

Summary of verbatim (or nearly verbatim) matches between the ‘535 Petition to Meta’s Petition in the Meta-MDT-IPRs (Ex.2034)

|          | <b>Petition in the ‘535 IPR by Petitioners</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Meta’s Petition in the Meta-MDT-IPRs</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <b>1</b> | <p>Neibauer discloses features of a Yahoo! service known as Yahoo! Clubs. (Neibauer, 473-483.) Neibauer explains “[a] <i>club</i> is a group of Yahoo! members who share a common interest. Each club has its own message board, chat room, as well as places to share photographs, news, addresses, and links.” (Neubauer, 473 (italics in original).) Yahoo! members could also create their own clubs. (Neibauer, 480-82.) An exemplary club is shown in Figure 21-13.</p> <p>535 IPR Petition, p.9</p>                               | <p>As detailed below, Neibauer discloses features of a Yahoo! service known as Yahoo! Clubs. (Neibauer, pp.473-483.) Neibauer explains that “[a] <i>club</i> is a group of Yahoo! members who share a common interest. Each club has its own message board, chat room, as well as places to share photographs, news, addresses, and links.” (Neubauer, p.473 (italics in original).) Yahoo! members could also create their own clubs. (Neibauer, pp.480-82.) An exemplary club is shown in Figure 21-13:</p> <p>Ex.2034, p.12</p>  |
| <b>2</b> | <p><b>Sharing Photographs</b></p> <p>The Photos option in the Our Pages section lets members share photographs and other graphics. Each club is given 5 MB of space to store photographs. The photos are organized into up to 30 albums, each with no more than 24 photos.</p> <p>There are two types of albums: group and personal. Any member can place a photo in a group album and delete photos that he or she added as well. Only the creator of a personal album can add or delete photographs.</p> <p>535 IPR Petition, p.10</p> | <p><b>Sharing Photographs</b></p> <p>The Photos option in the Our Pages section lets members share photographs and other graphics. Each club is given 5 MB of space to store photographs. The photos are organized into up to 30 albums, each with no more than 24 photos.</p> <p>There are two types of albums: group and personal. Any member can place a photo in a group album and delete photos that he or she added as well. Only the creator of a personal album can add or delete photographs.</p> <p>Ex.2034, pp.13-14</p> |
| <b>3</b> | <p><b>2.</b> In the page that appears, enter either the path and name of the photo on your disk or click Browse to locate the file.</p>                                                                                                                                                                                                                                                                                                                                                                                                  | <p><b>2.</b> In the page that appears, enter either the path and name of the photo on your disk or click Browse to locate the file.</p>                                                                                                                                                                                                                                                                                                                                                                                             |

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|   | <p>You can also click the On The Web link to designate a photograph located on a Web page.</p> <p>3. Enter a name and description of the photo.</p> <p>535 IPR Petition, p.11</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>You can also click the On The Web link to designate a photograph located on a Web page.</p> <p>3. Enter a name and description of the photo.</p> <p>Ex.2034, p.14</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 4 | <p>The claimed server is also expressly and separately disclosed and rendered obvious under the proposed combination with Cheng, discussed further below. (EX-1002, ¶¶91, 180.)</p> <p>And as explained later below, it would have been obvious for the photo to have been received at a server “<i>from a mobile device.</i>”</p> <p>535 IPR Petition, p.37</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>The claimed server is also expressly and separately disclosed and rendered obvious under the proposed combination with Cheng, discussed further below. (EX1002, ¶¶93, 99-100.) And as explained later below, it would have been obvious for the photo to have been received at a server “<b>from a mobile device.</b>”</p> <p>Ex.2034, p.15</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 5 | <p>The club photo sharing feature is also a “<i>previously established</i>” application-based information channel because it was already established as a feature of the club before the club member chose to upload a new photo to a photo album. (EX-1002, ¶145.) The club photo album feature also “<i>permit[s] interaction between a user of the mobile device and one or more additional users,</i>” because the club member can upload and share photos with other club members. (Neibauer, 477 (“Any member can place a photo in a group album...”); <i>id.</i> (“For each photo you will see [in Figure 21-10] the title, contributor’s name, the photo’s size, and the date it was posted. Click a photo title to see the photo on your screen. Click View Thumbnails to see miniatures of all of the photographs.”).) The club photo</p> | <p>The club photo sharing feature is also a “<b>previously established</b>” application-based information channel because, as shown above, it was already established as a feature of the club before the club member chose to upload a new photo to a photo album. The club photo album feature also “<b>permit[s] interaction between a user of the mobile device and one or more additional users,</b>” because the club member can upload and share photos with other club members. (Neibauer, p.477 (“Any member can place a photo in a group album...”); <i>id.</i> (“For each photo you will see [in Figure 21-10] the title, contributor’s name, the photo’s size, and the date it was posted. Click a photo title to see the photo on your screen. Click View Thumbnails to see miniatures of all of the photographs.”).) The club photo sharing feature thus permits interaction and</p> |

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|   | <p>sharing feature thus permits interaction and information exchange between multiple club members. (EX-1002, ¶145.)</p> <p>535 IPR Petition, p.21</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>information exchange between multiple club members.</p> <p>Ex.2034, p.18</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 6 | <p>Neibauer also discloses services such as “Yahoo! Mobile” and “Yahoo! To Go” that enabled content from Yahoo! services to be provided to mobile devices such as pagers, cell phones, web phones, and personal digital assistants (PDAs). (Neibauer, 166-174.) “Yahoo! To Go lets you receive Yahoo! information on your mobile device.” (Neibauer, 167.) For example, one option referred to as “Yahoo! On Your PDA” allowed users of browser-enabled PDAs to select particular Yahoo! content that would accessible from their PDA. (Neibauer, 171-174.) Although Neibauer does not expressly disclose that Yahoo! Clubs was one of the Yahoo! features that could be made accessible via mobile devices, it would have been obvious to the extend mobile device functionality in Neibauer to cover that feature, in order to allow user-created clubs to be accessed by users via mobile devices. (EX-1002, ¶96.) This would have been viewed as a logical (and obvious) extension to the existing mobile features described in Neibauer. (EX-1002, ¶¶96-97.)</p> <p>535 IPR Petition, p.46</p> | <p>And to the extent mobile device were construed as requiring a handheld device, Neibauer itself discloses services such as “Yahoo! Mobile” and “Yahoo! To Go” that enabled content from Yahoo! services to be provided to mobile devices such as pagers, cell phones, web phones, and personal digital assistants (PDAs). (Neibauer, pp.166-174.) “Yahoo! To Go lets you receive Yahoo! information on your mobile device.” (Neibauer, p.167.) For example, one option referred to as “Yahoo! On Your PDA” allowed users of browser-enabled PDAs to select particular Yahoo! content that would be accessible from their PDA. (Neibauer, pp.171-174.) Although Neibauer does not expressly disclose that Yahoo! Clubs was one of the Yahoo! features that could be made accessible via mobile devices, it would have been obvious to the extend mobile device functionality in Neibauer to cover that feature, in order to allow user-created clubs to be accessed by users via mobile devices. This would have been viewed as a logical (and obvious) extension to the existing mobile features described in Neibauer. (EX1002, ¶102.)</p> <p>Ex.2034, p.19</p> |
