claim 1, anticipated Claims 16-19 and 21-22 depend from Claim 15, and anticipated Claims 26-27 depend from Claim 25, so the analysis of these elements (1[a], 1[c], 1[d], 1[o], 15[pre], 15[b], 15[c], 15[n], 25[pre], 25[b], 25[c], and 25[n]) are incorporated

by reference into these dependent claims, making Claims 2-7, 9-12, 16-19, 21-22, and 26-27 also obvious. Moreover, this analysis is further incorporated into the obviousness analysis of Claims 13-14, 23-24, and 28-29 below (Section VIII.E).

a. 1[a], 15[pre], and 25[pre]

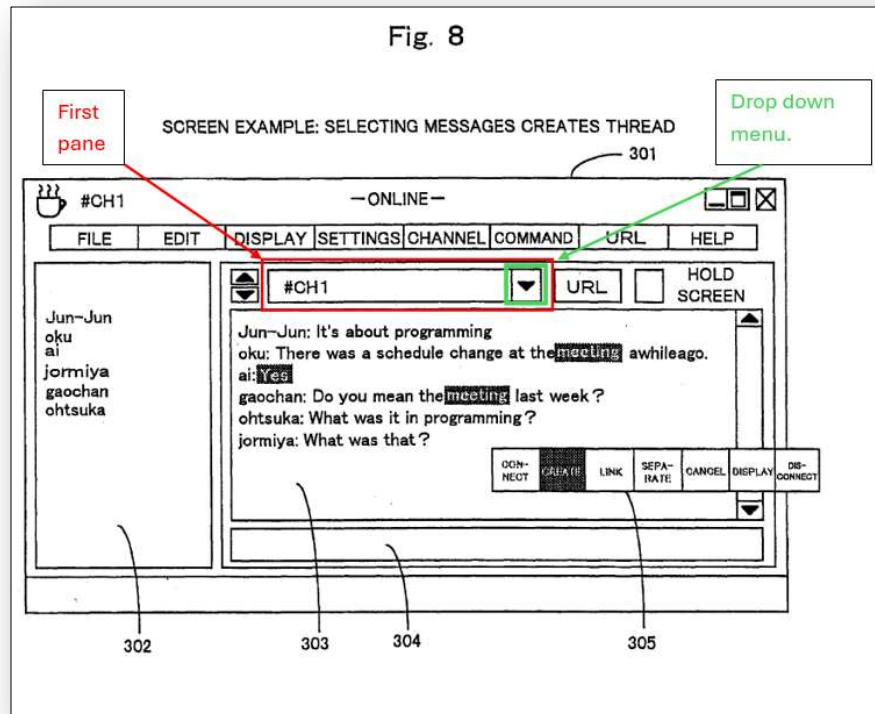
To the extent PO asserts that Kakuta does not expressly teach these elements, in particular a processor having computer coded instructions, Kakuta renders these elements obvious. Exh-1003, ¶202. Kakuta discloses a display control program executed on a chat device, which performs various tasks such as managing threads and controlling the display of information. *Id.*; Exh-1005, 4:17–37, Claims 10, 20. Given that such tasks inherently require the execution of processes, it would have been obvious to implement a processor to perform these functions. Exh-1003, ¶202; Exh-1005, 4:17–37.

The use of processors to execute software programs, including display control programs, was well-established at the time of Kakuta’s invention. Exh-1003, ¶204. It would have been obvious to a PHOSITA that a processor is necessary to execute the display control program and manage communication between memory and system components—a routine and well-known design choice. *Id.*

It would have also been obvious to a PHOSITA that the memory must store prewritten computer-coded instructions, as such instructions are necessary for executing the display control program and coordinating the functions of the various modules interacting with user inputs, which is a well-known and routine function in computer systems. *Id.*, ¶205. Thus, combining Kakuta's teachings with the common use of processors renders these elements obvious. *Id.*

b. 1[c], 15[b], and 25[b]

To the extent PO asserts that Kakuta does not expressly teach these elements, Kakuta renders them obvious. As discussed above, Kakuta's first pane identifies the channel identifier (#CH1) for the messaging communications in the second pane. *See* Section VII.A.4. Kakuta inherently teaches displaying a plurality of channel identifiers. Exh-1003, ¶206. Kakuta illustrates this by providing a drop-down function, highlighted in green below. *Id.*



Exh-1005, FIG. 8 (annotated).

It is known in the field that when a drop-down option is selected, additional options, similar to the one chosen, will be displayed. Exh-1003, ¶207. A PHOSITA would understand that the drop-down would list different channels. *Id.*; Exh-1012, 52-53, 549-51 (discussing combo boxes, which are dropdown boxes).

Kakuta teaches that each channel identifier corresponds to an associated group of members who are users of said system. Exh-1003, ¶208. For example, Kakuta provides that: “[w]hen a user chooses individual users within a channel, the creation means creates a message group that will be constituted by messages from

the chosen users. Information specifying the users comprising the message group, nicknames, for example, are contained in the message group information.” Exh-1005, 3:32–38.

c. 1[d], 15[c], and 25[c]

To the extent PO asserts that Kakuta does not expressly teach these elements, Kakuta renders them obvious. Exh-1003, ¶209. For the same reasons set forth in Section VII.A.4, the first pane contains a drop-down option, allowing a user to select a channel identifier (#CH1). Exh-1003, ¶209. It would be obvious that the “first pane” depicted in Figure 8 is a combo box (i.e., drop-down menu), and therefore, it is configured to display a plurality of items (i.e., more than one channel) from which the user chooses and to display messages within the selected channel among the interface. Exh-1003, ¶211.

d. 1[o], 15[n], and 25[n]

To the extent PO asserts that Kakuta does not expressly teach these elements, Kakuta renders them obvious. Exh-1003, ¶212.

A PHOSITA would have understood that the second user-selectable control, which generates the subsidiary communication thread, would indicate which message within the broader communication channel serves as the anchor message for the thread. Exh-1003, ¶213. Kakuta discloses this through its “Display” tool,

which acts as the second user-selectable control associated with the first messaging communication. *Id.* This tool allows users to select a specific thread to display in the subsidiary communication thread (the third pane), with the first messaging communication being designated as the anchor message. *Id.*; Exh-1005, 8:30–58; 9:23–31, FIGS. 7. For instance, Figure 12 demonstrates how the “Display” tool allows a user to select and display the “Program” thread, and Figure 7 shows the first communication message as the top-most, anchor message within the subsidiary thread, and establishing which message will serve as the anchor. Exh-1003, ¶213. Therefore, a PHOSITA would recognize that this user-selectable control inherently indicates the anchor message of the subsidiary communication thread, making this feature obvious. *Id.*

**2. Claims 1, 3, 13, 15, 17, 23, 25, 27, and 28, and
Dependent Claims 2-7, 9-14, 16-19, 21-24, and 26-29**

To the extent PO asserts that Kakuta does not expressly teach elements of independent Claims 1, 15, and 25 (1[i], 1[p], 15[h], 15[o], 25[h], and 25[o]), these elements are obvious in light of Kakuta. Exh-1003, ¶214. Anticipated Claims 2-7 and 9-12 depend from Claim 1⁴, anticipated Claims 16-19 and 21-22 depend from Claim 15⁵, and anticipated Claims 26-27 depend from Claim 25, so the analysis of

⁴ Anticipated Claims 4, 6-7, and 9 also depend from Claim 3.

