UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO. LTD. and SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioners,

v.

MOBILE DATA TECHNOLOGIES LLC,
Patent Owner

IPR2025-00538
U.S. Patent 8,825,801

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT 8,825,801

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1003	Declaration of Dr. Henry Houh in Support of Petition for *Inter Partes* Review of U.S. Patent 8,825,801
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1005	WO 02/17652 to Randall, et al. ("Randall")
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1009	Joint Claim Construction Statement from *Mobile Data Techs. LLC v. Meta Platforms, Inc.,* No. 7:22-cv-00244-ADA-DTG (E.D. Tex.)
1010	Patent Owner's Response to Petition (Paper 26) from *Mobile Data Techs. LLC v. Meta Platforms, Inc.,* IPR2024-00247
1011	Petitioner's Reply (Paper 33) from *Mobile Data Techs. LLC v. Meta Platforms, Inc.,* IPR2024-00247
1012	"Wireless Java for Symbian Devices" by Allin (September 2001) ("Allin")
1013	WAP Architecture (Version 12): "Wireless Application Protocol Architecture Specification, WAP-210-WAPArch-20010712" (July 12, 2001) ("WAP Architecture")
1014	Wireless Datagram Protocol (Version 14): "Open Mobile Alliance, WAP-259-WDP-20010614-a" (June 14, 2001) ("WDP")
1015	ETSI TS 123 040—Digital cellular telecommunications system (Phase 2+) (GSM); Universal Mobile Telecommunications System (UMTS);

Exh.	Reference
	Technical realization of the Short Message Service (SMS) (3GPP TS 23.040 version 3.6.0) (September 2001) ("GSM SMS Standard")
1016	"Symbian OS Communications Programming" by Michael J. Jipping (June 2002) ("Jipping")
1017	"Symbian Home Page," (January 24, 2002), https://web.archive.org/web/20020124070457/http://www.symbian.com:80/
1018	"Symbian: OS Technology," (February 2, 2002), https://web.archive.org/web/20020202090443/http://www.symbian.com/technology/technology.html
1019	"Symbian: OS Technology – Symbian OS phones and PDAs," (February 2, 2002) https://web.archive.org/web/20020202133445/http://www.symbian.com/technology/symbos-phones.html
1020	U.S. Patent 6,947,396 to Salmi ("Salmi")
1021	RESERVED
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1023	U.S. Patent 6,788,949 to Bansal ("Bansal")
1024	U.S. Patent 7,802,207 to Agboatwalla, et al. ("Agboatwalla")
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I. Introduction

Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc. ("Petitioners") petition for *inter partes* review of claims 1, 7-12, and 14-25 of U.S. Patent 8,825,801 ("the '801 patent," EX-1001).

II. Grounds for Standing

Petitioners certify the '801 patent is available for IPR and Petitioners are not barred or estopped.

III. Identification of Challenge

A. Prior Art

The '801 patent, filed February 7, 2014, claims priority through 3 continuations to U.S. Patent 7,599,983[1], filed June 18, 2003, which claims priority to Provisional 60/389,430 filed June 18, 2002. Petitioners do not acquiesce the '801 patent is entitled to priority of the provisional or any listed priority patent. Regardless, each applied reference was filed or published before June 18, 2002.

1. **WO 02/17652 to Randall, et al.** ("Randall"; EX-1005), published February 28, 2002, is prior art under 35 U.S.C. §102(a).

[1] PO filed 9 continuations over 17 years from the 18-column '983 patent specification, with the last patent filed in October 2020.

2. **U.S. Patent 7,047,030 to Forsyth** ("Forsyth"; EX-1006) is a National Stage Entry of PCT/GB02/02046, filed May 2, 2002, and is prior art under 35 U.S.C. §102(e).

3. **U.S. Patent 7,056,317 to Pelkey** ("Pelkey"; EX-1007) is prior art under 35 U.S.C. §102(e).

4. **U.S. Patent 6,716,103 to Eck** ("Eck"; EX-1008) is prior art under 35 U.S.C. §102(e).

B. Grounds For Challenge

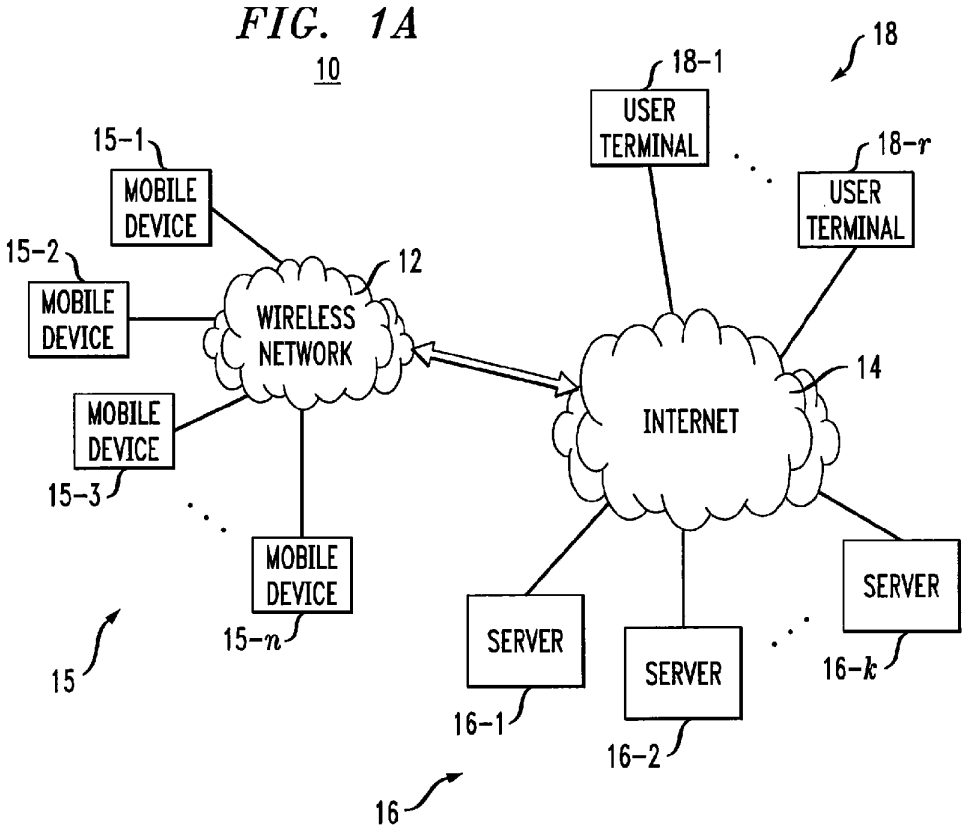
Ground		Claims	Prior Art
1	103	1, 7-12, 14-25	Randall, Forsyth
2	103	1, 7-12, 15, 17, 20, 22-25	Pelkey, Eck

IV. The '801 Patent

A. Patent Overview

The '801 patent "relates generally to network-based communications systems, and more particularly to techniques for information content management in such systems." (EX-1001, 1:24-26.) The '801 patent identifies "accessing of information content over wireless networks via web-enabled mobile devices" as among "the most rapidly expanding aspects of wireless networking." (EX-1001, 1:30-32.)

Figure 1A (below) "shows an example network-based communication system 10" including "wireless network 12 coupled to the Internet 14, a set of mobile devices 15, a set of servers 16 and a set of user terminals 18." (EX-1001, 3:54-58.)



'801 Patent, Figure 1A

System 10 "provides at least one content management site accessible to a system user" including "M-channels" which "allow unsophisticated users to easily and efficiently author message data or other types of information content to be made accessible via a collaborative workspace, a data mailbox, a collaborative

community, or other type of mobile site." (EX-1001, 5:18-20, 8:17-23.) Such mobile sites may be associated with "a group comprising multiple members having a common interest" (EX-1001, 6:30-32), "an event" (EX-1001, 6: 50-51), "a game," (EX-1001, 7:30-31), or "a user of IM, SMS, MMS, email or other type of messaging service" (EX-1001, 7:42-44), among other associations. (EX-1001, 6:30-8:12.)

B. Level of Ordinary Skill

A person of ordinary skill in the art ("POSITA") would have had a bachelor's degree in electrical engineering, computer science, or similar field, with two years of experience in developing and implementing network-based computer systems that interact with mobile devices, such as systems for storing and retrieving information over the Internet or communicating using the Web using wireless mobile devices. Additional education might compensate for less experience and vice versa.[2] (EX-1003, ¶¶32-33.)

C. Prosecution History

The '801 patent issued after a single Office Action rejecting the filed claims on the grounds of non-statutory double patenting the claims of U.S. Patent

[2] PO did not dispute this POSITA definition in IPR2024-00247, which also challenges the '801 patent.

8,135,801. (EX-1002, 231-234.) In response, Applicant argued the pending claims were patentably distinct because they included the limitation "integrating into the mobile information channel information associated with at least one networking functionality of said at least one network," which did not appear in earlier filed patent. (EX-1002, 300.) Applicant also filed a Terminal Disclaimer to obviate the rejection. (EX-1002, 294.) The Examiner subsequently allowed the claims. (EX-1002, 320.)

D. Claim Construction

The Board need not expressly construe any term for purposes of this proceeding. *See Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999). In *Mobile Data Tech. v. Meta Platforms,* 7:22-cv-99244 ("MDT-Meta-Litigation") and *Meta Platforms v. Mobile Data Tech.*, IPR2024-00247 ("Meta-MDT-IPR"), the parties identified the following terms for construction. (EX-1009, 1-3; EX-1010, 21-31; EX-1011, 2-8.) Petitioners establish that the challenged claims are unpatentable regardless of the construction applied.

1. "Mobile Device"

Petitioners dispute PO's narrow Meta-MDT-IPR construction which is contrary to the express definition in the specification. (*See, e.g.,* EX-1001, 4:38-41.) Petitioners apply the plain meaning which is consistent with Meta's Meta-MDT-IPR and MDT-Meta-Litigation constructions. (EX-1003, ¶39.)

MDT-Meta-Litigation	
PO	plain and ordinary meaning; alternatively, "a piece of handheld equipment"
Meta	"any type of portable information processing device capable of being configured for communication over a network, including but not limited to a mobile telephone, a personal digital assistant (PDA), a palmtop computer, a hand-held computer, a laptop computer, a tablet computer, a global positioning system (GPS) receiver or other GPS-based navigational device, an MP3 player or other type of audio player, a pager, a watch or other timepiece, a camera, or a portable game player"
Meta-MDT-IPR	
PO	"a portable device with limited display space and limited navigational capabilities that connects to a mobile site and/or mobile channel via a wireless network"
Meta	construed based on express definition: "The term 'mobile device' as used herein is intended to include, without limitation, any type of portable information processing device capable of being configured for communication over a network"

2. "Mobile Information Channel"

Petitioners do not believe this term requires construction in this IPR but demonstrates the prior art meets this limitation under each of the proposed Meta-MDT-IPR constructions and the MDT-Meta-Litigation construction. (EX-1003, ¶40.)

MDT-Meta-Litigation	
PO	plain and ordinary meaning; alternatively, "a medium for transferring information that allows mobile device users to author content"
Meta	"a virtual location at the content management site at which user-authored content may be added for transmission to the mobile web site"
Meta-MDT-IPR	
PO	"a component of a mobile site configured to permit a wide variety of mobile devices to send and receive content over a wireless network"
Meta	"a medium for transferring information that allows mobile device users to author content"

3. "Wireless Network"

In the Meta-MDT-IPR, the parties dispute the construction of "wireless network" primarily based on the inclusion of language that the wireless network is "separate from the internet" and "facilitates connection to the internet." (EX-1010, 30-31; EX-1011, 6-8.) While Petitioners also dispute PO's construction, construction of the term is not needed because the prior art discloses this term under both constructions. (EX-1003, ¶41.)

Meta-MDT-IPR	
PO	"a network separate from the internet that facilitates connection to the internet by mobile device"
Meta	"a network that allows a device to communicate wirelessly over a network"

V. GROUND 1: Randall-Forsyth Combination Renders Claims 1, 7-12, 14-25 Obvious

A. Combination Overview

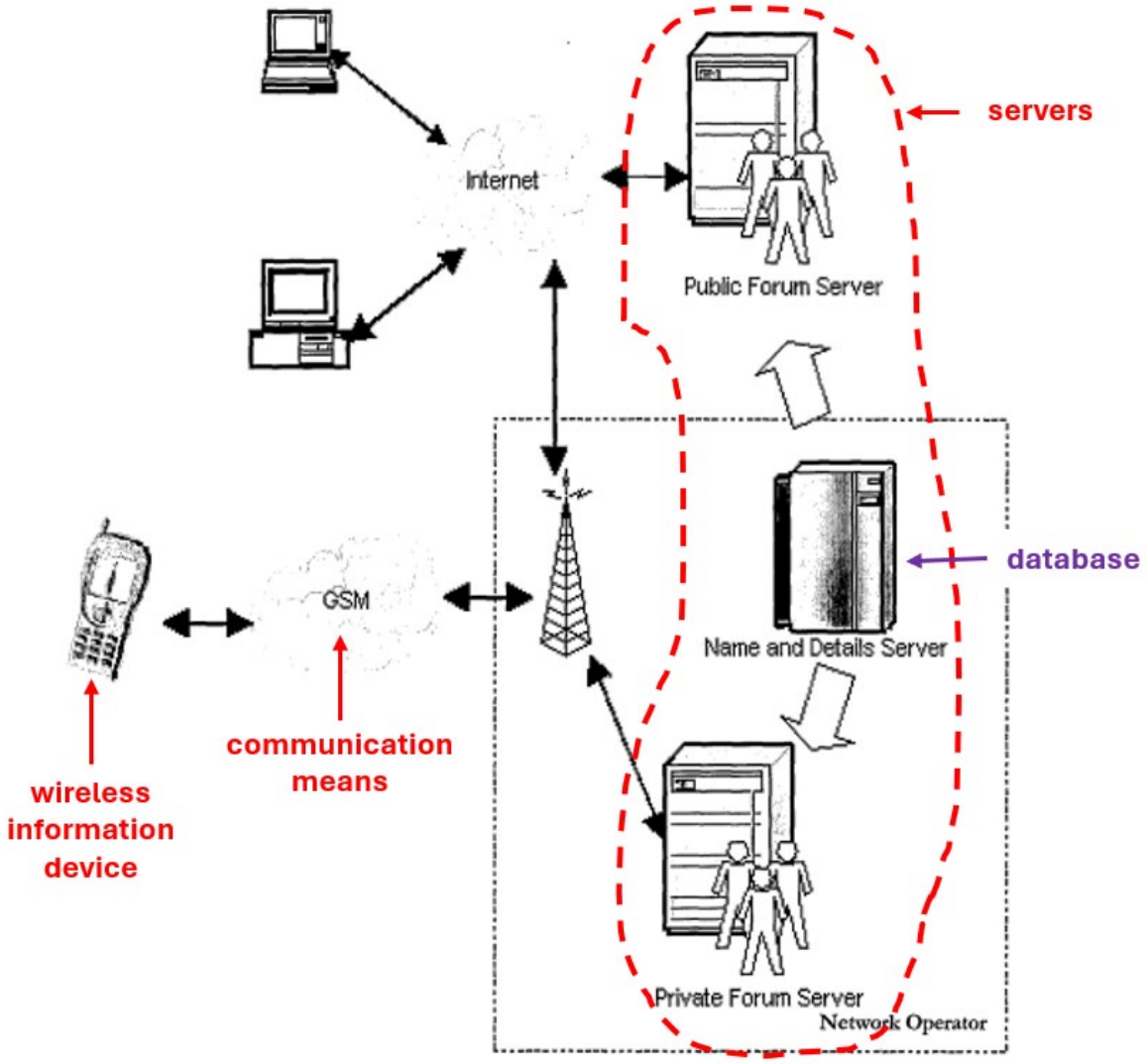
Randall and Forsyth, both originally assigned to Symbian Limited ("Symbian"), describe the Symbian Forums service and different aspects of the network infrastructure supporting Forums. (*See* EX-1003, ¶¶42-71.) Forums at its most basic provides "chat rooms", "allow[ing] several people to be part of a 'channel' or room, which is usually themed; for instance supporters of a football team may meet in a channel devoted to that team to discuss the team." (EX-1005, 40:16-19.)

1. Randall

Randall describes the network infrastructure used for Forums, illustrated below in Randall's Figure 4[3]. The network includes wireless information devices coupled to servers. (EX-1005, 7:16-19.) As shown Forums uses a client/server model with a program component local to the wireless device and a program component resident on the server. Randall's servers "use standard data transports such as WAP or http for data access" within Forums; meaning wireless devices access server resources via WAP, which is based on WWW protocols and content formats, and non-mobile computing devices access the servers via HTTP over the

[3] All emphasis by bold and figure annotations added unless otherwise noted.

Internet. (EX-1003, ¶¶53-63.) Randall introduces into this network "an open, universal data infrastructure for wireless information devices which can be used by application developers to write new applications by extending the attributes of the database using a *standard protocol*." (EX-1005, 3:10-13 (italics in original).)



Symbian Forums—Randall, Figure 4

Randall's extensible database "contains information from or relating to many different entities" and "is organised into information fields which an entity can complete or have completed." (EX-1005, 8:26-28.) The database is structured so its information "can be readily shared with other entities: the database in effect represents a web page containing information specific to that entity." (EX-1005, 8:29-31.) A user is provided a view (e.g., via a website) of their stored data to personalize the profile and/or manage access rights. (*See* EX-1005, 66:19-20, 66:25-26 (associating Alice's view to www.indirect.com/Alice.) Each piece of stored data, illustrated in Table 1 below for a user's (Alice) record, is associated with a tag and a listing of groups "allowed access to the data." (EX-1005, 66:3-10.)

Table 1

Alice's iData			
Field/Attribute	**Category**	**Details**	**i-Groups**
First name	personal	Alice	all
Family name	personal	Edwards	all
Title	work	European Marketing Manager	all
Company Name	work	Wireless Information Device gets R Us	all
Company Address	work	1 Science Park Rd, London, N1	all
Company E-mail	work	alice.edwards@Wireless Information Device getsrus.com	business 1
Company switchboard	work	0207 200 2000	all
Company Direct	work	0207 200 2012	business 1
Mobile Phone	work	0840 1234 567	business 1, friends
Home Phone 1	work	0208 341 1234	friends, family
Home Address	work	25 The Gables, Hampstead, London, NW3	family
My photo	photos		friends
Childhood photo	photos		family
Home note	notice	Sorry about dinner ☹	partner
Work note	notice	In a meeting with Tim till 7pm	work 1
My mood now	mood	Very tired	all
Tel Call Subject		"Dinner Tonight"	
Bluetooth	location	Bluetooth pods 1000-1020 ...Sentinel room 2…	
GPS	location	London W1, Seymour St.	partner
Hobby	preferences	Photography, travel	friends
Book	preferences	Maverick	friends
AlbumOfTheWeek	InstaPoll		friends

Randall, Table 1

Randall introduces Forums as a service utilizing its extensible data infrastructure. (EX-1005, 40:28-41:2.) Forsyth further enhances the Forums service, as discussed below.

2. Forsyth

Forsyth introduces application-independent group objects which provide "a group communication method for a wireless information device." (EX-1006, 1:15-16.) Forsyth's group objects, created by a first application, can be used by other, unrelated, applications running on a device. (EX-1006, 2:10-16.) Forsyth specifically describes enhancements to the Forums service achievable through the use of these group objects. (EX-1003, ¶¶68-71.) Forsyth describes several Scenarios that illustrate the operation of group-object enhanced Forums: Group Based Text Messaging, (5:35-7:13), Discussion of Photos (7:18-57), Social Scheduling (7:58-9:4) and Digital Memento from a User's Birthday (9:5-35) as well as numerous features and functions which that can be used within Forums to further enhance the user experience.

3. Motivation to Combine

A POSITA would have been motivated to combine Forsyth's teachings regarding the use of group objects and additional features and functions to enhance the Forums service taught by Randall which uses Randall's extensible database. (EX-1003, ¶¶72-78.) Randall and Forsyth are both in the same field of the '801

patent—"network-based communication systems." (*See* EX-1001, 1:28-30; EX-1005, 40:16-18; EX-1006, 1:15-16; EX-1003, ¶73.) Randall and Forsyth are also reasonably pertinent to problems addressed by the '801 patent, namely "overcom[ing] one or more of the drawbacks of" conventional techniques for content sharing for mobile devices. (*See, e.g,* EX-1001, 1:44-2:7; EX-1003, ¶73.)

A POSITA would have been motivated to make the above combination because Forsyth explicitly motivates the combination. (EX-1003, ¶¶74-78.) Forsyth stresses the benefits of group objects noting that its "invention is founded on the insight of providing an object which defines solely the identities of members of a group." (EX-1006, 2:24-27.) As such, "a group created in one application (e.g. for text based instant messaging) can immediately be used in other applications (e.g. a diary/agenda application could use that same group as the recipient list for an invitation to a meeting)." (EX-1006, 2:27-37.) Forsyth further describes the "strengths" of Forums application utilizing group objects "over conventional communications" these relative strengths are illustrated in Table 1 (below). (EX-1006, 2:54-57.)