| 7 | <p>Using the photo sharing feature of Yahoo! Clubs would have also been obvious in view of the teachings of</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Using the photo sharing feature through a mobile device would also have been obvious over Neibauer and in further</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|   | <p>Cheng (EX-1005). Cheng teaches an established technology known as “proxy servers,” which were commonly used to provide security and interoperability between devices. (EX-1002, ¶¶72-73.) Cheng relies on this proxy server concept to convert non-mobile webpages into a format accessible by mobile devices. Figure 1 illustrates one embodiment:</p> <p>535 IPR Petition, pp.12-13</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>view of Cheng (<b>EX1005</b>). Cheng relies on an established technology known as “proxy servers,” which were commonly used to provide security and interoperability between devices. (EX1002, ¶63.) Cheng relies on this proxy server concept to convert non-mobile webpages into a format accessible by mobile devices. Figure 1 illustrates one embodiment:</p> <p>Ex.2034, pp.19-20</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 8 | <p>Figure 1 above shows origin web server 102 containing original web page 104. (Cheng, 3:36-37.) Web page 104 “is typically an HTML file with references to any component .wav, .mov, and/or Joint Photographic Experts Group (JPEG) files, which together comprise the web page 104.” (Cheng, 4:10-13.) “It is envisioned that each instance of web content 104 each have associated therewith a URL.” (Cheng, 3:56-57.) Web page 104 therefore encompasses a web page in HTML format reachable via the Internet, such as any web page from the Yahoo! website as described in Neibauer. (EX-1002, ¶¶91-93.) Thus, origin server 102, under the combination of Neibauer and Cheng, would have been the server providing the club photo sharing feature and receiving photos uploaded by members. (EX-1002, ¶¶108-09.)</p> <p>535 IPR Petition, p.13</p> | <p>The right side of Figure 1 above shows an origin web server <b>102</b> that contains original web page <b>104</b>. (Cheng, 3:36-37.) “The web page <b>104</b> is typically an HTML file with references to any component .wav, .mov, and/or Joint Photographic Experts Group (JPEG) files, which together comprise the web page <b>104</b>.” (Cheng, 4:10-13.) “It is envisioned that each instance of web content <b>104</b> each have associated therewith a URL.” (Cheng, 3:56-57.) Web page <b>104</b> in Cheng could have been any web page in HTML format reachable via the Internet, such as any web page from the Yahoo! website as described in Neibauer. (EX1002, ¶93.) Origin server <b>102</b>, under the proposed combination with Neibauer as noted below, therefore would have represented the server that provides the club photo sharing feature and that receives photos uploaded by members. (EX1002, ¶¶93, 100.)</p> <p>Ex.2034, pp.20-21</p> |
| 9 | <p>Figure 1 further shows mobile device 108 connected to proxy server 110,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>The left shows a mobile device <b>108</b> connected to proxy server <b>110</b>,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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|           | <p>optionally through gateway 109. (Cheng, 3:33-36.) “Mobile devices 108 generally come in a variety of different sizes and have a variety of different screen interfaces... [T]he present invention provides the ability to uniquely tailor web page 104 content for specific mobile devices 108.” (Cheng, 5:11-15.) Cheng explains that, in one example, mobile device 108 runs a Palm operating system including a web browser. (Cheng, 5:17-23, 2:8-15.)</p> <p>535 IPR Petition, p.14</p>                                                                                                                                                                                                                                  | <p>optionally through gateway <b>109</b>. (Cheng, 3:33-36.) “Mobile devices <b>108</b> generally come in a variety of different sizes and have a variety of different screen interfaces... [T]he present invention provides the ability to uniquely tailor web page <b>104</b> content for specific mobile devices <b>108</b>.” (Cheng, 5:11-15.) Cheng explains that, in one example, mobile device <b>108</b> could be a mobile device with a Palm operating system that includes a web browser. (Cheng, 5:17-23, 2:8-15.)</p> <p>Ex.2034, p.21</p>                                                                                                                                                                                                                                                                               |
| <b>10</b> | <p>The middle of Figure 1 shows proxy server 110—Cheng’s key feature. Proxy server 110 “sits’ between the clients (e.g., the mobile device(s) 108) and the origin web server(s) 102 that provide Web content 104.” (Cheng, 3:31-33.) Proxy server 110 “obtains the code (e.g., HTML) of the user requested web page 104, and modifies it at the proxy server 110 (once obtained),” which can include “reformatting and/or converting an entire web site or request specific Web content that is needed from the origin web server 102.” (Cheng, 3:41-48.) Proxy server 110 can also store a device profile for mobile device 108 based on the device and web browser types. (Cheng, 5:20-23.)</p> <p>535 IPR Petition, p.14</p> | <p>The middle of Figure 1 shows proxy server <b>110</b> – the key feature of Cheng here. Proxy server <b>110</b> “sits’ between the clients (e.g., the mobile device(s) <b>108</b>) and the origin web server(s) <b>102</b> that provide Web content <b>104</b>.” (Cheng, 3:31-33.) Cheng explains that proxy server <b>110</b> “obtains the code (e.g., HTML) of the user requested web page <b>104</b>, and modifies it at the proxy server <b>110</b> (once obtained),” which can include “reformatting and/or converting an entire web site or request specific Web content that is needed from the origin web server <b>102</b>.” (Cheng, 3:41-48.) Proxy server <b>110</b> can also store a device profile for mobile device <b>108</b> based on the device and web browser types. (Cheng, 5:20-23.)</p> <p>Ex.2034, p.21</p> |
| <b>11</b> | <p>The general operation of proxy server 110 in Cheng is straightforward. As shown in Figure 1, mobile device 108 can issue a request 106 for an original</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>The general operation of proxy server <b>110</b> in Cheng is straightforward. As shown in Figure 1, mobile device <b>108</b> can issue a request <b>106</b> for an original</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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|           | <p>web page 104 using standard HyperText Transport Protocol (HTTP), as was well-known in the art, with the request 106 being received by proxy server 110. (Cheng, Fig. 1, 2:19-21, 3:58-67, 7:65-8:2; EX-1002, ¶¶73-74.) “Upon determining that the requested page 104 resides at the server 102, the proxy server 110 makes a request 112 for the page. As shown, the proxy server 110 and the server 102 are connected via a network 114 such as the Internet.” (Cheng, 3:65-4:2; <i>see also id.</i>, 2:21-24.)</p> <p>535 IPR Petition, pp.14-15</p>                                                                                                                               | <p>web page <b>104</b> using standard HyperText Transport Protocol (HTTP), as was well-known in the art, with the request <b>106</b> being received by proxy server <b>110</b>. (Cheng, Fig. 1, 2:19-21, 3:58-67, 7:65-8:2; EX1002, ¶¶65, 100.) “Upon determining that the requested page <b>104</b> resides at the server <b>102</b>, the proxy server <b>110</b> makes a request <b>112</b> for the page. As shown, the proxy server <b>110</b> and the server <b>102</b> are connected via a network <b>114</b> such as the Internet.” (Cheng, 3:65-4:2; <i>see also id.</i>, 2:21-24.)</p> <p>Ex.2034, pp.21-22</p>                                                                                                                                  |