⁵ Anticipated Claims 18-19 and 21 also depend from Claim 17.

these elements (1[i], 1[p], 3[a], 13[a], 15[h], 15[o], 17[a], 23[a], 25[h], 25[o], 27[a], and 28[a]) are incorporated by reference into these dependent claims, making Claims 2-7, 9-12, 16-19, 21-22, and 26-27 also obvious. Moreover, this analysis is further incorporated into the obvious analysis of Claims 13-14, 23-24, and 28-29 below (Section VIII.E).

a. 1[i], 1[p], 3[a], 13[a], 15[h], 15[o], 17[a], 23[a], 25[h], 25[o], 27[a], and 28[a]

To the extent PO asserts that Kakuta does not expressly teach these elements, Kakuta renders them obvious. Exh-1003, ¶215.

Kakuta teaches that when a user selects a message, words within a message, or a user ID, and then selects the first user-selectable control, “Create,” a third pane appears that displays the selected (anchor) message or displays a private chat with only the selected users. Exh-1003, ¶216; Exh-1005, 8:38–52, FIGS. 7 and 8. Thus, even if the response involves selecting both (1) the message, words within the message, or User ID, and (2) the “Create” tool, it is inherent that the final step of selecting “Create” triggers the display of the third pane with the anchor message. Exh-1003, ¶216.

Additionally, Kakuta teaches an immediate response to a user selection, where the “Create” tool can be used independently. Exh-1003, ¶217; Exh-1005, 8:52–56. Therefore, based on the teachings of Kakuta, it would be obvious to apply

this immediate response to any thread request when a user-selectable control is selected. Exh-1003, ¶217.

Furthermore, if an interim window, such as a “Confirmation Window” or similar interface (*see* FIG. 6), appears before the third pane is displayed with the first messaging communication and an associated sidebar text-entry field operable to receive additional messaging input, it is inherent that this is part of the process (in response to the selection) that leads to the final display of the third pane, thereby rendering this aspect of the claim obvious as well. Exh-1003, ¶218.

B. Claim 4

To the extent PO asserts that Kakuta does not expressly teach this claim, Kakuta renders it obvious. Exh-1003, ¶219.

For example, Kakuta teaches that the selection of messages or users allows for actions associated with these additional messages or users, such as generating a simultaneous subsidiary thread window displaying those messages. Exh-1003, ¶220; Exh-1005, 8:43–51, FIGS. 5 and 8. This selection process works in tandem with the tools on toolbar 305 (i.e., the user-selectable controls). *See* Exh-1003, ¶220; Exh-1005, 8:43–51, FIGS. 5 and 8. Consequently, these messages and user selections are naturally proximate to the additional messaging communications when the user-selectable control is invoked. *See* Exh-1003, ¶220.

It is obvious that the user-selectable control, when used in this context, would be displayed close to the additional messaging communications to ensure efficient and intuitive interaction. Exh-1003, ¶221. Moreover, the proximity of the control to the selected messages enhances usability, making the process straightforward and logical for the user. *Id.* Therefore, Kakuta renders this limitation obvious because the design and functionality of the system inherently suggest that the user-selectable control would be positioned near the additional messaging communications, enhancing efficient interaction, and aligning with standard user interface practices. *Id.* Moreover, the toolbar (305) containing the user-selectable functions, is movable as illustrated in the images, making it obvious to move the tool bar to make it proximate. *Id.*; Exh-1005, FIGS. 4–6.

C. Claims 9 and 21

To the extent PO asserts that Kakuta does not expressly teach these claims, Kakuta renders them obvious. Exh-1003, ¶222.

The “fourth user-selectable control” is the selection of a user ID (i.e., identifying information) that is associated with an anchor message. This selection is “operable to cause” the display of at least a portion of said subsidiary-communication thread because the selection influences the behavior of the information that is included in the selection window (*see* Exh-1005, FIG.16 (Step

351), 12:15–18) and therefore determines what information is displayed in the third pane. Exh-1003, ¶223. Upon selecting the “Create” tool (Exh-1005, FIG. 5, 8:11–12.), a user may initiate a new subsidiary thread (i.e., a third pane) that quotes the messages, including the anchor message, which is then generated and displayed to the user. Exh-1003, ¶223; Exh-1005, 8:20–37, FIGS. 6 and 7.

Thus, the act of selecting a user ID to influence which messages are displayed in the third pane is a clear example of how the user-selectable control is “operable to cause” the desired display. Exh-1003, ¶224. The inherent functionality in Kakuta’s display control device makes this process obvious, as it logically follows from the user’s interaction with the controls, thereby rendering these claims obvious. *Id.*, ¶224.

D. Claim 12

To the extent PO asserts that Kakuta does not expressly teach this claim, Kakuta renders it obvious. Exh-1003, ¶225. For example, Kakuta teaches the ability to manage user access and participation within a channel, including the joining and departing of users, changes in channel settings, and the control of who can participate in specific threads. *Id.*; Exh-1005, 11:4–13. The creation module, in conjunction with the reporting module, processes these adjustments and updates

the administration table accordingly, allowing the system to dynamically manage user participation and access. Exh-1003, ¶225; Exh-1005, 7:6–10, 7:11–22.

Moreover, Kakuta’s disclosure of thread creation commands, which include parameters such as thread ID, user list, and the ability to set threads as “Private,” inherently suggests a flexible system capable of handling requests for non-member access to specific communications. Exh-1003, ¶226; Exh-1005, 7:11–22. Thus, the same mechanisms used to control thread visibility and user participation could be employed to grant access to non-member users, making the extension of these capabilities to include non-member access an obvious step in the display device’s design. Exh-1003, ¶226.

E. Claims 13, 14, 23, 24, 28, and 29

1. Claim 13

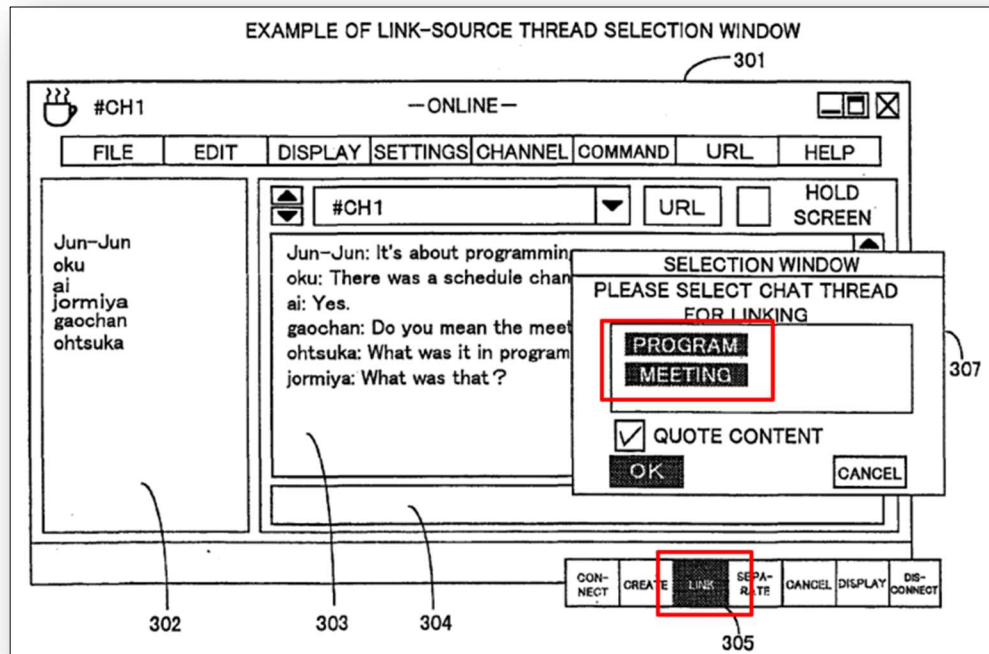
a. 13[pre]

This element is obvious over Kakuta. Exh-1003, ¶227. First, Kakuta discloses the apparatus of claim 1. *See* Sections VII.A, VIII.A, *supra*; Exh-1003, ¶227. Second, Kakuta teaches a “fifth user-selectable control.” Exh-1003, ¶227.

