

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

FERID ALLANI,
Patent Owner

Inter Partes Review Case No. IPR2025-00857
U.S. Patent No. 10,943,058

**PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 10,943,058**

TABLE OF CONTENTS

I. INTRODUCTION	1
II. THE '058 PATENT	1
A. THE '058 PATENT'S ALLEGED INVENTION	1
B. THE '058 PATENT'S PROSECUTION.....	2
C. A PERSON OF ORDINARY SKILL IN THE ART ("POSITA").....	3
III. 37 C.F.R. § 42.104 REQUIREMENTS	3
A. 37 C.F.R. § 42.104(A) STANDING.....	3
B. SUMMARY OF GROUNDS AND RELIEF REQUESTED	3
C. CLAIM CONSTRUCTION UNDER 37 C.F.R. § 42.104(B)(3).....	4
1. "icon"	6
2. "specifically designed to include"	7
IV. THE PRIOR ART	8
A. ROSSMANN.....	8
B. HIMMEL	11
V. GROUND 1: CLAIMS 24-26 ARE OBVIOUS OVER ROSSMANN AND HIMMEL	13
A. CLAIM 24(PRE)	13
B. CLAIM 24(A)	16
1. <i>Rossmann teaches a first locally stored page specifically designed to include a selection icon</i>	<i>19</i>
2. <i>Rossmann and Himmel render obvious a first locally stored page specifically designed to include a direct access icon</i>	<i>21</i>
C. CLAIM 24(A)(1).....	26
D. CLAIM 24(B)	27
E. CLAIM 24(C)	28
F. CLAIM 25	29
G. CLAIM 26	31
VI. GROUND 2: CLAIMS 1, 2, 4-6, 10-23, AND 27 ARE OBVIOUS OVER ROSSMANN, HIMMEL, AND KING	33
A. KING	33
B. CLAIM 1(PRE)	34
1. <i>Apparatus for accessing information- or service-providing Web sites, comprising a communication device connectable through a communication</i>	

<i>network to the Internet, control and processing device or devices, data storage device or devices, and a display, ...</i>	<i>34</i>
<i>2. said storage device or devices containing a plurality of selection pages within a tree menu structure, said selection pages being beforehand locally stored in said data storage device or devices.....</i>	<i>35</i>
<i>3. and each being specifically designed for containing a set of icons including at least one of a direct access icon for directly accessing remote sources of information and a selection icon for locally accessing another selection page within said tree menu structure, wherein said plurality of selection pages includes:</i>	<i>38</i>
C. CLAIM 1(A)	39
D. CLAIM 1(A)(1).....	39
E. CLAIM 1(A)(2).....	39
F. CLAIM 1(A)(3).....	40
G. CLAIM 1(B)	40
H. CLAIM 1(C)	40
<i>1. a preliminary search locally performed within said communication device</i>	<i>40</i>
<i>2. in different themes and sub-themes within a plurality of successively displayed selection pages</i>	<i>41</i>
I. CLAIM 1(C)(1).....	43
J. CLAIM 1(C)(2).....	44
K. CLAIM 1(D)	46
L. CLAIM 2	47
M. CLAIM 4	50
N. CLAIM 5	51
O. CLAIM 6	51
P. CLAIM 10	51
Q. CLAIM 11	52
R. CLAIM 12	52
S. CLAIM 13	54
T. CLAIM 14	54
U. CLAIM 15	54
V. CLAIM 16	54
W. CLAIM 17	55
X. CLAIM 18	58
Y. CLAIM 19	58
Z. CLAIM 20	59
AA. CLAIM 21(PRE).....	59
BB. CLAIM 21(A).....	59

