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

IPR2025-00540
U.S. Patent 8,793,336

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,793,336

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1002	File History of U.S. Patent 8,793,336
1003	Declaration of Dr. Henry Houh in Support of Petition for *Inter Partes* Review of U.S. Patent 8,793,336
1004	Curriculum Vitae of Dr. Henry Houh
1005	WO 02/17652 to Randall, et al. ("Randall")
1006	U.S. Patent 7,047,030 to Forsyth ("Forsyth")
1007	U.S. Patent 7,056,217 to Pelkey, et al. ("Pelkey")
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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 27) from *Mobile Data Techs. LLC v. Meta Platforms, Inc.,* IPR2024-00246
1011	Petitioner's Reply (Paper 34) from *Mobile Data Techs. LLC v. Meta Platforms, Inc.,* IPR2024-00246
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
1022	RESERVED
1023	U.S. Patent 6,788,949 to Bansal ("Bansal")
1024	U.S. Patent 7,802,207 to Agboatwalla, et al. ("Agboatwalla")
1025	U.S. Patent 7,574,486 to Cheng, et al. ("Cheng")
1026	"Operating System Concepts" (Fourth Edition) by Silberschatz et al. (January 1994) ("Silberschatz")
1027	U.S. Patent 6,937,588 to Park ("Park")
1028	Excerpt from Webster's Dictionary of Computer Terms (page 98)
1029	RESERVED

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1030	RESERVED
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I. Introduction

Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc. ("Petitioners") petition for *inter partes* review of claims 1-3, 6-1-16, 19-21, 23-27 of U.S. Patent 8,793,336 ("the '336 patent,"; EX-1001).

II. Grounds for Standing

Petitioners certify the '336 patent is available for IPR and Petitioners are not barred or estopped.

III. Identification of Challenge

A. Prior Art

The '336 patent, filed February 2, 2012, claims priority through 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 '336 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 7,056,217 to Pelkey** ("Pelkey"; EX-1007), filed November 28, 2000, is prior art under 35 U.S.C. §102(e).

4. **U.S. Patent 6,716,103 to Eck** ("Eck"; EX-1008), filed September 11, 2000, is prior art under 35 U.S.C. §102(e).

B. Grounds For Challenge

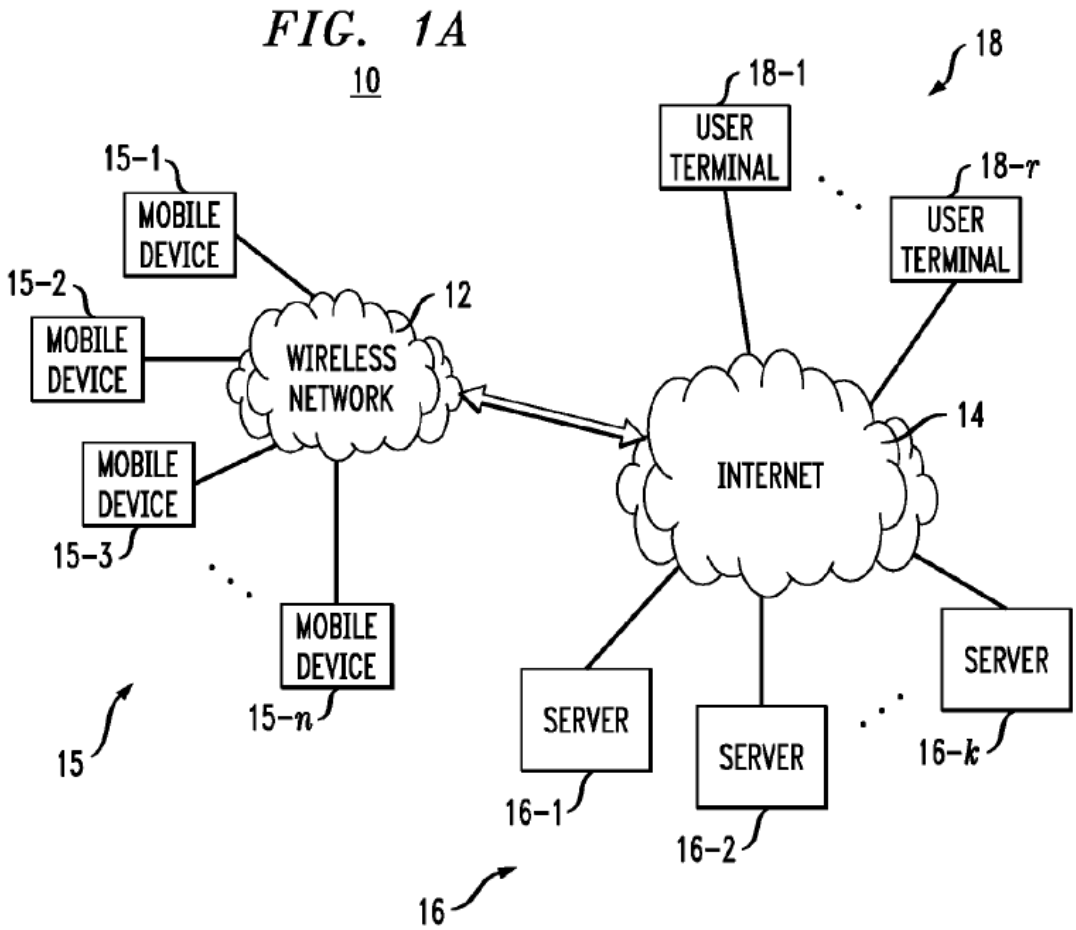
Ground		Claims	Prior Art
1	103	1-3, 6-16, 19-21, 23-27	Randall, Forsyth
2	103	1, 6-11, 13-16, 20-21, 23-25	Pelkey, Eck

IV. The '336 Patent

A. Patent Overview

The '336 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 '336 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, 3:46-50.)



'336 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, 5:10-12, 8:11-16.) Such mobile sites may be associated with "a group comprising multiple members having a common interest" (EX-1001, 6:23-25), "an event" (EX-1001, 6:43-44), "a game," (EX-1001, 7:24-25), or "a user of IM, SMS, MMS, email or other type of messaging service" (EX-1001, 7:36-38), among other associations. (EX-1001, 6:23-8:6.)

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. A person could also have qualified as a person of ordinary skill in the art with some combination of (1) more formal education (such as a master's of science degree) and less technical experience, or (2) less formal education and more technical or professional experience.[2]

[2] Patent Owner did not dispute this characterization of a POSITA in IPR2024-00246, which also challenges the '336 patent.

C. Prosecution History

In addition to the U.S. prosecution involving only double-patenting rejection (*See* EX-1002), the ’336 patent was also subject to an *ex parte* reexamination on independent claims 1, 11, 15, and 27. (EX-1032, 249.) The Examiner rejected the claims on three separate grounds: (1) anticipated by WO 01/72002 to Weiden; (2) obvious over combination of WO 01/93069 to Read and U.S. Patent 7,802,207 to Agboatwalla; and (3) obvious over combination of WO 01/01372 to Alcorn and Read. (EX-1032, 253-54.) PO traversed these rejections and the Examiner agreed, stating that the prior art does not teach a “web-based interface being configured to permit the first user to activate a given mobile information channel for sharing content between the first user and one or more additional user,” or “activation of [a] mobile channel by a user.” (EX-1032, 342.)

These features however were not novel nor non-obvious as of the priority date of the ’336 patent, as Petitioners establish in Grounds 1 and 2.

D. Claim Construction

In *Mobile Data Techs. LLC v. Meta Platforms, Inc.,* No. 3:24-CV-00896-WHA (N.D. Cal.) (transferred from No. 7:22-cv-00244-ADA-DTG (E.D. Tex.)) (“MDT-Meta-Litigation”) and *Meta Platforms, Inc. v. Mobile Data Techs. LLC*, IPR2024-00246 (“Meta-MDT-IPR”), the parties identified the following terms for construction. (*See* EX-1009, 1-3; EX-1010, 19-28; EX-1011, 2-8.) The Board need

not expressly construe any term for purposes of this proceeding because Petitioners establish the challenged claims are unpatentable under the constructions proposed in these proceedings and claims' plain meaning, where different. *See Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999).

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, 4:30-33.) Petitioners apply the plain meaning which is consistent with Meta's Meta-MDT-IPR and MDT-Meta-Litigation constructions. (EX-1003, ¶40.)

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 demonstrate the prior art meets this limitation under each of the proposed Meta-MDT-IPR constructions and the MDT-Meta-Litigation constructions. (EX-1003, ¶41.)

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." (*See* EX-1010, 28; 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, ¶42.)

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 the Challenged Claims Obvious

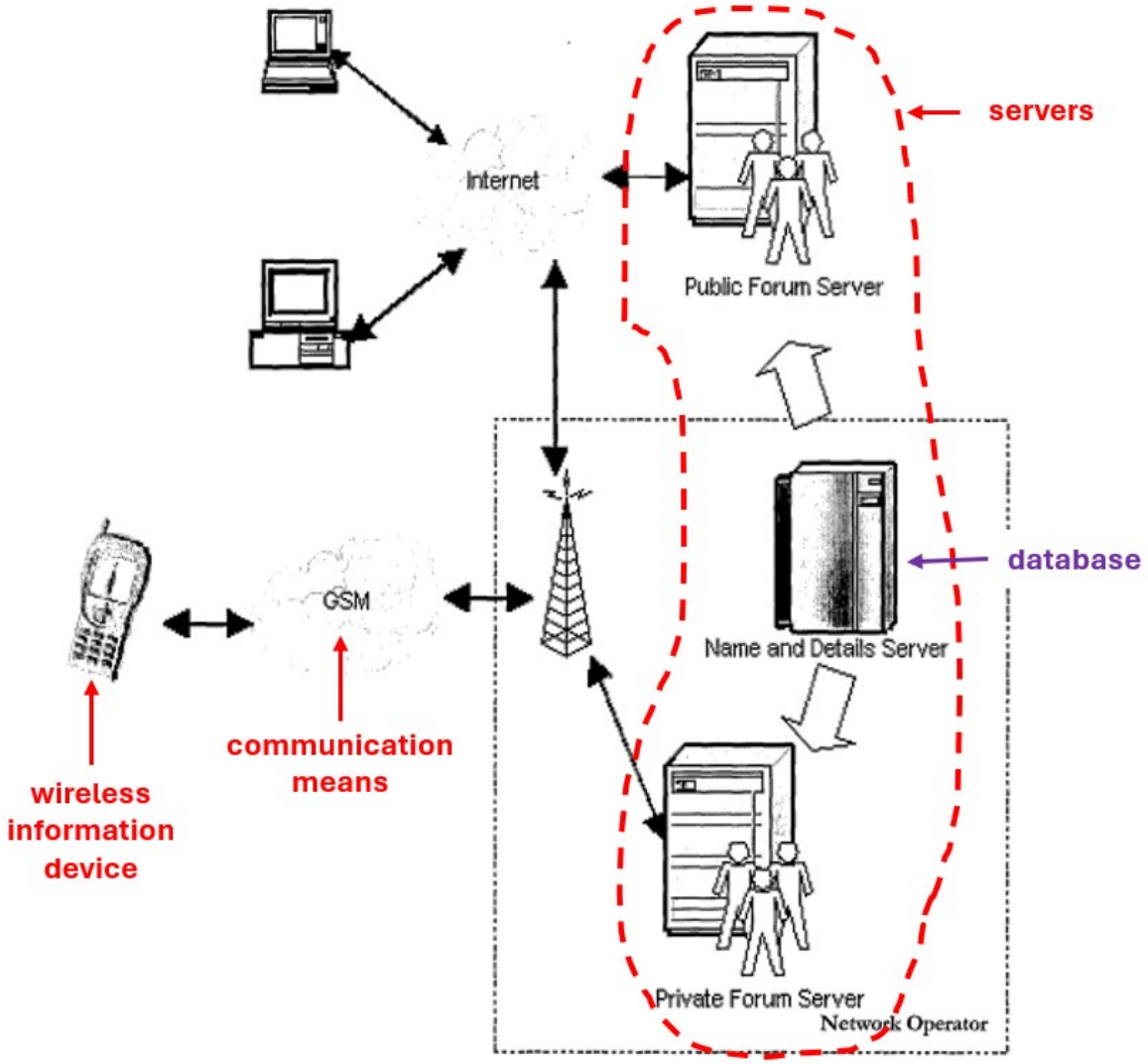
A. Combination Overview

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, ¶¶45-74.) 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 Forums' network infrastructure used in its Figure 4 (below).[3] Forums uses a client/server model with a program component on the wireless devices (clients) and a program component on the server. (*See* EX-1005, 7:16-19.) Randall's servers "use standard data transports such as WAP or http for data access" within Forums; meaning wireless devices access servers via WAP, which is based on WWW protocols and content formats, and non-mobile computing devices access servers via HTTP over the Internet. (*See* EX-1003, ¶¶56-66.) Randall introduces into this network "an open, universal data infrastructure for wireless information devices" which "extend[s] the attributes of the database using a *standard protocol*." (EX-1005, 3:10-13 (italics in original).)

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



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.) The infrastructure allows users to view, personalize, and/or manage access rights to their shared data through a view (e.g., via a website). (*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 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 Forums, 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 Forums achievable through the use of these group objects. (EX-1003, ¶¶71-74.) Forsyth also describes several Scenarios illustrating 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 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 use of group objects and additional features and functions to enhance the Forums service taught by Randall which uses Randall's network infrastructure with extensible database. (EX-1003, ¶¶75-81.) Randall and Forsyth are both in the

same field of the ’336 patent—“network-based communication systems.” (*See* EX-1001, 1:24-26; EX-1005, 40:16-18; EX-1006, 1:15-16; EX-1003, ¶76.) Randall and Forsyth are also reasonably pertinent to problems addressed by the ’336 patent, namely “overcom[ing] one or more of the drawbacks of” conventional techniques for content sharing for mobile devices. (*See, e.g,* EX-1001, 2:1-4; EX-1003, ¶76.)

A POSITA would have been motivated to make the above combination because Forsyth explicitly motivates the combination. (EX-1003, ¶¶77-81.) Forsyth stresses the benefits of group objects noting 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 “strengths” of a Forums application utilizing group objects “over conventional communications,” as summarized 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, ¶¶77-78.) Moreover, a POSITA, when considering Randall's Forums service, would have been motivated to search for references describing Forums and its enhancements, particularly those published by or associated with Symbian and

would have been led to Forsyth. (EX-1003, ¶79.) 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, ¶80.)

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 Symbian OS; and use features and functionality associated with Symbian. (EX-1003, ¶81.) The Symbian operating system was well-known and Symbian offered many technical developer resources prior to the earliest possible priority date of the '336 patent. (*See, e.g.,* EX-1017; EX-1012, EX-1016, EX-1018.)