Although Claim 13 requires a *fifth* user-selectable control, it depends solely on Claim 1, which includes only a “first user-selectable control” and a “second user-selectable control.” Exh-1003, ¶228. Therefore, the “third user-selectable control” and “fourth user-selectable control” could be the user-selectable controls

identified in Claims 3 or 9, or it could be the other user-selectable controls available, such as the “Separate,” “Cancel,” or “Disconnect” controls. *See* Sections VII.C and VII.H; Exh-1003, ¶228. Requiring a fifth user-selectable control that is not associated with the third or fourth user-selectable control supports the notion that the numbering of each user-selectable control is relatively arbitrary, so any of the various user-selectable controls within toolbar 305 could fulfill the user-selectable control limitations, rendering them anticipated. Exh-1003, ¶228; Exh-1005, FIG. 4, 8:30–58.

Kakuta teaches a “fifth user-selectable control,” the selection “Link” to link the “Program” and “Meeting” threads together. Exh-1003, ¶229; Exh-1005, 8:59–9:4, FIG. 10. Figure 10 illustrates this:



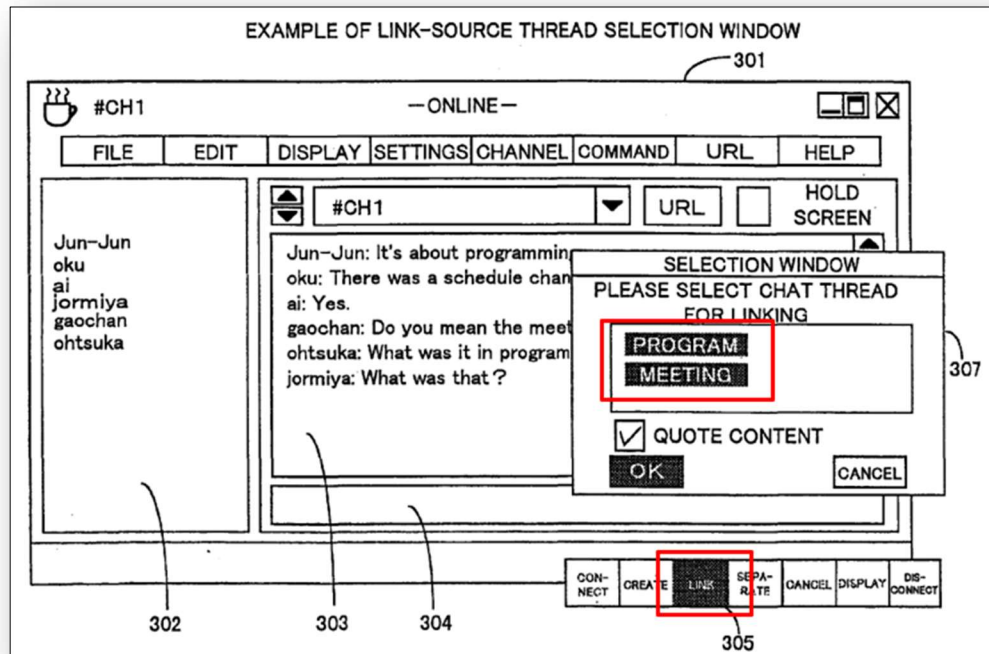
Exh-1005, FIG. 10 (annotated).

b. 13[a]

This element is obvious over Kakuta. Exh-1003, ¶230. With respect to “in response to user selection[,]” Kakuta renders this limitation obvious. *See* Section VIII.A.2.a. Kakuta teaches a “fifth user-selectable control” that displays messaging communications from at least two separate group-based channels. *Id.*, ¶230. The “fifth user-selectable control” is the selection of “Link” and selecting “Program” and “Meeting,” which are associated with a specific type of messages corresponding to those threads. *Id.*; Exh-1005, 8:59–9:4, FIG. 10.

A PHOSITA would understand that at least one option for the channel drop-down combo box displayed in the first pane (*see* Section VII.A.4) would be for the combo box to serve as a filter of the channel(s) displayed in the second pane. Exh-1003, ¶231. Thus, when #CH1 is selected (as shown in Kakuta’s FIG. 10 above), the second pane would show only messages within #CH1 (i.e., within channel 1). *Id.* But a PHOSITA would also understand that when no filter was selected (e.g., the combo box displays a filter value “#ALL” or a blank value) the second pane would show messages from all available channels. *Id.*; Exh-1015, 38 (illustrating an example drop-down menu option for “All Users”). And displaying messages from all available channels in the second pane would allow selecting multiple threads (such as the “Program” and “Meeting” threads) from at least two separate group-based communication channels. When two such threads are linked, they are displayed in the third pane. Exh-1003, ¶231; Exh-1015, 38.

Figure 10 illustrates a user invoking the “Link” tool and choosing at least two different threads with specific messages from the “Program” and “Meeting” threads. Exh-1003, ¶232; Exh-1005, FIG. 10.



Exh-1005, FIG. 10 (annotated); Exh-1003, ¶232.

2. Claim 14

This claim is obvious over Kakuta. Exh-1003, ¶233. First, Kakuta discloses the apparatus of claim 13. *See* Section VIII.E.1, *supra*; Exh-1003, ¶233. Second, Kakuta teaches a class of messaging communications in which the messaging communications are all parts of a subsidiary thread that incorporates messages from a specific user of the system. Exh-1003, ¶233.

For example, Kakuta teaches the ability to select messages from a specific user, creating a thread consisting entirely of that user's messages. Exh-1003, ¶234; Exh-1005, 8:38–42. These messages can then be linked using the “Link” tool to

create a subsidiary thread that encompasses all messaging communications from a specific user among all subsidiary threads. Exh-1003, ¶234; Exh-1005, 8:59–65.

When these threads are selected, then they will be forwarded to the third pane.

Exh-1003, ¶234; Exh-1005, 8:65–9:4.

Moreover, Kakuta discloses that once threads are linked, the system can organize the display of messages in various ways, such as by time sequence or user-and-time sequence, to meet specific needs. Exh-1003, ¶235; Exh-1005, 9:1–4. This flexibility indicates that the system inherently supports the organization of messages by specific users within subsidiary threads. Exh-1003, ¶235. It would be obvious to extend this functionality to create a class of messaging communications that are all parts of subsidiary threads generated by a particular user. *Id.* The ability to link, categorize, and display messages based on user input and thread associations in Kakuta naturally leads to the conclusion that such a system would be capable of meeting the requirements of Claim 14. *Id.*; Exh-1005, 8:59–9:4, FIG. 10.