| <b>12</b> | <p>Proxy server 110 then converts and/or reformats original web page 104 into reformatted web page 122, which is transmitted to mobile device 108. (Cheng, 2:24-29, 5:46-49, 4:56-60; EX-1002, ¶74.) “The designated HTML content of the retrieved web page 104 is extracted, subsequently and/or converted, and transmitted as a reformatted web page 122 to the mobile device 108.” (Cheng, 5:46-49, 3:22-26.) The proxy server can also perform conversion on images on the web page to enable viewing on a mobile device, for example, by scaling and reducing colors and resolution. (Cheng, Fig. 7 (704, 706, 708), 10:60-11:8; EX-1002, ¶152.)</p> <p>535 IPR Petition, p.15</p> | <p>Proxy server <b>110</b> then converts and/or reformats original web page <b>104</b> into reformatted web page <b>122</b> (shown in Figure 1), which is transmitted to mobile device <b>108</b>. (Cheng, <i>e.g.</i>, 2:24-29, 5:46-49, 4:56-60.) “The designated HTML content of the retrieved web page <b>104</b> is extracted, subsequently and/or converted, and transmitted as a reformatted web page <b>122</b> to the mobile device <b>108</b>.” (Cheng, 5:46-49; <i>see also id.</i>, 3:22-26.) The proxy server can also perform conversion on images on the web page to enable viewing on a mobile device, for example, by scaling and reducing colors and resolution. (Cheng, Fig. 7 (704, 706, 708), 10:60-11:8.)</p> <p>Ex.2034, p.22</p> |
| <b>13</b> | <p>The proposed combination would have been straightforward as Cheng provides “bolt-on” functionality, with the proxy server capable of converting and</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>The proposed combination would have been exceedingly straightforward as Cheng provides “bolt-on” functionality, with the proxy server capable of</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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|    | <p>reformatting any existing HTML-based web page into a format suitable for display on a mobile device. (EX-1002, ¶¶69, 73-74, 92-93; Cheng, 2:30-32 (“The [reformatting] may be done for at least one of groups of devices, individual devices, web site-specific conversions, or for all web sites.”).) It would have been obvious that proxy server 110 could have been operated by the same or a different entity from the operator of origin web server 102. (EX-1002, ¶92.) In any case, combining Neibauer and Cheng would not have affected the underlying functionality in Neibauer, further motivating the combination as discussed below. (EX-1002, ¶¶94.)</p> <p>535 IPR Petition, p.16</p>                     | <p>converting and reformatting any existing HTML-based web page into a format suitable for display on a mobile device. (EX1002, ¶¶99, 104-105; Cheng, <i>e.g.</i>, 2:30-32 (“The [reformatting] may be done for at least one of groups of devices, individual devices, web site-specific conversions, or for all web sites.”).) It would have been obvious that proxy server <b>110</b>, under the proposed combination, could have been operated by the same or a different entity from the operator of origin web server <b>102</b>. (EX1002, ¶99.) In any case, the proposed combination would not have required changing the underlying functionality in Neibauer, a feature that provides a further motivation to combine as discussed below. (EX1002, ¶¶99, 104-105.)</p> <p>Ex.2034, p.23</p> |
| 14 | <p>The claimed “<i>server</i>” for purposes of claim 1 either corresponds to origin server 102 in Cheng (which would have performed the club photo sharing functionalities of Neibauer as discussed above), or proxy server 110 (which would have made those functionalities available to mobile devices), as both would have received the HTTP request that included the photo under the proposed combination (<i>i.e.</i> first by the proxy server 110, then by origin server 102). (EX-1002, ¶¶108-09.) Alternatively, the “<i>server</i>” could have corresponded to the combination of origin server 102 and proxy server 110, which is consistent with the ’039 patent that makes clear that a particular server</p> | <p>The claimed “<b>server</b>” for purposes of claim 19 either corresponds to origin server <b>102</b> in Cheng (which would have performed the club photo sharing functionalities of Neibauer as discussed above), or proxy server <b>110</b> (which would have made those functionalities available to mobile devices), as both would have received the HTTP request that included the photo under the proposed combination (<i>i.e.</i> first by the proxy server <b>110</b>, then by origin server <b>102</b>). (<i>Id.</i>) Alternatively, the “<b>server</b>” could have corresponded to the combination of origin server <b>102</b> and proxy server <b>110</b>, which is consistent with the ’039 patent that makes clear that a particular server can comprise multiple</p>                 |

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| <p>can comprise multiple servers. (EX-1001, 8:63-65 (“Each of the servers 33, 35, 37 and 39 [of processing elements 30] may comprise one or more of the servers 16 or other elements shown in FIG. 1A, or suitable portions or combinations thereof.”); EX-1002, ¶109.) And even if the claim were interpreted to require a single physical server (it does not), it would have been obvious to combine proxy server 110 and origin server 102 into a single server. (EX-1002, ¶109.) This implementation is disclosed by Cheng itself, which explains that the computer system implementing the proxy server can “be replaced by, or combined with, any suitable processing system operative in accordance with the principles of the present invention...” (Cheng, 23:20-25.) This would have been obvious in view of Cheng, as ordinarily skilled artisans would have been familiar with well-known techniques for consolidating tasks within a single server when needed. (EX-1002, ¶109.) For example, a POSITA would have been motivated to combine these servers to improve performance of the overall system, as this would have eliminated the step of (and network overhead associated with) origin server 102 having to send the original web page 104 to proxy server 110 over the Internet, before conversion and transmission to mobile device 108. (<i>Id.</i>)</p> <p>535 IPR Petition, pp.38-39</p> | <p>servers. (’039, 8:63-65 (“Each of the servers <b>33</b>, <b>35</b>, <b>37</b> and <b>39</b> [of processing elements <b>30</b>] may comprise one or more of the servers <b>16</b> or other elements shown in FIG. 1A, or suitable portions or combinations thereof.”).) And even if the claim were interpreted to require a single physical server (it does not), it would have been obvious to combine proxy server <b>110</b> and origin server <b>102</b> into a single server. (EX1002, ¶100.) This implementation is disclosed by Cheng itself, which explains that the computer system implementing the proxy server can “be replaced by, or combined with, any suitable processing system operative in accordance with the principles of the present invention....” (Cheng, 23:20-25.) This would have been obvious and trivial in view of Cheng, as ordinarily skilled artisans would have been familiar with well-known techniques for consolidating tasks within a single server when needed. (EX1002, ¶100.) For example, an ordinarily skilled artisan would have been motivated to combine these servers to improve performance of the overall system, as this would have eliminated the step (and network overhead associated with) origin server <b>102</b> having to send the original web page 104 to proxy server 110 over the Internet, before conversion and transmission to mobile device <b>108</b>. (<i>Id.</i>)</p> <p>Ex.2034, pp.23-25</p> |