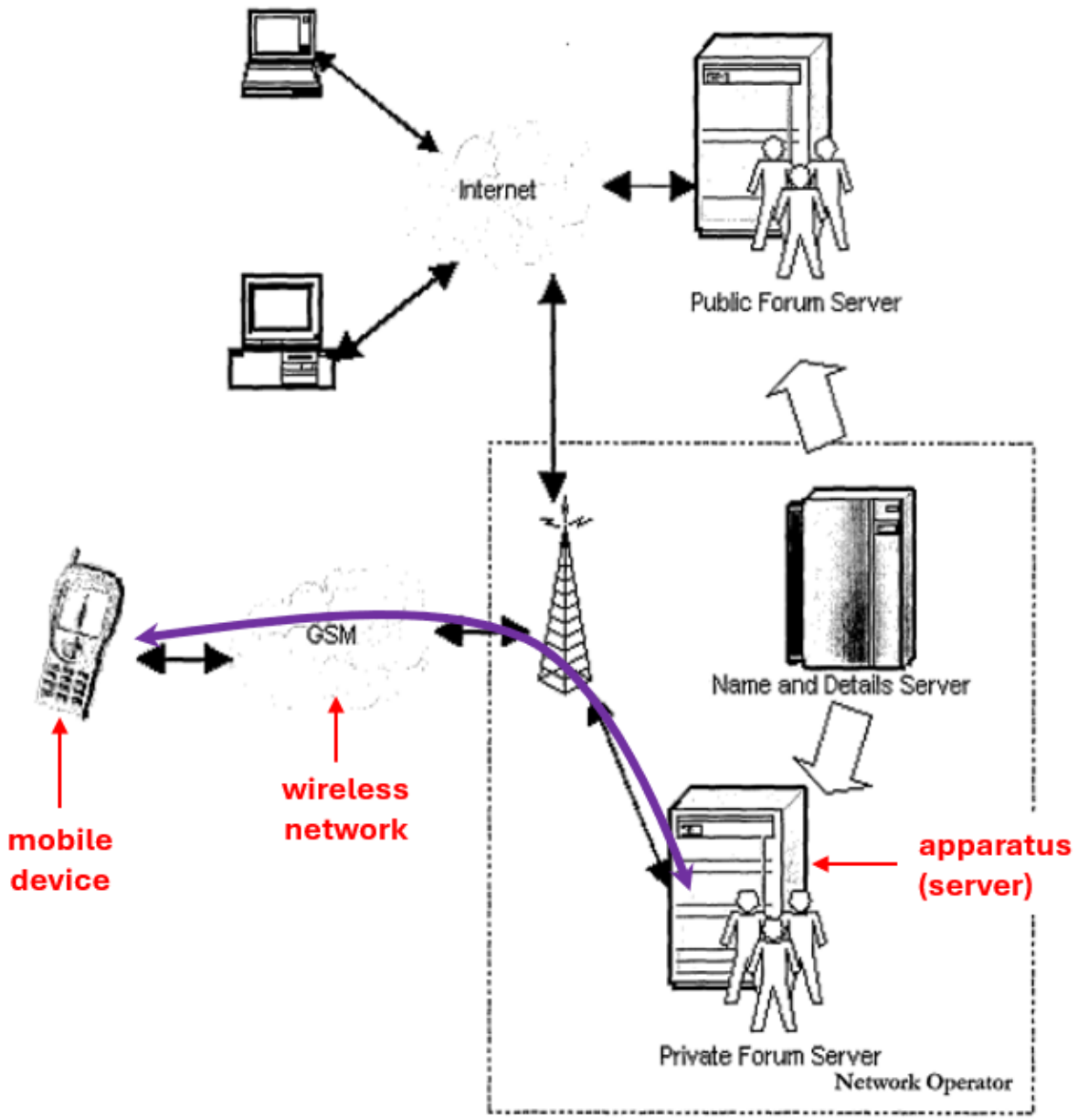
B. Independent Claims 1, 11, 15

The '336 patent includes claims (1, 11, 15) with substantially overlapping processing limitations [1A]-[1F]/[11B]-[11G]/[15B]-[15G] and therefore Petitioners address these claims together.

1. Preamble [1P]: "method"

The Randall-Forsyth combination discloses a "*method for managing information content in a network-based communication system*" [1P]. (EX-1003, ¶¶81-85.)

Forsyth describes Forums as "new approach to group communication … 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 and to enable a new generation of group based communication services." (EX-1006, 2:40-47, 5:27-30.) Forums is implemented "*in a network-based communication system*." (EX-1003, ¶82.) The Forums network infrastructure includes a server hosting Forums (e.g., Private Forum Server). The Forums server "handles contacting each group member, storing messages, allowing message to be read, sending, receiving and distributing messages." (EX-1006, 3:28-31-33; EX-1005, Figure 4 (below).) That is, Forums "*manag[es] information content*" shared among Forum members. (EX-1003, ¶82.)



Forums—Randall, Figure 4

Forums also provides a user with the capability to "*manag[e] information content.*" (EX-1003, ¶¶83-84.) The combination uses Randall's extensible database to deliver Forsyth's enhanced Forums service. (§V.A.) Specifically, in Forums, a user manages her user profile and stored content via a webpage associated with a

link assigned to the user (referred to as the ADS number; e.g., "www.indirect.com/Alice"). (EX-1003, ¶84.) Although Randall illustrates the database as a standalone server, a POSITA would have understood and been motivated to implement the database functionality on the Forums server both for ease of maintenance and to reduce equipment costs. (EX-1003, ¶83.)

Information stored in a user's record includes content. (EX-1006, 3:31-34 (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-1005, 32:26-27, 66:10-14, Table 1 (e.g., "My Photos"/"Childhood Photos").) The accessibility of this content is managed by the user through the content management webpage. (EX-1003, ¶84.) Specifically, each piece of stored data "has an associated tag (or field/attribute) and an associated list of groups ("i-Groups") allowed to access the data." (EX-1005, 66:9-10.)

The Randall-Forsyth combination therefore discloses a "*method for managing information content in a network-based communication system.*"

2. Preamble [11P]: "apparatus"

The Randall-Forsyth combination discloses a server which is an "*apparatus*" [11P]. (EX-1003, ¶86.) As illustrated in Randall's Figure 4, the Forums network infrastructure includes a server hosting Forums (e.g., a Private Forum server). 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.) For this and the reasons discussed in §V.B.1, the "*apparatus*" (server) used to provide the Forums service is "*for use in managing information content in a network-based communication system.*" (EX-1003, ¶86.)

3. Preamble [15P]

As discussed in §V.B.1 [1P], Forums is implemented as a "*network-based communication system.*"

4. "Processing element" [11A]

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, ¶¶88-96); *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, ¶90.) 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, ¶90.)

Both Randall and Forsyth also disclose or suggest the "*processing element*" in the server includes "*a memory.*" (*See* EX-1003, ¶90.) 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; EX-1001, 4:64-67 (memory includes "any other type of storage device").) Additionally, a POSITA would have understood the applications and software running at the server are stored in a memory. (EX-1003, ¶¶90-96; EX-1001, 4:64-67 (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, ¶91; §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, ¶¶92-96.) For example, Agboatwalla (EX-1024, 5:40-42), U.S. Patent 7,574,486 to Cheng et al. ("Cheng")(EX-1025, 23:26-51), Bansal ("Bansal")(EX-1023, 6:66-7:5), Pelkey and Eck (§VI.D.2) each discloses the claimed arrangement.

5. "Plurality of Servers" [15A]

The Randall-Forsyth combination discloses a "*network-based communication system*" comprises "*a plurality of servers configured to communicate over the network*" [15A]. The 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). (EX-1005, 7:16-19.) As shown, wireless devices access these servers/databases via the wireless network and non-mobile devices access these servers via Internet. (EX-1003, ¶97.) A POSITA would have been motivated to implement the functionality associated with providing Forums and the functionality of hosting a database on a single server to obtain, e.g., the benefits of more efficient maintenance as well as cost savings of reduced amount of network equipment. (*Id*.) Therefore, one of these plurality of servers, e.g., the server hosting the Private Forum and the user extensible database, performs the processing steps of claim 15 and one or more servers hosts other forums (e.g., Public Forum server). (*Id*.)

6. Processing Limitations [1A]-[1F]/[11B]-[11G]/[15B]-[15G]

a. "First Web-Based Interface" [1A]-[1B]/[11B]-[11C]/[15B]-[15C]

The Randall-Forsyth combination discloses "*providing [at least a portion of] a first web-based interface accessible to a first user*, *the first web-based interface being configured to permit the first user to activate a given mobile information channel for sharing content between the first user and one or more additional users.*" (EX-1003, ¶¶98-125.)

(1) "mobile information channel"

The Randall-Forsyth combination discloses a "*mobile information channel for sharing content between the first user and one or more additional users*" [1B]/[11C]/[15C]. (EX-1003, ¶¶99-102.)

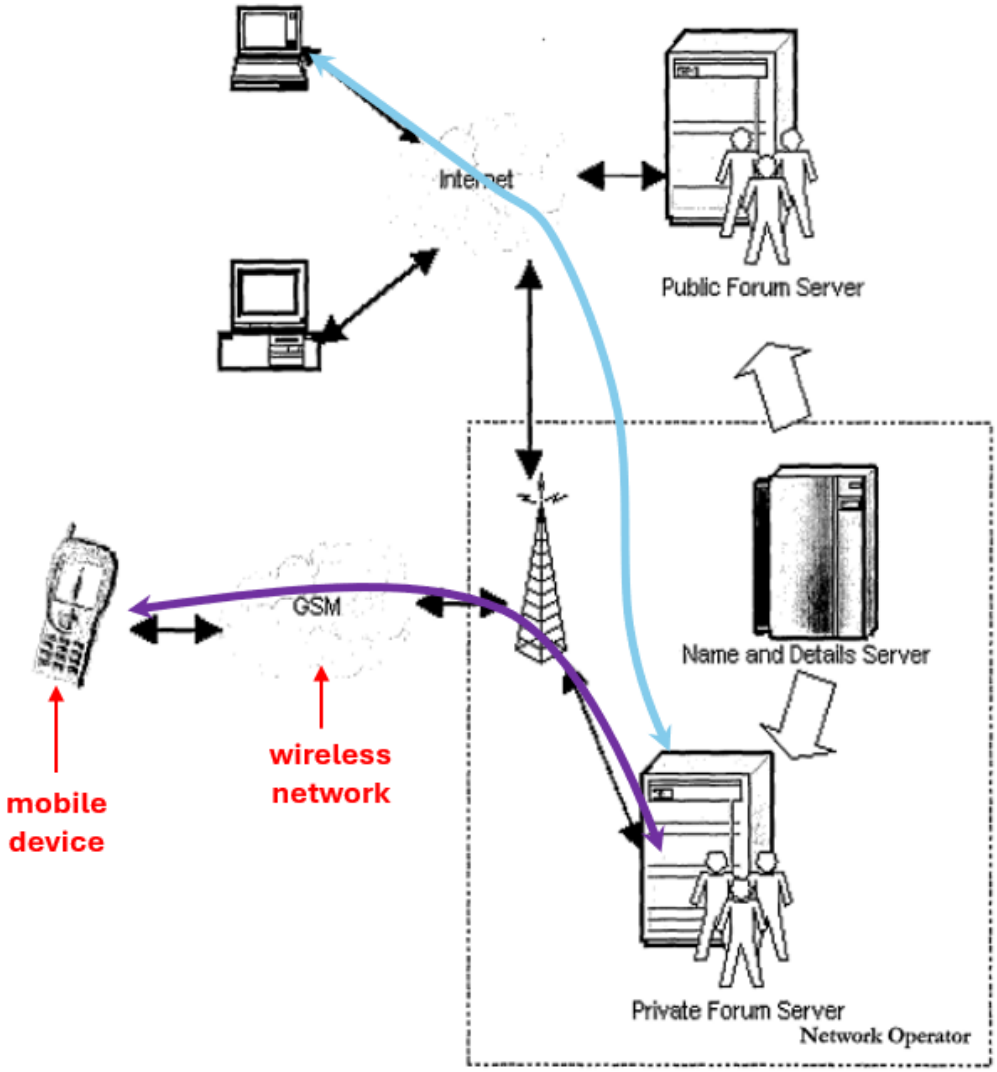
"Forums … **facilitates open discussion amongst a group and allows multiple chat-style conversations to take** place simultaneously." (EX-1006, 5:27-30.) Randall describes that "a forum allows **several people** to be part of a '**channel**' or room, which is usually themed; for instance supporters of 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.) And Forsyth describes several examples of using a Forum to author and share content among members: Group Based Text Messaging─Scenario 1 (EX-1006, 5:35-7:13), Discussion of Photos Scenario 2 (EX-1006, 7:18-57), Social Scheduling Scenario 3 (EX-1006, 7:58-9:4), and Digital Memento from a User's Birthday Scenario 4 (EX-1006, 9:5-35).

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 and Meta's Meta-MDT-IPR constructions 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.

(2) "providing a first web-based interface"

The Randall-Forsyth combination discloses "*providing [at least a portion of] a first web-based interface accessible to a first user*." (EX-1003, ¶¶103-110.) The Forums service is based on a client-server model implemented on a network. (EX-1005, 40:15-41:2, Figure 4 (below).) As noted above (§§V.B.1-V.B.2), the Forums infrastructure includes "internet servers" hosting individual Private and Public Forums and "internet servers" hosting extensible databases. Both Randall and Forsyth disclose that wireless devices communicate with these servers "in any manner over any kind of network, such as GSM or UMTS, CDMA and WCDMA mobile radio, Bluetooth, 802.11, [and] IrDa etc." (EX-1006, 1:16-25; *see* EX-1005, 1:11-13.) These servers use "existing transports" for client-server communication over these networks such as "WAP to access the services on the server side" from the wireless devices and "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 includes a GSM/WAP interface for communicating with mobile devices over the wireless network and a different interface (e.g., SMTP or HTTP) for communicating with non-mobile devices over the Internet. (EX-1003, ¶103.)



Forums—Randall, Figure 4

The Forums servers, providing the server side processing for Forums (and the processing for each individual Forum created by users of Forums), are designed

to be "web portals" and as such Forums is a web-based service. (EX-1003, ¶104.) Specifically, Forums "act[] in effect like a fully **personalised web portal**, yet with the information links not consolidated in one general area, but instead distributed to the domains in which they are most likely to be relevant to a user." (EX-1005, 13:22-24.) Forums establishes "web portals" architecture through (1) the use of "standard data transports such as WAP or http for data access", which provide a "*web-based*" communication interface to the server and (2) through "webpages" provided by the Forum server to mobile devices causing the display of Forums user interfaces on the mobile device. (EX-1003, ¶104.) The presence of these "webpage" downloads is confirmed by the use of Randall's ADS naming scheme which uses web server addresses. (*See, e.g.,* EX-1005, 64:27-28.) Each of the user interfaces associated with the "webpage" download from the server is also a "*web-based interface.*" (EX-1003, ¶104.)

Use of WAP teaches or suggests Forums user interface pages are provided to a mobile device from the server, e.g., via a website download. For example, WAP "allows content and applications to be hosted on standard WWW servers." (EX-1003, ¶105, *citing* EX-1013, 14, EX-1027, 1:66-2:10.) WAP-enabled servers exchanges information with WAP-enabled devices using web-based protocols (e.g., through protocols allowing specification of a URL). (EX-1003, ¶105.) That

is, Forums hosted or accessible via WAP-enabled servers are "*web-based*." (EX-1003, ¶105.)

Randall's ADS naming convention further underscores that Forums are designed to be mobile websites. (EX-1003, ¶¶106-107.) In Randall, a "wireless information device (and web browsers) can access an entity's database by sending to the server an unchanging pointer or key (an 'ADS Number') which is unique to that entity." (EX-1005, 9:13-15.) Randall's ADS number is "an **address on a web server**–for example **www.indirect.com/Alice**." (EX-1005, 64:25-26.) "This address is in effect a pointer to entity specific data held on the **web server**, in this case, Alice's information." (EX-1005, 64:27-28.)

Forsyth also confirms that Forums user interfaces are provided by the server via, e.g., webpages, explaining "Forums facilitates the situation where, to a degree, the other members of a group are 'always there' for a user" including "ensuring other interfaces—e.g., **via the Web** and PCs, and possibly via normal phones—are available." (EX-1006, 11:23-31.)

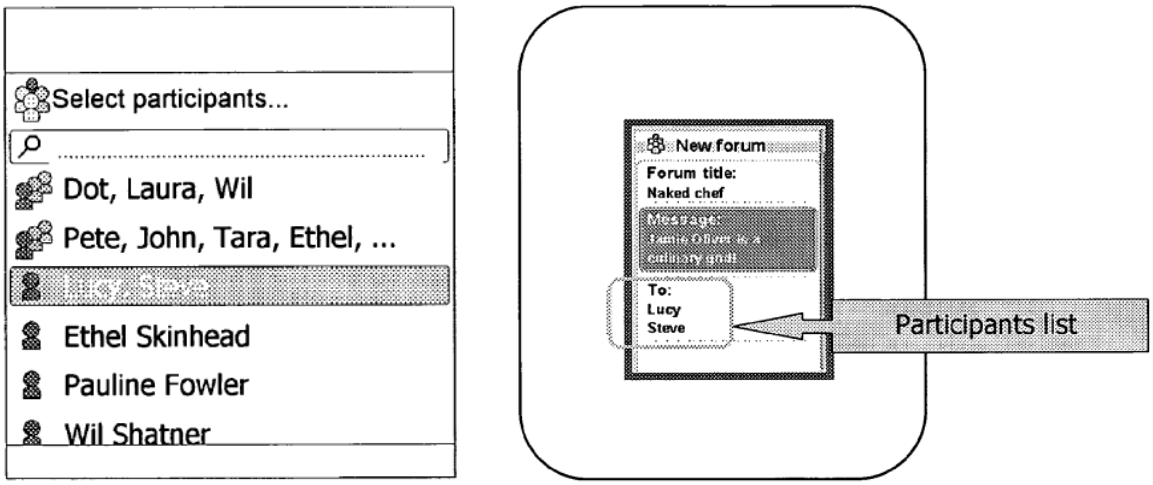
Thus, the Randall-Forsyth combination discloses the processing element of the server hosting Forums "*provid[es] a first web-based interface accessible to a first user*" either through (1) the communications interface of the server and/or (2) the user interfaces provided by server download (e.g., webpage downloads).