3. Claim 23

a. 23[pre]

This limitation is obvious over Kakuta. *See* Sections VII.L, VIII.A, VIII.E.1.a, *supra*; Exh-1003, ¶236.

b. 23[a]

This limitation is obvious over Kakuta. *See* Section VIII.E.1.b, *supra*; Exh-1003, ¶237.

4. Claim 24

This limitation is obvious over Kakuta. *See* Sections VII.E.2, VII.E.3, *supra*; Exh-1003, ¶238.

5. Claim 28

a. 28[pre]

This limitation is obvious over Kakuta. *See* Sections VII.S, VIII.A, VIII.E.1.a, *supra*; Exh-1003, ¶239.

b. 28[a]

This limitation is obvious over Kakuta. *See* Section VIII.E.1.b, *supra*; Exh-1003, ¶240.

6. Claim 29

This limitation is obvious over Kakuta. *See* Section VIII.E.2, X.E.5, *supra*; Exh-1003, ¶241.

F. Claim 30

1. 30[d]

To the extent PO asserts that Kakuta does not expressly teach the “in response” and “proximate” limitations, Kakuta renders them obvious. *See* Sections VIII.A.2.a (“in response”) and VIII.B (“proximate”), *supra*; Exh-1003, ¶242.

To the extent PO asserts that Kakuta does not expressly teach a “thread summary indicator[,]” Kakuta renders this limitation obvious. Exh-1003, ¶243. It would be obvious to integrate the “Display” tool with the selection of the desired thread into a single step to streamline the user experience, effectively functioning as a unified “thread summary indicator.” *Id.* Modern user interfaces prioritize efficiency, and combining the selection of a messaging communication with the “Display” tool in a single action would be a natural design improvement. *Id.* This integration would enable the user to invoke the display of a subsidiary communication thread with one step, directly within the message pane and near the first messaging communication (i.e., anchor message). *Id.* Such an approach would enhance simplicity and usability, aligning with common interface design practices, making it clear that this modification is an obvious evolution of Kakuta’s system. *Id.*

**IX. GROUND 3: CLAIMS 1-7, 9-19, AND 21-29 ARE OBVIOUS
OVER KAKUTA IN VIEW OF MATSUMOTO**

**A. Claims 1, 15, and 25 and Dependent Claims 2-7, 9-14, 16-19,
21-24, and 26-29**

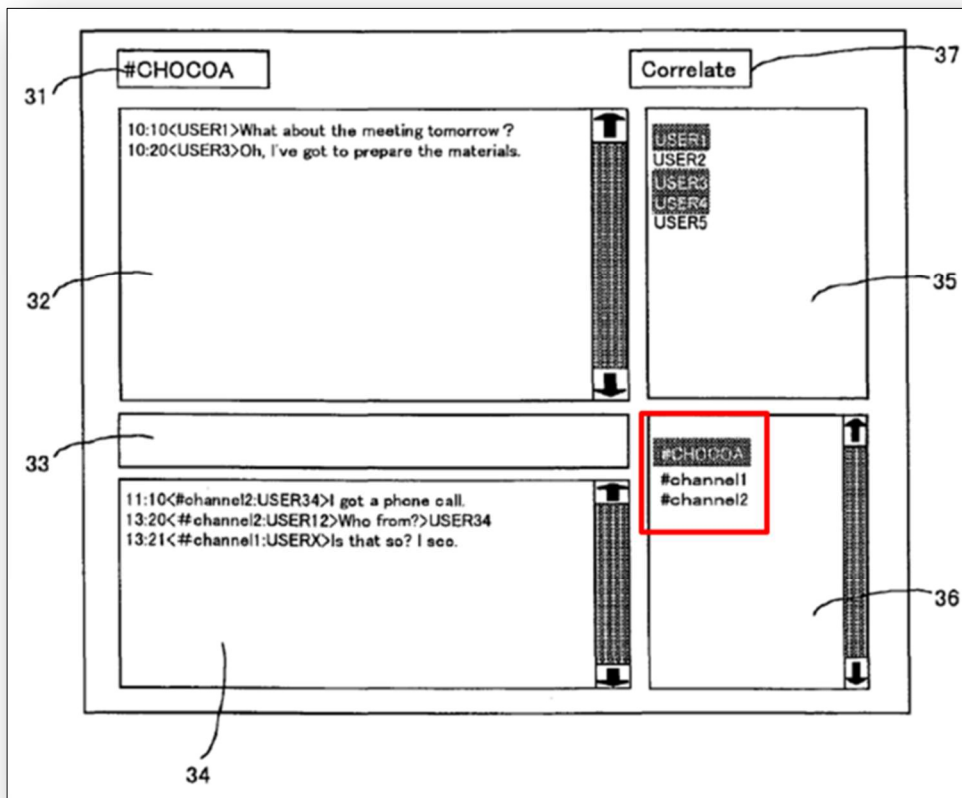
To the extent PO asserts that Kakuta does not expressly teach or render obvious elements of independent Claims 1, 15, and 25 (1[c], 15[b], and 25[b]), these elements are obvious over Kakuta in view of Matsumoto. Exh-1003, ¶244. As noted above, dependent Claims 2-7, 9-14, 16-19, 21-24, and 26-29 are anticipated and/or obvious in view of Kakuta (Sections VII and VIII), and the analysis of these elements (1[c], 15[b], and 25[b]) are incorporated by reference into the dependent claims.

1. 1[c], 15[b], and 25[b]

To the extent PO asserts that Kakuta does not expressly teach or render obvious these elements, Kakuta in view of Matsumoto renders them obvious. Exh-1003, ¶245.

Matsumoto explicitly teaches the use of multiple channels (i.e., channel identifiers), each with specific information such as “channel name, topic, users participating in the channel and departed users, mode, channel administrator, etc.” *Id.*, ¶247; Exh-1006, 7:46–48. Matsumoto discloses a chat screen that displays a “main channel window 31, a main chat window 32, an input window 33, a sub-chat window 34, a user window 35, and a *channel window 36*.” Exh-1003, ¶; Exh-

1006, 9:31–34. (emphasis added). “The channel window 36 displays the names of channels in which the IRC client 2 is participating.” Exh-1006, 9:44–46. For example, Figure 3 clearly shows a list of multiple channel identifiers in the channel window 35 for the user to choose from. Exh-1003, ¶247; Exh-1006, FIG. 3.



Exh-1006, at FIG. 3. (highlighting the plurality of channel identifiers).

It would be obvious to combine Matsumoto’s plurality of channel identifiers displayed in the channel window 36 with Kakuta’s user interface. Exh-1003, ¶248. Instead of using a drop-down menu, Kakuta’s device could be enhanced by directly

listing multiple channels in the first pane, as Matsumoto demonstrates. *Id.* This combination would provide an intuitive and efficient way for users to view and select among various channels, rendering these elements obvious. *Id.*

B. Claim 13

1. 13[pre]

This claim is obvious over Kakuta. *See* Section VIII.E.1.a, VIII.A, *supra*; Exh. 1003, ¶249.