CC. CLAIM 21(B)	60
DD. CLAIM 21(C)	60
EE. CLAIM 21(D)	60
FF. CLAIM 21(E)	61
GG. CLAIM 22	61
HH. CLAIM 23	62
II. CLAIM 27(PRE)	62
JJ. CLAIM 27(A)	62
KK. CLAIM 27(A)(1)	62
LL. CLAIM 27(A)(2)	62
MM. CLAIM 27(A)(3)	63
NN. CLAIM 27(A)(4)	63
OO. CLAIM 27(A)(5)	63
PP. CLAIM 27(B)	63
QQ. CLAIM 27(B)(1)	63
RR. CLAIM 27(C)	63
SS. CLAIM 27(C)(1)	64
VII. GROUND 3: CLAIMS 1, 2, 4-6, 10-23, 25, 27 ARE OBVIOUS OVER ROSSMANN, HIMMEL, KING, AND ADAR.....	64
A. ADAR	64
B. CLAIMS 1, 2, 4-6, 10-23, 25, 27	65
1. <i>Claim 1(b) – at least one selection page being specifically designed for containing one or more icons for directly accessing a search engine on the Web, ...</i>	<i>65</i>
VIII. GROUND 4: CLAIMS 3, 7-9 ARE OBVIOUS OVER ROSSMANN, HIMMEL, KING, AND BOYLE OR ALTERNATIVELY, OVER ROSSMAN, HIMMEL, KING, ADAR, AND BOYLE.....	67
A. BOYLE	67
B. CLAIM 3	68
C. CLAIM 7	73
D. CLAIM 8	74
E. CLAIM 9	74
IX. THE BOARD’S DISCRETION UNDER 35 U.S.C. § 314(A).....	75
A. <i>FINTIV</i>	75
X. CONCLUSION	75
XI. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(A)(1).....	77

A. REAL PARTY-IN-INTEREST	77
B. RELATED MATTERS.....	77
C. LEAD AND BACK-UP COUNSEL	77

TABLE OF AUTHORITIES

CASES

<i>10x Genomics, Inc. v. Bio-Rad Laboratories, Inc.</i> , IPR2020-00086, Paper 8, *19 (PTAB Apr. 27, 2020)	6
<i>General Electric v. Vestas</i> , IPR2018-00928, Paper 9, *16-17 (PTAB Nov. 5, 2018)	6
<i>Phillips v. AWH Corp.</i> , 415 F.3d 1303, 1312 (Fed. Cir. 2005).....	4
<i>Western Digital Corporation v. SPEX Technologies, Inc.</i> , IPR2018-00084, Paper 14, *11 (PTAB Apr. 25, 2018)	6

STATUTES

35 U.S.C. § 102(e).....	8, 11, 33, 64, 67
35 u.s.c. § 314(a)	75
35 U.S.C. §112	7

REGULATIONS

37 C.F.R. § 42.100(b).....	4
37 C.F.R. § 42.104(a)	3
37 C.F.R. § 42.104(b)(1)-(2)	3
37 C.F.R. § 42.104(b)(4)-(5)	4
37 C.F.R. § 42.8	87
37 C.F.R. § 42.8(b)(1)	77
37 C.F.R. § 42.8(b)(3) and (b)(4)	77
37 C.F.R. §§ 42.6(e) and 42.105	88
37 C.F.R. §42.24	87

I. INTRODUCTION

Petitioner Apple Inc. requests *Inter Partes* Review of Claims 1-27 (“Challenged Claims”) of U.S. Pat. No. 10,943,058 (“’058 Patent”).