Capability:	**Can you create a discussion between group members on your own device?** (Important since it facilitates setting up a group discussion)	**Push delivery?** (Push is more convenient to mobile users)	**Is it possible to retain a long term record of exchanges between group members?** (An important attribute for many new kinds of services)	**Can you deliver messages to all members of a group, or is it restricted to one to one?** (Clearly critical to group based messaging)	**Do all group members see the same, unitary message thread, or are there instead many separate individual messages?** (A single, unitary message entity (e.g. a thread) makes message organisation and navigation far easier.)	**If a recipient is off-line (e.g messaging app not open), are they alerted anyway?** Potentially very important for mobile useage because of the high proportion of time users may not be on-line (i.e. actively using their messaging application).
Web bulletin board	No	No	Yes	Yes	Yes	No
Chat/instant messaging	Yes	Yes	No	Yes	Awkward	No
Group e-mail	Yes	No	Awkward	Yes	No	No
SMS	Awkward	Yes	No	Awkward	No	Yes
Forums	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**

Table 1

Forsyth, Figure 1

Therefore, a POSITA would have been motivated to combine Randall and Forsyth to obtain the advanced capabilities provided by Forsyth. (EX-1003, ¶¶74-75.) Moreover, a POSITA when considering Randall's Forums service would have been motivated to search for references describing Forums and its enhancements, particularly those documents published by or associated with Symbian and would

have been led to Forsyth. (EX-1003, ¶76.) Finally, the combination is nothing more than the application of a known technique (Forsyth's group objects, features and functions) to a known method/product (Randall's Forums service implemented with extensible database infrastructure) which was ready for further improvement. (EX-1003, ¶77.)

A POSITA would have had a reasonable expectation of success in the combination and the results of the combination would have been predictable because both references are directed to the same service, Forums, are based on devices using the Symbian OS and use features and functionality associated with Symbian. (EX-1003, ¶78.) The Symbian OS was well-known and Symbian offered many technical developer resources prior to the earliest possible priority date of the '801 patent. (*See, e.g.,* EX-1017; EX-1012, 4-6, 229-31, EX-1016, 11-14.)

B. Independent Claims

The '801 patent includes four independent claims (1, 22-23, 25) with substantially overlapping limitations.

1. Claim 1

a) [1P]: "method"

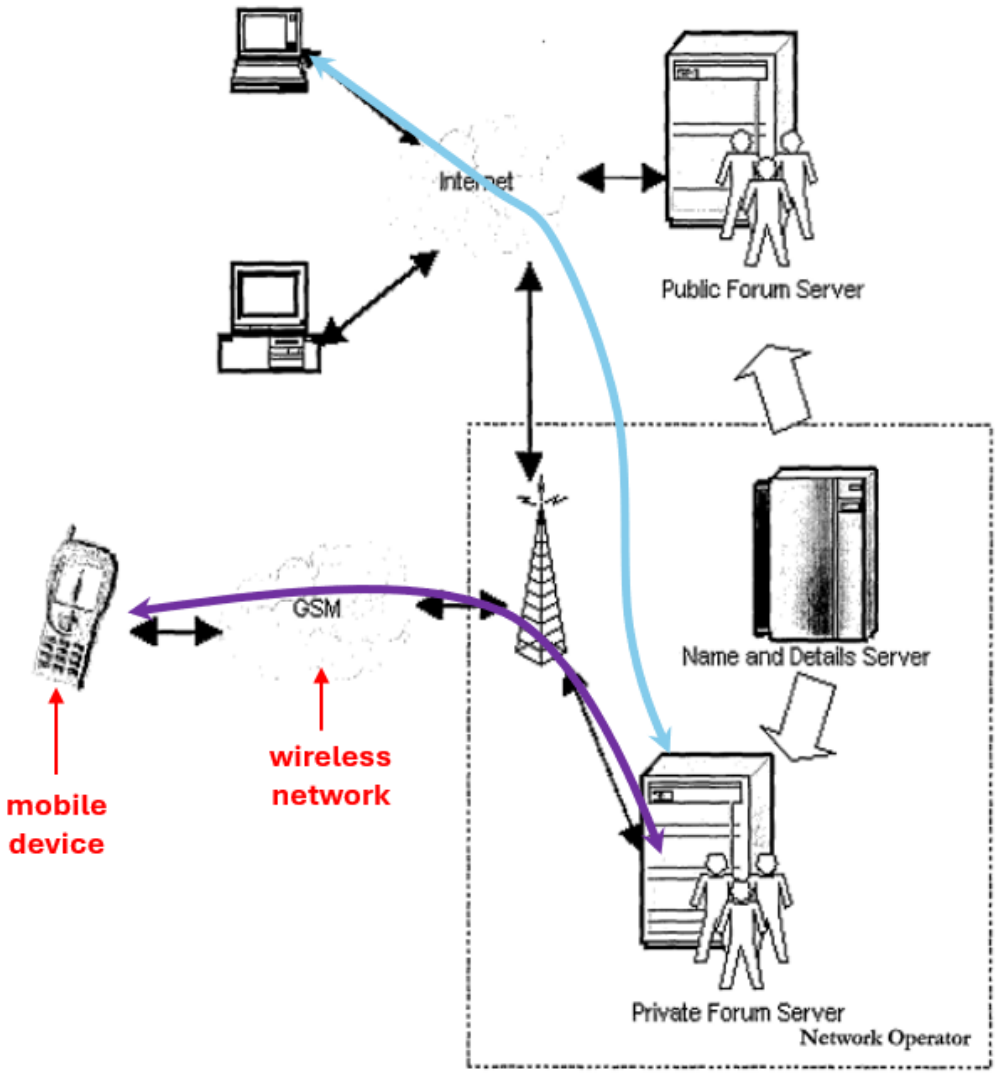
The Randall-Forsyth combination discloses a method for performing the steps of limitations [1A]-[1F] as discussed in §§V.B.1.b-d.

b) Limitations [1A]-[1C]

(1) "Providing an Interface"

The Randall-Forsyth combination discloses "*providing an interface permitting a first user to control activation of a mobile information channel through which the first user can share access to content with a plurality of additional users*[4]*"* [1A]. (EX-1003, ¶¶81-84.) The Forums service is a based on a client-server model implemented on a network such as the network illustrated in Randall's Figure 4 (below). (EX-1005, 40:15-41:2, 13:22-24.) The Forums infrastructure includes "internet servers" hosting individual Private and Public Forums (enhanced by Forsyth's teachings), "internet servers" hosting extensible databases (taught by Randall), wireless information devices which access these servers/databases, and non-mobile (fixed) computing systems. (EX-1003, ¶82.)

[4] Claim language is indicated by italics throughout.



Randall, Figure 4

The wireless information devices "communicate in any manner over any kind of network, such as GSM …." (EX-1005, 1:11-13; EX-1006, 1:16-25.) As shown above, wireless information devices access servers via the GSM wireless network (purple line) and non-wireless devices access servers via the Internet (blue line). (EX-1003, ¶83.) This is confirmed by Randall which describes use of

"existing transports" for client-server communication such as "WAP to access the services on the server side" from wireless devices and "standard IP formats such as MIME, SMTP and HTTP" to access the servers over the Internet. (*See* EX-1005, 58:23-27.) That is, the server includes a GSM interface (e.g., GSM/WAP or GSM-SMS) for communicating with mobile devices over the wireless network and a different interface (e.g., HTTP) for communicating with non-mobile devices over the Internet. (EX-1003, ¶83, *see also*, ¶¶56-62 (describing WWW, WAP, and GSM-SMS).) Thus, the Forums server in the Randall-Forsyth combination "*provid[es] an interface.*" (EX-1003, ¶¶82-84.)

(2) "mobile information channel"

The Randall-Forsyth combination discloses a "*mobile information channel through which the first user can share access to content with a plurality of additional users*" [1A]. (EX-1003, ¶¶85-88.) "Forums … **facilitates open discussion amongst a group and allows multiple chat-style conversations to take** place simultaneously." (EX-1006, 5:27-30.) Within Forums, a user has the ability to create an individual Forum open only to members of a specified group (Private Forum) or open to all (Public Forum). (EX-1006, Appendix 1, 13:60-18:18; EX-1005, 24:13-17.) Randall describes that "a forum allows **several people** to be part of a '**channel**' or room, which is usually themed; for instance supporters of a football team may meet in a channel devoted to that team to discuss the team."

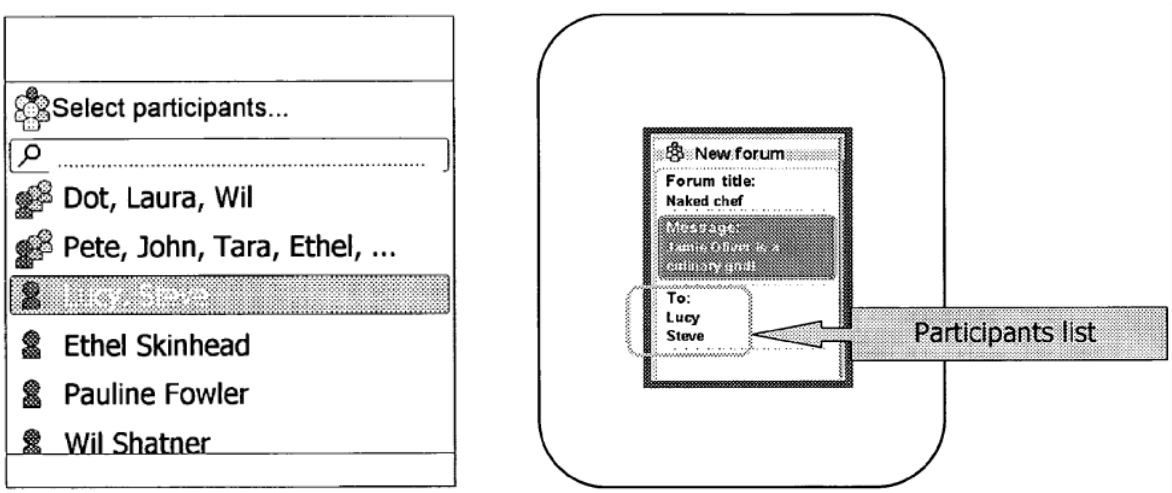
(EX-1005, 40:17-19; *see also* EX-1005, 82:5-83:5.) Forsyth describes several examples of Forums being used to author and share content (e.g., text messages, photos, links, audio files, documents) among members: Group Based Text Messaging Scenario 1 (5:35-7:13), Discussion of Photos Scenario 2 (7:18-57), Social Scheduling Scenario 3 (7:58-9:4), and Digital Memento from a User's Birthday Scenario 4 (9:5-35). (EX-1003, ¶87.)

Each individual Forum (and its supporting network infrastructure) is a "medium for transferring information that allows users to author content", meeting PO's MDT-Meta-Litigation construction and Meta's Meta-MDT-IPR construction and a "component of a mobile site [Forums running on the server] configured to permit a wide variety of mobile devices to send and receive content over a wireless network", meeting PO's Meta-MDT-IPR construction. The Randall-Forsyth combination therefore discloses a "*mobile information channel through which the first user can share access to content with a plurality of additional users*." (EX-1003, ¶¶85-88.)

(3) "Activation of [the] Mobile Information Channel"

The Randall-Forsyth combination discloses "*providing an interface permitting a first user to control activation of a mobile information channel*" [1A] and "*activating the mobile information channel response to input received from the first user via the interface*" [1B]. (EX-1003, ¶¶89-92.)

Forsyth describes creation and activation of a Forum in group-based text messaging Scenario 1. As shown in Figure 4 (below-right), the user is presented with a "new forum" screen on the user interface through which the user can create Forums. When WAP is used as the communication protocols between a mobile device and server, this "new forum" interface screen is a webpage provided by the server and displayed via a microbrowser or a client-side Forums application supporting WAP. (EX-1003, ¶89.) As shown, when creating a Forum, the user "has to select whom he wishes to invite" (e.g., Lucy/Steve), enter the Forum title ("Naked Chef") and provide content for the message ("Jamie Oliver is a culinary god!!"). (EX-1006, 5:50-51, Figure 3 (below-left).)



Symbian Forums: Forsyth, Figure 3 (left), Figure 4 (right)

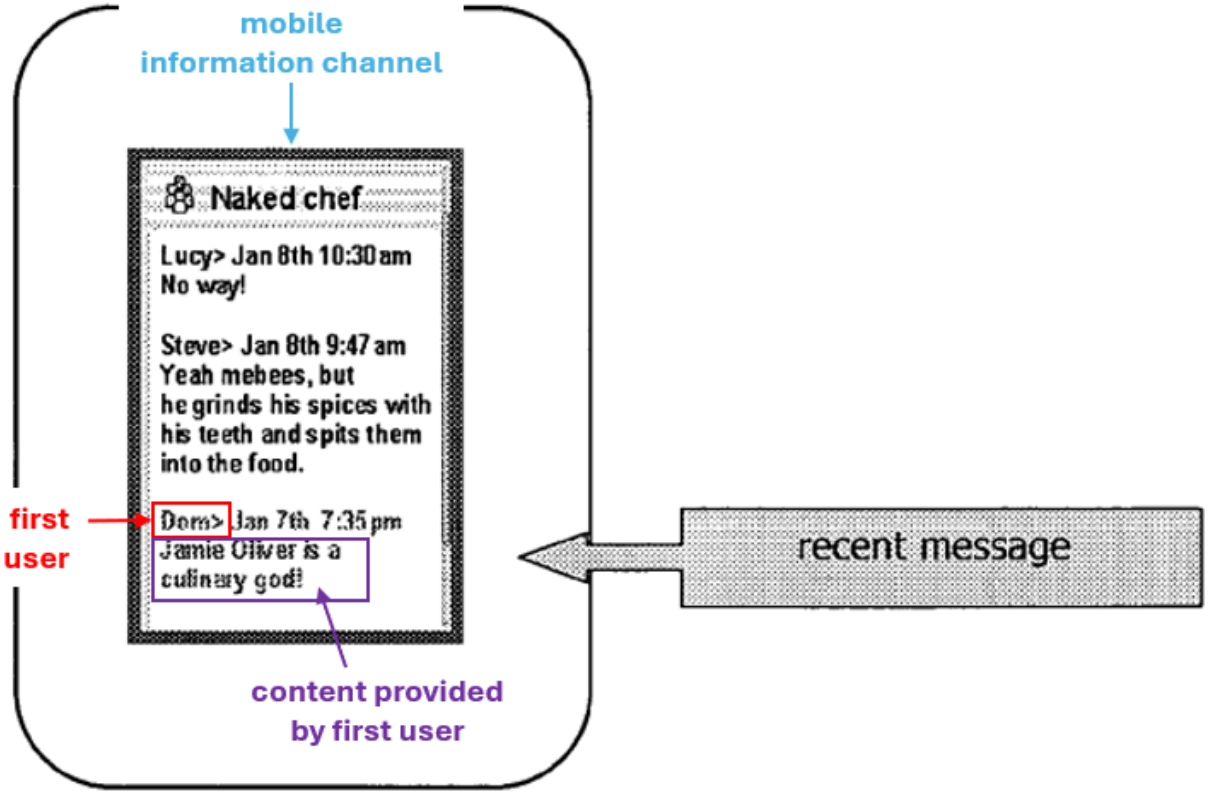
The Forum creator in this example is "*a first user*." (EX-1006, 4:61-62 ("FIGS. 2-11 are screen shots of the display of a wireless information device

running the Forums application").) The identified individuals that agree to participate are "*a plurality of additional users.*" (EX-1003, ¶90.)

The initial message and the participant list are then provided "to the message server" as a "message object" and "group object" respectively. (EX-1006, 6:1-8.) The server "stores these two objects and forwards a copy of the message to each of the people on the address list, along with an abstracted version of the address list." (EX-1006, 6:9-14.) Thus, in Randall-Forsyth combination, the server, through the Forums service, "*provide[s] an interface permitting a first user to control activation of a mobile channel*" [1A] by permitting the user to send message and group address objects to the server to create a new Forum which are received via the server's wireless network (GSM) interface and/or by providing the webpage (user interface) from the server to the wireless device through which the user enters this information over WAP. (EX-1003, ¶¶91-92.) The server "*activat[es]*" the Forum upon receipt of the new Forum message object and group address object from the user. Specifically, the server handles inviting participants to the Forum and managing the group address list by, e.g., removing addresses of individuals that decline to participate. (*See, e.g.,* EX-1006, 6:9-17.) Thus, in the Randall-Forsyth combination, the server "*activat[es] the mobile information channel response to input received from the first user via the interface*" [1B]. (EX-1003, ¶¶91-92.)

(4) "inserting content"

The Randall-Forsyth combination discloses *"inserting content provided by the first user into the mobile information channel*" [1C]. (EX-1003, ¶93.) When the "*first user*" sends an initial message (including content) "to the message server" as a "message/communication object" (EX-1006, 6:1-8.) The server stores the message object, which will act as the store for communications within the Forum, and "forwards a copy of the message to each of the people on the address list, along with an abstracted version of the address list." (EX-1006, 6:9-14, 4:18-24.) By forwarding the "*content provided by the first user*" to members of the Forum, the server is "*inserting content … into the mobile information channel,*" as highlighted in Forsyth's Figure 7 (below). (EX-1003, ¶93.)



Symbian Forums—Forsyth, Figure 7

c) Limitations [1D]-[1E]

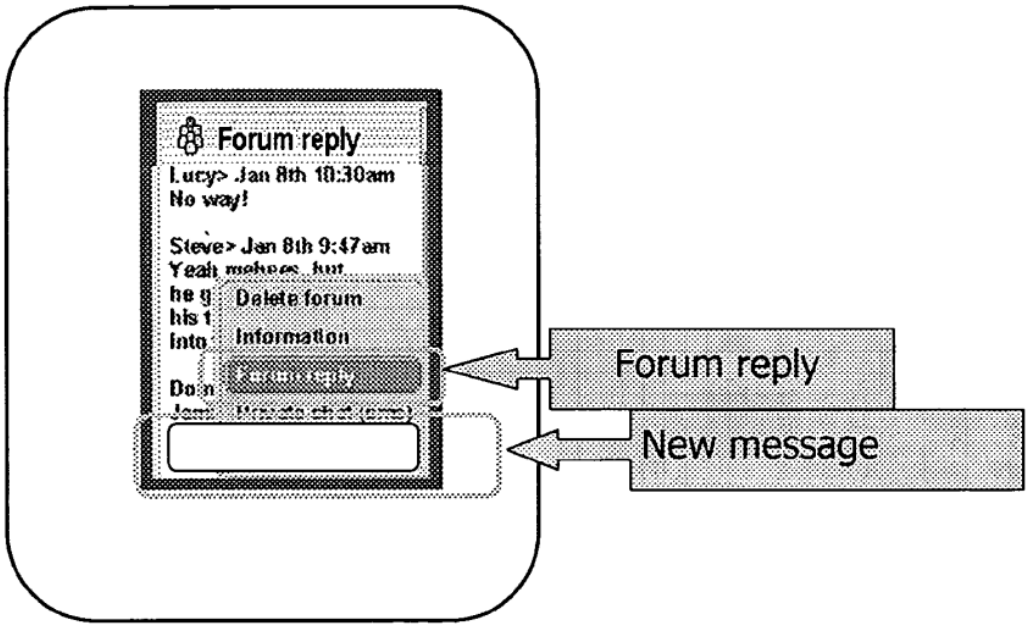
The Randall-Forsyth combination discloses the server "*receiv[es] additional content relating to the mobile information channel from one or more of said additional users via one or more respective mobile devices associated with at least one wireless network*" [1D] and "*insert[s] at least a portion of the additional content into the mobile information channel*" [1E]. (EX-1003, ¶¶94-110.)

(1) "Receiving Additional Content" and "Inserting"

Forums is a "group communication method for a wireless information device that enables communications to be **sent and received between several**

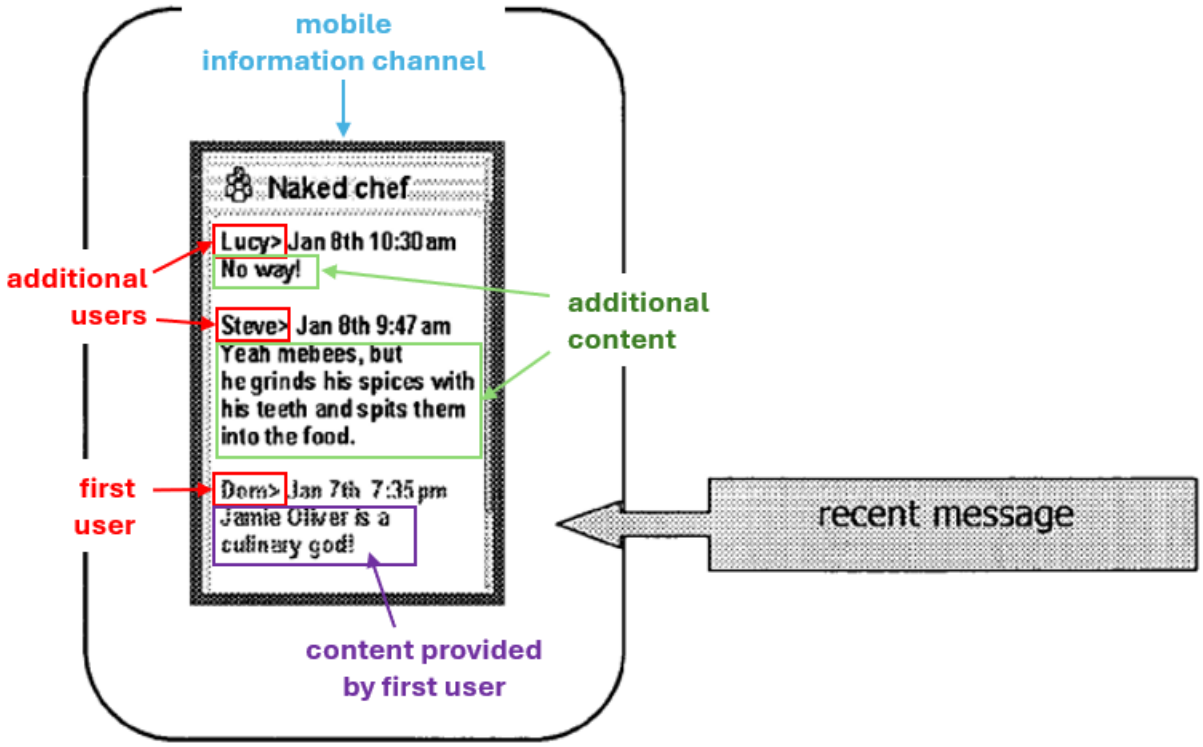
wireless information devices operated by end-use[r]s that form a group of end users" (i.e., a Forum). (EX-1006, 1:64-2:1.) Each Scenarios described in Forsyth illustrates that a mobile device receives content (messages, photos, graphics, music files, etc.) though a Forum ("*mobile information channel*") from Forum members, i.e., from "*additional users*" of the Forum. (EX-1003, ¶¶95, 87; *see, e.g.,* EX-1006, 5:35-7:13, 7:18-57, 7:58-9:4, 9:5-35.)