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| 15 | <p>This limitation does not add anything of significance not already covered above. The step of limitation [1E] takes place when another club member uses their own mobile device to upload another photo to the same group photo album, using the same technique described in limitation [1A]). (Neibauer, <i>e.g.</i>, 477 (“Any member can place a photo in a group album...”).) This would have resulted in this other photo (“<i>other content . . . from at least one of the additional users</i>”) being “<i>receiv[ed]</i>” at “<i>the mobile device</i>” via the club photo sharing feature (i.e. “<i>the identified application-based information channel</i>”). (EX-1002, ¶188.)</p> <p>As noted previously, multiple mobile devices could have been used under the proposed combination with Cheng’s proxy server conversion techniques. (Cheng, <i>e.g.</i>, 5:11-12, 5:26-29; EX-1002, ¶103, 189.) Under the proposed combination, therefore, additional content from other club members would have been inserted into and made available for display using the club photo sharing feature. (EX-1002, ¶188-89.)</p> <p>535 IPR Petition, pp.39-40</p> | <p>This limitation does not add anything of significance that was not already covered above. The step of limitation 19[d] takes place when another club member uses their own mobile device to upload another photo to the same group photo album, using the same technique described in limitation 19[a]). (Neibauer, <i>e.g.</i>, p.477 (“Any member can place a photo in a group album...”).) This would have resulted in this other photo (“<b>other content from at least one of the additional users</b>”) being inserted into the photo album via the club photo sharing feature (“<b>into the previously established application-based information channel</b>”).</p> <p>As noted previously, multiple mobile devices could have been used under the proposed combination with Cheng’s proxy server conversion techniques. (Cheng, <i>e.g.</i>, 5:11-12, 5:26-29.) Under the proposed combination, therefore, additional content from other club members would have been inserted into and made available for display using the club photo sharing feature. (EX1002, ¶129.)</p> <p>Ex.2034, p.43</p> |
| 16 | <p><b>Messaging or Collaboration Action:</b> The ’039 patent teaches that messaging or collaboration actions can include members posting and sharing information to facilitate collaboration. (EX-1001, 6:26-29 (“For example, the site can be used to generate messages, using instant messaging (IM), SMS,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><b>Messaging or Collaboration Action:</b> The patent places few if any restrictions on messaging or collaboration actions, and makes clear they include members posting and sharing information to facilitate collaboration. (’039, <i>e.g.</i>, 6:26-29 (“For example, the site can be used to generate messages, using instant</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| <p>MMS, pages, emails, voice-over-IP (VoIP) calls, cellular telephone calls, or any other suitable messaging format, that are sent to organization members over the wireless network.”), 6:34-37 (“Organization members can easily and efficiently post information and generate messages to other members so as to facilitate collaboration and other types of interaction.”).)</p> <p>In Neibauer, new photos posted by the club member are accompanied by a textual name and description of the photo provided by the uploading club member. (Neibauer, 477-478 (“3. Enter a name and description of the photo.”).) Neibauer’s Figure 21-10 shows how this textual information is incorporated into and displayed by the club photo sharing feature:</p> <p>(Neibauer, 478, Fig. 21-10.) Figure 21-10 shows a partial list of photographs stored in an album, listing each photo along with its accompanying name and description. Although Figure 21-10 shows photo messages posted by one contributor (blueraja3), “[a]ny member can place a photo in a group album...” (Neibauer, p.477.) Under the proposed combination, when the club member posts a new photo to a selected photo album, the photo, along with its textual name and description, would be incorporated and integrated into the photo album to which they were assigned. (EX-1002, ¶157-58.)</p> <p>This additional textual information is associated with a “messaging action” because it provides a textual message that would also have been made</p> | <p>messaging (IM), SMS, MMS, pages, emails, voice-over-IP (VoIP) calls, cellular telephone calls, or any other suitable messaging format, that are sent to organization members over the wireless network.”), 6:34-37 (“Organization members can easily and efficiently post information and generate messages to other members so as to facilitate collaboration and other types of interaction.”).)</p> <p>As explained, the new photos posted by the club member are accompanied by a textual name and description of the photo provided by the uploading club member. (Neibauer, pp.477-478 (“3. Enter a name and description of the photo.”).) Figure 21-10 of Neibauer shows how this textual information is incorporated into and Figure 21-10 above shows a partial list of photographs stored in an album, listing each photo along with its accompanying name and description. Although Figure 21-10 shows photo messages posted by one contributor (blueraja3), any member can post a photo to a group album. (Neibauer, p.477 (“Any member can place a photo in a group album...”)).</p> <p>Under the proposed combination, when the club member posts a new photo to a selected photo album, the photo, along with its textual name and description, would have incorporated and integrated into the photo album to which they were assigned.</p> <p>This additional textual information is associated with a “messaging action” because it provides a textual message that would also have been made</p> |
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|    | <p>available to club members through the photo sharing feature. This messaging information is also similarly associated with a “collaboration action” because, for the same reason, the textual message would have allowed club members to identify the photo and collaborate on topics of interest relating to the photo in the album. (EX-1002, ¶158.) The proposed combination therefore renders obvious “<i>information associated with at least one wireless networking functionality of the mobile device,</i>” in the form of a messaging or collaboration action by which the club member, through their mobile device and over a wireless network, provided messaging content that would have been accessible to club members. (EX-1002, ¶¶156-58, 169.) As noted previously, the mobile device would have communicated wirelessly. (Cheng, <i>e.g.</i>, 2:4-7, 5:33 (“cellular telephone”), 23:44-51 (“... wireless communication (e.g., radio frequency (RF), and the like)”); <i>see also</i> Neibauer, 171, ¶5 (“GSM Phone”); EX-1002, ¶158.)</p> <p>535 IPR Petition, pp.23-26</p> | <p>available to club members through the photo sharing feature. This messaging information is also similarly associated with a “collaboration action” because, for the same reason, the textual message would have allowed club members to identify the photo and collaborate on topics of interest relating to the photo in the album. (EX1002, ¶111.) The proposed combination therefore renders obvious “<b>information associated with at least one wireless networking functionality of the mobile device,</b>” in the form of a messaging or collaboration action by which the club member, through their mobile device and over a wireless network, provided messaging content that would have been accessible to club members. (EX1002, ¶111.) As noted previously, the mobile device would have communicated wirelessly. (Cheng, <i>e.g.</i>, 2:4-7, 5:33 (“cellular telephone”), 23:44-51 (“... wireless communication (e.g., radio frequency (RF), and the like)”); <i>see also</i> Neibauer, p.171, ¶5 (“GSM Phone”).)</p> <p>Ex.2034, pp.29-31</p> |
| 17 | <p><b>Mobile Device Location Information:</b> The ’039 patent also covers information associated with at least one wireless networking functionality in the form of location information about the mobile device. This feature would have been obvious in view of Squibbs (EX-1011). Squibbs describes a technique of recording and displaying data (such as</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p><b>Mobile Device Location Information:</b> As noted, the ’039 claims and written description also cover information associated with at least one wireless networking functionality in the form of location information about the mobile device. This feature, which Petitioner has also relied upon for dependent claim 20 below, would have been obvious in view of Squibbs (<b>EX1011</b>). Squibbs describes</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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|    | <p>photos) along with the location where the photo was taken. (Squibbs, Abstract.) Squibbs discloses digital cameras including Global Positioning System (GPS) receivers were known in the art, as were systems that displayed the location where the photo was taken on an electronic map. (Squibbs, ¶¶0003-0004.)</p> <p>Squibbs discloses a photo album system, shown in Figure 3, allowing a user to capture and record digital images, which can be associated with the physical location where they were taken.</p> <p>535 IPR Petition, p.26</p>                                                                                                                                                                          | <p>a technique of recording and displaying data (such as photos) along with the location where the photo was taken. (Squibbs, Abstract.) Squibbs explains that digital cameras that included Global Positioning System (GPS) receivers were known in the art, as were systems that displayed the location where the photo was taken on an electronic map. (Squibbs, ¶¶0003-0004.)</p> <p>Squibbs discloses a photo album system that allows a user to capture and record digital images, which can be associated with the physical location where they were taken. An overview of the system is shown in Figure 3:</p> <p>Ex.2034, pp.31-32</p>                                                                                                                                          |