(3) "activate a given mobile information channel for sharing content"

A "*mobile information channel*" can be activated "*for sharing content*" in a number of ways in the Randall-Forsyth combination including through creation of a Forum, content management, and posting to pre-existing Forum. Each of these mechanisms involves a user interface provided by the server and messages received from the mobile device via the server's communication interface, described above. (EX-1003, ¶¶111-125.)

(a) Activation through Forum Creation User Interface

To create a Forum, the user is presented with a "New Forum" user interface. (EX-1006, Figure 4 (below-right).) 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).) The Forum creator in this example is "*a first user*" and the identified individuals agreeing to participate are "*one or more additional users.*" (EX-1003, ¶112.)



Forums—Forsyth, Figure 3 (left), Figure 4 (right)

After the creator selects participants, an initial message and the participant list are provided "to the message server" via the server's communication interface (a "*web-based interface*"). (*See* EX-1006, 6:1-8.) The server stores "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.) After the Forum is created, members can send new messages "to the server, which then forwards on the increment [i.e., the new Forum content] to all the people on the current (server-maintained) address list." (EX-1005, 6:18-22.) That is, the Forum ("*mobile information channel*") is "*activat[ed]*" to provide a platform through which users share content by posting/sending the content to Forum via the server. (EX-1003, ¶113.)

The New Forum webpage, provided by the processing element of the server, is therefore a "*first web-based interface … configured to permit the first user to activate a given mobile information channel for sharing content between the first user and one or more additional users*" because it creates a Forum and provides initial content for the Forum. (EX-1003, ¶114.)

(b) Activation Through Content Management User Interface

Randall explains that "[u]sers must be able to share any of their content or activities with individuals and groups with ease." (EX-1005, 32:21-22.) Specifically, "[u]sers must be able to share content local to the device and have any [content] uploaded to a server handled automatically." (EX-1005, 32:26-27.) As discussed above in §V.B.1, the user manages her content through the content management webpage provided by the Forums infrastructure. The user is therefore a "*first user*" and the members of the Forum designed for access to content are "*one or more additional users.*" (EX-1003, ¶¶115-120.)

Randall's Table 1 (below) shows an exemplary view of data associated with a user, Alice. In the user record, a piece of stored data "has an associated tag (or field/attribute)" such as "My photo" or "Childhood photo." Randall explains that the database is not limited to the tags (field/attribute) used in Alice's record and the "application owning the category is free to invent whatever tags it chooses and to extend the database." (EX-1005, 66:10-14.) Therefore, in addition to photos, a

POSITA would understand that the database would store other personal user content including a user's music files, messages, graphics, opinions, playlists, etc. (EX-1003, ¶116.)

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

Users are "able to **publish content** that is already stored (and conceivably shared) in their area on the server to specific groups." (EX-1005, 34:10-12.) The accessibility of stored user data can be set to Public (available to all) or Private. (EX-1005, 24:13-17.) To share content, the client-server infrastructure allows the user to specify, via a web page, one or more groups that are permitted to access the data. (*See* Randall, 24:8-25:19.) Forums service provides a user access to their profile for management via a webpage associated with the ADS number of the user (e.g., www.indirect.com/Alice). Randall explains that the ADS number is "an **address on a web server**–for example **www.indirect.com/Alice**" and "is in effect a pointer to entity specific data held on the **web server**, in this case, Alice's information." (EX-1005, 64:25-28.) The content management webpage is therefore a "*web-based interface*" and the messages exchanged between the mobile device and server associated with this content management webpage are via the server's communication interface (a "*web-based interface*").

When a user associates stored content with an i-Group (e.g, Forum), the user designates the content "*for sharing*" within the Forum. (EX-1003, ¶120.) Thus, the user interface provides a means for activating the Forum to share the designated content. As Randall explains, after a group or individual is designated as having access rights, the information can be provided when the individual or a member of the group "contacts the server" or the information "will be pushed to" member's

devices "if technology allows." (EX-1005, 68:28-30.) Forsyth similarly discloses use of access rights associated with stored data to identify a group. In the "Discussion of Photos" Scenario, after uploading the photos to a remote storage area, the user "creates a Forum message based on the photographs and sends it to a group (as discussed above)." (EX-1006, 7:34-35.) The group members "receive (or are given access to) an object which incorporates or references the photographs." (EX-1006, 7:37-38.)

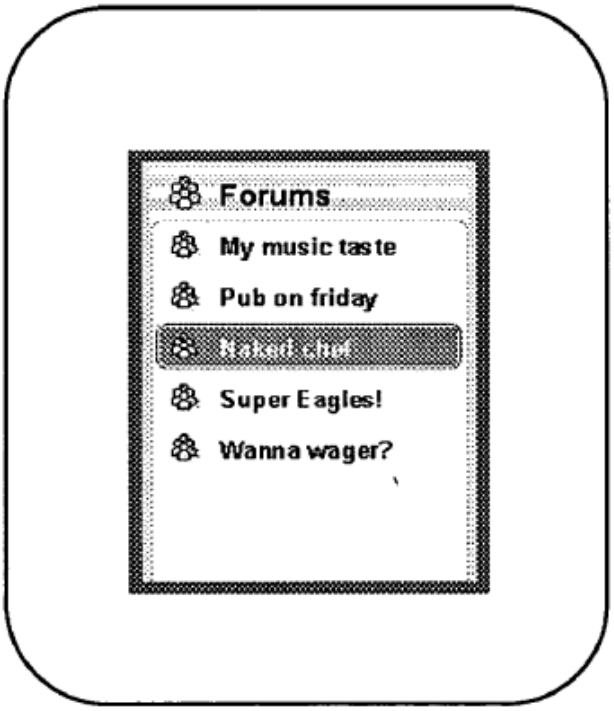
The content management webpage, provided by the processing element of the server, is therefore a "*first web-based interface … configured to permit the first user to activate a given mobile information channel for sharing content between the first user and one or more additional users*" by designating a stored content item for insertion into the Forum. (EX-1003, ¶115-121.)

(c) Activation Through Message Display User Interface

The process of posting a message into a pre-existing Forum (new or response) also "*activate[s] a given mobile information channel for sharing content*." (EX-1003, ¶¶122-125.)

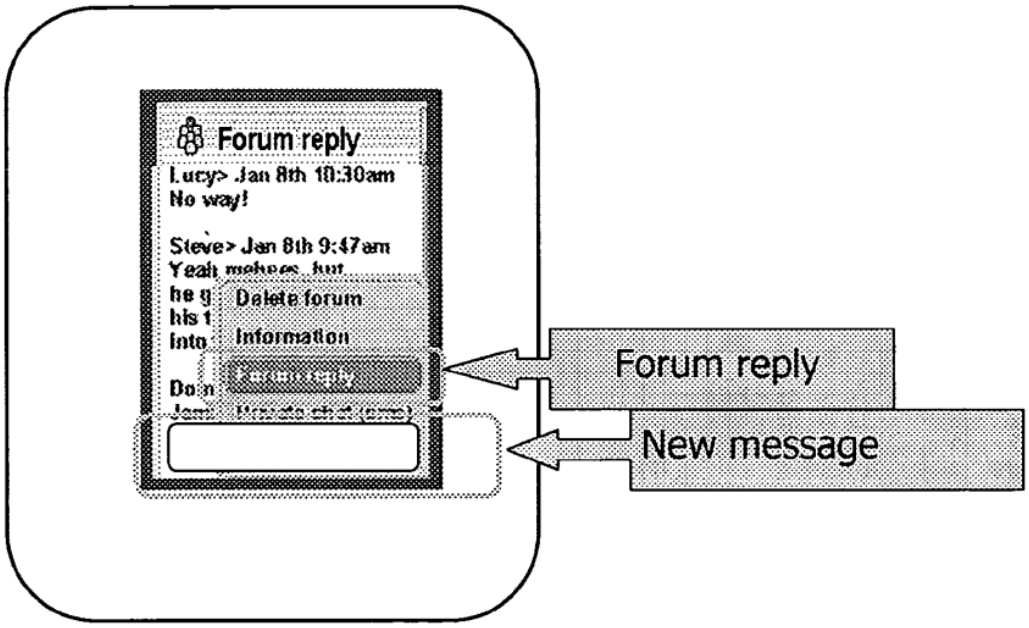
Within Forums, a user ("*first user*") is presented with a user interface displaying a list of his/her Forums. (EX-1006, Figure 6 (below).) The user selects one of these individual Forums causing a different user interface associated with

the Forum to be displayed (e.g., Forsyth Figure 8) where the user can enter and post content. (*See, e.g.,* EX-1006, 6:28-35.)



Forums—Forsyth, Figure 6

This Forum Reply user interface provides the ability to reply within the Forum by posting a Forums message with content. As shown, the Reply interface also includes messages from "*one or more additional users.*" For example, a user can enter content and designate that content for sharing within the Forum by clicking on "reply." (EX-1006, 6:54-55.) The new message is then "posted to the Forum" by sending a Forums message to the server.



Forums—Forsyth, Figure 9

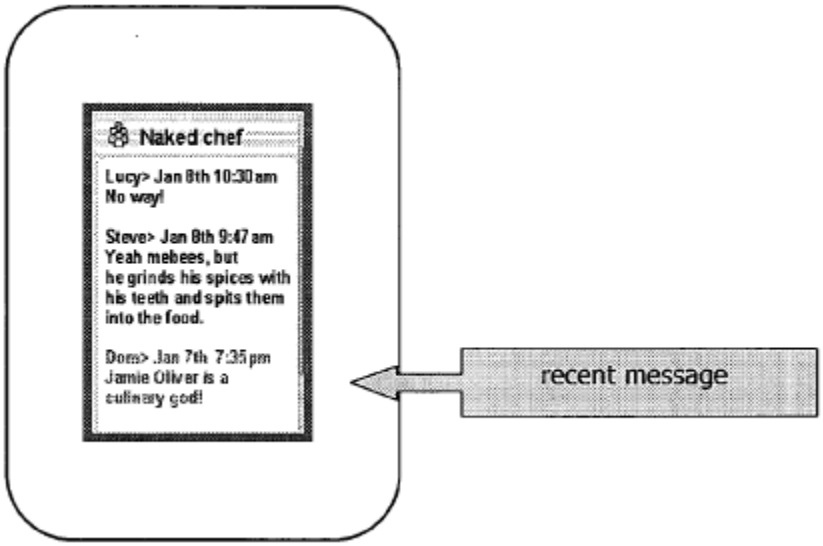
As discussed above, the user interface displayed to the user is provided by the server (e.g., via a webpage download) and converted by the mobile device for display to the user. Thus, the user interface provided by information downloaded from the server (e.g., webpage) is a "*web-based interface*" and the messages are communicated via the server's communication interface (a "*web-based interface*"). (EX-1003, ¶124.) The Forum Reply webpage, provided by the processing element of the server, is therefore a "*first web-based interface … configured to permit the first user to activate a given mobile information channel for sharing content between the first user and one or more additional users*" because it activates the server to insert new content into the Forum. (EX-1003, ¶¶124-125.)

b. "Second Web-Based Interface" Limitations [1C]-[1D]/[11E]-[11F]/[15C]-[15F]

The Randall-Forsyth combination discloses "*generating a second web-based interface different than the first web-based interface, wherein the second web-based interface provides each of the one or more additional users access to at least a portion of the shared content via the given mobile information channel to thereby facilitate interaction between the first user and the one or more additional users.*" (EX-1003, ¶¶126-129.)

In Forums, the server "handle[s] all aspects of storing and forwarding messages to the intended recipients." (EX-1006, 3:20-22.) For example, in the group based messaging Scenario, the Forums server "forwards a copy of the [initial Forums] message to each of the people on the address list." (EX-1006, 6:9-14.) And, when new messages are sent to the server, the server "forwards the increment to all the people on the current (server-maintained) address list." (EX-1006, 6:1-22.) Thus, the server "*provides each of the one or more additional users access to at least a portion of the shared content via the given mobile information channel to thereby facilitate interaction between the first user and the one or more additional users*" by providing information allowing the creation of a user interface at the mobile device that displays the messages (and content) shared within a Forum (e.g., via a webpage download). (EX-1003, ¶126.)

Forums provides a user interface within each Forum that displays the messages/discussions posted/published to the Forum ("*mobile information channel*") and through this interface "*share[s] content*" with Forum members and facilitates further interaction through a context menu allowing a Reply and allowing other actions such as private chats. (*See* Forsyth, 6:36-49.) Forsyth's Figure 7 (below) is an example of this user interface (Naked Chef). The user interface presented to the Forum members to display posted messages is "*a second interface*." This user interface is different from the "*first web-based interface*" (e.g., the network communications interface, the content management user interface, the New Forum user interface, or the Forum Reply user interface). Therefore, the combination discuses "*a second web-based interface different than the first web-based interface.*" (EX-1003, ¶127.)



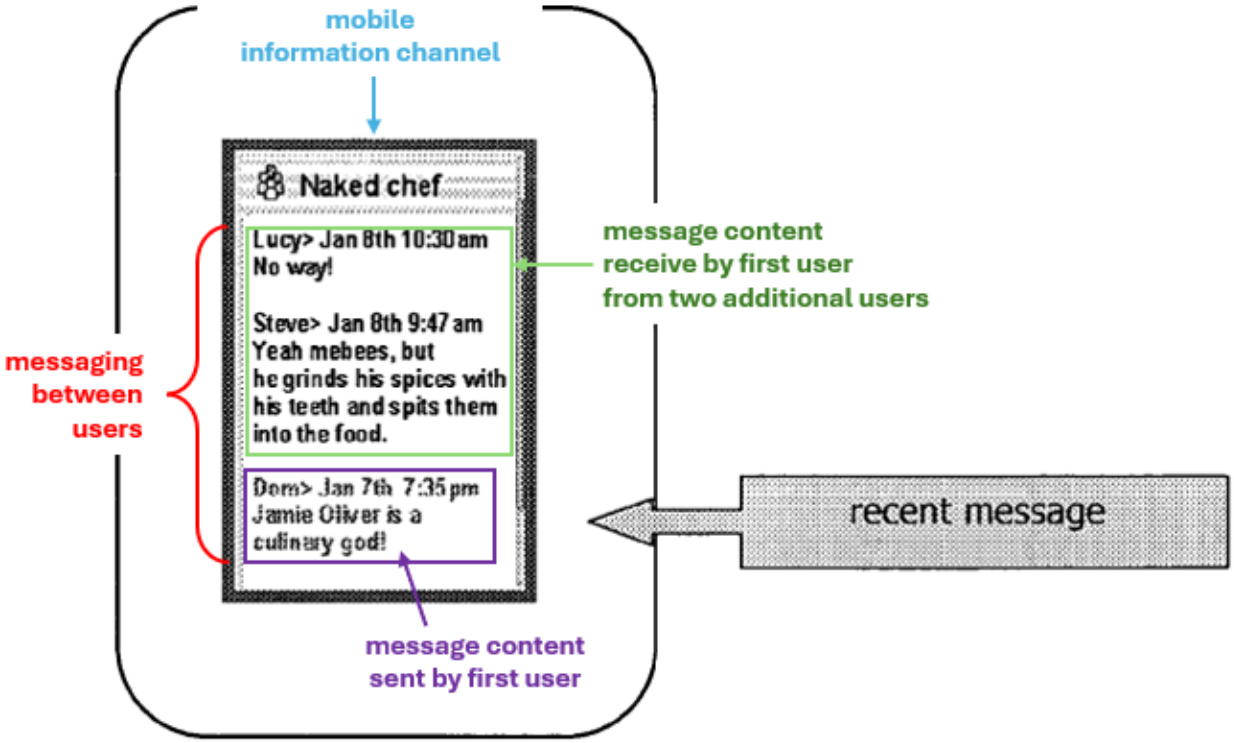
Forums—Forsyth, Figure 7

As discussed in §V.B.6.a.(2), the Randall-Forsyth combination teaches or at least suggests user interfaces provided by Forums are web-based information generated by the server and provided to the wireless devices (e.g., via a website downloaded.) Because a Forum has multiple members, this user interface (e.g., webpage) is provided by the Forum to each Forum member, thereby allowing "*one or more additional users*" to access the content shared within the Forum. Thus, processing element of the server "*generat[es] a second web-based interface different than the first web-based interface*" which "*provides each of the one or more additional users access to at least a portion of the shared content via the given mobile information channel to thereby facilitate interaction between the first user and the one or more additional users*." (EX-1003, ¶¶128-129.)

c. Limitations [1E]-[1F]/[11F]-[11G]/[15F]-[15G]

Forums, described by Randall and Forsyth, is designed for interactive communication/discussion within a Forum. Specifically, 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.) For example, Forums supports "group based text messaging" and "group based multi-media messaging." (EX-1006, 3:35-58, 5:45-49.) Each Scenario presented by Forsyth illustrates that a first user sends messaging content

associated with a Forum ("*mobile information channel*") to other Forum members, i.e., from "*the one or more additional users*" of the Forum and receives messaging content from other Forum members, i.e., from "*the one or more additional users*" of the Forum. (EX-1003, ¶¶130-132.)