For example, in group text messaging Scenario 1, "[i]f a user clicks on 'Forum reply', then a new message is posted to the Forum"; that is, the message "*relat[es] to the mobile information channel.*" (EX-1006, 6:54-55, Figure 9 (below).) Such responses to the original message "are of the form that the new message is sent to the server, which then forwards on the increment [new reply] to all the people on the current (server-maintained) address list"; the additional content is "*insert[ed] into the mobile information channel*" for delivery to Forum member devices. (EX-1006, 6:18-22.)



Symbian Forums—Forsyth, Figure 9

Thus, the new messages are the "*additional content relating to the mobile information channel from one or more of said additional users*" [1D] and as highlighted in Forsyth's Figure 7 below, this new "*additional content*" is "*insert[ed] … into the mobile information channel*" [1E]. (EX-1003, ¶¶94-97.)



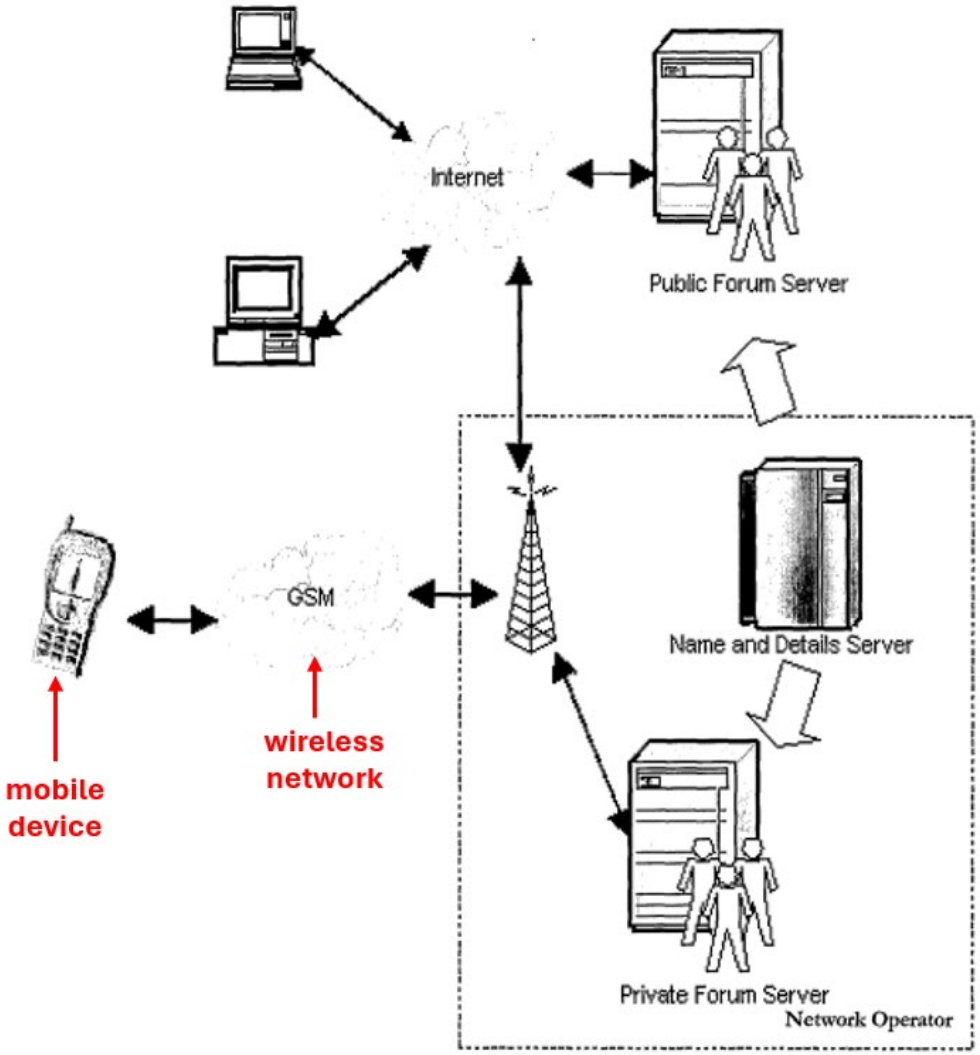
Symbian Forums—Forsyth, Figure 7

(2) "Receiving Additional Content … via [ ] Mobile Devices"

The Randall-Forsyth combination discloses the "*additional content*" is received at the server "*via one or more respective wireless devices associated with at least one wireless network*" [1D]. (EX-1003, ¶¶98-110.)

The client-server model of Randall-Forsyth uses wireless information devices and servers to offer the network-based Forums service. (*See, e.g.,* EX-1005, Figure 4 (below), 40:28-30, 3:10-13 (Randall "relates to the use of an open, universal data infrastructure for **wireless information devices"**); EX-1006, 1:15-16 (Forsyth "relates to a group communication method for a **wireless information device**").) Although Figure 4 only depicts a single wireless information device, a

POSITA would have understood that multiple wireless information devices would be present in the Forums network because as noted above Forsyth teaches that content is "sent and receiver between **several** wireless information devices" in a group. (EX-1006, 1:64-2:1; EX-1003, ¶99.)



Symbian Forums—Randall, Figure 4

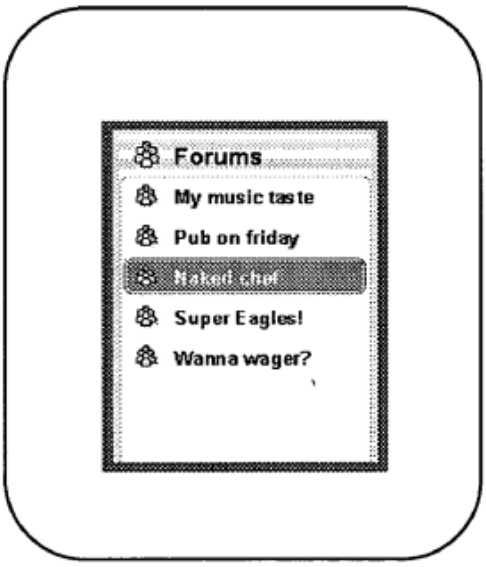
The wireless information devices disclosed in both Randall and Forsyth encompass "any kind of device with one or two way wireless information

capabilities [including] without limitation radio telephones, smart phones, communicators, personal computers, computers and application specific devices." (EX-1005, 1:7-11; EX-1006, 1:16-22.)

The wireless information devices are configured for "communicat[ion] in any manner over any kind of network, such as GSM or UMTS, CDMA and WCDMA mobile radio, Bluetooth", 802.11, and IrDa (infrared). (EX-1005, 1:11-13; EX-1006, 1:16-25.) Because these networks allow a device to communicate wirelessly over a network, each is therefore a "*wireless network*" under Meta's Meta-MDT-IPR construction. (EX-1003, ¶101.) As shown in Figure 4 above, non-mobile (fixed) computing devices access the servers via the Internet, which is depicted as separate and independent from the GSM network. Each network is therefore a "*wireless network*" under PO's Meta-MDT-IPR construction. (*Id.*) And therefore, the wireless devices are "*associated with at least one wireless network.*" (*Id.*)

Each wireless information device is a "piece of handheld equipment" and therefore a "*mobile device*" under PO's MDT-Meta-Litigation construction. (EX-1003, ¶102.) These portable/handheld devices of Randall and Forsyth process information and are configured to connect to and communicate via a wireless network and therefore meet Meta's Litigation/IPR and PO's Litigation "*mobile device*" constructions as well. (*Id.*) Randall and Forsyth also teach that a subset of

the listed wireless information devices (e.g., radio telephone and smartphone) have limited display space and/or limited navigational capabilities. (*See* EX-1006, 4:61-62, Figures 2-11; EX-1005, 45:23-25 ("current architecture of the Internet is not well suited for the wireless device form factor … for mobile devices with small displays.").) For example, as shown in Forsyth's Figure 6 (below), the wireless information device has a small display and the interface permits the user to navigate to only the listed forums—i.e., the mobile device has limited navigational capabilities. (EX-1003, ¶103.) Thus, the Randall-Forsyth combination discloses a "*mobile device*" even under PO's overly narrow Meta-MDT-IPR construction. (*Id*.)



Symbian Forums—Forsyth, Figure 6

* * *

Thus, the Randall-Forsyth combination discloses "*receiving additional content … via one or more respective mobile devices associated with at least one wireless network*" [1D].

d) "Integrating" Limitation [1F]

The Randall-Forsyth combination discloses "*integrating into the mobile information channel information associated with at least one wireless networking functionality of said at least one wireless network*" [1F]. (EX-1003, ¶¶111-131.)

(1) Information Associated with a Wireless Networking Functionality

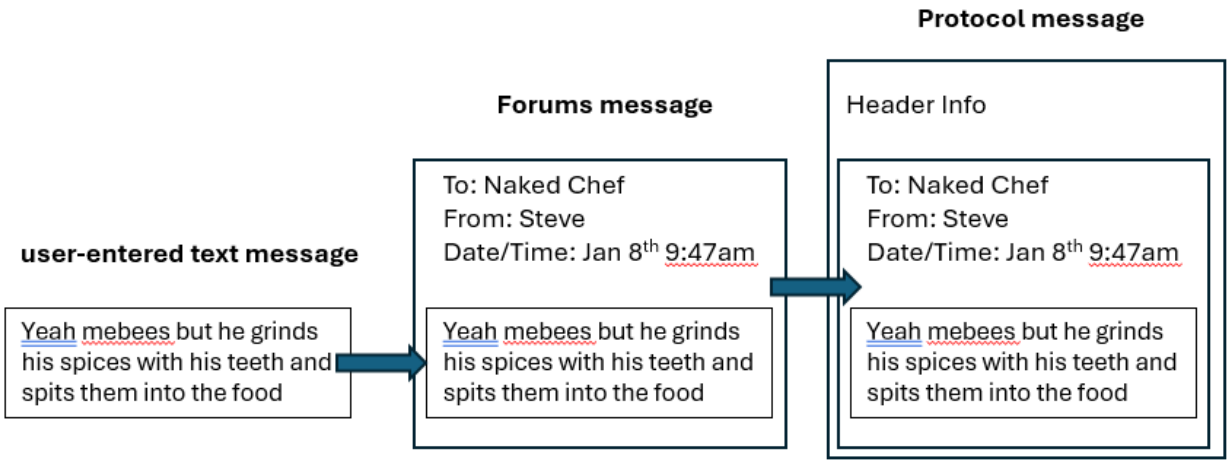
The "*wireless network*" and the wireless devices in the Randall-Forsyth combination implement "*at least one wireless networking functionality*[5]"—messaging (EX-1003, ¶¶112-123; EX-1001, 1:34-39; 1:54-58, 9:48-53.) For example, Forsyth describes that Forums supports "group based text messaging"

[5] While neither Meta nor PO proposed a construction for this term in their IPR proceeding challenging the '801 patent, the parties did propose constructions for this term in *Meta Platforms v. Mobile Data Tech.,* IPR2024-00248, challenging the '039 patent. (*See* EX-1030, 16-17.) In that proceeding, PO contends the term means "functionality implementable by a mobile device via a wireless network independent of the Internet" (EX-1030, 16) whereas Meta contends the construction should be "functionality implementable over a wireless network" (EX-1031, 5). No construction is required here because the combination meets the limitation under either construction.

and "group based multi-media messaging." (EX-1006, 3:35-58, 5:45-49.) The scenarios and examples provided Forsyth and Randall demonstrate a "*messaging action*" initiated by the user—e.g., posting/sending a message to the Forum. For example, in Scenario 1 of Forsyth, when the "Naked Chef" Forum is created, the user sends an initial message to the message server. (*See* EX-1006, 6:1-9.) Subsequent responses "are of the form that the new **message is sent to the server**." (EX-1006, 6:18-22.)

These scenarios/examples also demonstrate "*information associated*" with the "*wireless networking functionality*" of messaging. (EX-1003, ¶¶116-123.) Specifically, when the device captures user content, the mobile device must create a Forums message for inclusion in the stored message object at the server containing the sender name (i.e., identity of the user in the Forum (e.g., Steve)), Forum name (e.g., Naked Chef), and content provided by the user, captured by the device (e.g., "Yeah mebees but he grinds his spices with his teeth and spits them into the food"). (EX-1003, ¶119.) The mobile device must further encapsulate the Forums message into a protocol message (e.g., GSM-SMS or WAP) to be transmitted over wireless network. (EX-1003, ¶¶120-123.) The protocol message includes information associated with the action of sending a message over the network such as message type and content type identifier. (EX-1003, ¶¶121-122,

citing EX-1015, 42-43, 60, 63.) These messages are illustrated in Houh's Figure B below. (EX-1003, ¶120.)



Houh, Figure B

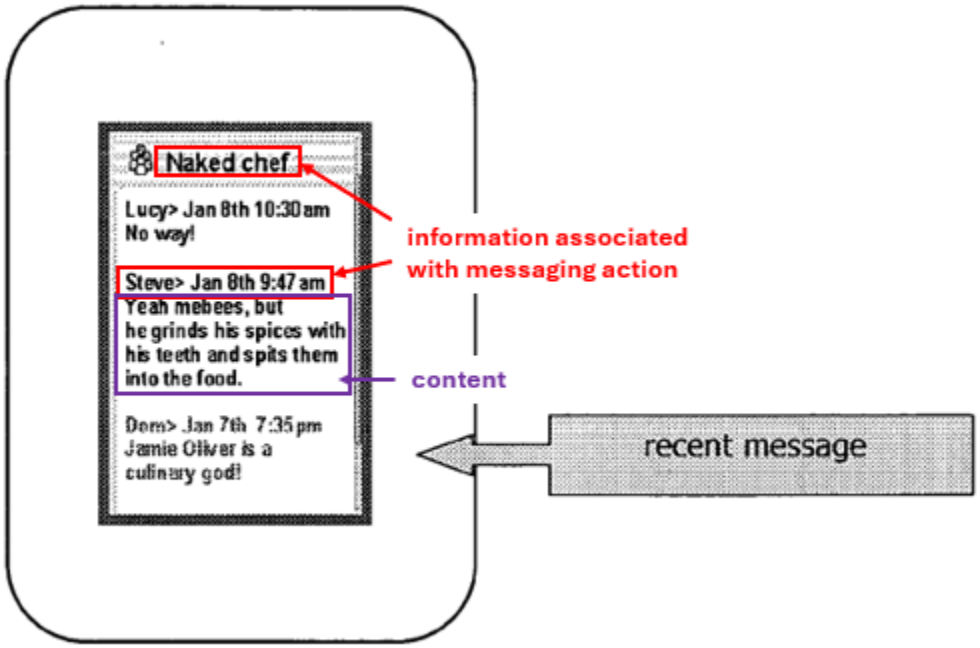
Forsyth further teaches that Forums is designed for group discussion and collaboration. (*See, e.g.,* 11:32-34 (discussing "Collaborative Activity").) Forsyth's "Social Scheduling" (Scenario 3) provides a specific example of a "*collaboration action*" where a user in the group poses a question ("Anyone fancy a trip to the cinema next week some time?") and members of the group collaborate to provide an answer. (EX-1006, 8:44-46.) The collaboration in Scenario 3 is through the exchange of messages which discuss the night, the cinema, and the film to see. (*See* EX-1006, 8:56-60.) The information associated with the wireless messaging that specifies the collaboration actions (messaging among Forum members to

solve, e.g., the scheduling details for a cinema visit) is described above. (EX-1003, ¶¶124-127.)

(2) "Integrating … information associated with" a "wireless networking functionality"

The content and the information associated with a wireless networking functionality are provided to the server and inserted into the "*mobile information channel.*" Forums achieves the integration of the information with the content into the Forum in part through use of a single communication object associated with a Forum. (EX-1006, 4:19-20; *see also* 4:20-26, 7:6-8.) For example, in the group based text messaging Scenario 1, a communication object is created for the forum which holds the initial message and all subsequent messages in the Forum. (EX-1003, ¶89-91.) Within the Forum (e.g., Naked Chef), "the user is shown the messages posted to that Forum." (EX-1006, 6:38-40.) "Messages appear in date order, i.e. newest messages appear at the bottom." (EX-1006, 6:40-42.) As shown in Figure 7 (below), the content (message; "No way!") and at least a portion of the determined information (poster identity (e.g., Lucy) and date/time (Jan 8th 10:30am) is integrated "*into the mobile information channel*" ("Naked Chef"). (EX-1003, ¶¶128-130.) The teachings of Randall and Forsyth are consistent with PO's infringement allegations which contend this limitation is met by an application that integrates "information (e.g., username, date, time, Group) that is

associated with a messaging action performed by a user [] while messaging other users" in a members community. (*See* EX-1029, 14.)



Symbian Forums—Forsyth, Figure 7

Thus, the Randall-Forsyth combination discloses "*integrating into the mobile information channel information associated with at least one wireless networking functionality of said at least one wireless network*" [1F]. (EX-1003, ¶¶111-131.) The combination further teaches that the "*information associated with*" the "*wireless networking functionality*" comprises "*one or more messaging actions implementable over the wireless network* [e.g., sending a message]" [7] and "*one or more collaboration actions* [e.g., exchanging messages to answer a

question/solve a problem] *implementable over the wireless network*" [8]. (EX-1003, ¶¶116-131.)

2. Independent Claim 22

The Randall-Forsyth combination discloses a "*non-transitory computer-readable storage medium having embodied therein executable code of one or more software programs for use in managing information content in a network-based communication system, wherein said executable program code when executed by a processing element*" of the server that implements the steps of method claim 1.

Randall and Forsyth disclose the server performs processing and therefore has a server-side program component of Forums. (*See* EX-1006, 3:28-31; EX-1005, 57:4 ("server side software"), 38:24 ("server side message handling applications").) Although not explicit, a POSITA would have understood from these disclosures the server-side Forums program is "*executable code of one or more software programs*" which "*when executed by a processing element of the mobile device causes the mobile device to perform the*" recited actions. (EX-1003, ¶132.)

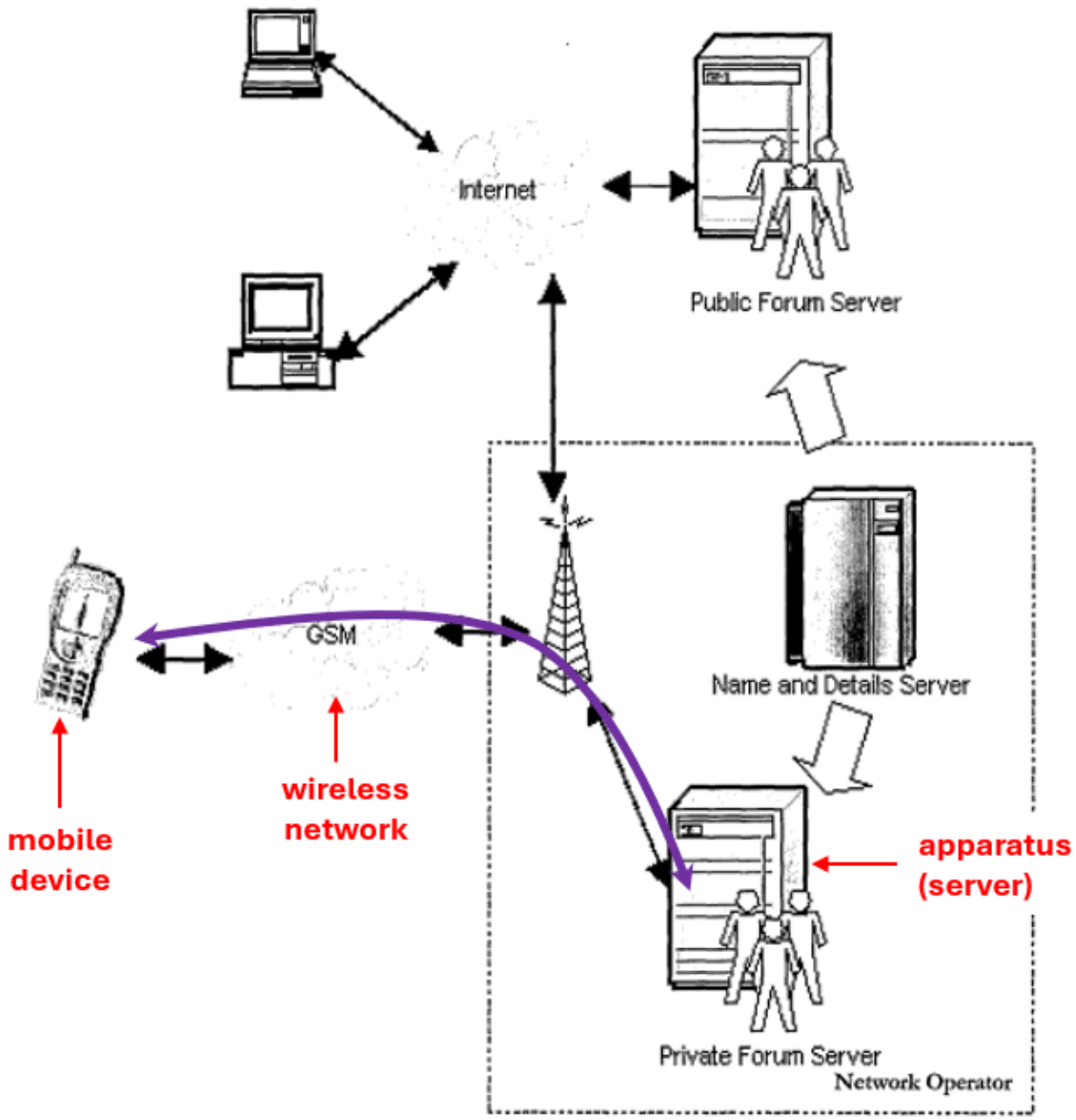
Neither Randall nor Forsyth explicitly states the server-side program is stored in a "*non-transitory computer-readable storage medium*." Memory or another similar computer readable medium storing the software to be executed on the processor would necessarily be included in the mobile device. (EX-1003, ¶133,

citing EX-1026, 29-30, 37.) To the extent PO argues this is not inherent in a computing device running software, it would have been obvious to a POSITA and well within the POSITA's general knowledge as evidenced by the server disclosures of Agbotwalla (3:7-9, 42:1-38), Cheng (23:63-24:1), Bansal (7:23-24) and Pelkey and Eck, (*infra* §VI.C). (EX-1003, ¶¶133-38.)