| 18 | <p>Album program 50 allows the user to “catalogue, manage, and view their photos through a map-based interface, the photos being represented on a displayed map by a marked indicating the location where they were taken.” (Squibbs, ¶0032.) It comprises “five main operating modes 51 to 55,” as shown. (Squibbs, ¶0033.) For example, Load Mode 52 allows the user to download data from camera 3, and Catalog Mode 53 allows the user to manage newly loaded photos using a map-based display, and Map View Mode 54 allows the user to browse the photo album and select photos for viewing. (Squibbs, ¶¶0033, 0035-0036.) Figure 6 shows a display generated by the album program in Catalog Mode 53 (Squibbs, ¶0064):</p> | <p>Album program <b>50</b> allows the user to “catalogue, manage, and view their photos through a map-based interface, the photos being represented on a displayed map by a marked indicating the location where they were taken.” (Squibbs, ¶0032.) It comprises “five main operating modes <b>51</b> to <b>55</b>,” as shown. (Squibbs, ¶0033.) For example, Load Mode <b>52</b> allows the user to download data from camera <b>3</b>, and Catalog Mode <b>53</b> allows the user to manage newly loaded photos using a map-based display, and Map View Mode <b>54</b> allows the user to browse the photo album and select photos for viewing. (Squibbs, ¶¶0033, 0035-0036.) Figure 6 shows a display generated by the album program in Catalog Mode <b>53</b> (Squibbs, ¶0064):</p> |

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|    | 535 IPR Petition, p.28                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Ex.2034, p.33                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 19 | <p>Central map area 61 “is sufficient to encompass the locations registered for the newly loaded batch of photos.” (Squibbs, ¶0064.) Thumbnail 63 “of each new photo is shown in one or other of the margin areas 62A, B” and “lead line 65 connects each thumbnail 63 to a corresponding marker 64 showing on the map the location where the photo was taken.” (Squibbs, ¶0064.) Figure 6 also shows an upper control bar with, from left-to-right, Show Photo Control 66 for displaying the photo corresponding to a selected thumbnail 63, Group Control 68 for creating groups and assigning a photo to one or more groups, and Edit Photo Details Control 67 for displaying and editing the details of a selected thumbnail. (Squibbs, ¶¶0065-0068.)</p> <p>535 IPR Petition, p.29</p> | <p>Figure 6 shows a central map area <b>61</b> which “is sufficient to encompass the locations registered for the newly loaded batch of photos.” (Squibbs, ¶0064.) “A thumbnail <b>63</b> of each new photo is shown in one or other of the margin areas <b>62A, B</b> and a lead line <b>65</b> connects each thumbnail <b>63</b> to a corresponding marker <b>64</b> showing on the map the location where the photo was taken.” (Squibbs, ¶0064.) Figure 6 also shows an upper control bar with, from left-to-right, Show Photo Control <b>66</b> for displaying the photo corresponding to a selected thumbnail <b>63</b>, Group Control <b>68</b> for creating groups and assigning a photo to one or more groups, and Edit Photo Details Control <b>67</b> for displaying and editing the details of a selected thumbnail. (Squibbs, ¶¶0065-0068.)</p> <p>Ex.2034, pp.34-35</p> |
| 20 | <p>As noted, the proposed combination discloses at least two examples of “<i>information associated with at least one wireless networking functionality.</i>” Under the first theory, as discussed, this information corresponds to a messaging action or collaboration action by which the club member (through their mobile device) provides a textual name or description for the photo, that will be shared with other members. This theory therefore discloses “<i>integrating the content and the information associated with said at least one wireless networking functionality of the mobile device into</i></p>                                                                                                                                                                   | <p>As noted, the proposed combination discloses at least two examples of “<b>information associated with at least one wireless networking functionality.</b>” Under the first theory, as discussed, this information corresponds to a messaging action or collaboration action by which the club member (through their mobile device) provides a textual name or description for the photo, that will be shared with other members. This theory therefore discloses “<b>integrating the content and the information associated with said at least one wireless networking functionality of the mobile device into</b></p>                                                                                                                                                                                                                                                             |

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|    | <p><i>the previously established application-based information channel,”</i> because as shown in Figure 21-10 above, the uploaded photo (“the content”) is integrated with the messaging or collaboration action (“information associated with at least one wireless networking functionality...”), into the club photo sharing feature (“the previously established application-based information channel”), both the photo and the textual name and description being presented as integrated and associated with each other. (EX-1002, ¶184.)</p> <p>535 IPR Petition, pp.50-51</p>                                                                                                                                                                                                                                                                | <p><b>the previously established application-based information channel,”</b> because as shown in Figure 21-10 above, the uploaded photo (“<b>the content</b>”) is integrated with the messaging or collaboration action (“<b>information associated with at least one wireless networking functionality...</b>”), into the club photo sharing feature (“<b>the previously established application-based information channel</b>”), both the photo and the textual name and description being presented as integrated and associated with each other.</p> <p>Ex.2034, p.41</p>                                                                                                                                                                                                                                                                                                                                             |
| 21 | <p>Under the second theory, as discussed, the “<i>information associated with at least one wireless networking functionality</i>” corresponds to location information about the mobile device used to upload the photo. As explained for limitation [1C] above, under the proposed combination, the user interface in Neibauer could have been adapted to display the photo (or a thumbnail of the photo) with accompanying location information. (EX-1002, ¶¶185.) This could have been implemented in a number of ways, presenting a simple design choice to a POSITA. (<i>Id.</i>) In one example, the photo album listing and photo display user interface in Neibauer discussed above have been further adapted such that, upon selecting a photo from Figure 21-10 that had associated location information (the “<i>integrated content</i></p> | <p>Under the second theory, as discussed, the “<b>information associated with at least one wireless networking functionality</b>” corresponds to location information about the mobile device used to upload the photo. As explained for limitation 19[b] above, under the proposed combination of Neibauer with Squibbs, the user interface in Neibauer could have been adapted to display the photo (or a thumbnail of the photo) with accompanying location information. (EX1002, ¶¶122, 128.) This could have been implemented in a number of ways, presenting a trivial design choice to an ordinarily skilled artisan. In one example, the photo album listing and photo display user interface in Neibauer discussed above have been further adapted such that, upon selecting a photo from Figure 21-10 that had associated location information (the “<b>integrated content item</b>”), the photo could have</p> |