2. 13[a]

This element is obvious over Kakuta in view of Matsumoto. Exh-1003, ¶250. First, Kakuta teaches the use of various tools (*i.e.*, user-selectable controls) among “toolbar 305,” including linking messages within a channel. *See* Section VIII.A.1.c, VIII.E.1.b, *supra*; Exh-1003, ¶250. To the extent PO contends that Kakuta does not link messages across channels, Kakuta in view of Matsumoto clearly renders this limitation obvious. Exh-1003, ¶250.

Matsumoto teaches “channel correlation” where a user may transfer/forward messages from one channel to another and set forth specific conditions (*i.e.*, filtering) based on which messages among the origin channel are to be transferred/forwarded to the destination channel. Exh-1003, ¶251; Exh-1006, 2:65-3:4, 17:25–31, FIG. 19, Claim 1. As disclosed in Figure 17, messages are

correlated and displayed on two channels when all messages are sent in both directions to channels. Exh-1003, ¶251; Exh-1006, 16:42-50.

These “sending conditions” can be tailored towards specific types of messages based on keywords, usernames, etc. Exh-1003, ¶252; Exh-1006, 3:51–55 (“Consider a case in which the keyword ‘#CUSTOMER*’ is registered in the condition table’s sending conditions. If there is a message beginning with the character string ‘#CUSTOMER,’ the decision means decides to send that message to the correlated destination channel”), 3:60–63 (“For example, nicknames ‘user-A; user-B’ are registered in the condition table’s sending conditions. If there is a message from ‘user-A’ or ‘user-B,’ the decision means decides to send the message.”). The messages are then sent from the origin channel to the destination channel after the user selects the “Correlate” button. Exh-1003, ¶252; Exh-1006, FIG. 5.

Matsumoto also teaches that users can create filters that automatically transfer/forward messages across channels, disclosing a single filter-designation channel can contain messages from multiple channels. Exh-1003, ¶253; Exh-1006, 16:51-65; FIGS. 18-19; *see* Exh-1006, 8:19-25.

Kakuta inherently discloses the ability to select a channel (using the channel drop-down box, *see* Section VII.A.4), and when this is done and the user selects

the destination channel of Matsumoto's filters, the user will see messages that originate from a multitude of different channels. Exh-1003, ¶254. Thus, the fifth user-selectable control is the Matsumoto filter-destination channel represented in Kakuta's channel selector drop-down box. *Id.*

A PHOSITA would have understood that integrating Matsumoto's filter-destination channel into the functionality provided by Kakuta would be a simple and routine matter. *Id.*, ¶255.

C. Claim 14

This claim is obvious over Kakuta in view of Matsumoto. Exh-1003, ¶256. First, Kakuta in view of Matsumoto discloses the apparatus of claim 13. *See* Section VIII.E.2, *supra*; Exh-1003, ¶256. Second, as discussed above, Matsumoto teaches "sending conditions" where messages from specific users may be designated to be transferred/forwarded from an origin channel to a destination channel upon a user's selection of the "Correlate" button. Exh-1003, ¶256; Exh-1006, 3:60–63; *see e.g.*, Exh-1006, FIG. 5. Matsumoto also discloses the transfer of messages from multiple origin channels to a single destination channel. Exh-1003, ¶256; Exh-1006, FIG. 9(a).

Third, Kakuta teaches displaying a subsidiary thread communication channel window that can present subsidiary threads to the user upon selection of a tool (i.e.,

user-selectable control) among the “toolbar 305.” Exh-1003, ¶257; Exh-1005, FIGS. 7, 16. This allows the user to view and interact with specific subsidiary communication threads based on messages from certain threads. Exh-1003, ¶257; Exh-1005, FIGS. 7, 16.

A POSITA would understand that combining Kakuta’s functionality for managing and displaying subsidiary threads with Matsumoto’s “sending conditions” would naturally result in a system where messaging communications from specific users are organized into subsidiary threads. Exh-1003, ¶258. Matsumoto’s ability to selectively transfer messages based on user-specific criteria and Kakuta’s thread management tools provide a seamless integration, allowing for the creation of user-based subsidiary threads within the messaging platform. *Id.* This would make it obvious to create a system where messaging communications from specific users are grouped into subsidiary communication threads. *Id.*

D. Claim 23

1. 23[pre]

This limitation is obvious over Kakuta in view of Matsumoto. *See* Sections VIII.E.3.a, IX.A, IX.B.1, *supra*; Exh-1003, ¶259.

2. 23[a]

This limitation is obvious over Kakuta in view of Matsumoto. *See* Sections VIII.E.3.b IX.B.2, *supra*; Exh-1003, ¶260.

E. Claim 24

This limitation is obvious over Kakuta in view of Matsumoto. *See* Sections VIII.E.4, IX.C, IX.D, *supra*; Exh-1003, ¶261.

F. Claim 28

a. 28[pre]

This limitation is obvious over Kakuta in view of Matsumoto. *See* Sections VII.S, VIII.E.5.a, XI.A, IX.B.1, *supra*; Exh-1003, ¶262.

b. 28[a]

This limitation is obvious over Kakuta in view of Matsumoto. *See* Sections VIII.E.5.b, IX.B.2, *supra*; Exh-1003, ¶263.

G. Claim 29

This limitation is obvious over Kakuta in view of Matsumoto. *See* Sections VIII.E.6, IX.C, IX.F, *supra*; Exh-1003, ¶264.

X. GROUND 4: CLAIMS 1-29 ARE OBVIOUS OVER KAKUTA IN VIEW OF MATSUMOTO AND CHANG

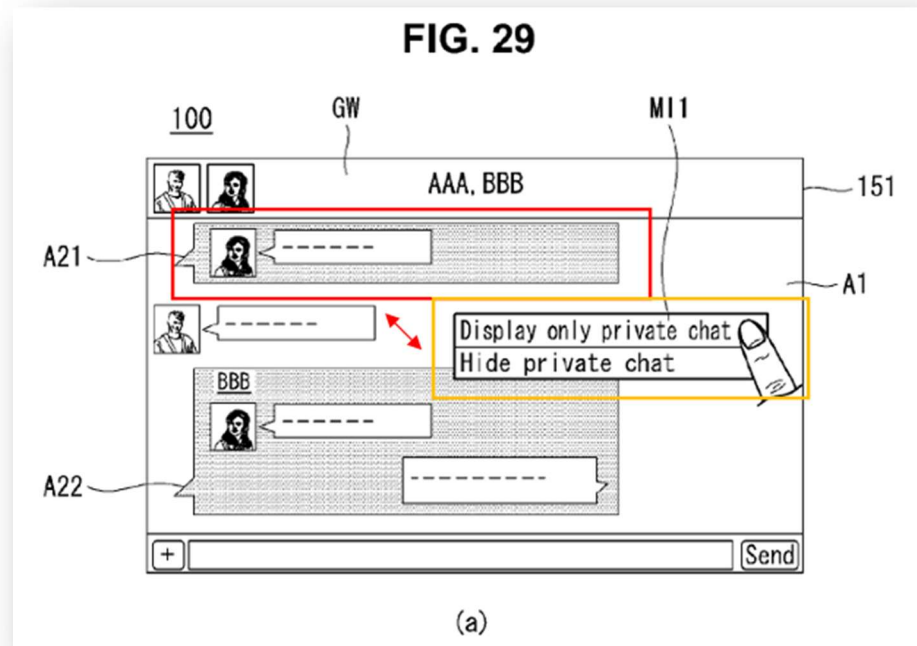
To the extent PO asserts that Kakuta does not expressly teach or render obvious elements of independent Claims 1, 15, and 25 (1[o], 15[n], and 25[n]), as set forth below, these elements are obvious over Kakuta in view of Matsumoto and Chang. Exh-1003, ¶265. Claims 1, 15, and 25 and dependent Claims 1-14, 16-24, and 26-29.