3. Independent Claim 23

a) [23P]: "apparatus"

The Randall-Forsyth combination discloses a server which is an "*apparatus*" [23P]. (EX-1003, ¶139.) As illustrated in Randall's Figure 4, the Forums network infrastructure includes a server hosting Forums such as Private Forums. In Forums, the server "handles contacting each group member, storing messages, allowing message to be read, sending, receiving and distributing messages." (EX-1006, 3:28-33.)



Symbian Forums—Forsyth, Figure 4

b) Server Architecture Limitation [23A]

The Randall-Forsyth combination, as informed by general knowledge of a POSITA, teaches or at least suggests the server includes "*a processing element comprising a processor coupled to a memory.*" (EX-1003, ¶¶140-148); *Philips v.*

Google, 948 F.3d 1330, 1337-38 (Fed. Cir. 2020) (finding claims obvious in view of a reference "in light of the general knowledge of a skilled artisan").

The Forums server performs processing and therefore has a "*processing element*." (EX-1003, ¶142.) Forsyth teaches the server "handles contacting each group member, storing messages, allowing message[s] to be read, sending, receiving and distributing messages." (EX-1006, 3:28-31.) Randall specifically mentions "server side **software**" (EX-1005, 57:4) and "server side message handling **applications**" (EX-1005, 38:24). A POSITA would have understood that software and applications execute on "*a processor*" within the "*processing element.*" (EX-1003, ¶142.)

Both Randall and Forsyth also disclose or suggest the "*processing element*" in the server includes "*a memory.*" (*See* EX-1003, ¶142.) Specifically, the Forums server acts as "a store for resources which group-members may wish to discuss and share (e.g., personal information, personal photographs, music, web sites, etc.)." (EX-1006, 3:31-34.) The storage at the server is a "*memory*." (EX-1006, 3:31-34.) Additionally, a POSITA would have understood the applications and software running at the server are stored in a memory. (EX-1003, ¶143; EX-1001, 4:60-63 (memory includes "any other type of storage device").)

Should PO contend "*memory*" of the "*processing element*" must store instructions executed by the processor, such memory would have been obvious, if

not inherent in Randall and Forsyth which both teach software running on the server. Because the software/applications executing on a processor are stored in memory and also access information stored in memory, a POSITA would have understood Randall and Forsyth further disclose or suggest the "*processor* [is] *coupled to a memory.*" (EX-1003, ¶143; §V.B.2.)

Moreover, the general architecture of a server (processor coupled to memory and a network interface) was within the general knowledge of a POSITA by June 2002. (EX-1003, ¶¶144-148.) For example, U.S. Patent 7,802,207 to Agboatwalla et al. ("Agboatwalla")(5:40-42), U.S. Patent 7,574,486 to Cheng et al. ("Cheng") (23:26-51), Bansal ("Bansal")(6:66-7:5), Pelkey and Eck (§VI.D.2) each discloses the claimed arrangement.

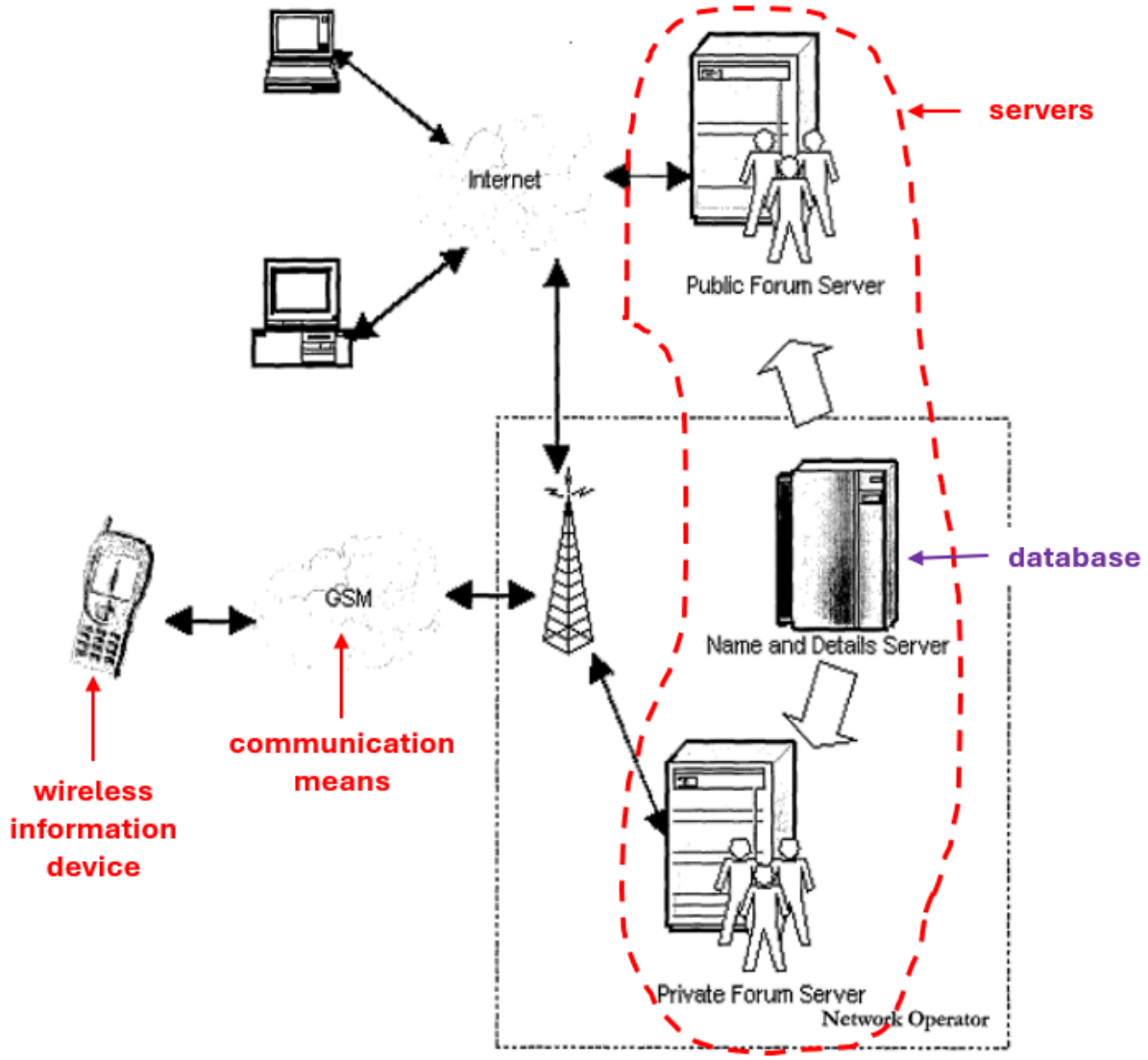
c) Processing Limitations [23B]-[23G]

As discussed in §V.B.1.b for limitation [1A], the server and its processing element "*provid[es] an interface*" that "*permit[s] a first user to control activation* ..." and for the reasons discussed in that section, the Randall-Forsyth combination renders limitation [23B] obvious. Limitations [23C]-[23G] recites substantially overlapping subject matter as limitations [1B]-[1F]. For the reasons in §§V.B.1.b-d, the Randall-Forsyth combination discloses the processing element of the server performs these limitations.

4. Independent Claim 25

a) Preamble [25P] and "Plurality of Servers" [25A]

The Randall-Forsyth combination discloses a "*network-based communication* system" [25P] comprising "*a plurality of servers configured to communicate over the network*" [25A]. The Forums service, based on a client-server model, is implemented on a network such as the one illustrated in Randall's Figure 4 (below). The Symbian Forums infrastructure, illustrated below, includes "*a plurality of servers*": "internet servers" hosting individual Private and Public Forums (as enhanced by Forsyth) and "internet servers" hosting extensible databases (as taught by Randall). As shown, wireless devices access these servers/databases via the wireless network and non-mobile devices access these servers via Internet respectively. (EX-1003, ¶151.)



Symbian Forums—Forsyth, Figure 4

b) Processing Limitations [25B]-[25H]

As discussed in §V.B.1.b for limitation [1A], a server "*provid[es] and interface*" that "*permit[s] a first user to control activation …*" and for the reasons discussed in that section, the Randall-Forsyth combination renders limitation [25B] obvious. Limitations [25C]-[25G] recites substantially overlapping subject matter as

limitations [1B]-[1F] and [23C]-[23G]. For the reasons in §§V.B.1.b-d, the Randall-Forsyth combination discloses the processing element of the server performs these limitations.

C. Dependent Claims

1. Claims 7-8

The Randall-Forsyth combination discloses claims 7-8 for the reasons discussed in §V.B.1.c. (EX-1003, ¶154.)

2. Claims 9-10

The Randall-Forsyth combination discloses "*providing one or more content integration options to the first user and the plurality of additional users*" [9] and "*the one or more content integration options are based in part on respective wireless networking functionalities available to the first user and the plurality of additional users*" [10]. (EX-1003, ¶¶155-158.)

The Randall-Forsyth combination discloses "*providing one or more content integration options to the first user and the plurality of additional users*" [9] by providing each user multiple options for creating and posting content to a Forum. (EX-1003, ¶155.) For example, Forsyth discloses that "**personal content** such as photographs, opinions, music playlists, music tracks etc." is shared "amongst a pre-defined group." (EX-1006, 4:9-11.) Randall and Forsyth each discloses posting a text message to a Forum (EX-1006, 3:36-44, 5:27-29), posting photos/images (EX-

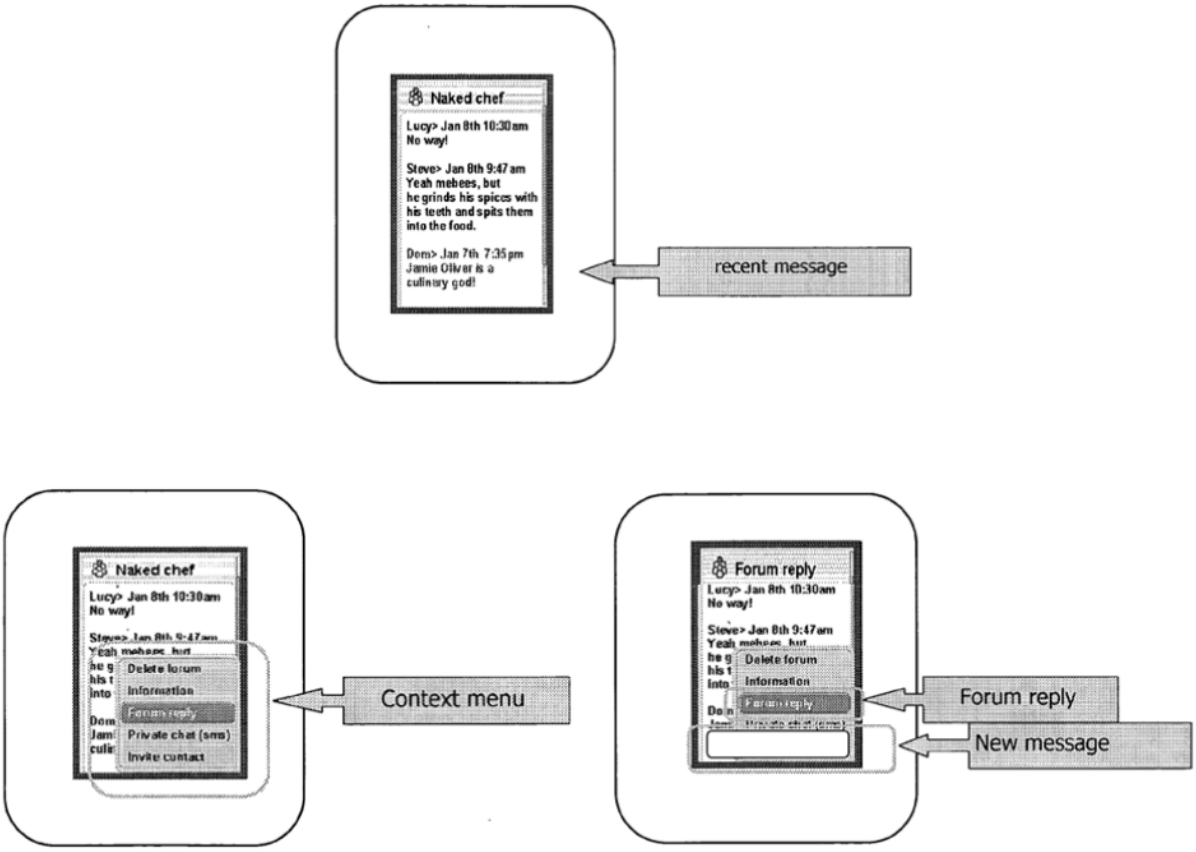
1005, 74, 80; EX-1006, 7:30-35, 7:41-42, 9:5-35), and posting music files as content (EX-1006, 9:21-22). (*See* EX-1003, ¶¶155-158.)

The ability to capture text content, photo/image content, graphic content, music content, etc. is determined by the functionalities of the wireless device and the ability to post this content to the Forum (i.e., send to the server) is based on the "*wireless networking functionalities available*" to Forum members. As discussed in §§V.A.1 and V.B.1.c, WAP and GSM-SMS both support the ability to send text messages, photos/images in a message, a music file in a message, etc. Accordingly, the combination also discloses "*the one or more content integration options are based in part on respective wireless networking functionalities available to the first user and the plurality of additional users*" [10]. (EX-1003, ¶¶159-160.)

3. Claims 11-12

The Randall-Forsyth combination discloses the "*additional content is associated with the mobile information channel via one or more user-activatable control mechanisms*" [11]. (EX-1003, ¶161.) Specifically, the user interface provided to a user includes a user-activatable control mechanism (drop down menu of available actions). For example, in the "group based text messaging" Scenario 1, a user can "make a context menu appear" within the Forum, allowing the user to "carry out additional tasks related to the Forum." (EX-1006, 6:44-49, Figure 8

(below-left).) "If a user selects 'Forum Reply' then a new message is posted to the Forum" including posting a response. (EX-1006, 6:54-56; Figure 9 (below-right).)



Symbian Forums: Forsyth, Figure 7 (top); Figure 8 (bottom-left)
Figure 9 (bottom-right)

The Randall-Forsyth combination discloses that "*the one or more user-activatable control mechanisms comprise a hyperlink*" [12]. (EX-1003, ¶162.) Specifically, both Randall and Forsyth allow a user to share and post hyperlinks or create hyperlinks to content. For example, in Social Scheduling Scenario 3, Forsyth teaches that a Forum "has links to trailers, reviews and schedules etc. for

each film." (EX-1006, 8:60-64; *see also*, 9:21-24,11:44-47, 7:37-38; EX-1005, 64:25-26.) In Digital Memento Scenario 4, Forsyth teaches that "[p]eople post MP3s of the kind of music played at each club and **links** to the club's pages" which are "made available to all to download." (EX-1006, 9:21-24.) In "Radio Forums", Forsyth teaches the ability for a user to "creat[e] **a link** between the user's store of digital music and the playlist stack" of the Forum. (EX-1006, 11:44-47.) And in Discussion of Photos Scenario 2, Forsyth teaches that group members receive an object "which incorporates or references the photographs." (EX-1006, 7:37-38.) The statement "references the photographs" indicates a link provided in the object to the user's photo storage which is accessible by a link structured like a WWW link. (*See* EX-1005, 64:25-26 (Database access number for user is "in one implementation an address on a web server—for example www.indirect.com/Alice").)

4. Claim 14

Randall and Forsyth each discloses capturing multiple types of content at the mobile device. (EX-1003, ¶155.) For example, Forsyth discloses that "**personal content** such as photographs, opinions, music playlists, music tracks etc." is shared "amongst a pre-defined group." (EX-1006, 4:9-11.) Forsyth's Figure 13, shows a sampling of the content supported within Forums, including "[p]hoto posting, storing, commenting, [and] vandalising" and "**voice messages**." (EX-1006, 4:66-

67, Fig. 13; *see also* 7:30-35, 7:41-42, 9:5-35; EX-1005, 74, 80.) Randall and Forsyth disclose capturing a music file at the wireless information device. Forsyth teaches the central server "act[s] as a store for resources which group-members may wish to discuss **and share** (e.g. personal information, personal photographs, **music**, web sites etc)." (EX-1006, 3:31-34; *see also*, EX-1006, 4:9-11, 9:21-22, 11:41-47; Randall 80.) And Randall and Forsyth both describe capturing location coordinates at a wireless device and sharing the location for use in features like people tracking, your map, and rendezvous. (*See* EX-1006, 13:45-58; Randall 74, 83.)

The Randall-Forsyth combination therefore discloses "*additional content is obtained from a device-captured data source of the given user, the device-captured data source comprising a source of at least one of device-captured video data, device-captured audio data and device-captured location coordinates*" [14]. (EX-1003, ¶¶163-170.)

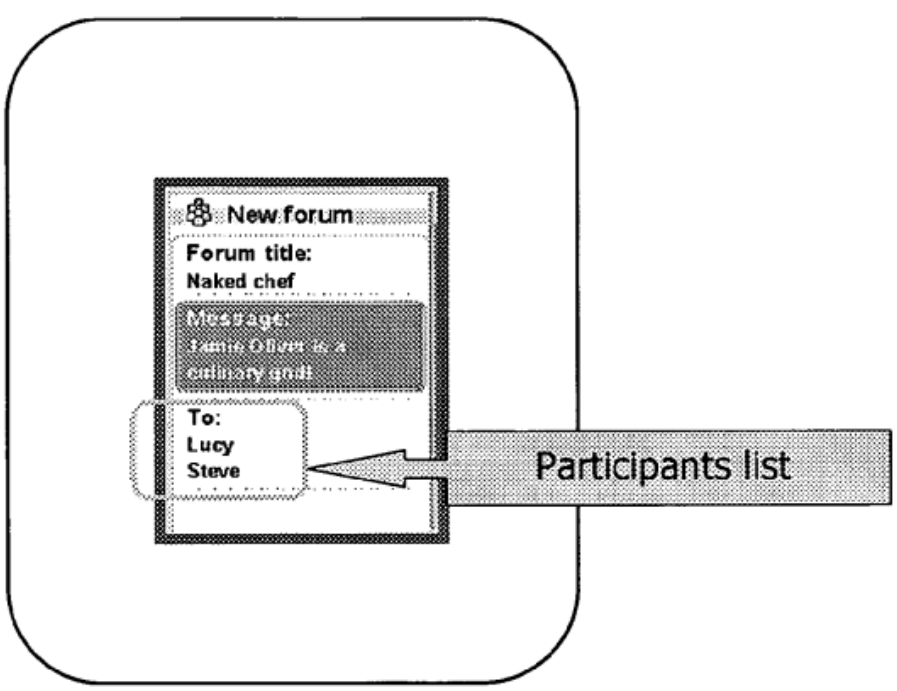
5. Claim 15

Randall and Forsyth provided numerous examples of forums where members of a group collaborate—"*collaborative workspace[s]*." (EX-1003, ¶¶171-174.) Forums is designed for group discussion and collaboration. (EX-1006, 2:59-60 (Forums is "tool for group working and communication"), 5:27-30, 11:32-39 ("Collaborative Activity").) For example, Forsyth's "Social Scheduling" Scenario

3 provides a example of a "*collaborative workspace*" in a Forum allowing a member to pose a question and other members to collaborate on an answer. (EX-1006, 8:44-66.)

6. Claim 16

The Randall-Forsyth combination discloses "*permitting the first user to establish a title for the mobile information channel*" [16]. (EX-1003, ¶175.) As shown in Figure 4 (below), a user access a "new forum" to create a Forum. As shown, the user enters the Forum title ("Naked Chef"), and types in the initial message ("Jamie Oliver is a culinary god!!"). (EX-1006, 5:52-63.)