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|    | <p><i>item</i>”), the photo could have been displayed on a webpage of the club photo sharing feature with an electronic map showing where the photo was taken, as disclosed in Squibbs. (<i>Id.</i>) As another example, the user interface shown in Figure 21-10 could itself have been adapted based on Figures 6 and 7 of Squibbs, such that multiple photos in the album would have been displayed in thumbnail view on an electronic map. (<i>Id.</i>) Many other implementations would have been apparent and obvious to an ordinarily skilled artisan. (<i>Id.</i>) In any case, the proposed combination would have rendered obvious that the uploaded photo (“<i>the content</i>”) is integrated with the location information (“<i>information associated with at least one wireless networking functionality...</i>”), into the club photo sharing feature (“<i>the previously established application-based information channel</i>”), as both the photo and the location data would be presented as integrated and associated with each other. (<i>Id.</i>)</p> <p>535 IPR Petition, pp.51-52</p> | <p>been displayed on a webpage of the club photo sharing feature with an electronic map showing where the photo was taken, as disclosed in Squibbs. As another example, the user interface shown in Figure 21-10 could itself have been adapted based on Figures 6 and 7 of Squibbs, such that multiple photos in the album would have been displayed in thumbnail view on an electronic map. Many other implementations would have been apparent and obvious to an ordinarily skilled artisan. (EX1002, ¶128.) In any case, the proposed combination would have rendered obvious that the uploaded photo (“<b>the content</b>”) is integrated with the location information (“<b>information associated with at least one wireless networking functionality...</b>”), into the club photo sharing feature (“<b>the previously established application-based information channel</b>”), as both the photo and the location data would be presented as integrated and associated with each other. (<i>Id.</i>)</p> <p>Ex.2034, pp.41-42</p> |
| 22 | <p>Claim 20 was largely addressed in the discussion of limitations [19B]-[19C]. Under the proposed combination in view of Squibbs, when a club member uploads a photo via their mobile device to the club photo sharing feature, the mobile device would have “<i>obtain[ed] location information</i>” (e.g. via GPS or mobile radio infrastructure) of the mobile device used to upload the</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>Claim 20 was largely addressed in the discussion of 19<b>[b]-[c]</b>. Under the proposed combination in view of Squibbs, when a club member uploads a photo via their mobile device to the club photo sharing feature, the mobile device would have “<b>obtain[ed] location information</b>” (e.g. via GPS or mobile radio infrastructure) of the mobile device used to upload the photo. (Squibbs,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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|    | <p>photo. (EX-1002, ¶210; Squibbs, ¶¶0101, 0098.) The proposed combination, moreover, would have resulted in “<i>inserting additional content into the previously established application-based information channel based on the obtained location information</i>,” because the club photo sharing feature would have inserted an electronic map or other location information (“<i>additional content</i>”) based on the location information, for display into the album provided by club photo sharing feature (“<i>application-based information channel</i>”). (<i>Id.</i>)</p> <p>535 IPR Petition, p.53</p>                                                                                                                                                                                                                 | <p>¶¶0101, 0098.) The proposed combination, moreover, would have resulted in “<b>inserting additional content into the previously established application-based information channel based on the obtained location information</b>,” because the club photo sharing feature would have inserted an electronic map or other location information (“<b>additional content</b>”) based on the location information, for display into the album provided by club photo sharing feature (“<b>application-based information channel</b>”).</p> <p>Ex.2034, pp.43-44</p>                                                                                                                                                                                                                                                                                                                                  |
| 23 | <p>Under the further combination with Cheng, the “<i>processing element</i>” would have included origin web server 102 in Cheng (which would have performed the functions in Neibauer), and proxy server 110 (which would have made the features of Neibauer available to mobile devices). As explained for limitation [19A], mapping a “<i>processing element</i>” to origin web server 102 and proxy server 110 is consistent with the ‘039 patent, which makes clear that a processing element or server can comprise multiple servers. (EX-1002, ¶¶214-15.) And even if the claim required that the “<i>processing element</i>” be contained within a single physical unit (it does not), as explained, it would have been obvious to combine proxy server 110 and origin server 102 into a single device. (EX-1002, ¶215.)</p> | <p>Under the further combination with Cheng, the “<b>processing element</b>” would have included origin web server <b>102</b> in Cheng (which would have performed the functions in Neibauer), and proxy server <b>110</b> (which would have made the features of Neibauer available to mobile devices). As explained for limitation 19[a], mapping a “<b>processing element</b>” to origin web server <b>102</b> and proxy server <b>110</b> is consistent with the ‘039 patent, which makes clear that a processing element or server can comprise multiple servers. (EX1002, ¶¶100, 132; ’039, 8:63-65.) And even if the claim required that the “<b>processing element</b>” be contained within a single physical unit (it does not), as explained, it would have been obvious to combine proxy server <b>110</b> and origin server <b>102</b> into a single device. (EX1002, ¶¶100, 132.)</p> |

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|    | 535 IPR Petition, pp.54-55                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Ex.2034, p.45                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 24 | <p>It would have apparent and obvious that the server would have comprised “<i>at least one processing element comprising a processor coupled to a memory</i>,” as these would have been basic components the server would have needed to function. (EX-1002, ¶217; <i>see</i> Cheng, 23:16-19 (“Although computer system 1100 is illustrated having a single processor, a single hard disk drive and a single local memory, the system 1100 is optionally suitably equipped with any multitude or combination of processors or storage devices.”).) As noted for claim 22, under the further combination with Cheng, the “<i>processing element</i>” would have included a web server and proxy server 110, which is consistent with the ’039 patent. And as noted, it would also have been obvious to combine origin server 102 and proxy server 110, to the extent the claim were construed to require that the claimed processing element be contained in a single server. (EX-1002, ¶109, 217.)