A. Claims 1, 15, and 25 and Dependent Claims 2-14, 16-24, and 26-29

1. 1[o], 15[n], and 25[n]

To the extent PO asserts that Kakuta does not expressly teach or render obvious these elements, Kakuta, in view of Matsumoto and Chang, renders them obvious. Exh-1003, ¶266.

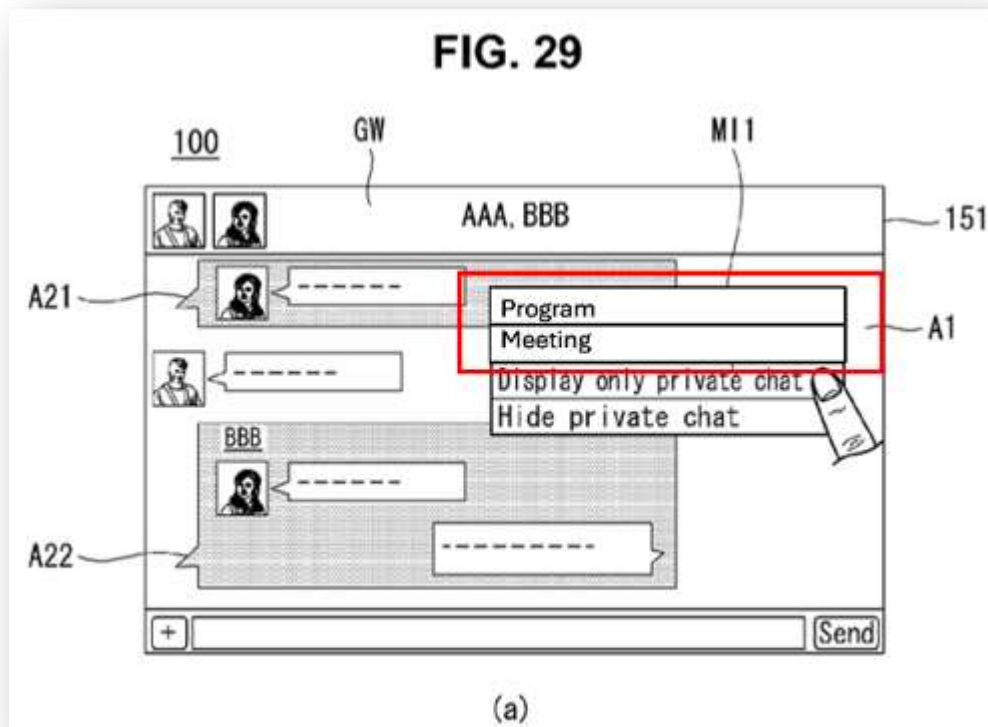
Chang teaches that when each message, such as a message among private chat area A21, as shown in FIG. 29 below, “is touched for a predetermined time period or more, the controller 180 controls to selectable menu items related to a display function of the private chat areas A21” Exh-1007, [0270]. This selectable menu acts as the second user-selectable control associated with the first messaging communication in the second pane, as it is triggered when the user selects the private chat area A21, which includes the first messaging communication. Exh-1003, ¶268; Exh-1007, [0203], [0296], [0299], [0318]. The second user-selectable control is linked to an indicator showing that the first messaging communication serves as the anchor message of the subsidiary communication thread. Exh-1003, ¶268. This is visually represented by the first messaging communication being enclosed within the private chat area A21, signifying its role as the anchor message for the private subsidiary communication thread. *Id.*



Exh-1007, FIG. 29 (where A21 is the private chat region encompassing the first message communication/anchor message and a selectable item menu is displayed), [0270].

A PHOSITA would have found it obvious to combine the Kakuta and Matsumoto (*see* Sections IX.A) device with Chang's second user-selectable control (i.e., the selectable menu) associated with an indicator that the first messaging communication is the anchor message. Exh-1003, ¶269. Integrating Chang's second user-selectable control into the second pane of Kakuta would enable the invocation of a subsidiary communication thread in the third pane, where the first messaging communication would function as the anchor message.

Id. This combination would allow certain functions associated with Kakuta's toolbar (such as "Display", and the "Program" and "Meeting" thread indicators) to be incorporated into the selectable menu. *Id.* That is, the selectable menu would include options for selecting each of the threads associated with each message (*see* combination image below, where the message is associated with both the "Program" and "Meeting" threads). *Id.*

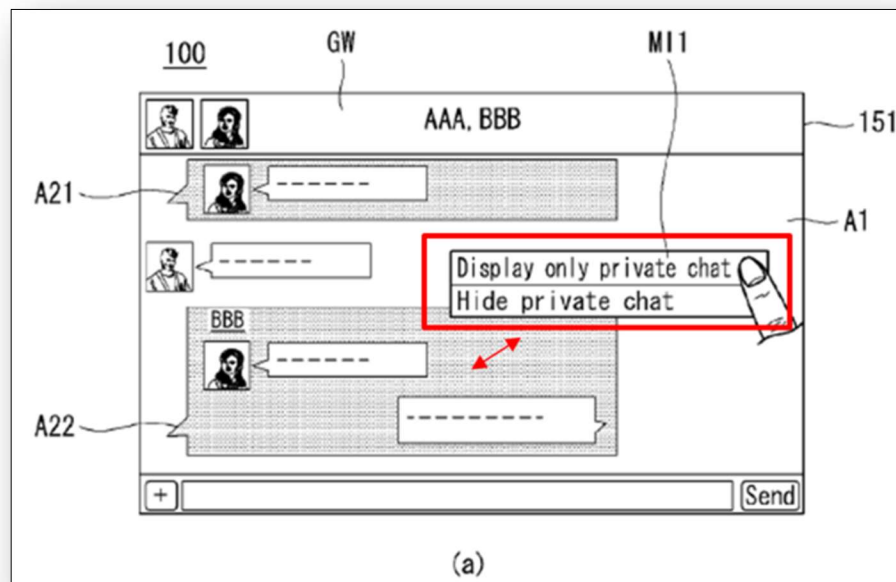


Exh-1007, FIG. 29 (combination image depicting an example selectable menu with a selection of each thread.).

B. Claim 4

To the extent PO asserts that Kakuta does not expressly teach or render obvious this claim, Kakuta in view of Matsumoto and Chang renders this claim obvious. Exh-1003, ¶271.

Chang teaches a mobile terminal where a user may select a private chat area by invoking a user control. Exh-1003, ¶272; Exh-1007, [0032]; FIG. 29. In Figure 29, Chang shows a user-selectable control placed directly near the messaging communication, allowing the user to open a private subsidiary chat window from within a group chat interface. Exh-1003, ¶272. This illustrates the concept of displaying a control near the communication it operates on, making it accessible and immediately relevant to the user's action. *Id.*



Exh-1007, FIG. 29 (annotated) and its proximity to the message communications among the group chat interface). Chang teaches that when the message thread is touched for a predetermined period of time, the user control (display or hide a private chat) appears. Exh-1003, ¶273; Exh-1007, [0270]. Chang further teaches that other user-selectable controls become available when a party presses on the chat for a predetermined amount of time, including adding a member to the chat, separating a chat window, copying a chat from one window to another. Exh-1003, ¶273; Exh-1007, [0203], [0296], [0299], [0318].