Symbian Forums—Forsyth, Figure 4

7. Claim 17

The Randall-Forsyth combination discloses "*the identified application-based information channel comprises a chat channel*." (EX-1003, ¶¶176-178.) Forums "is designed specifically to allow current and very popular internet type services (e.g., **chat/instant messaging between groups**) to be handle[d] effectively between mobile devices." (EX-1006, 2:42-45, 5:10-14, Table 1 ("creat[ing] a discussion between group members on your own device"), 5:27-30 ("Forums … allows multiple **chat-style conversations** to take place simultaneously").) In addition to group chat, Forums "include[s] a **Private chat function**" between Forum members. (EX-1006, 7:9-12.)

8. Claims 18-19

As discussed above, in Forsyth's Scenario 1, a user creates a Forum to discuss the "Naked Chef" which was a television cooking program. (EX-1006, 5:35-6:62.) Thus, the combination discloses "*the mobile information channel is associated with an entertainment-related entity*" [18], specifically, "*a television program*" [19]. (EX-1003, ¶¶179-180.)

9. Claims 20-21

Forums is client-server service with a "*mobile device application*" [20] running at the client and a corresponding program running at the server: "FIGS. 2-11 are screen shots of the display of a wireless information device running the

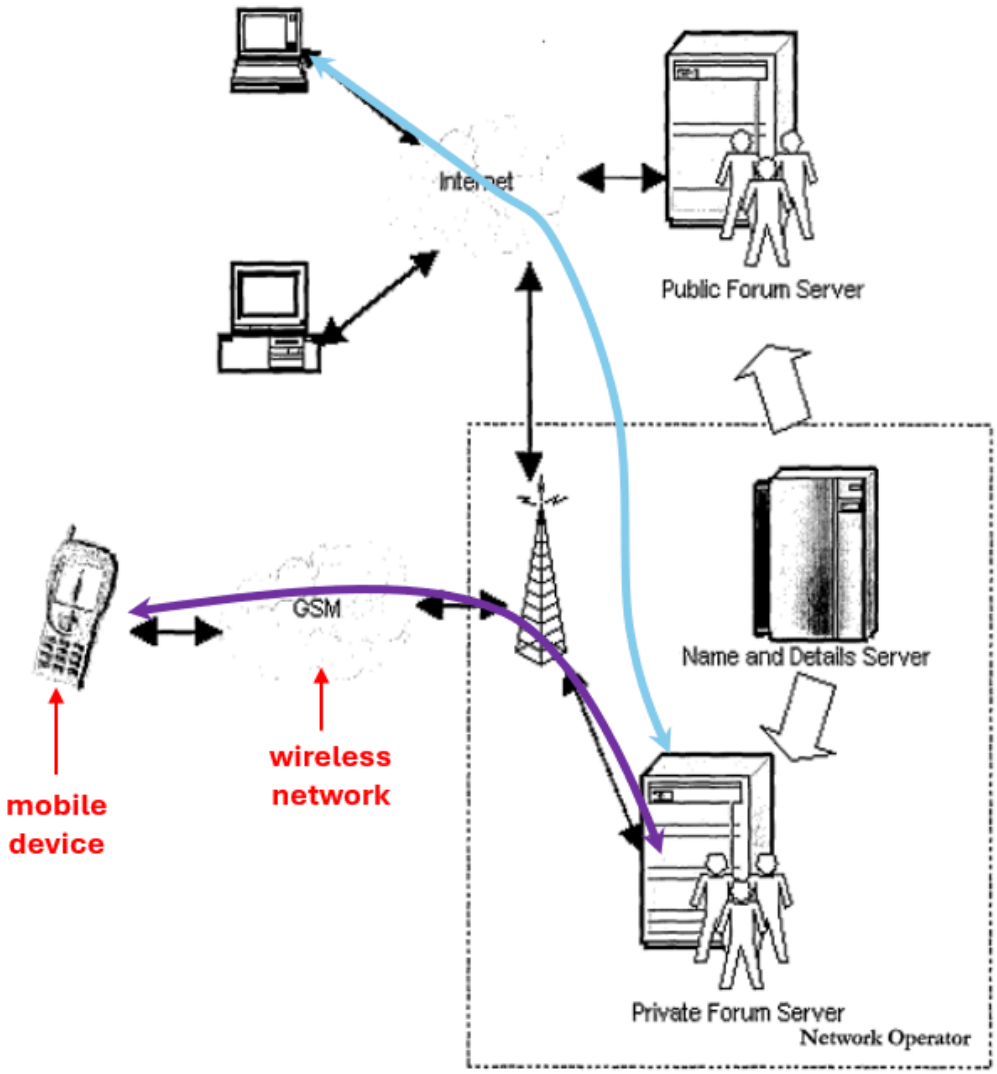
Forums application." (EX-1006, 4:62-63; *see also*, 2:46-47, 4:64-65, 9:11-13; EX-1005, 3:17-19, 40:15-41:14, 43:23-24.

Forums is a "*personalized content application*" [2] because a user manages her profile and can personalize her Forums experience. (EX-1003, ¶182.) For example, through Forums, a user enters "basic identity data about themselves" including setting her current mood, hobbies, and preferences. (EX-1005, 23:14-17, Table 1; EX-1006, 7:20-25.) Forums further provides a user with the capability of creating a personalized Forum which is also a "*personalized content application*" operating within the Forums application. (EX-1003, ¶184.) Forsyth describes ability to create a private Forum where a user can "share, amongst a pre-defined group, **personal content** such as photographs, opinions, music playlists, music tracks etc." (EX-1006, 4:9-11.)

10. Claim 24

The Randall-Forsyth combination discloses the server includes a "*processing element*" with "*at least one server accessible over the Internet via a network interface.*" As discussed in §V.B.1.b.(1), the Forums infrastructure, illustrated below, includes "internet servers" hosting individual Private and Public Forums. Randall uses "existing transports" for client-server communication including "standard IP formats such as MIME, SMTP and HTTP" to "enable compatibility with Internet Messaging systems." (*See* EX-1005, 58:23-27.) That is,

the server also includes an interface (e.g., HTTP) for communicating with non-mobile devices over the Internet. (EX-1003, ¶186.) That is, the server is "*accessible over the Internet via*", e.g., an HTTP "*network interface*" and over the wireless network via, e.g, a GSM WAP interface. (*Id*.)



Symbian Forums—Randall, Figure 4

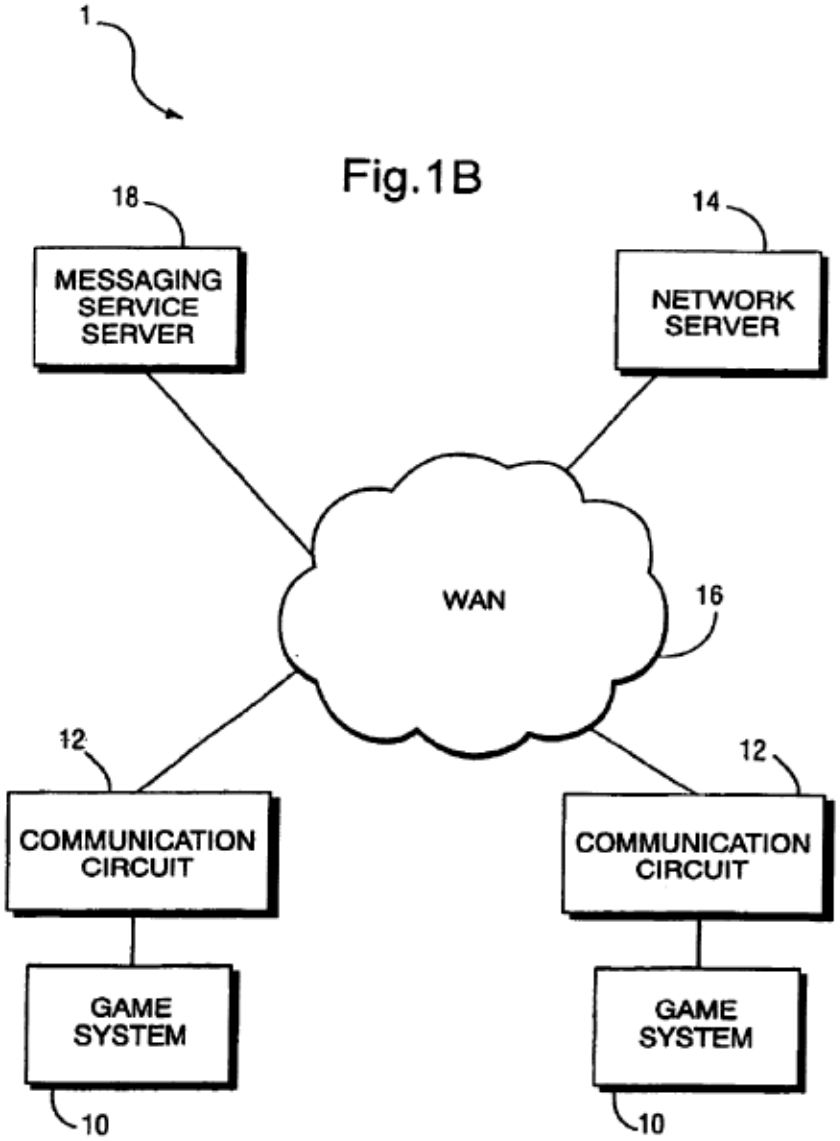
VI. GROUND 2: Pelkey-Eck Combination Renders Claims 1, 7-12, 15, 17, 20, and 22-25 Obvious

A. Combination Overview

Pelkey and Eck each disclose systems permitting users of "portable game machines," like the Nintendo GameBoy® to share messages, photos taken with an attached digital camera, and, in the case of Eck, sound clips with other users. (EX-1007, Abstract; EX-1008, 2:15-22.)

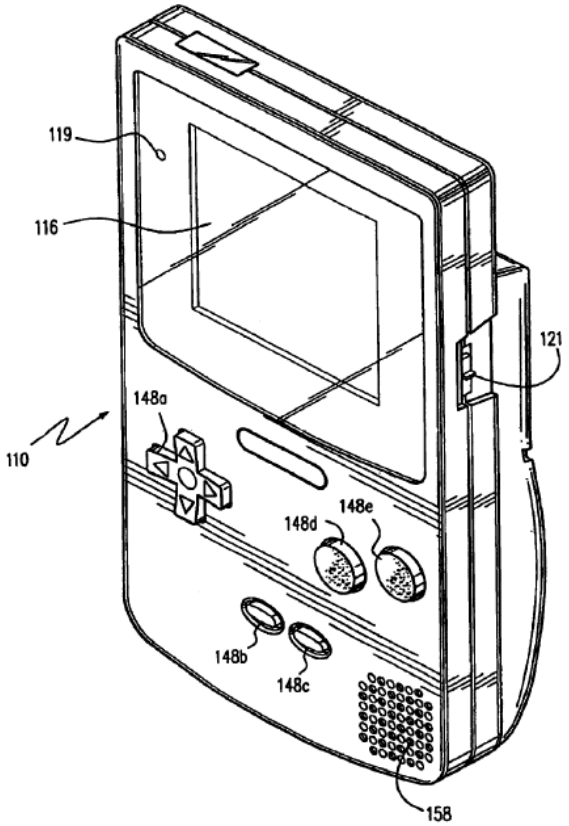
1. Pelkey

Pelkey's Figure 1B (below) illustrates a network architecture "in which the messaging service [] may be implemented." (EX-1007, 2:58-60.) The network "includes game systems 10 connected via communications circuits (e.g., modems, network interfaces, etc.) to a wide area network." (EX-1007, 2:60-62.) A network server 14 "stores games that may be played by users of the network," including "multi-player games." (EX-1007, 3:4-6.) A messaging service server may be included within the network server or as a standalone component. (EX-1007, 3:9-31.) (EX-1003, ¶188.)



Pelkey, Figure 1B

Two game systems may be used for gate system 10. (EX-1007, 3:32-33.) First, an exemplary "GameBoy® Color game system", Figure 3B (below), may be used. (EX-1007, 4:66-67.) Additionally, or alternatively, a game console such as the N64 video game system may be used. (EX-1007, 3:38-48, Figure 2.) (EX-1003, ¶189.)



Pelkey, Figure 3B

While Pelkey generally discloses creating a user "persona" within the gaming arena and a user being able to "includ[e] in their profiles digital images of their own faces generated, for example, using [an attachable] digital camera," it does not specifically disclose sharing and viewing images amongst multiple users. Such features are explicitly disclosed in Eck.

2. Eck

Eck's modified version of the Nintendo Game Boy® "provides enhanced multi-player capabilities through communications with other game machines." (EX-1008, 1:48-51.) In an exemplary multi-user embodiment, Eck discloses

inserting a "pager cartridge" and game cartridge to access "PagerWorld, a virtual community for the network of all users having pager cartridges." (EX-1008, 10:20-23.)

"Players are represented in PagerWorld by a 'persona character' ... that all other PagerWorld players will see." (EX-1008, 10:23-25.) Importantly, "image data obtained with a digital camera cartridge" can be used to "customize the persona character." (EX-1008, 12:38-40.)

In "PagerWorld," "[p]layers can find pen-pals" and "view message boards," among other activities. (EX-1008, 10:40-42.) "The system also enables bidirectional transmission of messages with images and sound bytes to other pagers in the network." (EX-1008, 16:42-45.) A user can conduct a variety of "messaging" activities within PagerWorld including "broadcasts to all pagers," "group messages," "digital camera picture transmission (with/ without sound)," "messages plus sound bites" and "messages to and from Internet." (*See* EX-1008, 20:6-36.) Messages are read, composed and sent from the "Message Center" inside PagerWorld. (EX-1008, 11:27-29.) "Message Center" includes an "Address Book" that "provides a listing of other users by their handles" and "the persona character of the other user as it appeared on his/her last communication with the user." (EX-1008, 11:32-35; *see* EX-1008, 12:16-19.) Eck thus specifically discloses how users

can share photos taken with an attached digital camera with other users. (EX-1003, ¶¶190-193.)

3. Motivation to Combine

A POSITA would have been motivated to combine Eck's teachings regarding PagerWorld with the network and message server architecture taught in Pelkey. (EX-1003, ¶¶194-198.)

Pelkey and Eck both disclose an enhanced version of the Nintendo GameBoy® in the same field as the '801 patent—"network-based communication systems." (EX-1001, 1:28-30; EX-1007, 1:37-42; EX-1008, Abstract.) Pelkey and Eck are also reasonably pertinent to problems addressed by the '801 patent, namely "optimizing" the sharing of information content on mobile devices. (EX-1001, 1:48-53; EX-1003, ¶195.)

Eck discloses the features of a multi-player game, PagerWorld. Eck further discloses the ability to share photos and sound clips and exchange messages with other players. In the preferred embodiment, such information is exchanged using a "pager cartridge" where "message charges are generally based on the number of characters in the message." (EX-1008, 16:57-60.) While Eck discloses its "invention" can be applied to other technologies like WAP (EX-1008, 25:17-20), it does not specifically disclose a client-server structure as taught in Pelkey.

Pelkey discloses use of a network server and message server to facilitate game play and exchanging messages amongst users. A POSITA would be motivated to apply the network and message server architecture in Pelkey to Eck in order to avoid the charge-based system for exchanging messages and photos via pager cartridge in Eck. (EX-1003, ¶197.) In addition, a POSITA would be motivated to modify the "pager cartridge" in Eck as necessary to use PagerWorld in Pelkey given the disclosed benefits of PagerWorld including "exploration and adventure," "chat and community interaction," and "character growth." (*Id.*; EX-1008, 10:13-19.) Notably, Pelkey does not describe any game play that includes in-game messaging in conjunction with the aforementioned features. In addition, the combination is nothing more than the application of a known technique (Eck's PagerWorld game) to a known method/product (Pelkey's client-server based messaging server) which was ready for further improvement to achieve predictable results. Replacing the pager system infrastructure in Eck with the client-server architecture in Pelkey is the simple substitution of a one known element for another to achieve a predictable result (internet-based functionality). (EX-1003, ¶197.)

A POSITA would have had a reasonable expectation of success in the combination and the results of the combination would have been predictable because both references are directed to the same product and activity (game play).

(EX-1003, ¶198.) Both Pelkey and Eck disclose the desirability of combining messaging capabilities with game play in a portable gaming system. (EX-1007, 2:20-23; EX-1008, 10:32-44.) As explained below, the complimentary network architecture disclosed in Pelkey and Eck further demonstrates such a modification could be made with a reasonable expectation of success. (EX-1003, ¶198.)

B. Independent Claims 1, 22-23, 25

1. Claim 1

a) [1P]: "method"

The Pelkey-Eck combination discloses a method for performing the actions recited in limitation [1A]-[1F] as discussed in §§VI.B.1.b-d.

b) Limitations [1A]-[1C]

(1) "Providing an Interface"

The Pelkey-Eck combination discloses "*providing an interface permitting a first user to control activation of a mobile information channel*." (EX-1003, ¶¶201-203.) Pelkey discusses the network for implementing a "messaging service" includes a game system 10 (e.g., the portable game machine) "connected via communications circuits 12 (e.g., modems, **network interfaces**, etc.) to a wide area network 16 such as the Internet." (EX-1007, 2:59-62.) Communication circuits 12 "may be provided internally to the game system or embodied as cartridges … removably attachable to a port or bay of the game systems." (EX-1007, 2:65-3:2.) Eck's pager cartridge, shown in Figure 5A (below), includes

"antenna 130 connected to a conventional radio section 132 for receiving and sending messages." (EX-1008, 6:34-36, 7:36-53 (describing a pager cartridge includes a codec/DSP section, bandpass filter, RF mixer and dual PLL section, crystal, transmitter, receiver and antenna).) The radio section and/or antenna is an "*interface.*" (EX-1003, ¶201.)

As discussed in more detail below, the applicable "*mobile information channel*" includes at least PagerWorld. The interface discussed above "*control[s] activation*" of PagerWorld by facilitating connection to, and startup of, PagerWorld on the "portable game machine." For example, in Eck, "[a] user interface enables a user to provide inputs to the game machine and a processing system is operable in response to user inputs to cause the image captured by the digital camera to be transmitted as part of a message via the paging system." (EX-1008, 2:18-22.) Likewise, Eck notes that "[g]ame machine interface 908 interfaces game machine 10 to the communication circuitry of the pager cartridge and the mask ROM 910 of the pager cartridge." (EX-1008, 7:61-64.) (EX-1003, ¶202.)

Thus, the Pelkey-Eck combination "*provid[es] an interface*" and "*permit[s] a first user to control activation of a mobile information channel*."

(2) "Mobile Information Channel"

The Pelkey-Eck combination discloses a "*mobile information channel*" having the claimed capabilities. Eck's messaging cartridge includes a memory

"storing software used" in the messaging (e.g., pager) operations and "one or more video game programs that are executable by CPU 26 of game machine 10." (EX-1008, 7:7-22.) In addition to messaging (e.g., paging functions), the messaging cartridge "can be used in game playing." (EX-1008, 9:60-61.) An example of a gaming application is "Multiple User Dungeon (MUD) games" which are "Internet-based on-line exploration and quest games in which an open-ended number of players simultaneously exist in the same game world, sharing experiences and adventures." (EX-1008, 10:2-7.) "[K]ey components" of such games include "exploration and adventure," "**chat and community interaction**," and "character growth and perpetual, dynamic worlds that grow, adapt and change." (EX-1008, 10:13-19; EX-1003, ¶204.)

An exemplary MUD game described by Eck is "PagerWorld, a virtual community for the network of **all users having pager cartridges**." (EX-1008, 10:20-23.) Although Eck uses the word "PagerWorld" to reflect the communication means is paging, a POSITA would have understood such a MUD is equally applicable when the communication means is another messaging type such as SMS or messaging via a WAP protocol. (EX-1003, ¶205.) PagerWorld includes client software in the portable game machine (client program) and corresponding software in the server (server program). (*See* EX-1008, 4:61-5:7; 9:40-59.). As such, PagerWorld is persistent—it remains in existence after

individual users exit the world. PagerWorld is therefore a "*mobile information channel*" under any of the proposed constructions in the MDT-Meta-Litigation or the Meta-MDT-IPR. For example PagerWorld is "a medium for transferring information that allows mobile device users to author content" under the construction proposed by PO in the MDT-Meta-Litigation and by Meta in the Meta-MDT-IPR. For example, users can import images taken using the digital camera that is part of the "portable game machine" when a camera cartridge is inserted into PagerWorld and use such images to customize their persona. (*See* EX-1008, 12:38-40.) For these same reasons, Pelkey-Eck combination also discloses "a virtual location at the content management site at which user-authored content may be added for transmission to the mobile web site" where "content management site"—"a web site that allows a user without programming to create and manage content on a mobile website, or a portion thereof" under Meta's proposed construction in the MDT-Meta-Litigation. (EX-1003, ¶¶205-206.)