</p> <p>It would also have been obvious that the server would have included at least one “<i>network interface</i>.” As noted, the server as described in limitation [19A] is accessible over the Internet. (Cheng, 3:67-4:2 (“As shown [in Figure 1], the proxy server 110 and the server 102 are connected via a network 114 such as the Internet.”); Neibauer, 4 (explaining Yahoo! members need access to an Internet connection), 473 (“Access Yahoo! clubs by clicking Clubs on the Yahoo! home page or by going directly</p> | <p>It would have apparent and obvious that the server would have comprised “<b>at least one processing element comprising a processor coupled to a memory</b>,” as these would have been basic components the server would have needed to function. (EX1002, ¶134; <i>see</i> Cheng, 23:16-19 (“Although computer system <b>1100</b> is illustrated having a single processor, a single hard disk drive and a single local memory, the system <b>1100</b> is optionally suitably equipped with any multitude or combination of processors or storage devices.”).) As noted for claim 22, under the further combination with Cheng, the “<b>processing element</b>” would have included a web server and proxy server <b>110</b>, which is consistent with the ’039 patent. And as noted, it would also have been obvious to combine origin server <b>102</b> and proxy server <b>110</b>, to the extent the claim were construed to require that the claimed processing element be contained in a single server. (EX1002, ¶¶100, 132, 134.)</p> <p>It would also have been obvious that the server would have included at least one “<b>network interface</b>.” As noted, the server as described in limitation 19[a] is accessible over the Internet. (Cheng, 3:67-4:2 (“As shown [in Figure 1], the proxy server <b>110</b> and the server <b>102</b> are connected via a network <b>114</b> such as the Internet.”); Neibauer, p.4 (explaining that Yahoo! members need access to an Internet connection), p.473 (“Access Yahoo! clubs by clicking Clubs on the Yahoo! Home page or by going directly to <a href="http://clubs.yahoo.com">http://clubs.yahoo.com</a> to open the</p> |

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| <p>to http://clubs.yahoo.com to open the page shown in Figure 21-6.”), 64 (“http:// This is the prefix for the standard type of Internet Web site. The letters stand for Hypertext Transfer Protocol.”) (bold in original).)</p> <p>It therefore would have been obvious that the server of claim 19 would have included “<i>a network interface</i>,” a basic and well-known component that allows a computer to communicate with other devices over a network such as the Internet. (EX-1002, ¶218-19.) For example, Cheng discloses the computer system that carries out the proxy server techniques is coupled to a communication port that facilitates communication with other devices, such as through a wireless network. (Cheng, 23:44-51 (“Communications with external devices, for example, the other components of the system described herein, occur utilizing communication port 1516. For example, optical fibers and/or electrical cables and/or conductors and/or optical communication (e.g., infrared, and the like) and/or wireless communication (e.g., radio frequency (RF), and the like) can be used as the transport medium between the external devices and communication port 1516.”).)</p> <p>Alternatively, the “<i>network interface</i>” can also correspond to gateway 109, which in this scenario, would have been part of the claimed “server” and would have provided an interface between mobile devices and proxy server 110. (EX-1002, ¶219; Cheng, 3:33-36 (“If necessary, a gateway 109</p> | <p>page shown in Figure 21-6.”), p.64 (“<b>http://</b> This is the prefix for the standard type of Internet Web site. The letters stand for Hypertext Transfer Protocol.”) (bold in original).)</p> <p>It therefore would have been obvious that the server of claim 19 would have included “<b>a network interface</b>,” a basic and well-known component that allows a computer to communicate with other devices over a network such as the Internet. (EX1002, ¶¶135-136.) For example, Cheng discloses that that the computer system that carries out the proxy server techniques is coupled to a communication port that facilitates communication with other devices, such as through a wireless network. (Cheng, 23:44-51 (“Communications with external devices, for example, the other components of the system described herein, occur utilizing communication port <b>1516</b>. For example, optical fibers and/or electrical cables and/or conductors and/or optical communication (e.g., infrared, and the like) and/or wireless communication (e.g., radio frequency (RF), and the like) can be used as the transport medium between the external devices and communication port <b>1516</b>.”).)</p> <p>Alternatively, the “<b>network interface</b>” can also correspond to gateway <b>109</b>, which in this scenario, would have been part of the claimed “<b>server</b>” and would have provided an interface between mobile devices and proxy server <b>110</b>. (Cheng, 3:33-36 (“If necessary, a gateway <b>109</b> may optionally be provided that interfaces between, for example, the</p> |
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|    | <p>may optionally be provided that interfaces between, for example, the mobile device 108 and the proxy server 110.”.) Under either theory, the claimed server would have included “<i>a network interface</i>.” (EX-1002, ¶219.)</p> <p>535 IPR Petition, pp.55-57</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>mobile device <b>108</b> and the proxy server <b>110.”.)</b> Under either theory, the claimed server would have included “<b>a network interface</b>.” (EX1002, ¶136.)</p> <p>Ex.2034, pp.46-48</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 25 | <p>Grounds 3-4 are substantially the same as Grounds 1-2 except that they add Harvey (EX-1010) to account for a construction of “<i>application-based information channel</i>” proposed by Meta in the MDT-Meta-Litigation. As explained for limitation [1B] in Ground 1, Meta argued in the MDT-Meta-Litigation this term should be construed as “a virtual location at the content management site at which user-authored content may be added for transmission to the mobile web site.” (EX-1025, 1-2.) The key feature of this construction, for purposes of Grounds 3-4, is the ability of user-authored content to be added “<i>at a content management site</i>,” which Meta has defined as “a web site that allows a user without programming to create and manage content on a mobile web site, or a portion thereof.” (EX-1025, 3.)</p> <p>The “<i>content management site</i>,” as explained for Ground 1, corresponds to the website for creating and managing a new club based on the proposed combination, and the “<i>mobile website</i>” to the club website made available to club members via mobile devices, under the proposed combination. (EX-</p> | <p>Grounds 3-4 are substantially the same as Grounds 1-2 except that they add Harvey (<b>EX1010</b>) to account for a construction of “<b>application-based information channel</b>” proposed in the litigation. In the event the Board finds it unnecessary to construe this term for this IPR, these grounds need not be further considered.</p> <p>As explained for Ground 1, limitation 19[a], Petitioner has argued in the pending litigation that this term should be construed as “<i>a virtual location at the content management site at which user-authored content may be added for transmission to the mobile web site</i>.” (EX1025, at 1-2.) The key feature of this construction, for purposes of Grounds 3-4, is the ability of user-authored content to be added “<i>at a content management site</i>,” which Petitioner has defined in the pending litigation as “<i>a web site that allows a user without programming to create and manage content on a mobile web site, or a portion thereof</i>.” (EX1025, at 3.) The “<i>content management site</i>,” as explained for Ground 1, corresponds to the website for creating and managing a new club based on the proposed combination, and the “<i>mobile website</i>” to the club website made available to club</p> |