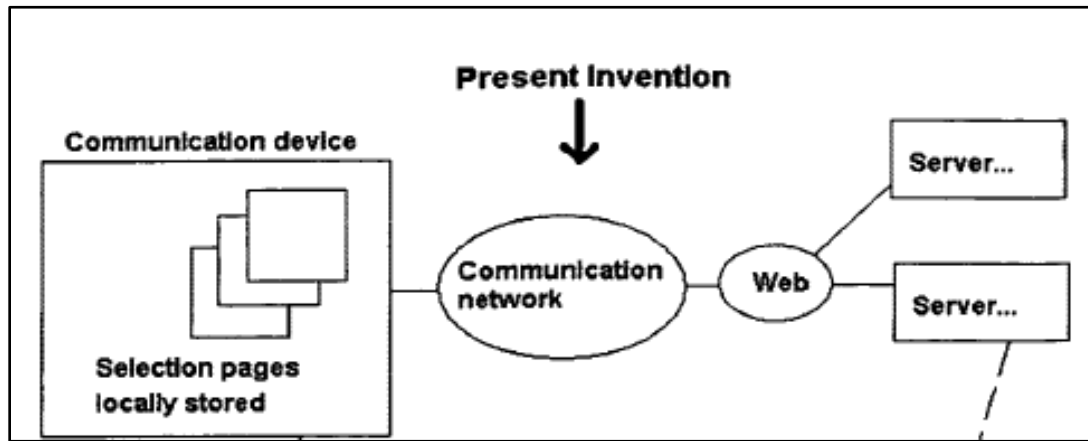
II. THE ’058 PATENT

A. The ’058 Patent’s Alleged Invention

The ’058 Patent describes systems and methods for “accessing information sources and services on the web” that are purportedly “quicker and easier to use” than conventional web-surfing techniques. ’058 Patent (Ex. 1001), 1:64-2:2. Instead of browsing content over a network using navigation software and search engines like Internet ExplorerTM and Yahoo!TM, the ’058 Patent localizes part of this process so preliminary searches can be performed on the device rather than over the network. *Id.*, 2:3-15, 2:24-33. This supposedly reduces delays from busy networks and simplifies browsing for users poorly accustomed to Internet searches. *Id.*, 1:35-42, 2:24-33, 4:63-67; ’877 Parent File History (Ex. 1033), 244.

To realize these goals, the claimed invention generally provides: (1) “one or more steps for displaying a page of selection among a plurality of selection pages organized within a structure of tree menu and beforehand locally stored within said communication device, each page of selection comprising a set of icons[,]” including both a direct access icon (e.g., hyperlink to a website) and a selection icon (e.g., local navigation link to another selection page), and (2) “a step for emitting on the communication network, in response to a selection of an icon in a page of selection

currently displayed, the address of a source of information corresponding to said selected icon.” ’058 Patent, 2:2-24; ’877 Parent File History, 362-363. This “invention” is shown below:



’877 Parent File History, 196 (excerpt); ’058 Patent, Figs. 1 and 2.

B. The ’058 Patent’s Prosecution

The ’058 Patent claims priority to foreign application FR 99 16704, filed on December 30, 1999. For purposes of this Petition only, Petitioner applies December 30, 1999, as the priority date for the Challenged Claims.

After years of rejections and before receiving a Notice of Allowance on August 21, 2020, Applicant amended the claims to recite each selection page “being specifically designed for containing” / “specifically designed to include” the claimed set of icons. ’058 File History, 620-624. The purported novelty of the ’058 Patent per the Applicant comes from these amendments which “narrow them to require that the selection pages have been specifically designed for containing the claimed set of

icons, including selection icons and direct-access icons.” *Id.*, 625; *see also id.*, 626-627. As set forth below, Petitioner’s prior art discloses this well-known concept.

C. A Person of Ordinary Skill in the Art (“POSITA”)

A POSITA at the time of the ’058 Patent would have had a bachelor’s degree in computer engineering, electrical engineering, or a related field, with two to three years of experience with web-based information systems. Additional education or experience might substitute for the above requirements. *Dec.*, ¶¶37-39.¹

III. 37 C.F.R. § 42.104 REQUIREMENTS

A. 37 C.F.R. § 42.104(a) Standing

Apple certifies the ’058 Patent is available for IPR and Apple is not barred or estopped from requesting IPR challenging the claims of the ’058 Patent. Apple is not the owner of the ’058 Patent, has not filed a civil action challenging the validity of any claim of the ’058 Patent, and this Petition is filed less than one year after Apple was served with a complaint alleging infringement of the ’058 Patent.