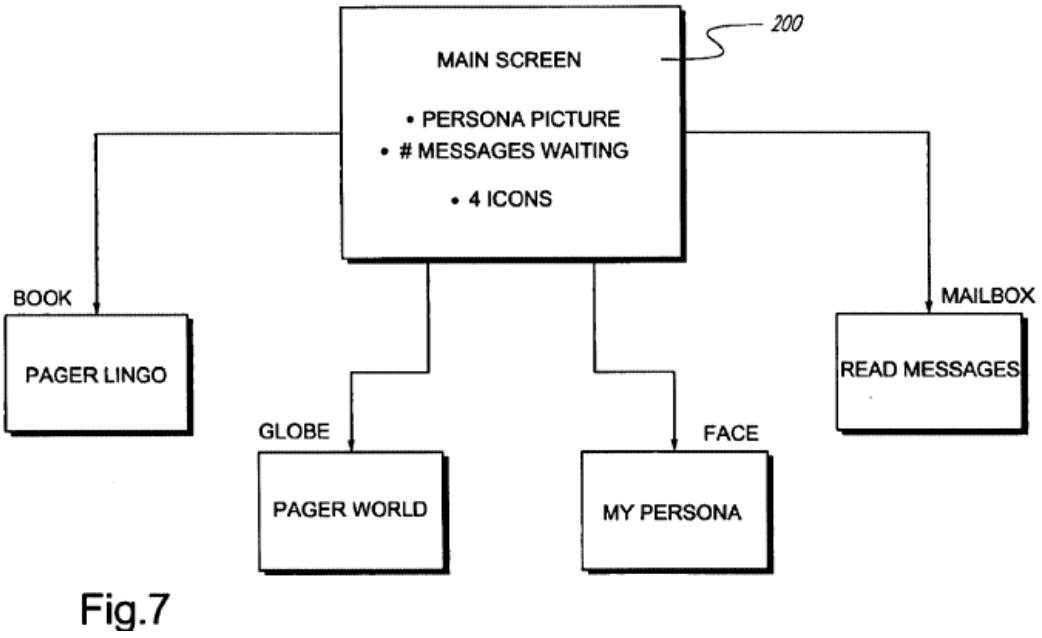
And the Message Center and persona characters within PagerWorld are each a "component of a mobile site configured to permit a wide variety of mobile devices to send and receive content over a wireless network" under PO's proposed construction in the Meta-MDT-IPR. (EX-1003, ¶207.)

(3) "Activation of [the] Mobile Information Channel"

The Pelkey-Eck combination discloses "*activation of [the] mobile information channel*." (EX-1003, ¶¶208-210.) For example, Eck discloses:

> FIG. 7 [reproduced below] is a conceptual block diagram of an interface for pager cartridge 100 when it is connected to game machine 10. Turning on pager cartridge 100 when it is connected to game machine 10 takes the player to a main PagerWorld screen 200. This screen is the starting point for every user session.

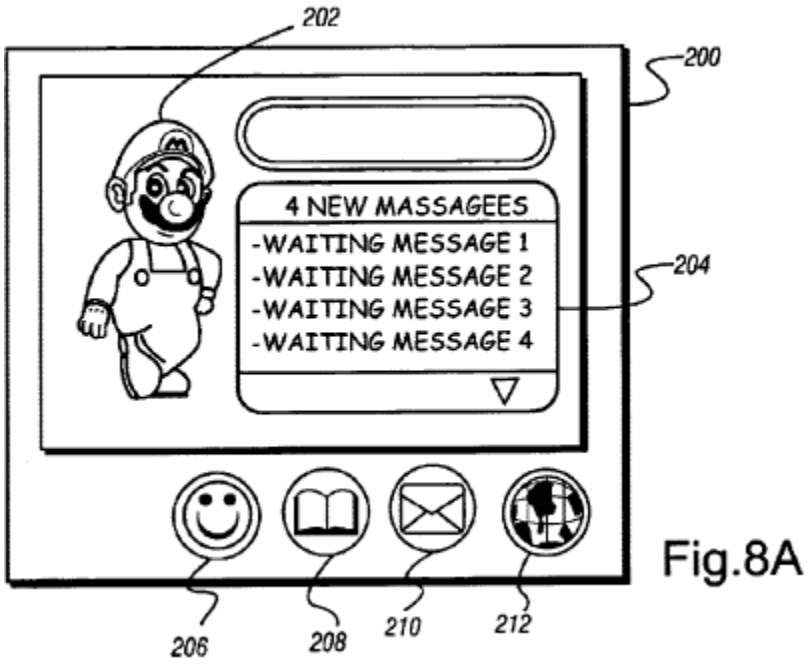
(EX-1008, 10:55-60.)



Eck, Figure 7

Once the "user session" is started, the user is taken to a "main screen" which gives the player choices including, as shown in Figure 8A (below), "Icon 206 ('My Persona') [which] is a face; icon 208 [which] is a book ('Pager Lingo'); icon 210

[which] is an unopened envelope ('Message Center'); and icon 212 [which] is a globe ('PagerWorld')." (EX-1008, 10:65-11:7.)



Eck, Figure 8A

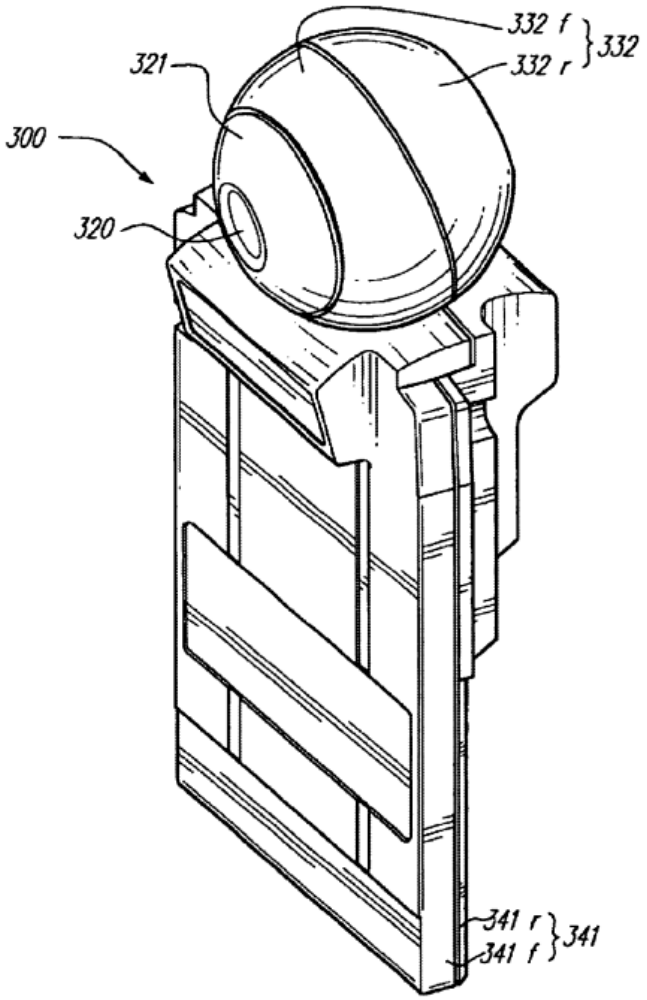
In addition, Eck further discloses "[a]n activation routine via one or more messages communicated between the system operator and the player's pager cartridge may be implemented so that … [u]pon a successful execution of the activation routine, pager cartridge 100 operates immediately." (EX-1008, 18:10-17; EX-1003, ¶211.)

Thus, the Pelkey-Eck combination "*provide[s] an interface permitting a first user to control activation of a mobile channel*" [1A]. By allowing a user to select an icon which facilitates sharing of images (My Persona) or exchanging messages (Message Center), Eck discloses "*activating the mobile information channel*

responsive to input received from the first user via the interface" [1B]. (EX-1003, ¶210.)

(4) Inserting content into the mobile information channel

The Pelkey-Eck combination also discloses "*inserting content provided by the first user into the mobile information channel*." (EX-1003, ¶¶211-220.) Eck discloses "a game machine is provided with … digital camera circuitry configured to capture an image." (EX-1008, 2:16-18.) For example, in Eck, a messaging cartridge (e.g., pager cartridge) "is itself provided with a slot for receiving" another cartridge. (*See, e.g.*, EX-1008, 5:23-25.) One example of a "piggy-backed" cartridge is a "digital camera cartridge": "pager cartridge 100 itself includes a built-in cartridge slot to accept game cartridges or other accessories (such as read/write memory cartridges, a digital camera, etc.), thereby enabling game play or digital camera operations while pager cartridge 100 is attached to game machine 10." (EX-1008, 22:14-20, Figure 14 (below), 23:36-38 ("digital camera cartridge is also selectively insertable … into the slot of another cartridge such as pager cartridge 100").)



Eck, Figure 14

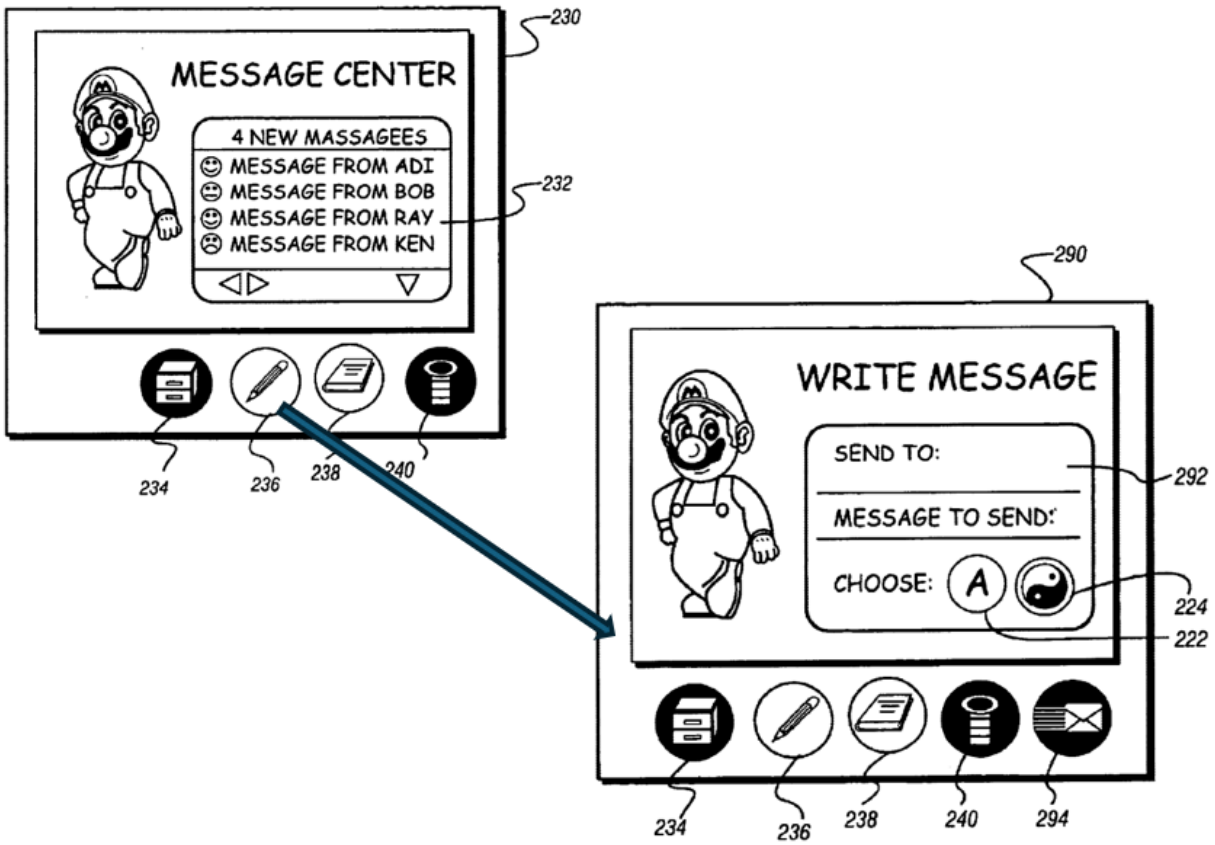
The portable game machine having an inserted messaging cartridge and camera cartridge captures content. Eck's digital camera cartridge "is usable to **capture images**, which images may then be transmitted to others via an operation using" the messaging cartridge into which the camera cartridge is inserted. (EX-1008, 23:38-41, 2:15-18.) The "digital camera cartridge" may also be "configured to **capture sounds** [and] these captured sounds may be used by game machine 10 and/or transmitted as a message using pager cartridge." (EX-1008, 9:20-23.) In

addition to the camera cartridge, "a separate 'sound card' may be 'piggy-backed' to game machine 10" via the messaging cartridge. (EX-1008, 9:23-25.) (EX-1003, ¶213.)

In Pelkey-Eck combination, the captured content (photos/images, sounds/audio files) can be inserted or shared in PagerWorld. (EX-1008, 16:42-45, 24:30-36, 2:15-23.) In addition to photos/images, the message can include sounds (audio file). (EX-1008, 20:12-14 (discussing messages containing "digital camera picture transmission (with/without sound)" and "messages plus sound bites").) (EX-1003, ¶215.)

Such a message can be sent through the Message Center accessed through an icon on the main screen. (EX-1008, 11:26-28.) While in the Message Center (e.g., screen illustrated in Figure 8C (below-left)), a user activates the quill icon 236 to navigate to the "Compose Message screen 290" of Figure 8F. (EX-1008, 11:37-38.) The "send to" window 292 "allows the user to choose to whom the message will be sent." (EX-1008, 12:10-11.) A user can opt to send the message to an individual, to a pre-defined group (e.g., a buddy list), (EX-1008, 20:9), or as a broadcast to all messaging devices in PagerWorld, (EX-1008, 20:8, 9:46-49.). For group messaging, Pelkey teaches the messaging service client "allows the user to create a list ('buddy list') of other users ('buddies') with whom he/she wishes to remain in contact." (EX-1007, 7:33-35.) The buddy list "is stored by the network

server." (EX-1007, 7:35-36.) In the Pelkey-Eck combination, the PagerWorld user can identify a "buddy list" in the "send to" window to send a "carbon copy" of the message.



Eck, Figure 8C (left), Figure 8F (right)

"When a message is selected from Message Center screen, the contents of the message appear, along with the user's persona character and 'handle' of the person that sent the message." (EX-1008, 11:53-57, 12:36-38 ("Any time the user sends a message, his/her persona character appears alongside the message on the other user's screen.").) (EX-1003, ¶¶216-218.)

PagerWorld also supports insertion of content into PagerWorld through personalization of a user's person character. A user's persona is shared with other members of the PagerWorld community. (EX-1008, 10:23-25; 11:54-57; *see* EX-1008 12:16-19.) The "persona character" can be "customize[d] … using image data obtained with a digital camera cartridge." (EX-1008, 12:38-40.) The persona character, is stored, in the Pelkey-Eck combination at the network server. In addition to including the persona character in messages, in the PagerWorld universe, players "walk their persona characters in a world featuring attractions and sideshows." (EX-1008, 10:38-40, 13:29-31 (during game play "the player may control his/her persona character to fight, flee or use some item in the player's possession").) Thus, the image (persona) "*is insert[ed]*" into PagerWorld. (EX-1003, ¶219.)

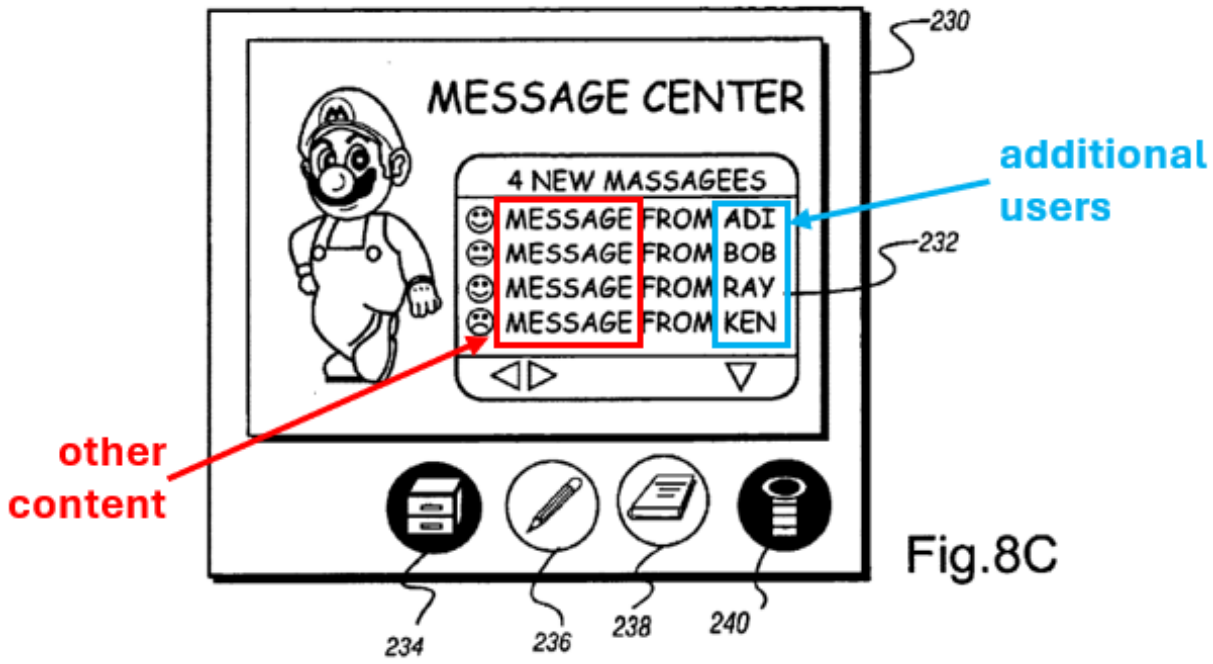
The Pelkey-Eck combination thus discloses "*inserting content provided by the first user into the mobile information channel*" [1C].

c) Limitations [1D]-[1E]

(1) Receives additional content

The Pelkey-Eck combination discloses the server "*receiv[es] additional content relating to the mobile information channel from one or more of said additional users*" [1D] and "*insert[s] at least a portion of the additional content into the mobile information channel*" [1E]. (EX-1003, ¶¶221-229.) Such actions

occur in Eck when a second PagerWorld user uses her own device (either another portable game machine or a fixed N64 console) to send a message including a photo/image or sound clip. Upon such action, a user receives content, at the portable game machine via the identified application-based information channel, from at least one of the additional users when receiving a message containing the other user's customized persona avatar or accessing an address book listing other users along with their customized persona avatars. This is reflected in Figure 8C below depicting content received from other users within PagerWorld ("*mobile information channel*").

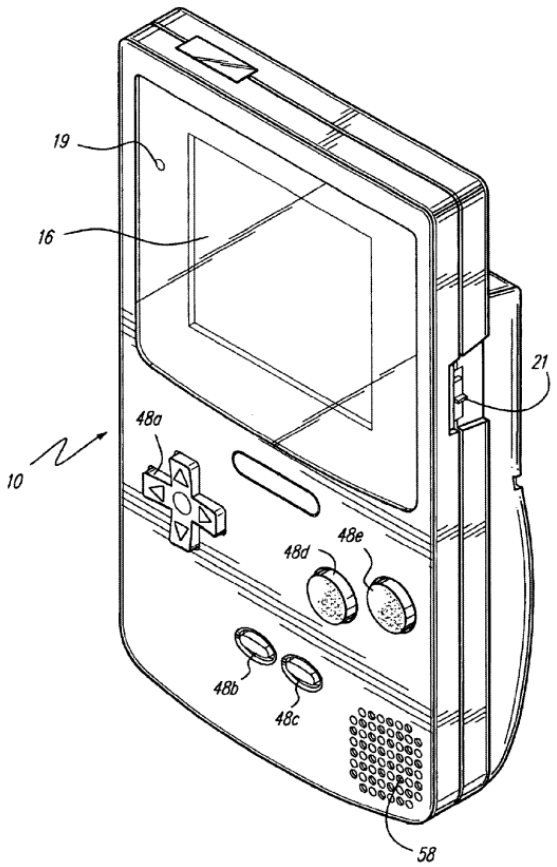


Eck, Figure 8C

(2) Mobile Devices Associated with at Least One Wireless Network"

PagerWorld is designed for use by wireless devices, namely, the Nintendo GameBoy®, which are "*mobile devices associated with at least one wireless network*" under the constructions of "*mobile device*" proposed in the MDT-Meta-Litigation and in the Meta-MDT-IPR.

Specifically, both Pelkey and Eck disclose a "portable game machine and, more particularly, to a **portable game machine** that is selectively configurable for one or more different operations such as **wireless communications**, global positioning, image capturing and combinations thereof." (EX-1008, 1:12-16, Figure 1B (below); *see* EX-1007, 4:55-57 ("FIGS. 3A, 3B and 3C show a portable (hand-held) color-display game system 110"), Fig. 3B.) An exemplary game machine is the "GameBoy® Color game machine," (EX-1008, 3:29-33; *see* EX-1007, 4:66-67), a commercially available product widely known by the general public and a POSITA as of the earliest possible priority date.