Combining the Kakuta and Matsumoto device (Section VII.D, VIII.B, IX.A) with Chang's proximity-based user controls, it would be obvious that the third, or really any, user-selectable control in Kakuta could be placed near the additional messaging communication it governs. Exh-1003, ¶274. This combination would enhance user experience by ensuring that controls are logically and spatially related to the communications they affect, facilitating efficient interaction with messaging threads. *Id.*

Kakuta anticipates and/or renders the remaining elements of this claim limitation obvious (obvious alone or in light of Matsumoto). *See* Sections VII.A-D, X.A-B, IX.A *supra*; Exh-1003, ¶275.

C. Claims 8 and 20

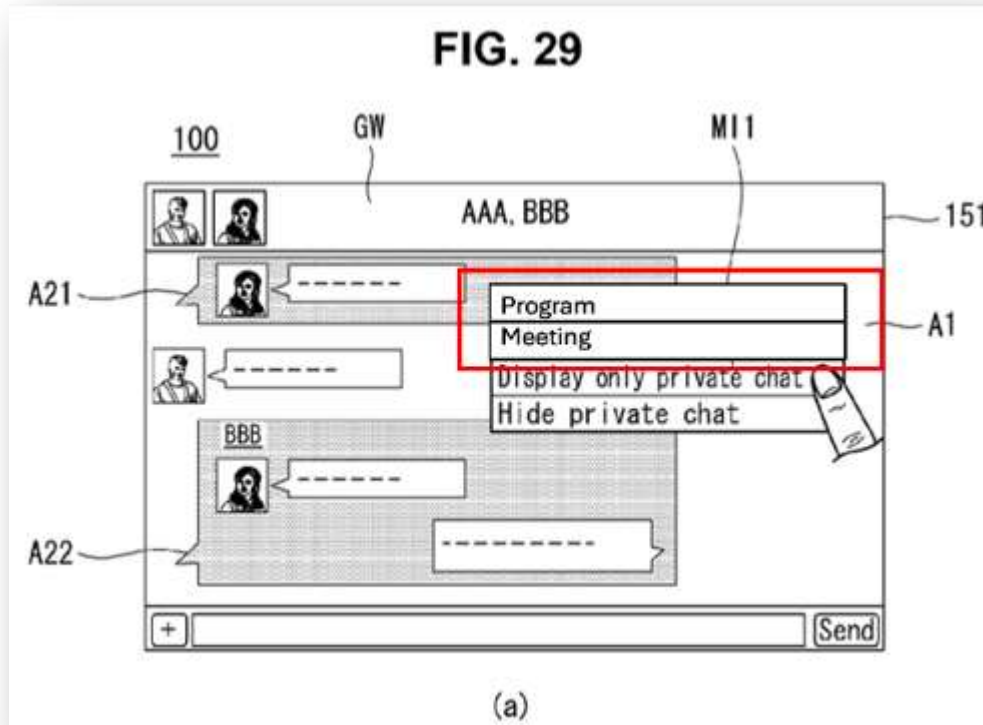
1. Claim 8

Kakuta in combination with Matsumoto and Chang renders this claim obvious. Kakuta discloses or renders obvious the apparatus of claim 3. *See* Sections VII.B, VIII.A, *supra*. Second, as disclosed above, Kakuta teaches a second pane with additional messages that can be displayed within a messaging pane (second pane) and a subsidiary communication thread (third pane). *See* Section VII.B.

Chang teaches that when each message, such as a message among private chat area A21 “is touched for a predetermined time period or more, the controller 180 controls to selectable menu items related to a display function of the private chat areas A21” Exh-1007, [0270].

A PHOSITA would have found it obvious to combine the Kakuta and Matsumoto device (Sections VII.C, VII.N, VIII.A, IX.A) with Chang’s selectable menu, thereby incorporating an indicator associated with a message, such as the additional messaging communication. Exh-1003, ¶279. As discussed above, this combination would allow certain functions associated with Kakuta’s toolbar (such as “Display”, and the “Program” and “Meeting” thread indicators) to be incorporated into the selectable menu. *Id.* That is, the selectable menu would

include options for selecting each of the threads associated with each message (*see* combination image below, where the message is associated with both the “Program” and “Meeting” threads).



Exh-1007, FIG. 29 (combination image depicting an example selectable menu with a selection of each thread.); Exh-1003, ¶279. Thus, this would indicate to a user that the additional messaging communication among the second pane is associated with a subsidiary communication thread, such as “Program” or “Meeting,” that can be displayed among the third pane. *Id.*

Kakuta anticipates and/or renders the remaining claim limitations obvious (obvious alone or in light of Matsumoto). *See* Sections VII.A-C, VIII.A, IX.A.1, *supra*.

1. Claim 20

This limitation is obvious over Kakuta in view of Matsumoto and Chang. *See* Sections X.C.1, VIII.A.2, VII.N, *supra*.; Ex-1003, ¶281.

D. Claim 12

To the extent PO asserts that Kakuta does not expressly teach and/or render obvious this claim, Kakuta in view of Matsumoto and Chang renders this claim obvious. Exh-1003, ¶282.

Chang teaches the receipt of a request to add a non-member to a chat, and in response, adding the non-member user who can then receive communications. *Id.*, ¶283; Exh-1007, [0276]–[0285]. In particular, Chang discloses: “when a request for adding another party is received, the controller 180 controls to display a list L of another parties that can be added in a partial area of the screen. Thereafter, when another party L1 included in the list L is touched and dragged to a chat window by the user, the controller 180 selects a chat group based on a position at which another party L1 is dragged.” Exh-1003, ¶283; Exh-1007, [0281]–[0282]; FIGS. 31–32.

Combining the Kakuta and Matsumoto device (Sections VII.K, VIII.A, VIII.D) with Chang's feature to add a non-member to a communication thread, it would be obvious to receive a request to permit a non-member user not associated with the group and, in response to the request, enabling said non-member user to receive such communications. Exh-1003, ¶284. This combination would enhance user experience by ensuring that controls are logically and spatially related to the communications they affect, facilitating efficient interaction with messaging threads. *Id.*

Kakuta anticipates and/or renders the remaining claim limitations obvious (obvious alone or in light of Matsumoto). *See* Sections VII.A, VII.K, VIII.A, VIII.D, IX.A, *supra*; Exh-1003, ¶285.