B. Summary of Grounds and Relief Requested

In view of the prior art and evidence presented, IPR should be instituted and Challenged Claims canceled. 37 C.F.R. § 42.104(b)(1)-(2).

¹ All citations to “Dec.” are to paragraph numbers in Ex. 1003, Declaration of Dr. Ben Bederson.

Proposed Grounds of Unpatentability	
<u>Ground 1</u>	Claims 24-26 are obvious under pre-AIA 35 U.S.C. § 103(a) over <i>Rossmann</i> in view of <i>Himmel</i> .
<u>Ground 2</u>	Claims 1, 2, 4-6, 10-23, and 27 are obvious under pre-AIA 35 U.S.C. § 103(a) over <i>Rossmann</i> in view of <i>Himmel</i> and <i>King</i> .
<u>Ground 3</u>	Claim 1, 2, 4-6, 10-23, 25, and 27 are obvious under pre-AIA 35 U.S.C. § 103(a) over <i>Rossmann</i> in view of <i>Himmel</i> , <i>King</i> , and <i>Adar</i> .
<u>Ground 4</u>	Claims 3, 7-9 are obvious under pre-AIA 35 U.S.C. § 103(a) over <i>Rossmann</i> in view of <i>Himmel</i> , <i>King</i> , and <i>Boyle</i> or alternatively, over <i>Rossmann</i> in view of <i>Himmel</i> , <i>King</i> , <i>Adar</i> , and <i>Boyle</i> .

Sections V-VIII map the evidence to each element of the Challenged Claims.

37 C.F.R. § 42.104(b)(4)-(5).

C. Claim Construction Under 37 C.F.R. § 42.104(b)(3)

In this proceeding, claims are interpreted under the same standard applied by Article III courts (i.e., the *Phillips* standard). 37 C.F.R. § 42.100(b); 83 Fed. Reg. 197 (Oct. 11, 2018); *Phillips v. AWH Corp.*, 415 F.3d 1303, 1312 (Fed. Cir. 2005) (*en banc*). Petitioner applies the plain and ordinary meaning of all claim terms as understood by a POSITA for all terms not expressly construed below. Petitioner does not waive any argument in any litigation that claim terms in the '058 Patent are indefinite or that additional terms might need construction in a different proceeding.

The parties propose constructions for a number of terms in parallel litigation, reproduced in the chart below:

Claim Term	Allani's Constructions	Apple's Constructions
-------------------	-------------------------------	------------------------------

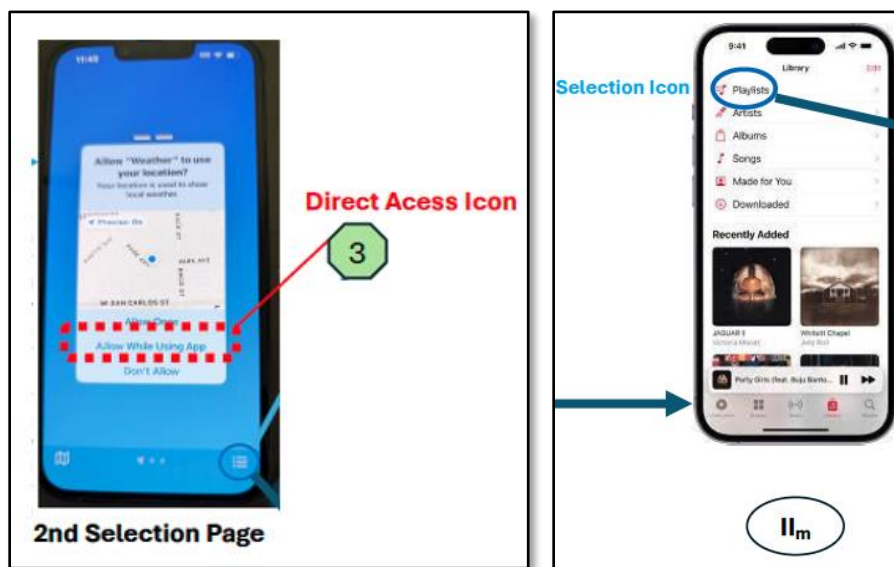
“web site”	A source of information or services accessible via a network using HTTP or another web protocol	No construction/plain and ordinary meaning which is “a collection of web pages accessible through a web address”
“selection page”	A screen with selectable icons that are displayed together on a graphical user interface	No construction/plain and ordinary meaning
“icon”	Plain and ordinary meaning	A symbol that is a pictorial indication of a command
“direct access icon”	An icon that, when selected, causes an address of at least one website to be transmitted to a network. ('058 patent claim 27) An icon that, when selected, causes an address of at least one remote information or service source to be transmitted to a network. ('058 patent claim 24-26)	An icon that, when selected, causes a URL or Web address to be sent directly to a web server hosting the website indicated by the icon
“said address being locally generated”	Said address being generated on the device	Said address being created on the device
“specifically designed to include”	Used to include. Not indefinite	Indefinite