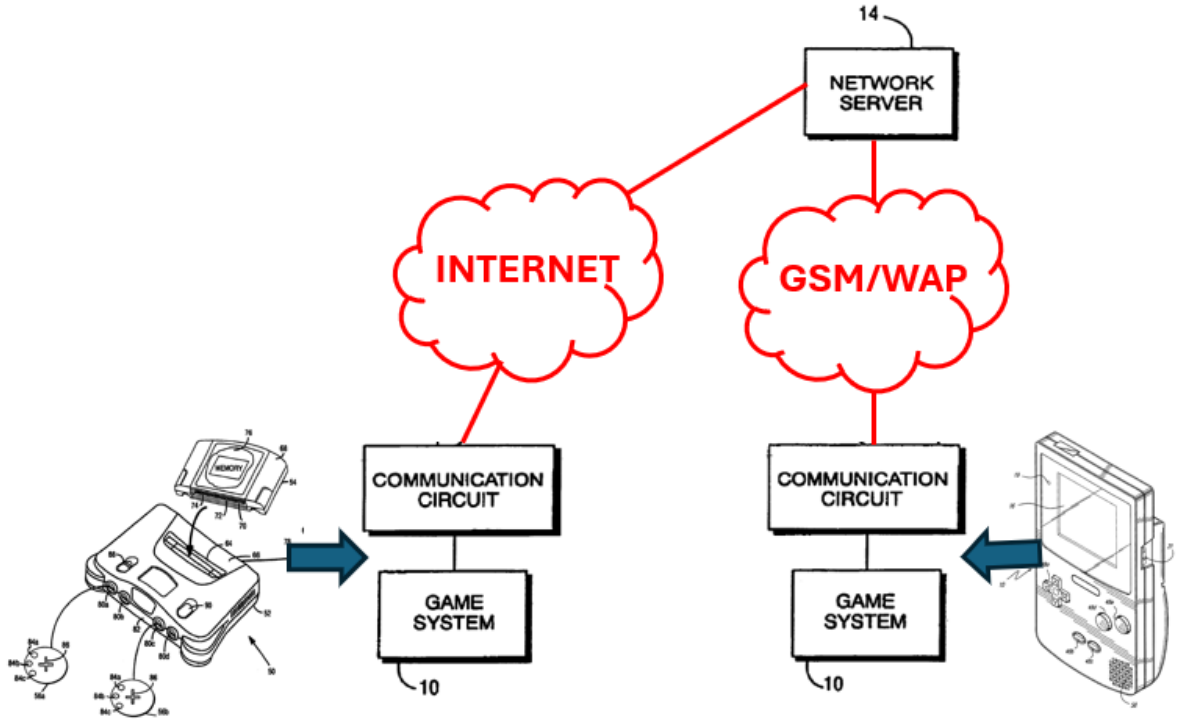


Eck, Figure 1B

The portable game machine described by both Pelkey and Eck is a "piece of handheld equipment" and therefore a "*mobile device*" under PO's MDT-Meta-Litigation construction. This portable game machine processes information and is capable of being configured for communication over a network. Thus, the portable game machine is a "*mobile device*" under Meta's MDT-Meta-Ligation and Meta-MDT-IPR constructions. Finally, as illustrated by Eck's Figure 1B, the portable game machine has limited display space and because it lacks a physical or soft keyboard, a POSITA would have understood the portable game machine also has

limited navigational capabilities. Thus, the portable game machine is also a "*mobile device*" under PO's Meta-MDT-IPR construction ("a portable device with limited display space and limited navigational capabilities that connects to a mobile site and/or mobile channel via a wireless network"). (EX-1003, ¶¶222-224.)

The "*mobile device*" in the Pelkey-Eck combination is also "*associated with at least one wireless network*." The '801 patent refers to "messaging, distributed collaboration, and location-based services" as examples of "wireless networking functionality." (EX-1001, 1:37-39, 1:56-58.) Pelkey discloses a network "in which the messaging service" may be implemented. (EX-1007, 2:58-60.) The network "includes game systems 10 connected via communications circuits 12 (e.g., modems, network interfaces, etc.) to a wide area network 16 such as the Internet." (EX-1007, 2:60-62.) Pelkey explains game system 10 may be a video game system, such as the N64 video game system, connected to a television, (EX-1007, 3:38-48), and may also be "the portable game machine 110," (EX-1007, 4:55-57). Pelkey's Figure 1A is reproduced below with the game system 10 on the left using the N64 game system illustrated in Pelkey's Figure 2 and the game system 110 on the right using the portable game machine in Eck's Figure 1B. The connection from the N64 game system to the server via the Internet as taught by Pelkey is also shown.



Pelkey, Figure 1

Pelkey does not disclose details of the wireless network used to provide wireless messaging from the game system to the server. And while Eck mentions use of a paging network for this functionality, Eck also explicitly discloses that its "present invention" may be "applied to other wireless technologies such a GSM (Global System for Mobile Communications) and WAP (Wireless Application Protocol)." (EX-1008, 25:17-20.) A POSITA would have been motivated to use either GSM or WAP for the messaging service, rather than paging, to obtain the enhanced features of those protocols. Based on Eck's disclosure, a POSITA would

have understood that the portable game machine communicates with the server via messaging available via the GSM network (e.g., SMS) or messaging available via WAP.

GSM-SMS is "functionality implementable over a wireless network" and as shown in Figure 1 of Pelkey, the GSM network is separate from the Internet connecting the N64 game system to the server. As noted above, the WAP protocol stack transports data over GSM's SMS, and the SMS message includes a header with data fields indicating control and content details for the message.

Thus, to send a message, the portable game machine determines this information to construct the GSM-SMS message. Figure 8C from Eck confirms that this information is determined. Specifically, this figure depicts the Message Center user interface screen presented to the player which shows a list of unread received messages with each message including the sending user's name and associated persona image.

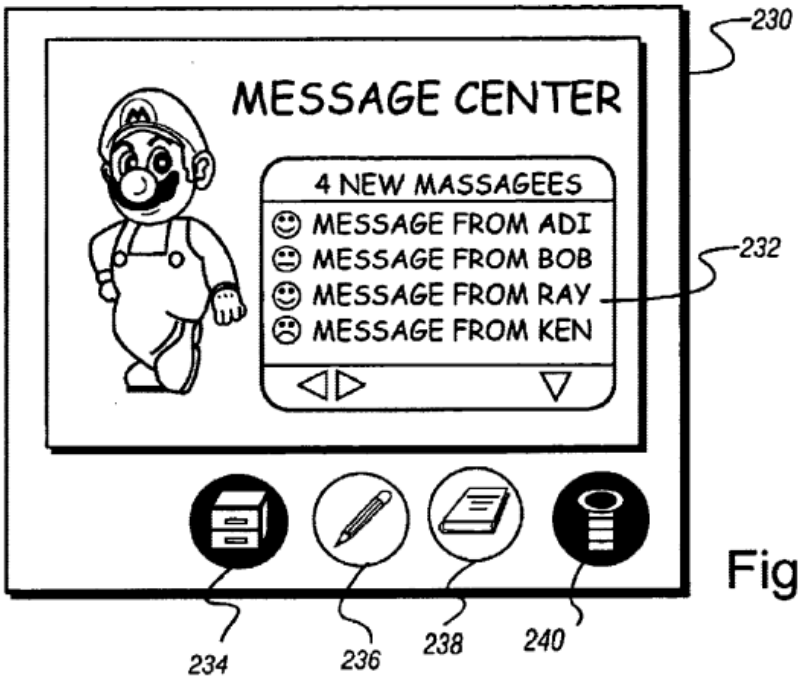


Fig.8C

Eck, Figure 8C

The term "*wireless network*" was also proposed for construction in the Meta-MDT-IPR. MDT contends a "*wireless network*" is "a network separate from the internet that facilitates connection to the internet by a mobile device." The Pelkey-Eck combination discloses such a "*wireless network*" because, as discussed above, the wireless network is depicted as separate from the internet and through the use of WAP, is a mobile device that has the ability to access the internet. Meta proposes that the term should be construed as "a network that allows a device to communicate wirelessly over a network." The listed networks are each a "*wireless network*" under Meta's construction. (EX-1003, ¶¶225-229.) The Pelkey-Eck

combination thus discloses "*mobile devices associated with at least one wireless network.*"

d) "Integrating" Limitation [1F]

The Pelkey-Eck combination discloses this limitation for the same reasons set forth above regarding the "*mobile devices associated with at least one wireless network*" limitation. As noted above, the WAP protocol stack transports data over GSM's SMS and the SMS message includes a header with data fields indicating control and content details for the message. For the reasons discussed in §VI.B.1.c.(2), these fields, associated with the action of sending a message over the wireless network, are "*information associated with at least one wireless networking functionality of said at least one wireless network.*" (EX-1003, ¶¶230-246.)

(1) Wireless Networking Functionality

The Pelkey-Eck combination discloses "*wireless networking functionality of said at least one wireless network.*" As noted above, the '801 patent refers to "messaging, distributed collaboration, and location-based services" as examples of "wireless networking functionality." (EX-1001, 1:37-39, 1:56-58 ("integration of messaging, collaboration, location-based services or other wireless networking functionality with the generation of shared information content").) The '801 patent also mentions that the "services integration suite 38 includes an MMS center 70, an

SMS center 71, email systems 72, billing systems 73, voice systems 74, and other systems 75, each of which may be viewed as **representative of a particular type of wireless networking functionality** accessible to the mobile devices 15 via the wireless network 12." (EX-1001, 9:48-53.)

As likewise noted above, a POSITA would have been motivated to use either GSM or WAP for the messaging service, rather than paging, to obtain the enhanced features of those protocols. Based on Eck's disclosure, a POSITA would have understood that the portable game machine communicates with the server via messaging available via the GSM network (e.g., SMS) or messaging available via WAP. GSM-SMS is "functionality implementable over a wireless network" and the GSM network is separate from the Internet connecting the N64 game system to the server. Thus, the Pelkey-Eck combination discloses "*wireless networking functionality*."

The Pelkey-Eck combination discloses "*information associated*" with a functionality implementable over a wireless network by a mobile device (e.g., via WAP or via GSM-SMS), including the exemplary "*information*" recited in claims 7-8. (EX-1003, ¶¶231-234.)

(a) Messaging

As noted above, the '801 patent lists messaging (MMS, SMS, email) as an example of a "*wireless networking functionality*." (EX-1001, 1:37-39, 1:56-58.)

Claim 7 recites that the information comprises "*one or more messaging actions implementable over the wireless network*." (EX-1003, ¶¶235-240.)

The Pelkey-Eck combination describes "*at least one wireless networking functionality of the mobile device*"—messaging. (EX-1003, ¶¶236-242.) "Message Center" includes an "Address Book" that "provides a listing of other users by their handles" and "the persona character of the other user as it appeared on his/her last communication with the user." (EX-1008, 11:32-35, 12:16-19.) "Messages from the paging system operator may be sent to all users in the paging system, to certain groups of users in the paging system or to a particular user in the paging system." (EX-1008, 9:46-49.) Eck's Figure 8C depicts the Message Center user interface screen presented to the player which shows a list of unread received messages with each message including the sending user's name and associated persona image.

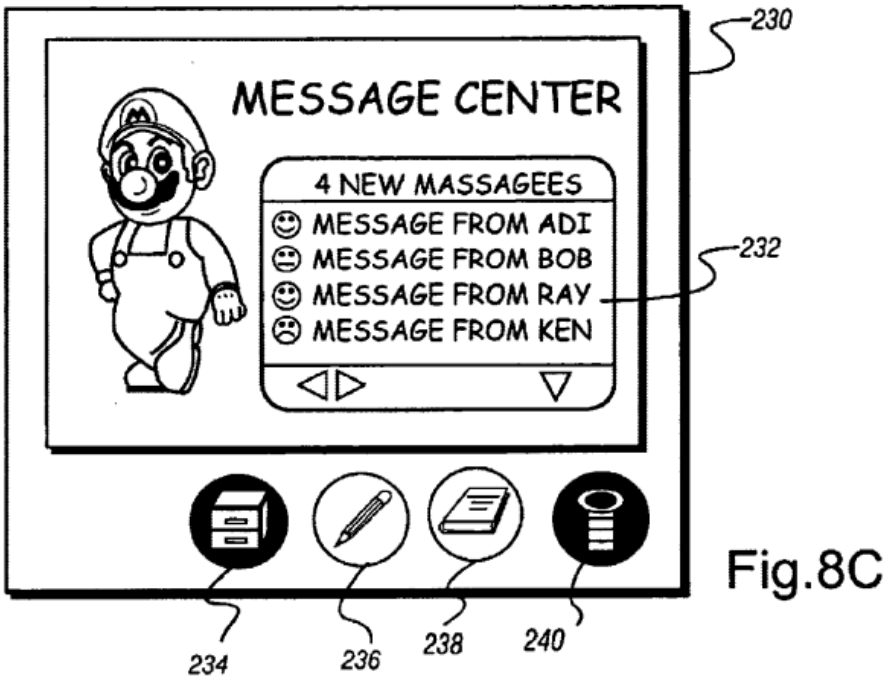


Fig.8C

Eck, Figure 8C

As noted above, Eck discloses that its "invention" can be used with GSM and WAP. (*Supra* §VI.A.3.) For the same reasons above (*supra* §VI.B.1.c.(2)), the GSM protocol includes fields associated with the action of sending a message over the wireless network and are therefore also "*information*" associated with "*wireless network functionality*" by inclusion in the protocol message originated by the sending mobile device. Messages transmitted via WAP will include the same additional information.

* * *

The Pelkey-Eck combination also "*integrat[es] information*" associated with a "*messaging action*." For example, Eck discloses the use of "[n]otification

circuitry 134 [which] provides notification to the user that a message has been received. Notification circuitry 134 may be implemented as a vibration circuit that is controlled by control circuit 136 to vibrate when a message is received. Notification circuit 134 may alternatively or additionally be implemented as a beeper circuit that is controlled by control circuit 136 to beep when a message is received." (EX-1008, 6:43-49.) As in Ground 1, sender information (e.g., "ADI," "BOB," "KEN," as shown in Figures 8C and 8E) is integrated along with the message-related information. (EX-1003, ¶¶241-242.)

Thus, the Pelkey-Eck combination discloses "*integrating into the mobile information channel information associated with at least one wireless networking functionality of said at least one wireless network*" [1F] where "*the information associated with at least one wireless networking functionality of said at least one wireless network comprises one or more messaging actions implementable over the wireless network*" [7].

(b) Collaboration

PagerWorld "*integrat[es] information*" comprising a "*collaboration action*" in game play. For example, Eck discloses "[a]s players interact with other players in PagerWorld (e.g., by sending messages and playing games), players will share the fun and excitement of discovering new items, skills and appearances as their persona characters gain experience." (EX-1008, 10:27-31.) (EX-1003, ¶¶243-246.)

In addition, among the types of games that can be played in PagerWorld are "[t]eamwork-based adventures requiring input from multiple players with complementary skills." (EX-1008, 13:40-45.) For example, a user can send a message "requesting help from a friend playing the same game." (EX-1008, 14:11-26.) Thus, the Pelkey-Eck combination discloses "*integrating into the mobile information channel information associated with at least one wireless networking functionality of said at least one wireless network*" [1F] where "*the information associated with at least one wireless networking functionality of said at least one wireless network comprises one or more collaboration actions implementable over the wireless network*" [8].

C. Independent Claim 22

The Pelkey-Eck combination discloses a "*non-transitory computer-readable storage medium having embodied therein executable code of one or more software programs for use in managing information content in a network-based communication system, wherein said executable program code when executed by a processing element*" of the server implementing the steps of method claim 1. (EX-1003, ¶¶247-250.)

In Eck, a cartridge including messaging functionality (e.g., a pager cartridge) "is provided for use with a game machine having a game program executing processing system including a microprocessor." (EX-1008, 1:61-63.) The

messaging cartridge "includes a memory 145 for storing software used in the pager operations." (EX-1008, 7:7-9.) Pelkey similarly discloses "[a] messaging service client is implemented by program code contained in an application (e.g., a video game, a web browser) executed by the game system." (EX-1007, 1:42-44.)

The inserted messaging cartridge includes ROM 42 which "contain[s] instructions" pertaining to, e.g., the messaging function. (*See, e.g.*, EX-1008, 4:5-6, 7:7-12 ("[p]ager cartridge 100 includes a memory 145 for storing software used in the pager operations … [i]t is of course possible to store the software for implementing at least some of these operations in the memory of game machine 10").) When inserted, the "game machine circuitry [] access[es] information contained with ROM 42 (and read/write memory 46), which information controls the game machine … under control of the ROM game program information." (EX-1008, 4:9-20.) The game machine 10 then "automatically activates a display of messages on the display thereof in accordance with the operating software stored in the memory of the pager." (EX-1008, 22:10-14.)

D. Independent Claim 23

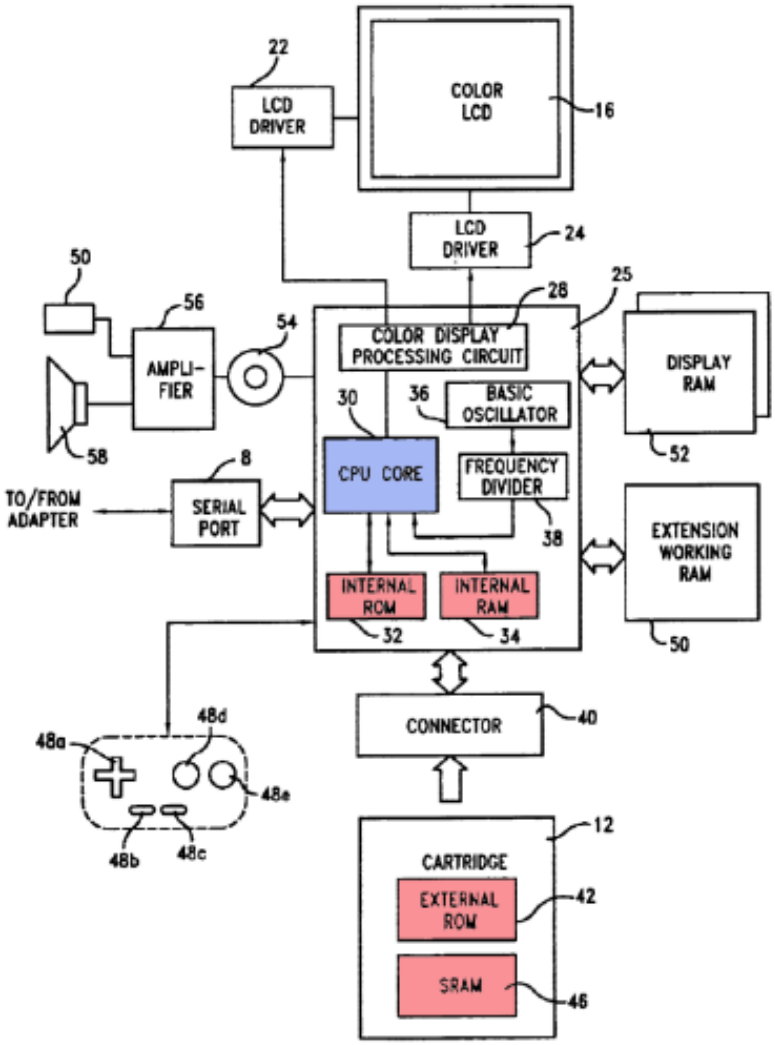
1. Preamble [23P]

The Pelkey-Eck combination discloses a server; an "*apparatus*" [23P].

2. Server Architecture Limitation [23A]

The Pelkey-Eck combination discloses "*a processing element comprising a processor coupled to a memory.*" (EX-1003, ¶¶252-256.) Eck explains that a

cartridge including messaging functionality (e.g., a pager cartridge) "is provided for use with a game machine having a game program executing processing system including a microprocessor to execute a video game program and player controls operable by a player to generate video game control signals." (EX-1008, 1:60-65; *see also* EX-1007, 6:44-46 ("program contained in cartridge 112 [] includes program code for a messaging service client").) This arrangement is illustrated in Eck's Figure 2 (below, identical to EX-1007, Figure 4) showing the portable game machine with an inserted cartridge.



Eck, Figure 2

As shown above, the "game machine 10" includes "a central processing unit (CPU) 26 [mislabeled as 25 in Fig. 2 above]," which "further includes a CPU core 30 [shaded blue] that is connected to an internal read only memory (ROM) 32 and an internal random access memory (RAM) 34." (EX-1008, 3:42-46.) Eck explains that "[i]nternal RAM 34 is used as a work memory of CPU core 30." (EX-1008, 3:46-47.) For example, when executing a game program, "character data supplied

from game cartridge 12 and the controller data from operating keys 48a–48e, CPU 26 executes data processing and writes display data into a display RAM 52, using an extended RAM 50 when necessary" in accordance with the game program. (EX-1008, 4:46-50.) CPU 26 is the "*processor*"; ROM 50 and RAM 52 (shaded red) are "*memory*"; and as shown each of ROM and RAM is coupled to the processor.

Should PO contend the recited "*memory*" in the "*processing element*" must store instructions executed by the "*processor*," the Pelkey-Eck combination discloses this arrangement, as would any device running software. In the portable game machine illustrated above, the inserted cartridge includes ROM 42 which "contain[s] instructions" pertaining to, e.g., the messaging function. (*See, e.g.*, EX-1008, 4:5-6, 7:7-12 ("[p]ager cartridge 100 includes a memory 145 for storing software used in the pager operations … [i]t is of course possible to store the software for implementing at least some of these operations in the memory of game machine 10").) When inserted, the "game machine circuitry [] access[es] information contained with ROM 42 (and read/write memory 46), which information controls the game machine … under control of the ROM game program information." (EX-1008, 4:9-20.)