Forums—Forsyth, Figure 7

Thus, the Randall-Forsyth combination discloses "*the given mobile information channel supports messaging between the first user and the one or more additional users over a wireless network*" and "*the mobile information channel is configured to permit the first user to send messaging content to the one*

or more additional users and to receive messaging content from the one or more additional users." (EX-1003, ¶¶130-133.)

C. Independent Claim 10

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 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, ¶134.)

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, ¶135,

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 (EX-1024, 3:7-9, 42:1-38), Cheng (EX-1025, 23:63-24:1), Bansal (EX-1023, 7:23-24) and Pelkey and Eck (*infra* §VI.C). (EX-1003, ¶¶136-140.)

D. Independent Claim 27

Independent claim 27 recites substantially overlapping subject matter with claim 1. Limitations [27C]-[27D] are identical to limitations [1E]-[1F]. In the Randall-Forsyth combination, the "*mobile information channel*" is generated by, for example, the creation of a Forum (§V.B.6.a.(3).(a)) and therefore discloses limitation [27A]. Users are provided access to the shared content of a Forum via the message (content) display page provided via the "*second web-page interface*" discussed in §V.B.6.b, disclosing limitation [27B]. Thus, for the reasons discussed in §§ V.B.6.a-V.B.6.b, the Randall-Forsyth combination renders claim 27 obvious. (EX-1003, ¶141.)

E. Dependent Claims

1. Claims 2/8/12

As discussed in §V.B.1.a.(3).(b), a user uploads content for storage in her user record via the user's content management webpage. (EX-1005, 32:26-27 ("[u]sers must be able to share content local to the device and have any [content]

uploaded to a server handled automatically").) A user specifies, via the content management webpage, accessibility rules specifying one or more groups or individuals that are permitted to access the data. (*See* Randall, 24:8-25:19.) Content made accessible by the user is then published to the listed Forum members through the "*second web-based interface*" as discussed in §V.B.6.b, (EX-1005, 34:10-12 (Users are "able to **publish content** that is already stored (and conceivably shared) in their area on the server to specific groups.").)

For example, in the "Discussion of Photos" Scenario, a "user is on holiday, and takes a few photographs of the beach with his digital camera." (EX-1006, 7:30-31.) He then "uploads them to his remote storage area", "creates a Forum message based on the photographs" and "sends it to a group." (EX-1006, 7:32-35.)

Thus, the Randall-Forsyth combination discloses "*the first web-based interface is configured to permit the first user to designate accessibility rules controlling access of said one or more additional users to respective portions of the shared content*" [2]/[12]. (EX-1003, ¶¶142-145.)

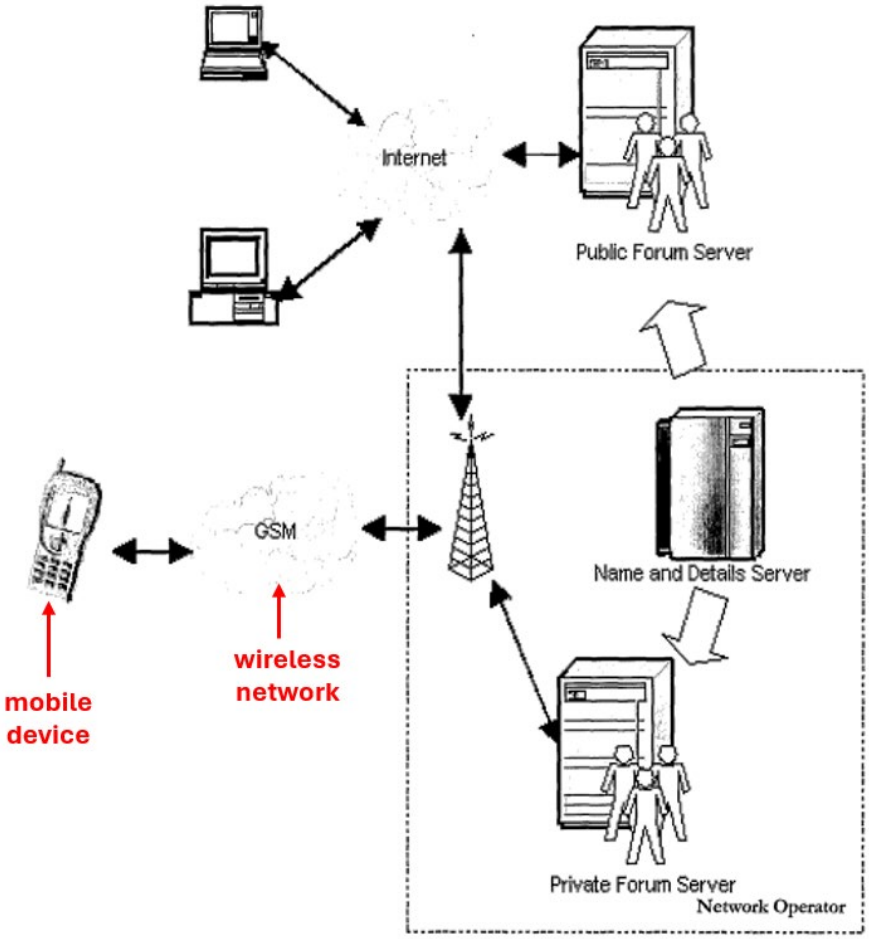
The Randall-Forsyth combination also discloses "*the first web-based interface* [content management user interface] *permits the first user to upload at least one information item*" and "*the second web-based interface* [message display user interface] *provides said one or more additional users with access to said at*

least one uploaded information item in accordance with accessibility rules established by the first user via the first web-based interface" [8]. (*Id.*)

2. Claim 3

As discussed in §V.B.6.a, the Randall-Forsyth combination discloses the "*first web-based interface*" is a "*content management web site*" and as discussed in §V.B.6.b, the "*second web-based interface*" is (1) different from the content management webpage and (2) a "*mobile web site*" accessible via mobile devices. As discussed below, the Randall-Forsyth combination discloses a "*mobile device*" under both Meta's and PO's construction.

The Forums infrastructure includes wireless information devices connected to servers via a wireless network. (*See, e.g.,* EX-1005, 40:28-30, 3:10-13; EX-1006, 1:15-16.)

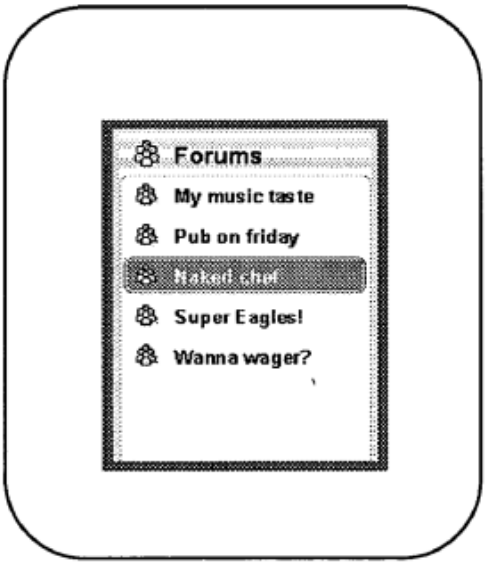


Forums—Randall, Figure 4

The wireless devices 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.) Each listed wireless device is portable and configured for "communicat[ion] in any manner over any kind of network, such as GSM …." (EX-1005, 1:11-13; EX-1006, 1:16-25.) Therefore, the combination meets Meta's MDT-Meta-Litigation/Meta-MDT-IPR

and PO's MDT-Meta-Litigation "*mobile device*" constructions. (EX-1003, ¶¶146-159.)

Randall and Forsyth also teach devices (e.g., smartphone) having limited display space and/or limited navigational capabilities. (*See* EX-1006, 4:61-62, Figures 2-11; EX-1005, 45:23-25 (referring to "devices with small displays.").) For example, the wireless device has a small display and the interface permits the user to navigate to only the listed forums—i.e., limited navigational capabilities. (EX-1003, ¶152; Forsyth, Figure 6 (below).) Thus, the Randall-Forsyth combination discloses a "*mobile device*" even under PO's overly narrow Meta-MDT-IPR construction. (EX-1003, ¶146-159.)



Forums—Forsyth, Figure 6

Thus, for the above reasons and the reasons discussed here and in §§V.B.6.a-V.B.6.b, the combination renders obvious "*the first web-based interface*

comprises a content management web site" and "*the second web-based interface comprises a mobile web site accessible independently of the content management web site via one or more mobile devices*."

3. Claim 6

Randall teaches a wireless device "(as well as web browsers) can access an entity's database by sending to the server an unchanging pointer or key (an 'ADS Number') which is unique to that entity." (EX-1005, 9:13-15.) Randall's "ADS numbers are typically constructed using text strings and can be though[t] of as defining a namespace." (EX-1005, 9:17-18.) The ADS number "in one implementation [is] an **address on a web server**–for example **www.indirect.com/Alice**" which "is in effect a pointer to entity specific data held on the **web server**, in this case, Alice's information." (EX-1005, 64:25-28.) That is, the ADS numbers used by Randall-Forsyth to identify webpages, such as the content management webpages, are "uniform resource locators." (EX-1003, ¶160.)

Although not explicit, a POSITA would have understood the webpages associated with displayed user interfaces each have different names (different ADS names/URLs.) provided to mobile devices for displaying the first interface and the second interface used different URLs. (EX-1003, ¶¶161-162.) Therefore, the Randall-Forsyth combination discloses a "*first web-based interface is identified by a first uniform resource locator and the second web-based interface is identified by*

a second uniform resource locator different than the first uniform resource locator." (EX-1003, ¶¶163.)

4. Claim 7

The Randall-Forsyth combination discloses "*the shared content is obtained from a device-captured data source of the first user … comprising a source of at least one of … device-captured image data, device-captured audio data ….*"

In Forums, "**personal content** such as photographs, opinions, music playlists, music tracks etc." is shared "amongst a pre-defined group." (EX-1006, 4:9-11, Figure 13.) For example, Randall and Forsyth each disclose capturing a photo at a wireless device either via an integrated camera or via a camera interfacing with the mobile device. (EX-1003, ¶¶166-168.) Randall describes a "take a picture" function which "takes a digital picture which [a user can] send to [their friends … and chat about it." (EX-1005, 80.) Such functionality involves photo capture, upload, and storage, and is supported by "a special type of mobile phone, with a photographic lens." (EX-1005, 80.) Forsyth similarly discloses an exemplary Forum for "Discussion of Photos" (Scenario 2) where a user "takes a few photographs" and sends them to the group. (EX-1006, 7:30-35.) In the exemplary Forum "Digital Memento from a User's Birthday," members post "photos" to a Forum. (*See,* EX-1006 9:5-35.) Randall and Forsyth further disclose capturing a graphic image at a mobile device, e.g., via a "write-on function." (EX-

1005, 79; EX-1006, Figure 13; EX-1003, ¶172.) Accordingly, the Randall-Forsyth combination discloses the shared content is from "*device-captured image data*." (EX-1003, ¶¶166-168, ¶172.)

Forsyth and Randall also disclose sharing music/audio files in a Forum. (*See, e.g.,* EX-1006, 4:9-11, 11:41-47; EX-1005, 80:1-15.) For example, Forsyth describes an exemplary Forum where "[p]eople post MP3s of the kind of music played at each club." (EX-1006, 9:21-22.) While not explicit, a POSITA would have understood the shared track/MP3 (music file) is captured in some manner on the user's device, either by recording or via data transfer from another device, so that it can be uploaded to the server. (EX-1003, ¶¶169.) The Randall-Forsyth combination discloses the shared content is from "*device-captured audio data*." (EX-1003, ¶¶169-171.)

5. Claim 9

The Randall-Forsyth combination discloses "*one or more additional users comprise individuals that with the first user and by mutual consent collectively comprise a group of members that have access to at least a portion of said shared content via the second web-based interface*." (EX-1003, ¶¶173-176.)

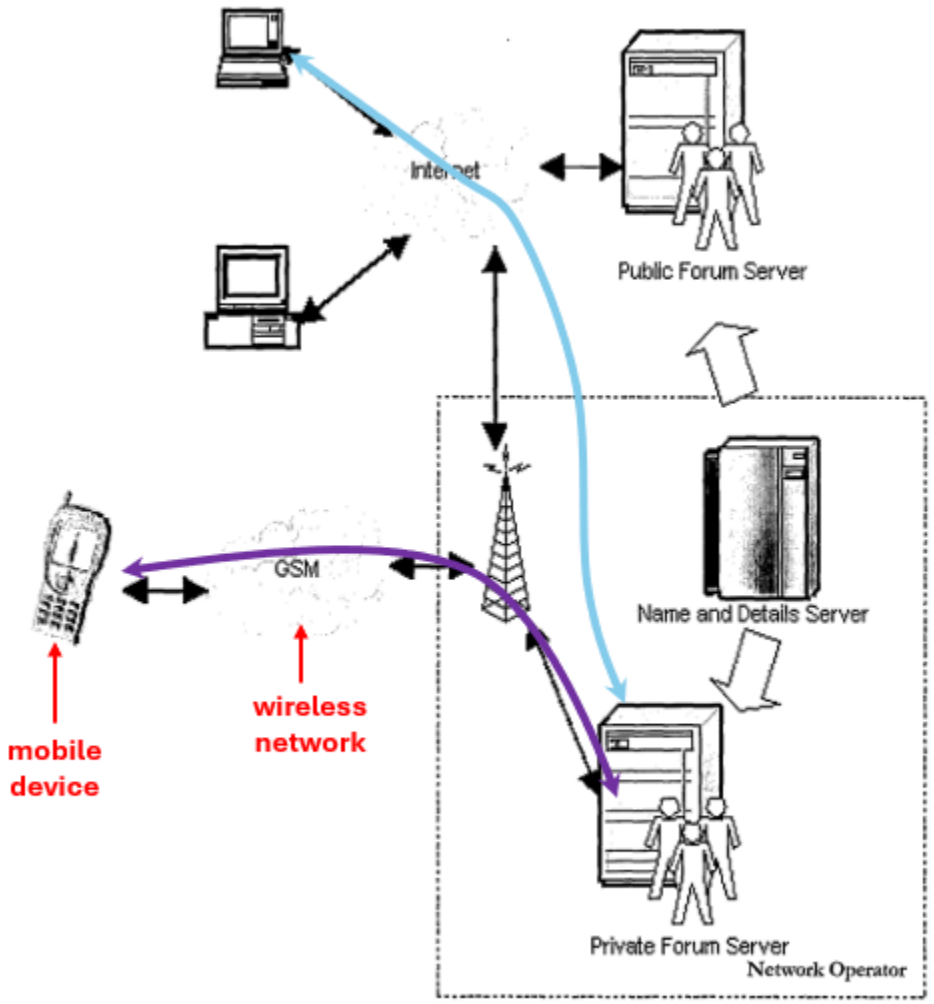
When a Forum is created, the initial message and participant list are provided "to the message server" as a message/communication object and a group object respectively. (EX-1006, 6:1-8.) The server "forwards a copy of the message

to each of the people on the address list, along with an abstracted version of the address list." (EX-1006, 6:9-14.) The invited participants can "decline to participate" and if so are then "removed from the address list on the server." (EX-1006, 6:15-17.) Therefore, the Forum is created by "*mutual consent*" of the "*first user*" creating the Forum and the "*one or more additional users*" invited to the Forum that agree to participate. (EX-1003, ¶173.) As discussed in §V.B.6.b, the Forum members have "*access to at least a portion of said shared content via the second web-based interface*."