XI. GROUND 5: CLAIM 30 IS OBVIOUS OVER KAKUTA IN VIEW OF CHANG

A. Claim 30

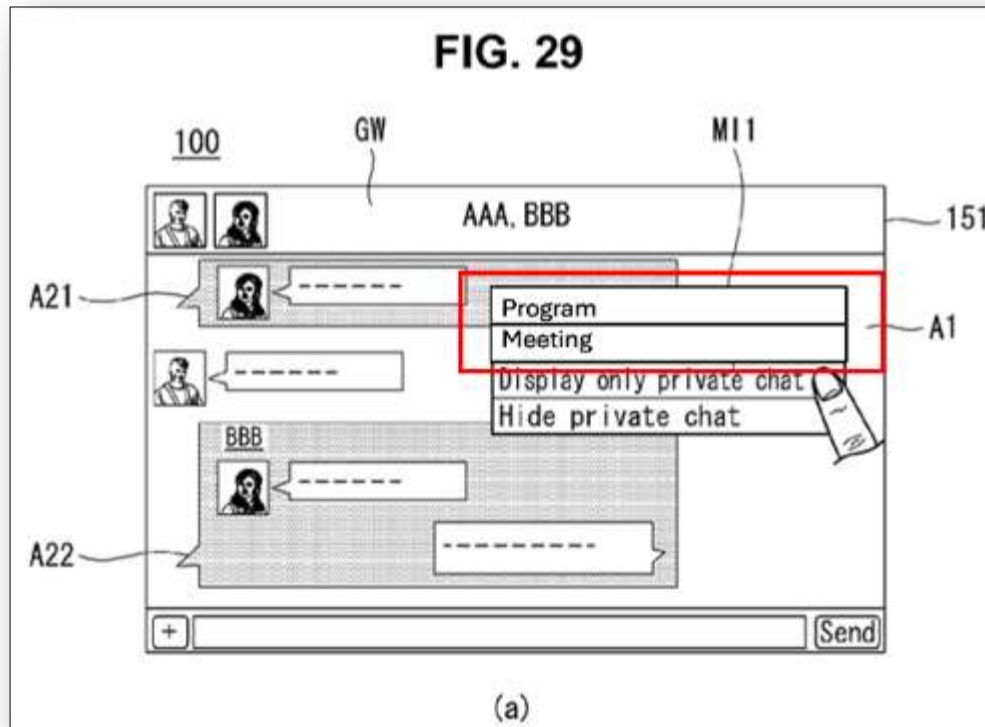
1. 30[d]

To the extent PO asserts that Kakuta does not expressly teach and/or renders obvious this element, Kakuta in view of Chang renders this element obvious. Exh-1003, ¶286.

Kakuta renders this element obvious. *See* Section VIII.F, *supra*; Exh-1003, ¶287. Chang teaches that when each message, such as a message among private

chat area A21 “is touched for a predetermined time period or more, the controller 180 controls to selectable menu items related to a display function of the private chat areas A21” Exh-1007, [0270]; Exh-1003, ¶288.

A PHOSITA would have found it obvious to combine Kakuta with Chang’s selectable menu, thereby incorporating an indicator associated with a message, such as the first messaging communication. Exh-1003, ¶289. As discussed above, this combination would allow certain functions associated with Kakuta’s toolbar (such as “Display”, and the “Program” and “Meeting” thread indicators) to be incorporated into the selectable menu. *Id.* That is, the selectable menu would include options for selecting each of the threads associated with each message (*see* combination image below, where the message is associated with both the “Program” and “Meeting” threads). *Id.*



Exh-1007, FIG. 29 (combination image depicting an example selectable menu with a selection of each thread.). Thus, this would serve as a thread summary indicator, renderable within the messaging pane and proximate the first messaging communication, indicating to a user that the first messaging communication among the second pane is associated with a subsidiary communication thread, such as “Program” or “Meeting,” that can be displayed among the third pane upon user selection. Exh-1003, ¶289.

XII. MOTIVATION TO COMBINE KAKUTA, MATSUMOTO, AND/OR CHANG

A summary of Kakuta, Matsumoto, and Chang are provided above in Section VI. A PHOSITA would have been motivated to combine Kakuta with Matsumoto and/or Chang for numerous reasons. Exh-1003, ¶291.

All three references are in the same field of messaging. Exh-1003, ¶292; Exh-1005, Abstract; Exh-1006, Abstract; Exh-1007, Abstract. All three references address messages over a network with a plurality of users. Exh-1003, ¶293; Exh-1005, 1:66-2:3; Exh-1006, 2:45-48; Exh-1007, [0046], [0116]. All three references focus on allowing users to segregate messages, creating a separate message thread, to allow for more efficient communication. Exh-1003, ¶294; Exh-1005, 1:61-65; Exh-1006, Abstract; Exh-1007, [0009].

A PHOSITA would have looked to Matsumoto for its specific teachings relating to the display of multiple channels. Exh-1003, ¶295. In particular, Kakuta discloses that its display control device includes a plurality of channels. *Id.*; Exh-1005, 6:15-16; *see also id.*, 6:17-18. And Kakuta inherently discloses an interface for displaying and selecting from a plurality of channels in its combo box in Figures 4-10 and 12. Exh-1003, ¶295. However, to the extent Kakuta lacks specific details of some aspects of the use of multiple channel identifiers, a PHOSITA would have been motivated to look to Matsumoto, which provides these details. *Id.*

For instance, Matsumoto teaches setting conditions (e.g., keyword, user name, etc.) to selectively filter messages and transfer/forward them to a channel such that messages of two or more channels will be displayed in one channel. *Id.*; Exh-1006, 2:65-3:4; *see also* Exh-1006, 3:51–55, 16:42-50, Claim 1. A PHOSITA would have understood that integrating Matsumoto’s filter-destination channel into the functionality provided by Kakuta would be a simple and routine matter. Exh-1003, ¶295.

A PHOSITA would have had a reasonable expectation of success by combining Kakuta with Matsumoto because both references focus on the display and user interface of messages. Exh-1003, ¶296. It would be a matter of simply combining computer code, or instructions, to combine the invention of the two references. *Id.* Moreover, both references cite U.S. Patent No. 5,793,365 (“Tang”) as a relevant reference, further indicating that Kakuta and Matsumoto are in the same field. *Id.*

A PHOSITA would also have been motivated to look to Chang for its specific teachings regarding the adding of parties to group chats. Exh-1003, ¶297. While Kakuta discloses that “[t]here are instances in which the joining/departing of channel participating users” may occur (Exh-1005, 11:6-7), to the extent Kakuta lacks specific details of how these joining/departing activities are achieved, a

PHOSITA would have looked to Chang for its specific teaching on this at Exh-1007, Figures 31-33, [0276]-[0284]. Exh-1003, ¶297

A PHOSITA would have had a reasonable expectation of success by combining Kakuta with Chang because both references focus on the filtering of messages and user interface. Exh-1003, ¶298. It would be a matter of simply combining computer code, or instructions, to combine the invention of the two references. *Id.*

A PHOSITA would have a reasonable expectation of success by combining all three references because the references could easily be combined simply by adding additional computer instructions. *Id.*, ¶299. It is common in the field to combine instructions and references to improve a display or user interface, particularly when, as here, the changes are relatively minor, altering interfaces for the display and manipulation of channel identifiers, and adjusting interfaces for adding or removing users from a chat. *Id.*

XIII. 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 (PTAB 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-1010. 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 PO's Complaint. *See Dish Network L.L.C. v. Broadband iTV, Inc.*, IPR2020-01359, Paper 15 (PTAB 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 (PTAB 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 before the Board, both challenging all claims of the ’731 Patent. There are no other pending petitions before the Board challenging 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 (PTAB May 12, 2020).

XIV. 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.

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

Dated: September 26, 2024

Respectfully submitted,

/ Robert C.F. Pérez /

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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 13,874 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

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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
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