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| <p>1002, ¶242.) With respect to the requirement that the “<i>content management site</i>” permit the user to add “<i>user-authored content</i>,” to the extent not already obvious over Neibauer, this would have been obvious in further view of Harvey. With respect to all other claim limitations in the challenged claims, the Ground 1 analysis applies. Harvey discloses techniques for allowing users to create on-line communities in which users can communicate and share information, which are similar to the web-based clubs disclosed in Neibauer. (Harvey, 4:24-43.) The key feature of Harvey here is the ability of a community creator to author content for a community before the community is created and launched. (EX-1002, ¶244.) As noted, Harvey explains that “[t]he community creating module permits the creator to create a community, and designate applications and content presented in the community by a user interface.” (Harvey, 4:28-30.) More specifically, a user can access a creating module 165 in order to create a new community, which may include web-based community creation. (Harvey, 7:49-56, 8:49-50.) “At step 202, a creator provides community identification information,” such as a community name. (Harvey, 7:58-61.) “At step 210,” Harvey explains, “a configuration editor is presented to a creator. A configuration editor may allow a user to build a community,</p> | <p>members via mobile devices, under the proposed combination. (EX1002, ¶108.) With respect to the requirement that the “<i>content management site</i>” permit the user to add “<i>user-authored content</i>,” to the extent not already obvious over Neibauer, this would have been obvious in further view of Harvey. With respect to all other claim limitations in the challenged claims, the analysis from Ground 1 applies here. Harvey discloses techniques for allowing users to create on-line communities in which users can communicate and share information, which are similar to the web-based clubs disclosed in Neibauer. (Harvey, 4:24-43.) The key feature of Harvey here is the ability of a community creator to author content for a community before the community is created and launched. As noted, Harvey explains that “[t]he community creating module permits the creator to create a community, and designate applications and content presented in the community by a user interface.” (Harvey, 4:28-30.) More specifically, a user can access a creating module <b>165</b> in order to create a new community, which may include web-based community creation. (Harvey, 7:49-56, 8:49-50.) “At step <b>202</b>, a creator provides community identification information,” such as a community name. (Harvey, 7:58-61.) “At step <b>210</b>,” Harvey explains, “a configuration editor is presented to a creator. A configuration editor may allow a user to build a community, designate content and application objects, subscribe to subscription objects, and add other</p> |
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|    | <p>designate content and application objects, subscribe to subscription objects, and add other information associated with the community.” (Harvey, 8:63-67; <i>see also id.</i>, 9:41-47.) Later, “[a]t step 230, a creator may launch a community.” (Harvey, 12:67-13:1.) Harvey therefore discloses the ability to add content to a community using the community-creation tool, before the community is created. (EX-1002, ¶244.) A user can establish a connection with a community, among other ways, “through browser access to an appropriate website.” (Harvey, 29:59-62.)</p> <p>535 IPR Petition, pp.67-69</p>                                                                                                                                                                          | <p>information associated with the community.” (Harvey, 8:63-67; <i>see also id.</i>, 9:41-47.) Later, “[a]t step <b>230</b>, a creator may launch a community.” (Harvey, 12:67-13:1.) Harvey therefore discloses the ability to add content to a community using the community-creation tool, before the community is created. A user can establish a connection with a community, among other ways, “through browser access to an appropriate website.” (Harvey, 29:59-62.)</p> <p>Ex.2034, pp.53-55</p>                                                                                                                                                                                                                                                                                                                                                             |
| 26 | <p>As explained in the discussion of claim 20 in Ground 1, when a club member uploads a photo via their mobile device and also transmits location information, “additional content” would have been inserted into and displayed by the photo album via the club photo sharing feature, such as an electronic map or other information identifying the location, under the proposed combination with Squibbs. The prior art for Ground 1 does not appear to disclose the “additional content” would have comprised advertising content, but this would have been obvious in further view of Bandera (EX-1017). Bandera discloses a technique for selecting and delivering advertisements to an Internet user based on the physical location of their mobile device. In one embodiment, a mobile</p> | <p>As explained in the discussion of claim 20 in Ground 1, when a club member uploads a photo via their mobile device and also transmits location information, “<b>additional content</b>” would have been inserted into and displayed by the photo album via the club photo sharing feature, such as an electronic map or other information identifying the location, under the proposed combination with Squibbs. The prior art for Ground 1 does not appear to disclose that the “<b>additional content</b>” would have comprised advertising content, but this would have been obvious in further view of Bandera (<b>EX1017</b>). Bandera discloses a technique for selecting and delivering advertisements to an Internet user based on the physical location of their mobile device. In one embodiment, a mobile device can, in response to a request for a</p> |

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| <p>device can, in response to a request for a web page, obtain and provide to the web server the location of the mobile device (for example using GPS, a cellular base station, or other known techniques of determining geographic location). (Bandera, 2:41-47, 4:46-60, 6:46-7:8.) The web server, in response, generates a requested web page that includes an advertising object. (Bandera, 4:615:17, 7:17-30.) The web server selects the advertising object “based on a user location and/or on the time of day. Exemplary advertising objects may include text files, audio files, video files, image files, and the like.” (Bandera, 5:21-25.) As explained in Bandera: (Bandera, 7:32-40.) Bandera thus discloses providing additional advertising content based on the user’s location.</p> <p>Motivation to Combine Ground 1 Prior Art and Bandera: It would have been obvious to combine the Ground 1 prior art with Bandera, predictably resulting in the method described for claim 20 in which the “additional content” not only comprised the electronic map or other location-identifying information as described for claim 20, but further comprised advertising based on the location of the mobile device. Under the proposed combination, therefore, the “additional content” that would have been inserted into and displayed by the club photo sharing feature would have also included advertising content based on the location of the mobile device. (EX-1002, ¶235.)</p> | <p>web page, obtain and provide to the web server the location of the mobile device (for example using GPS, a cellular base station, or other known techniques of determining geographic location). (Bandera, 2:41-47, 4:46-60, 6:46-7:8.) The web server, in response, generates a requested web page that includes an advertising object. (Bandera, 4:61-5:17, 7:17-30.) The web server selects the advertising object “based on a user location and/or on the time of day. Exemplary advertising objects may include text files, audio files, video files, image files, and the like.” (Bandera, 5:21-25.) As explained in Bandera: (Bandera, 7:32-40.) Bandera thus discloses providing additional advertising content based on the user’s location.</p> <p><b><i>Rationale and Motivation to Combine (Ground 1 Prior Art with Bandera):</i></b></p> <p>It would have been obvious to combine the prior art for Ground 1 with Bandera, predictably resulting in the method described for claim 20 in which the “<b>additional content</b>” <i>not only</i> comprised the electronic map or other location-identifying information as described for claim 20, but <i>further</i> comprised advertising based on the location of the mobile device. Under the proposed combination, therefore, the “<b>additional content</b>” that would have been inserted into and displayed by the club photo sharing feature would have <i>also</i> included advertising content based on the location of the mobile device. (EX1002, ¶142.)</p> <p>Ex.2034, pp.49-50</p> |
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|  | 535 IPR Petition, pp.62-64 |  |
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