6. Claims 13-14

The Randall-Forsyth combination discloses the server includes a "*processing element*" with "*at least one server*" [13] *"accessible over the Internet via a network interface*" [14]. As discussed in §§V.B.2, V.B.5, The network infrastructure implementing Forums includes "internet servers." (EX-1005, 7:16-19.) These servers "use[] standard data transports such as WAP or http for data access." (EX-1005, 45:14-15.) That is, as illustrated in Figure 4 below, Randall uses "existing transports" (communication means) for client-server communication such as "WAP to access the services on the server side" and "standard IP formats such as MIME, SMTP and HTTP" to "enable compatibility with Internet Messaging systems." (EX-1005, 58:23-27.) As stressed by Randall, "the Internet

and its servers can be used by a mobile device to deliver enchanting services that far surpass the present PC-Internet model." (EX-1005, 46:8-10.)



Forums—Randall, Figure 4

The Randall-Forsyth combination also discloses or suggests the server includes a "*network interface*" in order to access the Internet via HTTP as taught by Randall. (EX-1003, ¶¶177-178.) 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, ¶¶178-182.) For example, Agboatwalla (EX-1024, 5:40-55), Cheng (EX-1025, 23:26-51), Bansal (EX-1023, 6:66-7:5), Pelkey (EX-1007, 5:7-14) and Eck (EX-1008, 3:46-47) each discloses the claimed arrangement. (EX-1003, ¶¶178-182.)

7. Claim 16

In Forums, after "the creator of the Forum finishes choosing participants," an "address list" is created and "sent to the message server" which forwards "an abstracted version of the address list, (abstracted so that all the participants can see the nicknames of all other participants, but not necessarily see everything about their real world details)." (EX-1006, 6:1-14.) The server then maintains the address list for the Forum. (EX-1006, 6:21-22 (referring to "the current (server-maintained) address list").) Thus, the Randall-Forsyth combination discloses "*maintaining a contact list for the given mobile information channel, the contact list comprising the one or more additional users*." (EX-1003, ¶183-184.)

8. Claims 19, 23-24

As discussed above in connection with claims 1 and 7 (§§V.B.1, V.E.4), the Randall-Forsyth combination discloses that the "*messaging content comprises at least one of an image*" [23].

Forsyth teaches that when starting a Forum, "a user sends a short message to his chosen recipients" by entering "a SMS-style message and Forum title into the

wireless communication device." (EX-1006, 198.) Forums also "allow[s] a Forum participant to establish a private conversation (e.g., SMS or voice) with another Forum participant." (*Id*.) Thus, the combination renders claim 23 obvious for this additional reason and also discloses "*the second web-based interface is configured to provide at least a portion of the shared content to the one or more additional users utilizing one of a short message service (SMS) and a multimedia message service (MMS)*" [19].

The Randall-Forsyth combination also discloses "*the messaging content comprises at least one of announcements, notes, surveys, promotions and contests*" [24]. (EX-1003, ¶199.) Randall teaches that a user can share a "InstaPoll" such as "AlbumOfTheWeek" as well as a "home note" and a "work note" with individuals or groups. (EX-1005, 67.) Randall also discusses use of its infrastructure to conduct "Opinion polls." (EX-1005, 74.)

9. Claim 20

The Randall-Forsyth combination discloses "*the given mobile information channel comprises a chat channel*." (EX-1003, ¶¶185-187.) 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.)

10. Claim 21

The Randall-Forsyth combination discloses “*the messaging content comprises personalized messaging content for the first user.*” (EX-1003, ¶188-192.) Forums allows users to “share, amongst a pre-defined group, **personal content** such as photographs, opinions, music playlists, music tracks etc.” (EX-1006, 4:9-11.) Forsyth provides a detailed discussion of Forums enhanced through the use of group objects and presents numerous use scenarios of this enhanced version of Forums that can be used to share personalized content. (*See, e.g.*, Forsyth, 7:18-57 (Discussion of Photos (Scenario 2)), 9:5-35 (Digital Memento from a User’s Birthday (Scenario 4)).)“share, amongst a pre-defined group, **personal content** such as photographs, opinions, music playlists, music tracks etc.” (EX-1006, 4:9-11.) Forsyth provides a detailed discussion of Forums enhanced through the use of group objects and presents numerous use scenarios of this enhanced version of Forums that can be used to share personalized content. (*See, e.g.*, Forsyth, 7:18-57 (Discussion of Photos (Scenario 2)), 9:5-35 (Digital Memento from a User’s Birthday (Scenario 4)).)“share, amongst a pre-defined

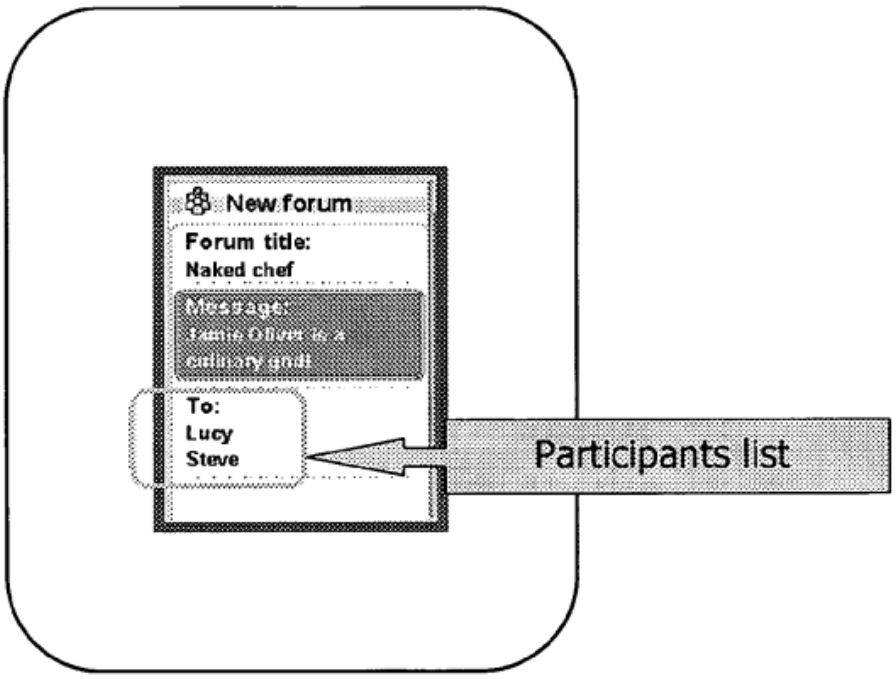
group, **personal content** such as photographs, opinions, music playlists, music tracks etc." (EX-1006, 4:9-11.)

11. Claim 25

The Randall-Forsyth combination discloses "*at least a portion of the shared content is authored by the first user*" for the reasons discussed above in §V.B.6.a.(3).(a) with respect to limitations [1A]-[1B]/[11B]-[11C]/[15B]-[15C]. (EX-1003, ¶¶200-201.)

12. Claim 26

The Randall-Forsyth combination discloses "*the first web-based interface is configured to allow the first user to title the given mobile information channel*" [26]. (EX-1003, ¶202.) 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.)



Forums—Forsyth, Figure 4

VI. GROUND 2: Pelkey-Eck Combination Renders the Challenged Claims Obvious

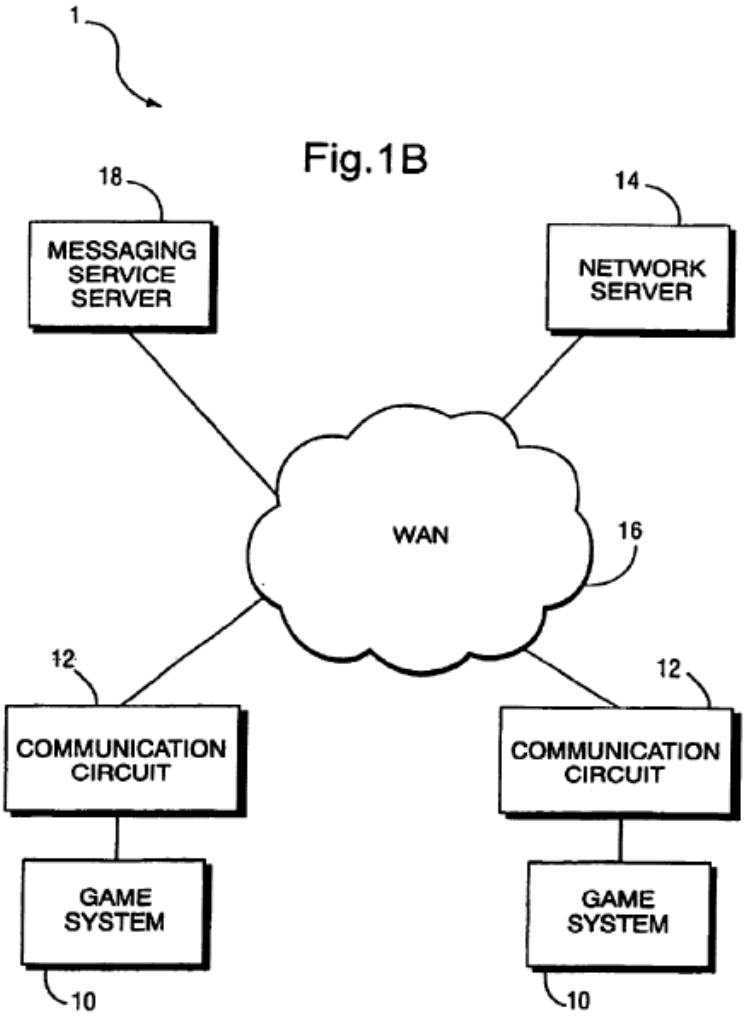
A. Combination Overview

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

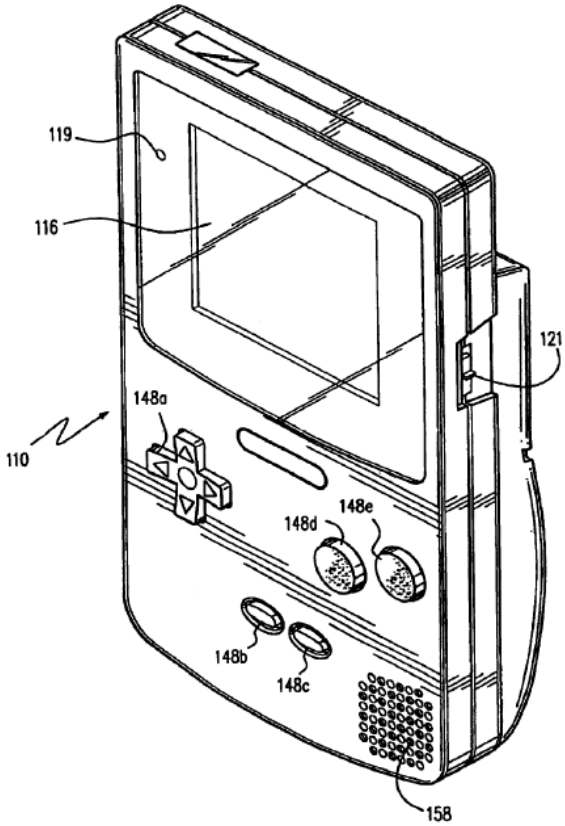
Pelkey's Figure 1B (below) illustrates a network architecture "in which the messaging service [] may be implemented." (EX-1007, 2:58-60.) The network "includes game systems 10 connected via communications circuits (e.g., modems,

network interfaces, etc.) to a wide area network." (EX-1007, 2:60-62.) A messaging service server may be included within the network server or as a standalone component. (EX-1007, 3:9-31; EX-1003, ¶238.)



Pelkey, Figure 1B

Game system 10 can be a "GameBoy® Color game system", Figure 3B (below), and additionally, or alternatively, a game console such as the N64 video game system. (EX-1007, 3:32-33, 3:38-48, 4:66-67, Figure 2; EX-1003, ¶239.)



Pelkey, Figure 3B

While Pelkey a user "includ[ing] in their profiles digital images of their own faces generated, for example, using [an integrated] digital camera," (EX-1007, 7:20-30) it does not specifically disclose sharing and viewing images amongst multiple users as in Eck.

2. Eck

Eck's modified Nintendo Game Boy® "provides enhanced multi-player capabilities through communications with other game machines." (EX-1008, 1:48-51.) 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.) "[I]mage 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.) "[M]essaging" activities include "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, 16:42-45, 20:6-36.) Messages are read, composed and sent from the PagerWorld "Message Center." (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." (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, ¶242.)

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, ¶¶244-48.)

Pelkey and Eck both disclose devices in the same field as the ’336 patent—“network-based communication systems.” (EX-1001, 1:24-26; EX-1007, 1:37-42; EX-1008, Abstract.) Pelkey and Eck are also reasonably pertinent to problems addressed by the ’336 patent, namely “optimizing” the sharing of information content on mobile devices. (EX-1001, 1:50-53; EX-1003, ¶245.)

Eck discloses PagerWorld features, including 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 have been 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, ¶247.) In addition, a POSITA would have been 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, ¶247.)

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, ¶248.) 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, ¶248.)

B. Claims 1, 11 and 15

1. Preamble [1P]

The Pelkey-Eck combination discloses a method for performing the actions recited in limitation [1A]-[1F] as discussed in §§V.B.6.

2. Preamble [11P] and Processing Element [11A]

The Pelkey-Eck combination discloses a server which is an "*apparatus*" in a "*network-based communication system*" as shown in Pelkey's Figure 1B above in §VI.A.1. Pelkey's server is "*use[d] in managing information content in a network-based communication system*." For example, Pelkey discloses a "message service" provided on a "message service server" that "enables users of video game systems to communicate with each other over the Internet or some other wide or local area network." (EX-1007, 1:37-42, 3:18-21, Fig. 1B.)

Pelkey also recites, in its claim 18, a "server process for a game network server embodied on a storage device and comprising instructions executable by a server processing system." (EX-1007, 16:44-46.) Thus, Pelkey discloses a "*processing element comprising a processor* [processing system] *coupled to a memory* [storage device]." While Pelkey does not discuss this structure in its detailed description, a POSITA would have understood that the hardware used for a server is a digital computing device such as a personal computer. Such a personal computer is the host 1201 shown in Pelkey's Figure 6B below. (*See* EX-1007, 12:43-45.)