As the Board routinely permits, for the purposes of this proceeding, Petitioner proposes this Board adopt Patent Owner Allani’s claim interpretations, including

Patent Owner's plain and ordinary meaning of "icon" that must at least include textual icons for the reasons below. *See Western Digital Corporation v. SPEX Technologies, Inc.*, IPR2018-00084, Paper 14, *11 (PTAB Apr. 25, 2018); *see also General Electric v. Vestas*, IPR2018-00928, Paper 9, *16-17 (PTAB Nov. 5, 2018); *10x Genomics, Inc. v. Bio-Rad Laboratories, Inc.*, IPR2020-00086, Paper 8, *19 (PTAB Apr. 27, 2020) ("judicial efficiency will be enhanced by allowing Petitioner to rely upon a claim construction that Patent Owner is relying upon in the related district court litigation to assert infringement of the challenged patent").

1. "icon"

Patent Owner's plain and ordinary meaning of "icon" must at least include textual icons based on its infringement contentions and application of the term in the co-pending litigation. In its Complaint and contentions, Patent Owner accuses several textual icons as the claimed selection "icon" or direct access "icon":



Ex. 1034; *see also* Ex. 1035 (infringement contentions), Ex. 1, 7.

This comports with embodiments in the intrinsic record. The '058 Patent provides multiple examples of icons, including “an item or **thematic title** opening an access to a page,” “**an icon AD11 ‘calendar’**,” “**an icon AD12 ‘1st division games’**,” and “**an icon ‘Return’**.” ’058 Patent, 2:41-44, 4:9-27; *see also* ’877 Patent, Claim 6 (claiming a “thematic title” icon). Further, the '058 Patent claims “**icons compris[ing] textual elements**.” ’058 Patent, 7:6-7 (claim 20). During prosecution, the inventor filed an affidavit describing “selectable icons for navigating to email, to a printer, to return to a summary page...” such as “Return to Summary,” “Previous Page,” and “Next Page.” ’058 File History, p. 466-79; Ex. 1002 (Affidavit filed in French litigation). Patent Owner’s plain and ordinary meaning of “icon” thus must at least include textual icons. *Dec.*, ¶¶82-89.

2. “*specifically designed to include*”

Before the district court, Apple proposes “specifically designed to include” is indefinite under 35 U.S.C. §112. *Apple Opening Markman Brief* (Ex. 1036), 15-17. Allani disputes Apple’s proposal and urges that claim language is definite and means “used to include.” *Id.*, 15. Allani argues the “prosecution history of the '058 patent expressly informs” the meaning of this phrase, such that “[r]equiring an element to be ‘specifically designed’ for another element narrows the claim because it requires more than the first element being **merely capable of** being used with the second