Moreover, it would have been within the general knowledge of a POSITA that a server includes "*a processor coupled to a memory*" for the reasons discussed above. (*supra* §V.B.3.b)

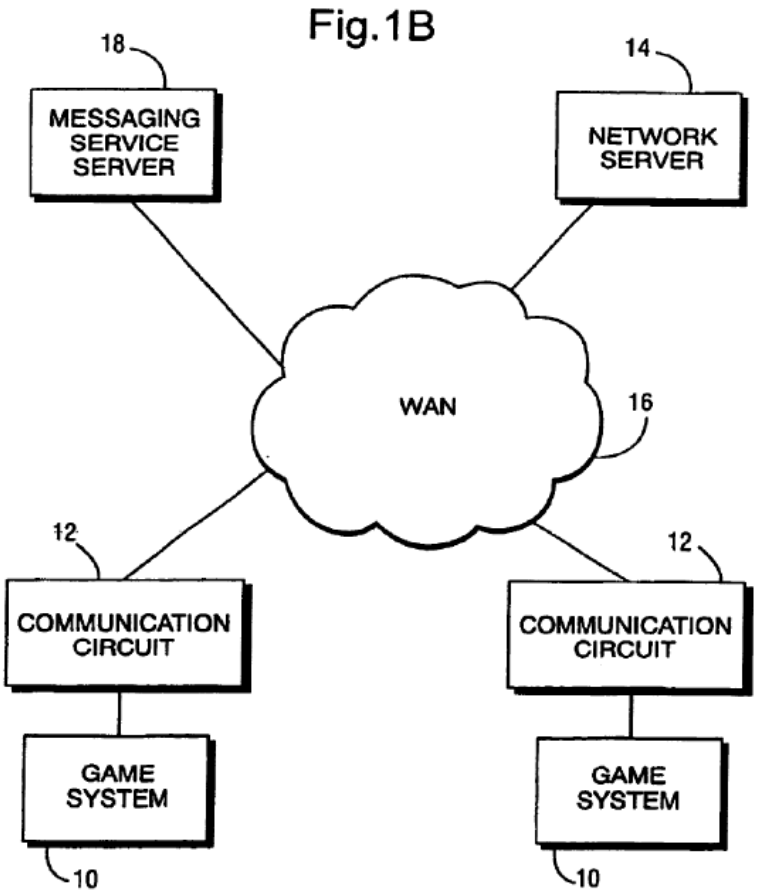
3. Processing Limitations [23B]-[23G]

Limitations [23B]-[23G] recites substantially overlapping subject matter as limitations [1A]-[1F] as indicated in the table above. For the reasons in §§VI.B.1.b-d, the Pelkey-Eck combination discloses these limitations. (EX-1003, ¶257.)

E. Claim 25

1. Preamble [25P] and "Plurality of Servers" [25A]

The Pelkey-Eck combination discloses a "*network-based communication* system" [25P] comprising "*a plurality of servers configured to communicate over the network*" [25A]. (EX-1003, ¶258.) For example, Figure 1B (below) in Pelkey discloses an embodiment that includes a "Messaging Service Server" 18 and a "Network Server" 14 that communicate over the internet (depicted as "WAN" 16). The "Message Service Server" and "Network Server" together comprise a "*plurality of servers*."



Pelkey, Figure 1B

2. Processing Limitations [25B]-[25H]

Limitations [25B]-[25H] recites substantially overlapping subject matter as limitations [1A]-[1F] as indicated above. For the reasons in §§VI.B.1.b-d, the Pelkey-Eck combination discloses these limitations. (EX-1003, ¶259.)

F. Dependent Claims

1. Claims 7-8

The Pelkey-Eck combination discloses claims 7-8 for the reasons discussed in §VI.B.1.(d)(1). (EX-1003, ¶154.)

2. Claims 9-10

The Pelkey-Eck combination discloses multiple "*content integration options*." (EX-1003, ¶¶260-262.) As noted above, Pelkey discloses "a messaging service for communicating messages between and among users of video game systems." (EX-1007, 1:14-16.) And Eck discloses transferring images taken with an integrated digital camera into PagerWorld and sharing such photos with other users through customizing personas with the camera photos and attaching photos and sound clips to messages. (EX-1008, 12:38-40; *see also* EX-1008, 16:42-45.)

Eck likewise discloses that "image and sound data may be compressed/decompressed in accordance with well-known compression/decompression techniques to more effectively utilize the available bandwidth." (EX-1008, 16:45-48.) A POSITA would understand the reference to "utilize the available bandwidth" to mean that content integration options are based in part on available wireless networking functionalities.

Thus, the Pelkey-Eck combination "*provid[es] one or more content integration options to the first user and the plurality of additional users*" [9] where "*the one or more content integration options are based in part on respective wireless networking functionalities available to the first user and the plurality of additional users*" [10].

3. Claims 11-12

The Pelkey-Eck combination discloses that the "*additional content is associated with the mobile information channel via one or more user-activatable control mechanisms*." (EX-1003, ¶¶263-265.) As disclosed in Eck:

> Players read and send messages from the main PagerWorld screen, this screen serving as "communication central." From this screen, the player can choose a portal and actually step into a nation-wide or world-wide community of other PagerWorld players. PagerWorld is the hub for communications, becoming a central meeting place to find friends and share messages.

(EX-1008, 10:32-40.) By choosing a specific portal into which a user places, e.g., their persona character that has been customized using a photo taken with the integrated digital camera, Eck discloses additional content associated with PagerWorld via one or more user-activatable control mechanisms.

The Pelkey-Eck combination also discloses "*the method of claim 11 wherein the one or more user-activatable control mechanisms comprise a hyperlink*." As noted above, Eck discloses that its invention may be applied to wireless technologies including "GSM (Global System for Mobile Communications) and WAP (Wireless Application Protocol)." (EX-1008, 25:17-20.)

Use of WAP teaches or at least suggests that selection of a specific portal from the main PagerWorld screen constitutes selecting a "*hyperlink.*" WAP is "based on the WWW communication protocols" and "WWW content formats." (WAP Architecture, 13.) WAP "enables the supplying of advanced Internet services into digital mobile stations of wireless communication networks." (EX-1020, 6:51-53.) The WAP proxy "allows content and applications to be hosted on standard WWW servers." (WAP Architecture, 14.) For example, when a user of a WAP-enabled terminal enters a URL, the WAP-enabled terminal transmits a wireless Internet service request to the WAP gateway server. (*See, e.g.*, EX-1027, 1:66-2:4.) The WAP gateway may respond to the request if hosting the request web page or may convert the request into an HTTP request for a server on the Internet. (*See, e.g.,* EX-1027, 2:5-10.) The Internet web server responds and the WAP gateway converts the HTTP response into a WAP response for transmission to the WAP-enabled terminal. (*See, e.g.,* EX-1027, 2:15-25.) Thus, where PagerWorld is implementing in a WAP environment, a POSITA would understand that selecting a specific portal from the main PagerWorld screen constitutes selecting a "*hyperlink.*"

4. Claim 15—"Collaborative Workspace"

The Pelkey-Eck combination discloses—"*a collaborative workspace*" for the same reasons set forth in claim 8 above. In Eck, users communicate and collaborate on topics of interest, *e.g.*, by allowing each group member to post or send messages and/or photos, and respond to the messages and/or photos posted or sent by other group members. For example, Eck discloses that "[a]s players interact with other players in PagerWorld (e.g., by sending messages and playing games), players will share the fun and excitement of discovering new items, skills and appearances as their persona characters gain experience." (EX-1008, 10:27-31.) (EX-1003, ¶¶266-267.)

5. Claim 17

The Pelkey-Eck combination discloses "*a chat channel facilitating interaction between the first user and the plurality of additional users*." (EX-1003, ¶¶268-269.) Eck discloses multiple user games, such as PagerWorld, include the feature of "Chat and community interaction." (EX-1008, 10:15-19; *see also* EX-1008, 16:55-63, Figs. 11A-B (disclosing chat codes to "reduce[] the number of characters in a message, thereby reducing message charges").) Pelkey similarly discloses that the server "set[s] up text-based chat sessions between two or more logged-in players." (EX-1007, 17:6-10.) One feature provided within PagerWorld is the ability to "view message boards." (EX-1008, 10:40-42.) A POSITA would

have understood that message boards provide another avenue for members of the PagerWorld community to chat.

6. Claim 20

The Pelkey-Eck combination discloses, an "*application*" with a program component at the portable game machine and a program component on the server. (EX-1003, ¶¶270-275.)

Pelkey discloses "[a] messaging service client [that] is implemented by program code contained in **an application** (e.g., a video game, a web browser) executed by the game system." (EX-1007, 1:42-44.) Pelkey likewise describes different alternatives for storing the program code for the messaging application. (EX-1007, 1:44-51.)

By sending messages through a remote messaging service server, Pelkey discloses that "the messaging service of the present invention enables users of game systems to communicate with each other even if those users are engaged in different activities such as playing different games." (EX-1007, 2:20-23.)

In addition, in Eck, "FIGS. 9A-9C show various screens in PagerWorld," an application running on the portable game machine. (EX-1008, 2:57.) As further explained in Eck:

> To play a game, a user of game machine 10 need only plug the appropriate game cartridge into slot 18 of game machine 10 thereby connecting the cartridge's ROM 42 (and other any circuitry it may contain) to game machine 10. This enables the game machine circuitry to access information contained with ROM 42 (and read/write memory 46), which information controls the game machine to play the appropriate video game by displaying images and reproducing sound as specified under control of the ROM game program information. Read/write memory 46 is used to store data such as game backup data.

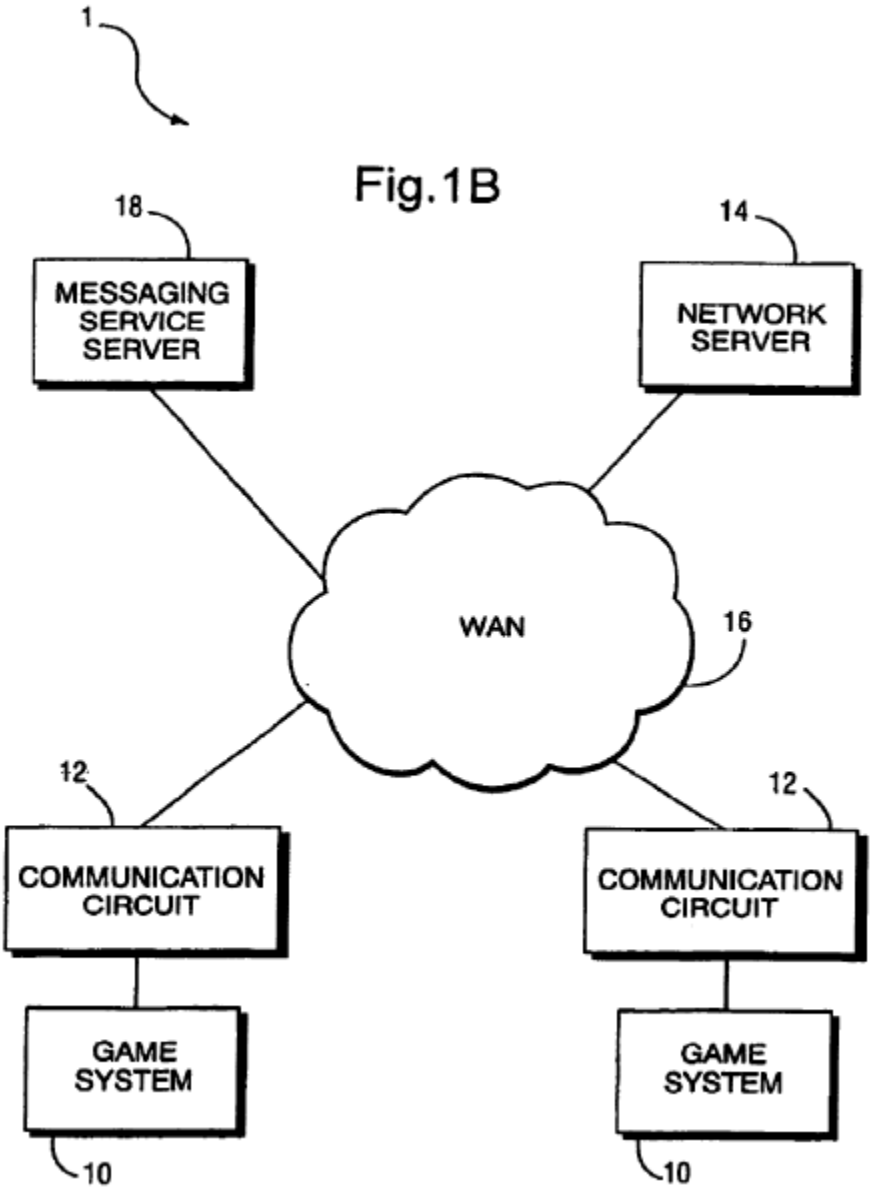
(EX-1008, 4:9-20.)

Because the message application in Pelkey and PagerWorld in Eck are designed to be run on the portable game machine, the combination of Pelkey and Eck discloses, a "*mobile information channel [] associated with a mobile device application*."

7. Claim 24

The Pelkey-Eck combination discloses "*at least one server accessible over the Internet via a network interface*." (EX-1003, ¶¶276-279.)

Pelkey discloses in Figure 1B (below) an exemplary embodiment showing a plurality of servers accessible over the internet (depicted as WAN 16).



Pelkey, Figure 1B

Figure 1B of Pelkey illustrates a network "in which the messaging service described herein may be implemented." (EX-1007, 2:58-60.) The network "includes game systems 10 connected via communications circuits (e.g., modems, network interfaces, etc.) to a wide area network." (EX-1007, 2:60-62.)

Pelkey explains that the communication circuits 12 "may be provided internally to the game system or embodied as cartridges … removably attachable to a port or bay of the game systems." (EX-1007, 2:65-3:2.) Eck discloses the embodiment of a network interface in a cartridge. As shown in Eck's Figure 5A, the pager cartridge includes "an antenna 130 connected to a conventional radio section 132 for receiving and sending messages." (EX-1008, 6:34-36; *see also* EX-1008, 7:36-53 (describing a pager cartridge includes a codec/DSP section, bandpass filter, RF mixer and dual PLL section, crystal, transmitter, receiver and antenna).) The radio section and/or antenna is a "*network interface.*"

VII. Discretionary Denial is Not Appropriate

A. 35 U.S.C. §314(a)

The Board should reach the merits because the Petition presents a compelling unpatentability challenge. (*See* Interim Procedure for Discretionary Denials, 4-5.) The evidence presented in this Petition, "if unrebutted in trial, would plainly lead to a conclusion that one or more claims are unpatentable by a preponderance of the evidence." (Interim Procedure, 4.)

The median time to trial in the Eastern District of Texas is 21.9 months and the case is scheduled for trial on April 20, 2026. Nonetheless, the district court case is in its early stages and little fact discovery has taken place. For example, the parties have produced few documents and no depositions have taken place. In

addition, because a claim construction hearing is not scheduled until October 30, 2025, no claim construction order will issue prior to a decision on institution. And any trial will involve fewer claims than challenged here.

B. 35 U.S.C. §325(d)

Advanced Bionics Part 1 is not satisfied because none of the asserted references were cited or applied during prosecution and no asserted reference is substantially the same as any art previously presented. Thus, the Board need not reach Part 2.

C. *General Plastics*

The petition should not be denied as an improper serial petition because there is no relationship, such as a joint defense arrangement, much less a "significant relationship" between Petitions here and Meta. Moreover, the functionality of the accused products in the Meta and Samsung district court cases differ. *See Videndum Production Solutions, Inc. v. Rotolight Ltd.*, IPR2023-01218 (Paper 12).

VIII. Mandatory Notices

A. Real Party In Interest

The real parties-in-interest are Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc.

B. Related Matters

To the best of Samsung's knowledge, the following is a list of judicial or administrative matter that would affect, or be affected by, a decision in the proceeding:

- *Mobile Data Technologies LLC v. Samsung Electronics Co. Ltd. et al.*, 2:24-cv-00435-JRG-RSP (E.D. Tex.)
- *Mobile Data Technologies LLC v. Meta Platforms, Inc.*, Case No. 24-cv-00896-WHA (N.D. Cal.)
- *Meta Platforms, Inc. v. Mobile Data Technologies, Inc.*, IPR2024-00247 (PTAB)
- *Samsung Electronics Co., Ltd. v. Mobile Data Technologies*, IPR2025-00535 (PTAB)
- *Samsung Electronics Co., Ltd. v. Mobile Data Technologies*, IPR2025-00536 (PTAB)
- *Samsung Electronics Co., Ltd. v. Mobile Data Technologies*, IPR2025-00537 (PTAB)

C. Notice of Counsel and Service Information

Pursuant to 37 C.F.R. §§ 42.8(b)(3), 42.8, Petitioners designate the following lead and backup counsel:

Lead Counsel	Back Up Counsel
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	Srikanth Reddy (*pro hac vice* application to be filed) GOODWIN PROCTER LLP 100 Northern Avenue Boston, MA 02210 Tel: (617) 570 1000 Fax: (617) 523-1231 sreddy@goodwinlaw.com
	Naomi Birbach (Reg. No. 67,113) Goodwin Procter LLP 620 Eighth Avenue New York, NY 10018 Phone: (212) 813-8800 Fax: (212) 355-3333 NBirbach@goodwinlaw.com

Petitioners consent to electronic service at the email addresses listed in the table above.

IX. Conclusion

IPR is respectfully requested.

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Respectfully submitted,

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APPENDIX A – LIST OF CLAIMS

[1P] A method comprising:

[1A] providing an interface permitting a first user to control activation of a mobile information channel through which the first user can share access to content with a plurality of additional users;

[1B] activating the mobile information channel responsive to input received from the first user via the interface;

[1C] inserting content provided by the first user into the mobile information channel;

[1D] receiving additional content relating to the mobile information channel from one or more of said additional users via one or more respective mobile devices associated with at least one wireless network;

[1E] inserting at least a portion of the additional content into the mobile information channel; and

[1F] integrating into the mobile information channel information associated with at least one wireless networking functionality of said at least one wireless network.

[7] The method of claim 1 wherein the information associated with at least one wireless networking functionality of said at least one wireless network comprises one or more messaging actions implementable over the wireless network.

[8] The method of claim 1 wherein the information associated with at least one wireless networking functionality of said at least one wireless network comprises one or more collaboration actions implementable over the wireless network.

[9] The method of claim 1 further comprising providing one or more content integration options to the first user and the plurality of additional users.

[10] The method of claim 9 wherein the one or more content integration options are based in part on respective wireless networking functionalities available to the first user and the plurality of additional users.

[11] The method of claim 1 wherein the additional content is associated with the mobile information channel via one or more user-activatable control mechanisms.

[12] The method of claim 11 wherein the one or more user-activatable control mechanisms comprise a hyperlink.

[14] The method of claim 1, wherein at least a portion of the additional content is obtained from a device-captured data source of the given user, the device-captured data source comprising a source of at least one of device-captured video data, device-captured audio data and device-captured location coordinates.

[15] The method of claim 1 wherein the mobile information channel comprises a collaborative workspace.

[16] The method of claim 1 further comprising permitting the first user to establish a title for the mobile information channel.

[17] The method of claim 1 wherein the mobile information channel comprises a chat channel facilitating interaction between the first user and the plurality of additional users.

[18] The method of claim 1 wherein the mobile information channel is associated with an entertainment-related entity.

[19] The method of claim 18 wherein the entertainment-related entity comprises at least one of a television program, a movie and a music artist.

[20] The method of claim 1 wherein the mobile information channel is associated with a mobile device application.

[21] The method of claim 20 wherein the mobile device application comprises a personalized content application.

[22] A non-transitory computer-readable storage medium having embodied therein executable code of one or more software programs for use in managing information content in a network-based communication system, wherein said executable program code when executed by a processing element of the communication system implements the steps of the method of claim 1.

[23P] An apparatus comprising:

[23A] a processing element comprising a processor coupled to a memory;

[23B] the processing element providing at least a portion of an interface permitting a first user to control activation of a mobile information channel through which the first user can share access to content with a plurality of additional users;

the processing element being configured to:

[23C] activate the mobile information channel responsive to input received from the first user via the interface;

[23D] insert content provided by the first user into the mobile information channel;

[23E] receive additional content relating to the mobile information channel from one or more of said additional users via one or more respective mobile devices associated with at least one wireless network;

[23F] insert at least a portion of the additional content into the mobile information channel; and

[23G] integrate into the mobile information channel information associated with at least one wireless networking functionality of said at least one wireless network.

[24] The apparatus of claim 23 wherein the processing element comprises at least one server accessible over the Internet via a network interface.

[25P] A network-based communication system, comprising:

[25A] a plurality of servers configured to communicate over a network;

[25B] at least one of the servers providing at least a portion of an interface permitting a first user to control activation of a mobile information channel through which the first user can share access to content with a plurality of additional users;

wherein said at least one server is configured to:

[25C] activate the mobile information channel responsive to input received from the first user via the interface;

[25D] insert content provided by the first user into the mobile information channel;

[25E] receive additional content relating to the mobile information channel from one or more of said additional users via one or more respective mobile devices associated with at least one wireless network;

[25F] insert at least a portion of the additional content into the mobile information channel; and

[25G] integrate into the mobile information channel information associated with at least one wireless networking functionality of said at least one wireless network.

CERTIFICATE OF WORD COUNT UNDER 37 CFR §42.24(d)

Pursuant to 37 C.F.R. §42.24(a), Samsung hereby certifies that portions of the above-captioned Petition for *Inter Partes* Review of U.S. Patent No. 8,825,801, in accordance with and reliance on the word count provided by the word-processing system used to prepare this Petition, that the number of words in this paper is 13,994. Pursuant to 37 C.F.R. §42.24(a), this word count is in compliance and excludes the table of contents, table of authorities, mandatory notices under §42.8, certificate of service, certificate of word count, appendix of exhibits, and any claim listing. This word count was prepared using Microsoft Word.

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CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the Petition for *Inter Partes* Review of U.S. Patent No. 8,825,801 together with all exhibits identified in the above Table of Exhibits and Petitioners' Power of Attorney, have been served on the Patent Owner via Federal Express Next Business Day Delivery on the below date, at the correspondence address of record as listed on the Patent Center:

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