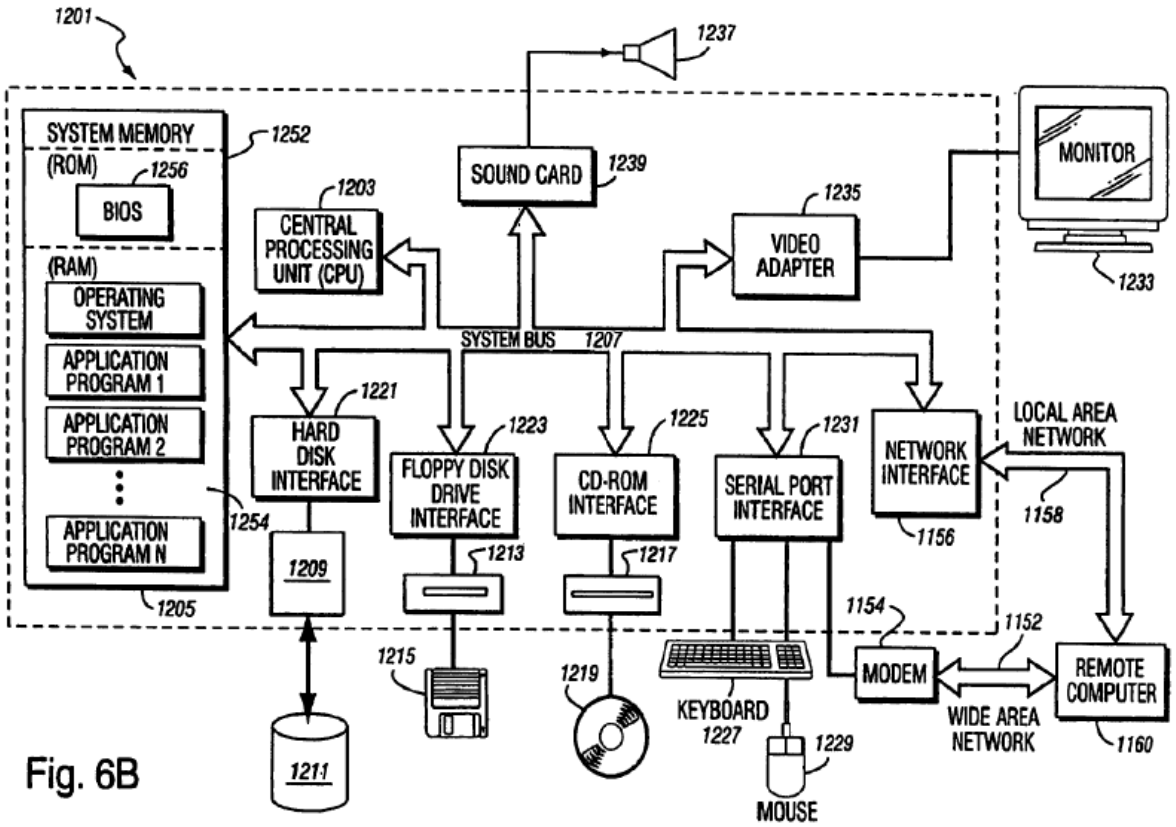


Fig. 6B

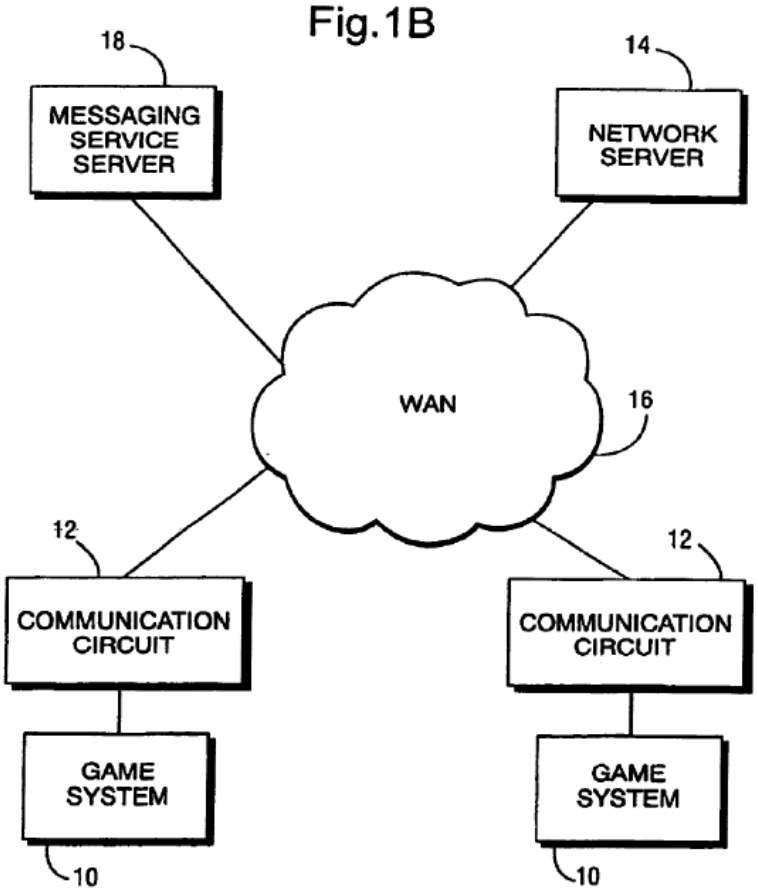
Pelkey, Figure 6B

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 Pelkey and Eck which both teach software running on the server. The software/applications executing on a processor are stored in memory and also access information stored locally in memory.

Moreover, it would have been within the general knowledge of a POSITA that a server includes "*a processor coupled to a memory*" based on the level of ordinary skill in the art. §V.B.4 (EX-1003, ¶¶88-96.)

3. Preamble [15P] and "Plurality of Servers" [15A]

The Pelkey-Eck combination discloses a "*network-based communication system*" [15P] comprising "*a plurality of servers configured to communicate over the network*" [15A]. For example, Figure 1B in Pelkey (below) discloses an embodiment that includes a "Messaging Service Server" 18 and a "Network Server" 14 that communicate over the internet (depicted as "WAN" 16). (EX-1003, ¶222-225.) The "Message Service Server" and "Network Server" together comprise a "*plurality of servers*." (EX-1003, ¶226.)



Pelkey, Figure 1B

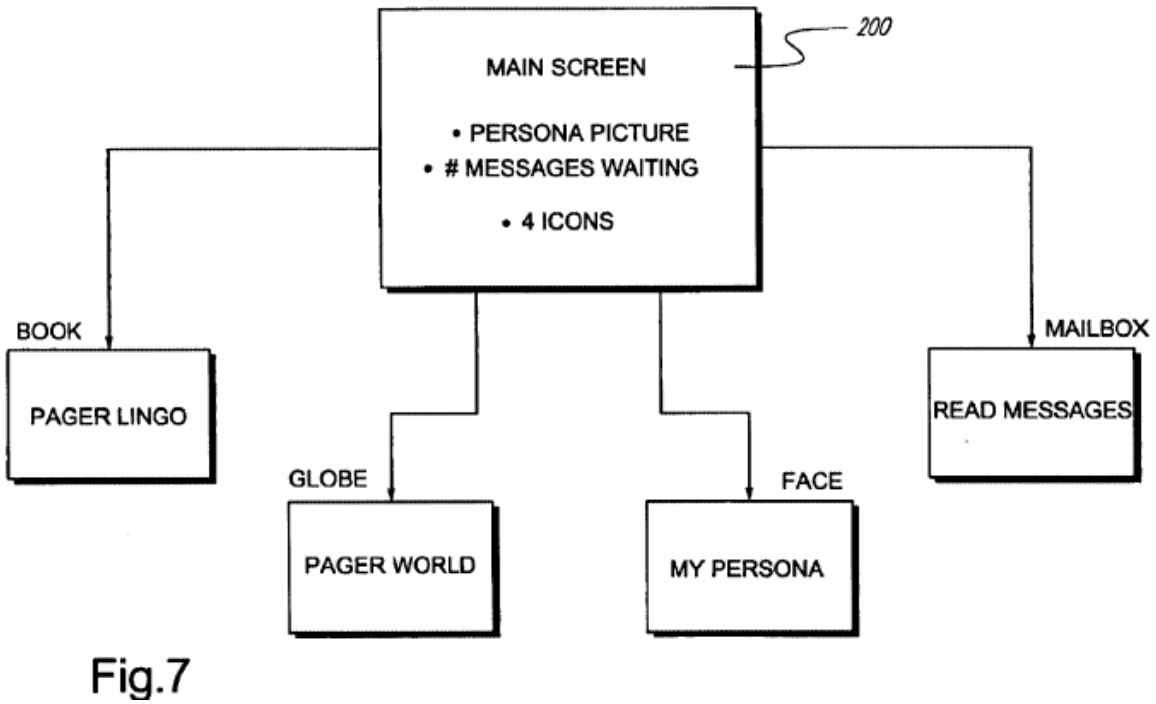
4. Limitations [1A]/[11B]/[15B]

The Pelkey-Eck combination discloses "*providing [at least a portion of] a first web-based interface accessible to a first user*" [1A]/[11B]/[15B].

The Pelkey-Eck combination discloses an "*interface accessible to a first user*." Eck discloses a first interface that appears when the PagerWorld cartridge is inserted:

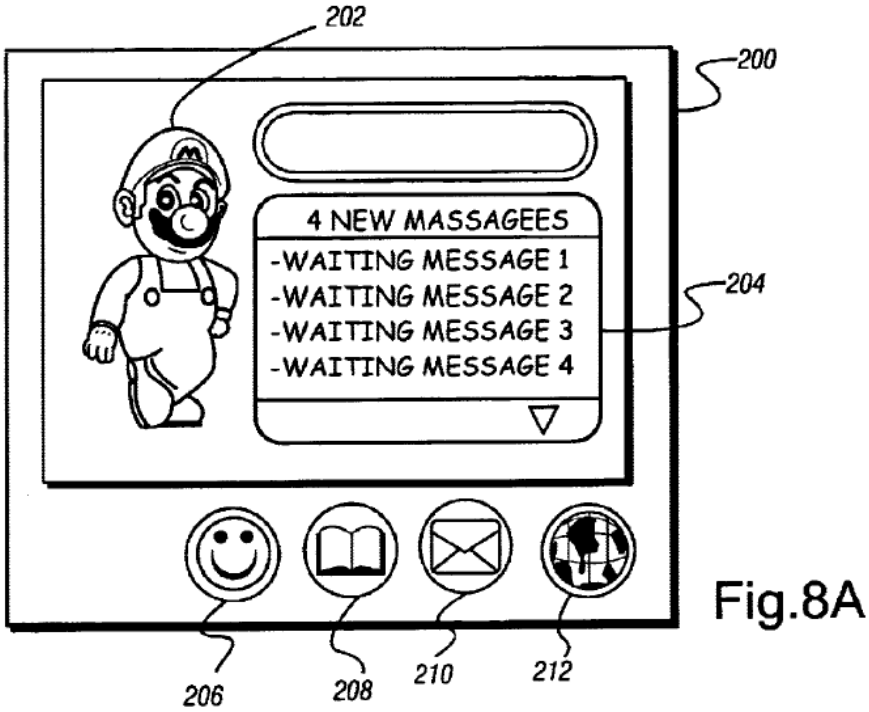
> FIG. 7 is a conceptual block diagram of an **interface** for pager cartridge 100 when it is connected to game machine 10. Turning on pager cartridge 100 when it is connected to game machine 10 takes the player to a main PagerWorld screen 200. This screen is the starting point for every user session.

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



Eck, Figure 7

"FIG. 8A shows an illustrative, but non-limiting, implementation of the main screen 200." (EX-1008, 10:65-66.)

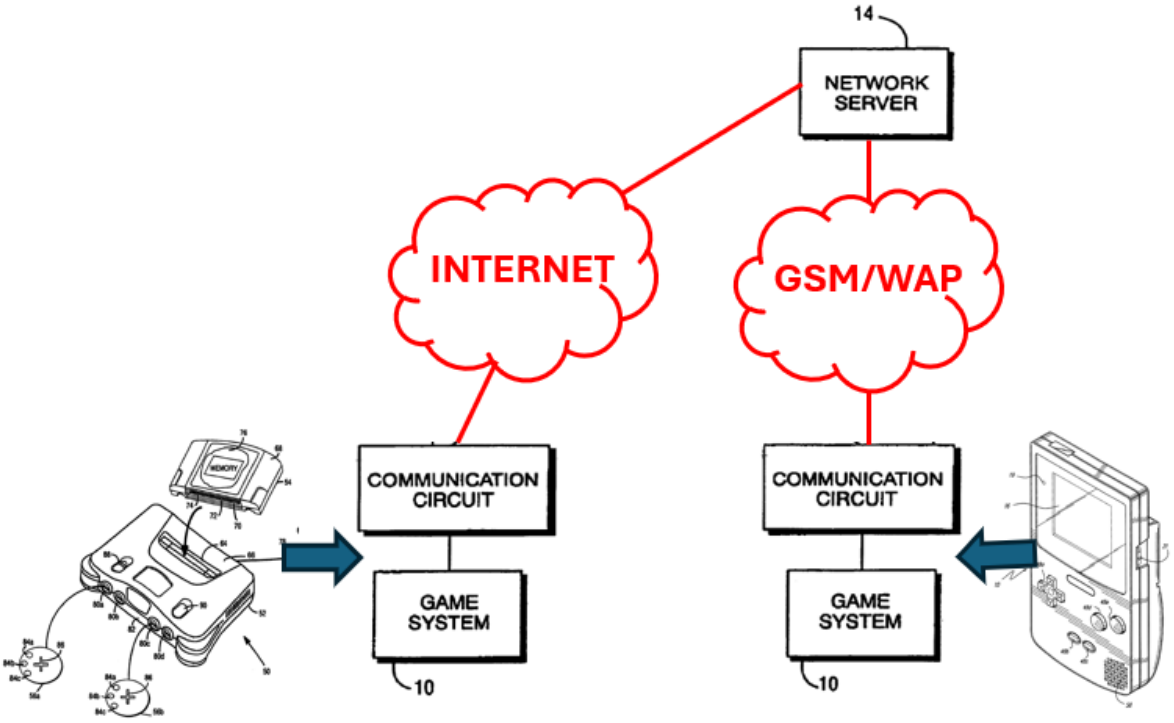


Eck, Figure 8A

The "main screen" gives the player choices including "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-1003, ¶230 (citing EX-1008, 10:65-11:7).)

In the Pelkey-Eck combination, this interface is a "*web-based interface accessible to a first user*." Pelkey discloses network that "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, 2:58-62.) Game

system 10 may be a video game system, such as the N64 video game system (EX-1007, 3:38-48), or a portable game machine 110 (EX-1007, 4:55-57). Pelkey's Figure 1A (below) depicts 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 with the N64 game system connected to the server via the Internet as taught by Pelkey.



Pelkey, Figure 1A

Pelkey does not disclose details of the wireless network used to provide wireless messaging from the game system to the server. However, while Eck mentions use of a paging network for this functionality, Eck also explicitly

discloses its "present invention" may be "applied to other wireless technologies such as GSM … and WAP…." (EX-1008, 25:17-20.) A POSITA would have been motivated to use either GSM-SMS 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 via WAP.

GSM-SMS is functionality implementable over a wireless network and, as shown in Pelkey's Figure 1, the GSM network is separate from the Internet connecting the N64 game system to the server. The WAP protocol stack transports data over GSM's SMS. (EX-1003, ¶¶52-60.) The SMS message includes a header with data fields indicating control and content details for the message. (EX-1003, ¶214.)

Also, use of WAP teaches or at least suggests that selection of a specific portal from the main PagerWorld screen constitutes selecting a web-based action. WAP is "based on the WWW communication protocols" and "WWW content formats." (EX-1013, 13.) WAP "enables the supplying of advanced Internet services into digital mobile stations of wireless communication networks." (EX-1020, 6:63-65.) The WAP proxy "allows content and applications to be hosted on standard WWW servers." (EX-1013, 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.,* Park, 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.,* Park, 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.,* Park, 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 a web-based activity.

The interface is provided by the server apparatus in the Pelkey-Eck combination. Pelkey discusses that 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; EX-1003, ¶227.)

5. Limitations [1B]/[11C]/[15C]

First, the Pelkey-Eck combination discloses a "*mobile information channel for sharing content between the first user and one or more additional users.*" Eck discloses the messaging cartridge includes a memory "storing software used" in the messaging (e.g., pager) operations and "one or more video game programs." (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 "**chat and community interaction**." (EX-1008, 10:13-19.)

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" in the MUD title to reflect the communication means is paging, a POSITA would have understood that such a MUD is equally applicable when the communication means is another messaging type such as SMS or messaging via a WAP protocol. 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 Patent Owner in the MDT-Meta-Litigation and by Meta in the Meta-MDT-IPR. 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.) The 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" under Meta's proposed construction in the MDT-Meta-Litigation. 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 Patent Owner's proposed construction in the Meta-MDT-IPR. (EX-1003, ¶234-235.)

A variety of content can be shared amongst a "*first user*" and "*one or more additional users*" in PagerWorld including messages, photos, and sound clips.

PagerWorld includes a "Message Center" that "permits users, among other things, to read their messages and to compose and send new messages." (EX-1008, 11:27-31; *see also* EX-1008, 11:53-57; 12:36-38.) PagerWorld supports transmission of messages "with images and sound bytes to other pagers in the network using, for example, a digital camera cartridge in combination with a pager cartridge." (EX-1008, 16:42-45, 2:15-23 (inputs "cause the image captured by the digital camera to be transmitted as part of a message").) 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"), *see also* EX-1008, 21:47-48.)

Another way photos can be shared amongst a "*first user and one or more additional users*" in PagerWorld occurs when a user personalizes their persona character. Players in PagerWorld are represented "by a 'persona character' and it is this character that all other PagerWorld players will see." (EX-1008, 10:23-25.) When a message is sent, "the contents of the message appear, along with the user's persona character and 'handle' of the person that sent the message." (EX-1008, 11:54-57.) The user's address book is a list of "other users by their handles," and next to the user's handle "is the persona character of the other user as it appeared on his/her last communication with the user." (EX-1008, 12:16-19.)

A user can customize their persona. The users may be "provided with the capability of including in their profiles customized faces (images) made up of various user-selected features" or "digital images of their own faces" to "enhance the 'persona' of the user." (EX-1007, 7:20-27.) For example, in Eck, 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 game 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").) (EX-1003, ¶240.)

In the example above, the "*first web-based interface*" is the PagerWorld main screen. The main screen permits users to activate the content sharing features in PagerWorld (e.g., messages, customizing persona using photos) when the user selects such features from the mains screen. (EX-1008, 10:32-40 ("Players read and send messages from the main PagerWorld screen.").) The Pelkey-Eck combination thus discloses "*the first web-based interface being configured to permit the first user to activate a given mobile information channel for sharing content between the first user and one or more additional users*." (EX-1003, ¶¶234-241.)

6. Limitations [1C]/[11D]/[15D]

The Pelkey-Eck combination also discloses "*generating a second web-based interface different than the first web-based interface*."

Exemplary interfaces that are "*different from the first web-based interface*" include any of the locations in PagerWorld where users store content, such as the address book (Figure 8G) or file cabinet (Figure 8E). The user's address book is a list of "other users by their handles," and next to the user's handle "is the persona character of the other user as it appeared on his/her last communication with the

user." (EX-1008, 12:16-19.) In this address book, content, such as photos, are integrated into a web-based shared information channel (PagerWorld) through, e.g., customization of a user's persona, and such images are made accessible to users in an address book.

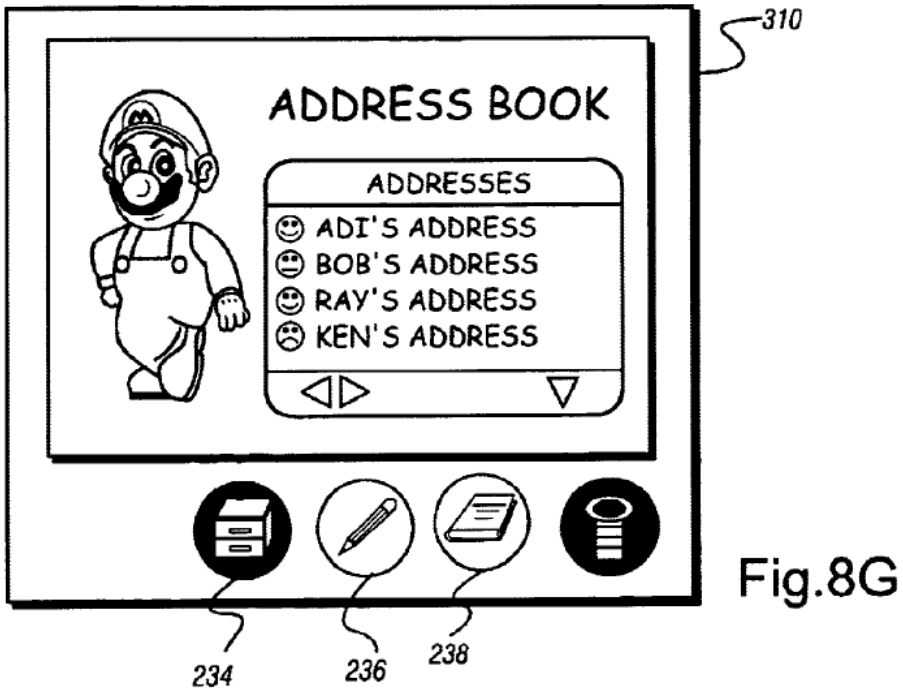


Fig.8G

Eck, Figure 8G

Another example of a "*second web-based interface*" is a File Cabinet which " displays a list of saved messages." (EX-1008, 11:66-12:3) as shown in Figure 8E. The sent and received message and sender persona (e.g., when customized using a photo) are examples of shared content that is available in the file cabinet to users.

In the Pelkey-Eck combination, these second interfaces are "*web-based*" for the same reasons set forth above in §VI.B.5. (EX-1003, ¶245.)

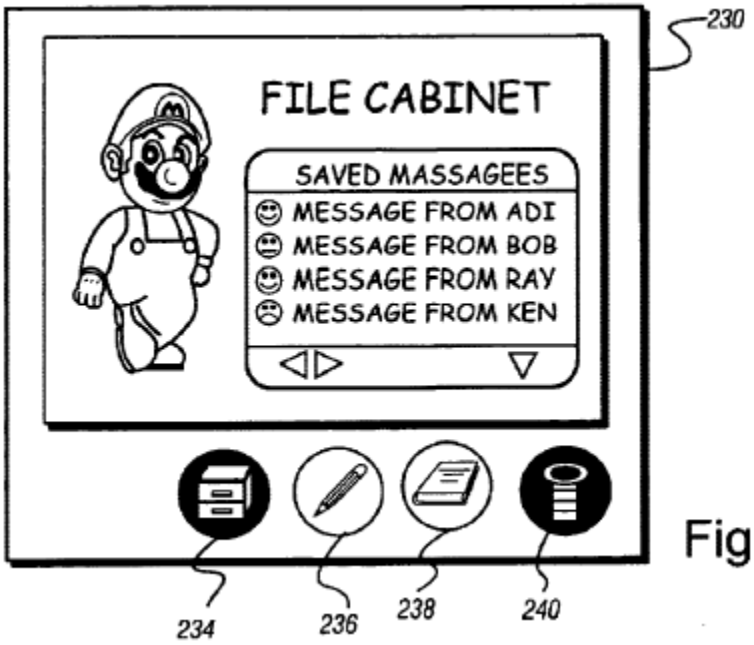


Fig.8E

Eck, Figure 8E

7. Limitations [1D]/[11E]/[15E]

The Pelkey-Eck combination discloses "*wherein the second web-based interface provides each of the one or more additional users access to at least a portion of the shared content via the given mobile information channel to thereby facilitate interaction between the first user and the one or more additional users*."

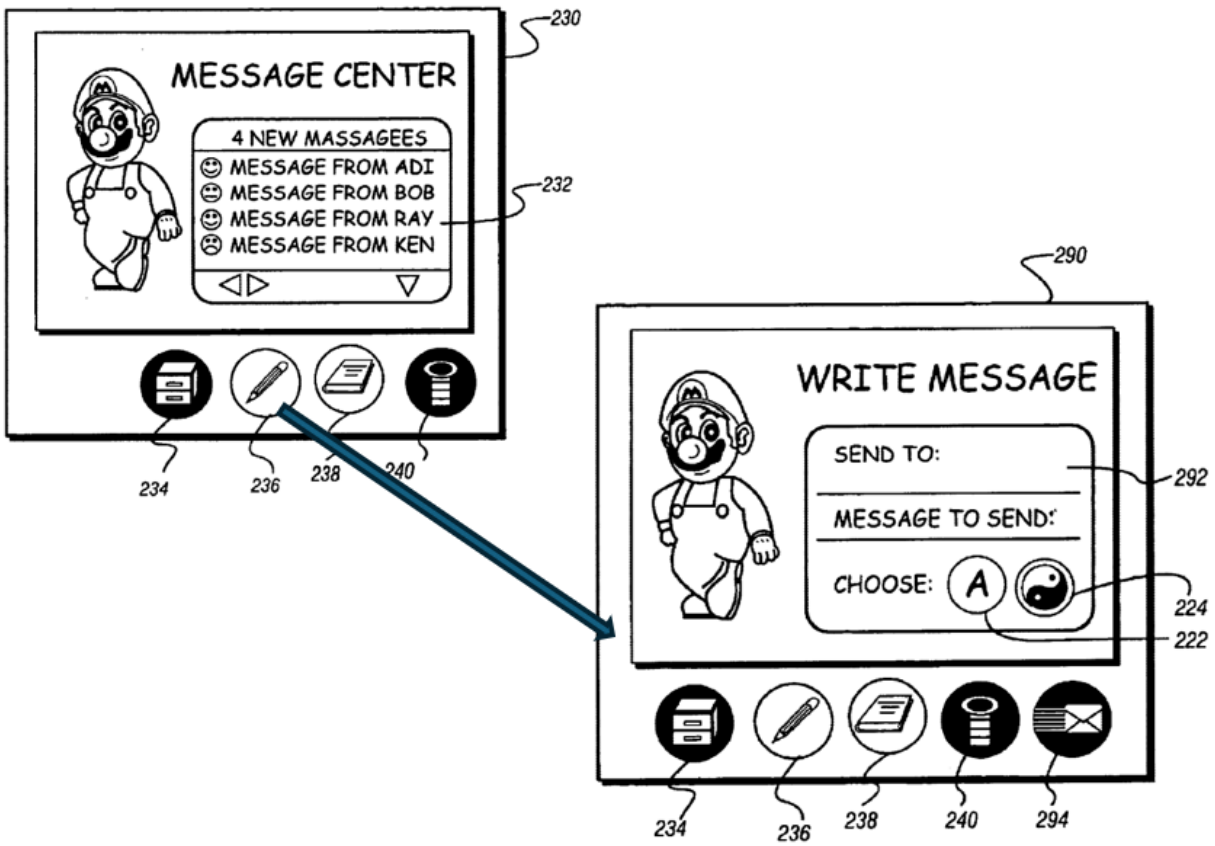
In the Pelkey-Eck combination's address book example, content, such as photos, are integrated into a "*mobile information channel*" (PagerWorld) through, e.g., customization of a user's persona, and such images are made accessible to users. And as noted above, the file cabinet provides a user access to messages sent by another user which may contain photos or sound clips. Sharing messages,

photos or sound clips "*facilitate[s] interaction between the first user and the one or more additional users*." (EX-1003, ¶¶246-247.)

8. Limitations [1E]/[11F]/[15F]

In the Pelkey-Eck combination, the "*given mobile information channel*" (PagerWorld) "*supports messaging between the first user and the one or more additional users over a wireless network*."

While in the Message Center (e.g., 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 or 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 that 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.) (EX-1003, ¶249.)



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

In the Pelkey-Eck combination, the messages discussed herein are transferred over a "*wireless network*" under either of the proposed constructions in the Meta-MDT-IPR.

As noted above (§VI.B.4), Pelkey does not disclose details of the wireless network that provides wireless messaging from the game system to the server. But Eck explicitly discloses using GSM and WAP. (EX-1008, 25:17-20.) A POSITA would have been motivated to use 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 via WAP. The Pelkey-Eck combination thus discloses a network that allows a device to communicate wirelessly over a network under Meta's proposed construction in the Meta-MDT-IPR. (EX-1003, ¶¶248-254.)

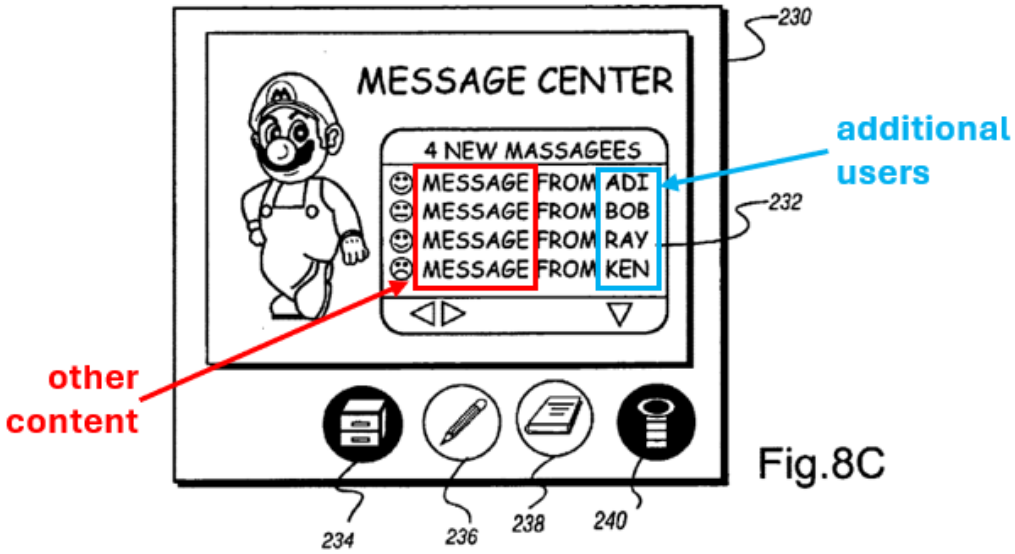
GSM-SMS is implementable over a "*wireless network*" and as shown in Figure 1 of Pelkey, the GSM network is a network separate from the Internet that facilitates connection to the internet by a mobile device as required by Patent Owner's proposed construction in the Meta-MDT-IPR. (EX-1003, ¶253.)

9. Limitations [1F]/[11G]/[15G]

In the Pelkey-Eck combination, "*the mobile information channel is configured to permit the first user to send messaging content to the one or more additional users and to receive messaging content from the one or more additional users*."

Messages are read, composed, and sent from PagerWorld's "Message Center." (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 also* EX-1008, 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 which shows a list of unread received messages with each message including the sending user's name and associated persona image. (EX-1003, ¶256.)



Eck, Figure 8C

C. Claim 10

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 communication system implements the steps of the method of claim 1*." (EX-1003, ¶258-261.) 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." (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. Dependent Claims

1. Claim 6

The Pelkey-Eck combination discloses a "*first web-based interface ... identified by a first uniform resource locator*" and a "*second web-based interface ... identified by a second uniform resource locator different than the first uniform resource locator*."

As noted above, Eck discloses that its invention may be applied to wireless technologies including GSM and WAP. (EX-1008, 25:17-20.)

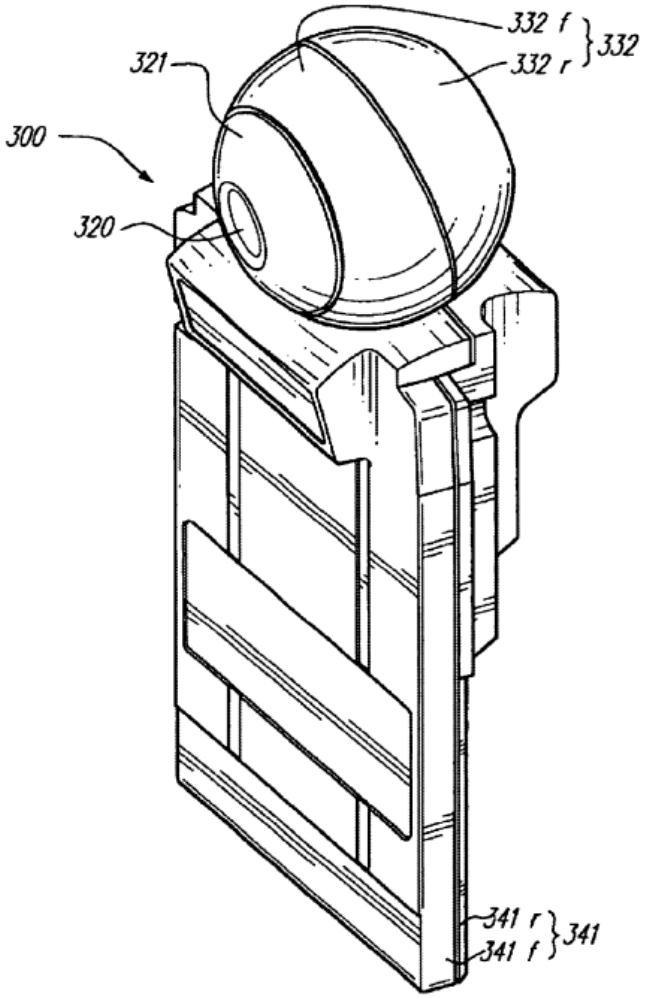
Use of WAP teaches or at least suggests that selection of a specific portal from the main PagerWorld screen constitutes selecting a "*first uniform resource locator*" and a "*second uniform resource locator*." As discussed above in §VI.B.4, where PagerWorld is implemented in a WAP environment, a POSITA would understand that selecting a specific portal from the main PagerWorld screen constitutes selecting a "*first uniform resource locator*" and a "*second uniform resource locator*." (EX-1003, ¶¶263-264.)

2. Claim 7

As discussed in §VI.B.5, the Pelkey-Eck combination describes "*shared content*" including photos and sound clips. The Pelkey-Eck combination discloses that this "*shared content"* is "*obtained from a device-captured data source of the first user*" "*comprising a source of at least one of... device-captured image data,*

device-captured audio data, and device-captured location coordinates." (EX-1003, ¶¶265-271.)

Eck discloses that a messaging cartridge (e.g., pager cartridge), "is itself provided with a slot for receiving" another cartridge, such as a "digital camera cartridge," illustrated in Figure 14 (below). (EX-1008, 5:23-25, 22:14-20, 23:36-38.)



Eck, Figure 14

The portable game machine having an inserted messaging cartridge and an inserted camera cartridge "*captur[es] 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; *see also* EX-1008, 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.) Other cartridges that can be piggybacked with the messaging cartridge to "*captur[e] content*" include a "sound card" (EX-1008, 9:23-25) and a "global positioning system (GPS) cartridge" that captures "user position information" (i.e., user location). (*See* EX-1008, 22:28-29.)

Pelkey likewise discloses that a digital camera can be attached to its portable game machine. (EX-1007, 7:26-31.) Indeed, both Pelkey and Eck incorporate by reference the same Nintendo patent disclosure describing the camera in detail. (EX-1007, 7:26-31 *citing* U.S. Patent 6,435,969; EX-1008, 23:41-48 *citing* Ser. No. 09/430,169).

3. Claim 8

The Pelkey-Eck combination discloses this combination. As noted above in §VI.B.4, the Pelkey-Eck combination discloses a "*first web-based interface*" that "*permits the first user to upload at least one information item*" such as a message, photo, or sound clip.

The Pelkey-Eck combination also discloses "*wherein the second web-based interface provides said one or more additional users with access to said at least one uploaded information item in accordance with accessibility rules established by the first user via the first web-based interface*." Both Eck (persona) and Pelkey (user profile) disclose ways a user presents themselves to other messaging users. (EX-1008, 11:53-57, 12:36-38.) (EX-1007, 7:8-30.) Pelkey discloses settings that permit a user to "determine whether (1) everyone can see his/her user profile, (2) only buddies can see his/her user profile, (3) or no one can see his/her user profile." (EX-1007, 8:51-57.) Thus, in the Pelkey-Eck combination, a user would only be given access to a fellow user's persona (which may be customized using a photo taken with the portable game machine) if such access has been given by a first user. (EX-1003, ¶273.)

4. Claim 9

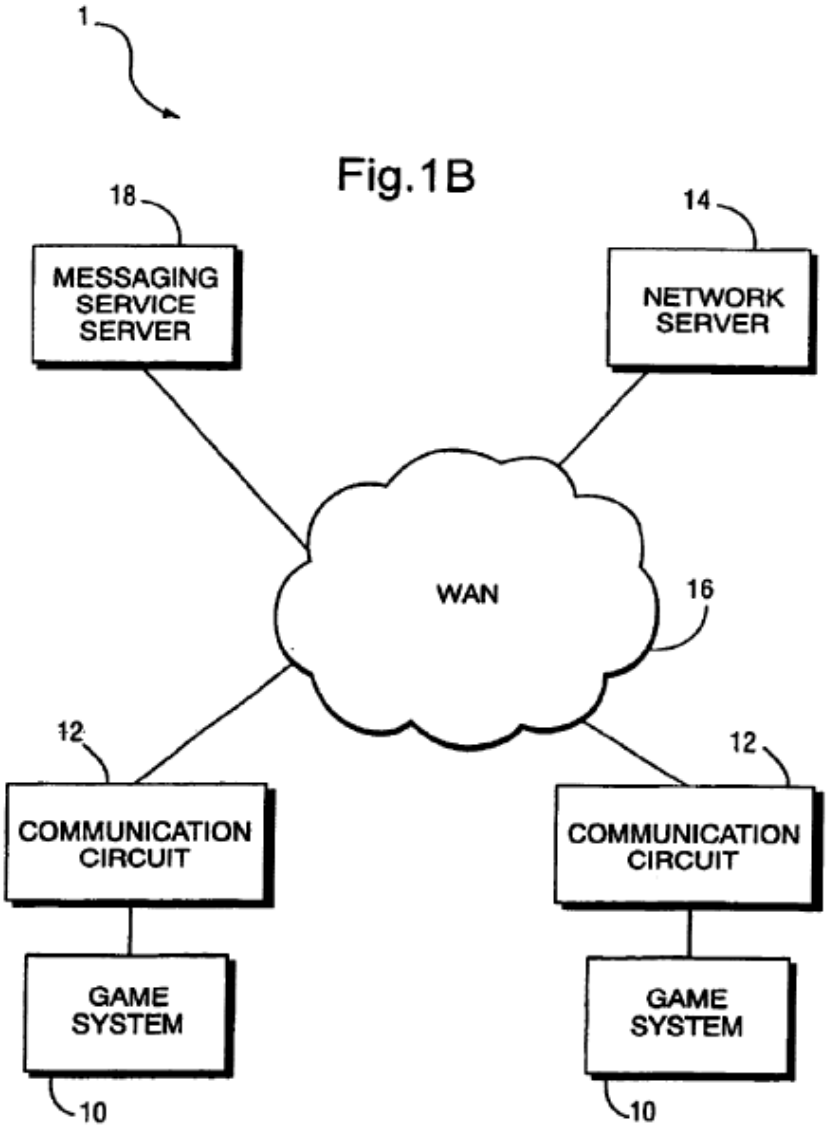
The Pelke-Eck combination discloses "*wherein the one or more additional users comprise individuals that with the first user and by mutual consent collectively comprise a group of members that have access to at least a portion of said shared content via the second web-based interface*." As noted above in §VI.B.6, an exemplary "*second web-based interface*" is an address book or filing cabinet in Eck. And as noted above, the Pelkey-Eck combination teaches the ability of a user to opt-out of a "buddy list" or address book (which, according to

Eck, may contain photos used to customize persona images). (EX-1007, 8:35-45.) (EX-1003, ¶274.) In addition, Eck discloses that the pager cartridge can "receive messages that turn off (disable) the cartridge and/or prohibit or limit access to certain features such as PagerWorld. Such messages may be sent for example, to problem users." (EX-1008, 19:53-56.) A user shows their lack of consent to sharing a message or persona information, for example, when they report a problem user and their access to PagerWorld is shut off. (EX-1003, ¶275.)

5. Claims 13-14

The Pelkey-Eck combination discloses that "*the processing element comprises at least one server*" [13] that is "*accessible over the Internet via a network interface*"[14].

Pelkey's Figure 1B (below) discloses 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.*" (EX-1003, ¶277-279.)

6. Claim 16

The Pelkey-Eck combination discloses "*maintaining a contact list for the given mobile information channel, the contact list comprising the one or more additional users*." For example, 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.) (EX-1003, ¶280.)

7. Claim 20

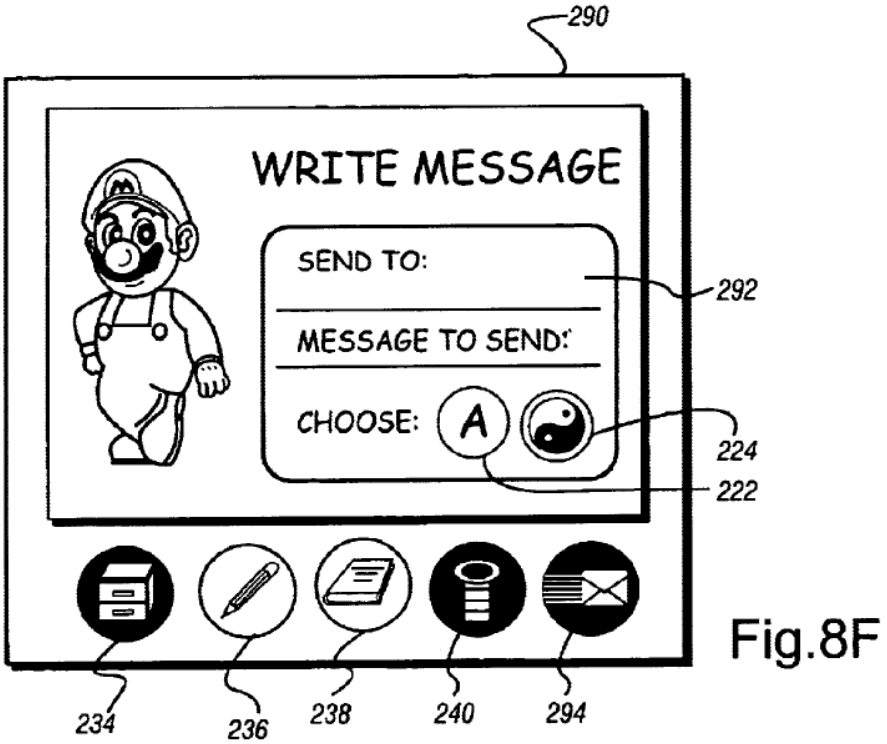
The Pelkey-Eck combination discloses "*the given mobile information channel comprises a chat channel.*" Eck discloses that multiple user games, such

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).) 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.)

Eck also discloses PagerWorld includes "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. (EX-1003, ¶281-282.)

8. Claim 21

As with Forums in Ground 1, the Pelkey-Eck combination discloses "*wherein the messaging content comprises personalized messaging content for the first user*" because a user can personalize the content included in the message to another user. "Compose Message screen 290 is shown in FIG. 8F and permits a user to construct a message by choosing letters or by selecting symbols from his/her dictionary of lingo symbols using icons 222 and 224." (EX-1008, 12:5-8.) These are each ways that the "messaging content" can "*comprise[] personalized messaging content for the first user.*" (EX-1003, ¶¶283-284.)



Eck, Figure 8F

9. Claims 23-24

The Pelkey-Eck combination discloses "*wherein the messaging content comprises … an image*" [23]. In Eck, "[t]he system also enables bidirectional transmission of messages with images and sound bytes to other pagers in the network using, for example, a digital camera cartridge in combination with a pager cartridge." (EX-1008, 16:42-45; *see also* EX-1008, 2:18-22.) PagerWorld supports transmission of messages "with images and sound bytes to other pagers in the network." (EX-1008, 16:42-45.) (EX-1003, ¶145.)

Among the type of messages that can be sent in Eck are "broadcasts to all pagers," which is an "*announcement*" [24]. (EX-1008, 20:8; EX-1003, ¶285.)

10. Claim 25

The Pelkey-Eck combination discloses "*wherein at least a portion of the shared content is authored by the first user*." (EX-1003, ¶287.) As noted above in §VI.B.5, while in the Message Center (e.g., screen illustrated in Figure 8C), a user activates the quill icon 236 to navigate to the "Compose Message screen 290" of Figure 8F. (EX-1008, 11:37-38, 12:10-11, 20:8-9.)

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 or *ex parte* reexamination 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)
- *Samsung Electronics Co., Ltd. v. Mobile Data Technologies*, IPR2025-00538 (PTAB)
- *Samsung Electronics Co., Ltd. v. Mobile Data Technologies*, IPR2025-00539 (PTAB)
- *Samsung Electronics Co., Ltd. v. Mobile Data Technologies*, IPR2025-00541 (PTAB)
- *Samsung Electronics Co., Ltd. v. Mobile Data Technologies*, IPR2025-00542 (PTAB)
- *Samsung Electronics Co., Ltd. v. Mobile Data Technologies*, IPR2025-00543 (PTAB)
- *Samsung Electronics Co., Ltd. v. Mobile Data Technologies*, IPR2025-00544 (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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Petitioners consent to electronic service at the email addresses listed in the table above.

IX. Conclusion

IPR is respectfully requested.

Date: February 7, 2025

Respectfully submitted,

/Lori A. Gordon/

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APPENDIX A – LIST OF CLAIMS

[1P] A method for managing information content in a network-based communication system, the method comprising the steps of:

[1A] providing a first web-based interface accessible to a first user,

[1B] the first web-based interface being configured to permit the first user to activate a given mobile information channel for sharing content between the first user and one or more additional users; and

[1C] generating a second web-based interface different than the first web-based interface,

[1D] wherein the second web-based interface provides each of the one or more additional users access to at least a portion of the shared content via the given mobile information channel to thereby facilitate interaction between the first user and the one or more additional users;

[1E] wherein the given mobile information channel supports messaging between the first user and the one or more additional users over a wireless network; and

[1F] wherein the mobile information channel is configured to permit the first user to send messaging content to the one or more additional users and to receive messaging content from the one or more additional users.

[2] The method of claim 1 wherein the first web-based interface is configured to permit the first user to designate accessibility rules controlling access of said one or more additional users to respective portions of the shared content.

[3] The method of claim 1 wherein

the first web-based interface comprises a content management web site and

the second web-based interface comprises a mobile web site accessible independently of the content management web site via one or more mobile devices.

[6] The method of claim 1 wherein the first web-based interface is identified by a first uniform resource locator and the second web-based interface is identified by a second uniform resource locator different than the first uniform resource locator.

[7] The method of claim 1 wherein the shared content is obtained from a device-captured data source of the first user, said device-captured data source comprising a source of at least one of device-captured video data, device-captured image data, device-captured audio data and device-captured location coordinates.

[8] The method of claim 1 wherein the first web-based interface permits the first user to upload at least one information item, and wherein the second web-based interface provides said one or more additional users with access to said at least one uploaded information item in accordance with accessibility rules established by the first user via the first web-based interface.

[9] The method of claim 1 wherein the one or more additional users comprise individuals that with the first user and by mutual consent collectively comprise a group of members that have access to at least a portion of said shared content via the second web-based interface.

[10] 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.

[11P] An apparatus for use in managing information content in a network-based communication system, the apparatus comprising:

[11A] a processing element comprising a processor coupled to a memory;

[11B] the processing element providing at least a portion of a first web-based interface accessible to a first user,

[11C] the first web-based interface being configured to permit the first user to activate a given mobile information channel for sharing content between the first user and one or more additional users;

[11D] the processing element generating a second web-based interface different than the first web-based interface,

[11E] wherein the second web-based interface provides each of the one or more additional users access to at least a portion of the shared content via the given mobile information channel to thereby facilitate interaction between the first user and the one or more additional users;

[11F] wherein the given mobile information channel supports messaging between the first user and the one or more additional users over a wireless network; and

[11G] wherein the mobile information channel is configured to permit the first user to send messaging content to the one or more additional users and to receive messaging content from the one or more additional users.

[12] The apparatus of claim 11 wherein the first web-based interface is configured to permit the first user to designate accessibility rules controlling access of said one or more additional users to respective portions of the shared content.

[13] The apparatus of claim 11 wherein the processing element comprises at least one server.

[14] The apparatus of claim 13 wherein the server is accessible over the Internet via a network interface.

[15P] A network-based communication system, comprising:

[15A] a plurality of servers configured to communicate over a network;

[15B] at least one of the servers providing at least a portion of a first web-based interface accessible to a first user,

[15C] the first web-based interface being configured to permit the first user to activate a given mobile information channel for sharing content between the first user and one or more additional users;

[15D] wherein said at least one server generates a second web-based interface different than the first web-based interface;

[15E] wherein the second web-based interface provides each of the one or more additional users access to at least a portion of the shared content via the given mobile information channel to thereby facilitate interaction between the first user and the one or more additional users;

[15F] wherein the given mobile information channel supports messaging between the first user and the one or more additional users over a wireless network; and

[15G] wherein the mobile information channel is configured to permit the first user to send messaging content to the one or more additional users and to receive messaging content from the one or more additional users.

[16] The method of claim 1 further comprising maintaining a contact list for the given mobile information channel, the contact list comprising the one or more additional users.

[19] The method of claim 1 wherein the second web-based interface is configured to provide at least a portion of the shared content to the one or more additional users utilizing one of a short message service (SMS) and a multimedia message service (MMS).

[20] The method of claim 1 wherein the given mobile information channel comprises a chat channel.

[21] The method of claim 1 wherein the messaging content comprises personalized messaging content for the first user.

[23] The method of claim 1 wherein the messaging content comprises at least one of an image, a video, a short message service (SMS) message and a multimedia message service (MMS) message.

[24] The method of claim 1 wherein the messaging content comprises at least one of announcements, notes, surveys, promotions and contests.

[25] The method of claim 1 wherein at least a portion of the shared content is authored by the first user.

[26] The method of claim 1 wherein the first web-based interface is configured to allow the first user to title the given mobile information channel.

[27P] A method comprising:

[27A] generating a given mobile information channel for sharing content authored by a first user with one or more additional users; and

[27B] providing each of the one or more additional users access to at least a portion of the shared content via the given mobile information channel to facilitate interaction between the first and additional users;

[27C] wherein the given mobile information channel supports messaging between the first user and the one or more additional users over a wireless network; and

[27D] wherein the mobile information channel is configured to permit the first user to send messaging content to the one or more additional users and to receive messaging content from the one or more additional users.

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. 8,793,336, 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 13,969. 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.

Date: February 7, 2025

Respectfully submitted,

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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. 8,793,336 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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