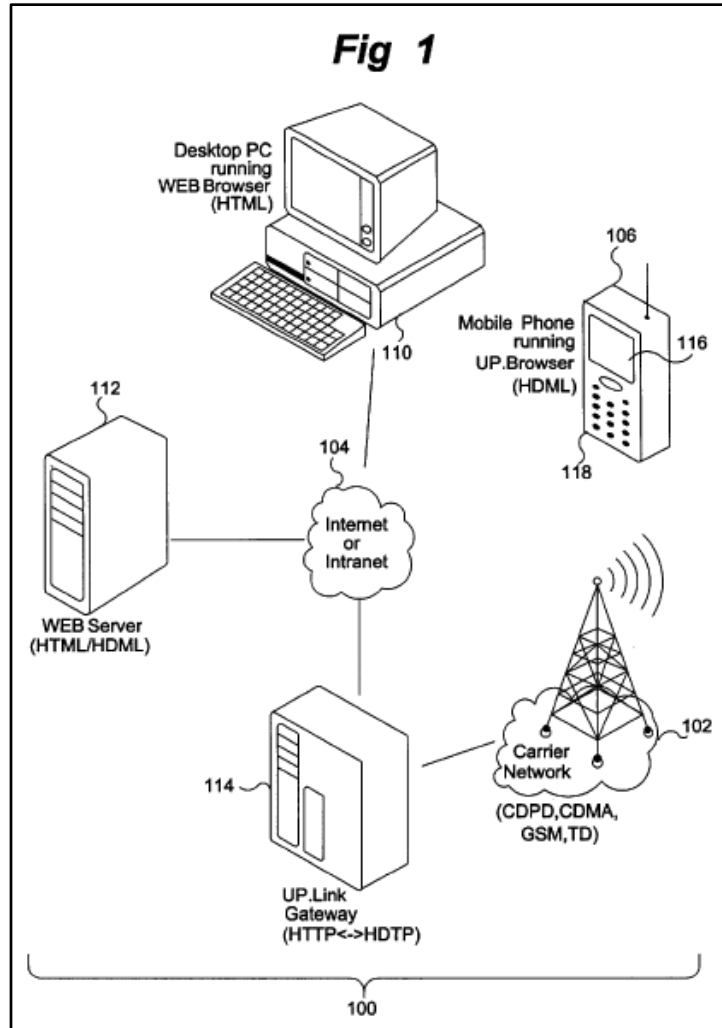
element.” *Id.*, 18. In other words, in operation, the device must be “used to include” selection pages comprising the claimed icons. *Dec.*, ¶80. For the purposes of this proceeding, Petitioner proposes this Board adopt Patent Owner Allani’s interpretation of “specifically designed to include” as “used to include.”

IV. THE PRIOR ART

A. Rossmann

Rossmann was filed February 19, 1998, qualifying as prior art to the ’058 Patent under at least 35 U.S.C. § 102(e). *Rossmann* (Ex. 1004). *Rossmann* was neither cited nor considered during prosecution of the ’058 Patent.

Rossmann teaches navigating to “Internet web pages using thin devices” such as a “mobile device.” *Rossmann*, 3:1-3, Fig. 1. Recognizing issues with limited bandwidth for then-current wireless data networks and the low computing resources available in mobile devices, *Rossmann* teaches improved means to navigate hierarchical layers of accessible information. *Id.*, 2:25-28, 3:4-10. *Rossmann*’s general data network through which its invention operates is shown below in Figure 1:

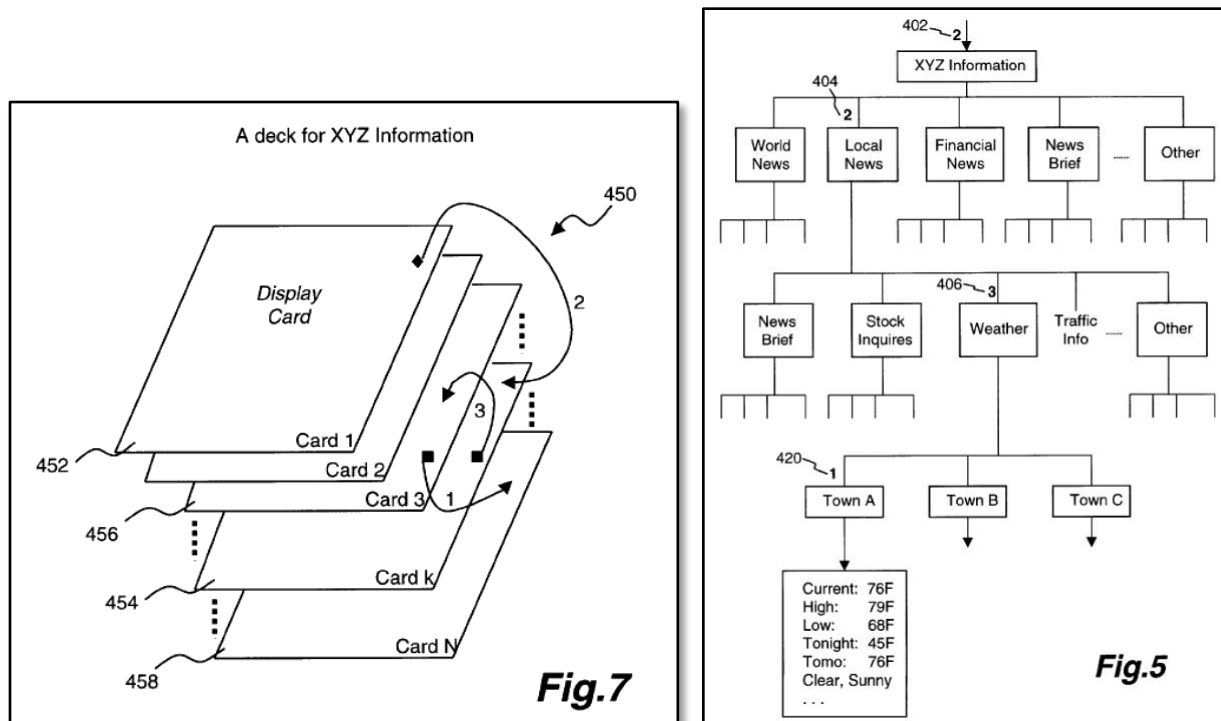


Id., Fig. 1.

To navigate Internet web pages on a mobile device while minimizing network traffic, *Rossmann* teaches embodiments where mobile phone 106 interacts with a server (e.g., link server 114) to download and store one or more “decks” comprising one or more “cards.” *Id.*, 5:39-51, 6:26-29. “Cards” include “the information required to generate a screen display on the display screen,” meaning a “deck” “is simply a group of screen displays.” *Id.*, 6:33-36, 7:33-37. In other words,

downloading a deck lets a user browse through locally stored screen displays. *Id.*, 8:47-64, 11:3-12:17.

Rossmann teaches an example application of this process involving obtaining access to the web-hosted weather for a town. A user accesses the website xyzinfo.com and downloads a deck corresponding to information on that website—the deck and “tree structured” menu information shown below in Figures 7 and 5, respectively:



See e.g., id., 11:3-12:17, Figs. 4A-4G, 5, 7. The user browses through locally stored screen displays to determine the final weather of Town A. *See generally id.*, 11:3-12:17.

Because *Rossmann*, like the '058 Patent, discloses accessing information sources or services on the web, *Rossmann* is in the same field of endeavor as the '058 Patent. *Compare Rossmann*, 1:18-23, 2:66-3:34, *with* '058 Patent, 1:6-8; *Dec.*, ¶¶65-66.

Further, just like the '058 Patent which seeks to reduce the steps occurring over a network to access targeted web information by locally performing the initial steps, *Rossmann*'s initial steps are likewise “processed internally” such that only a “final request” is transmitted over the network, significantly increasing the delivery speed of the desired information and reducing network traffic. *Compare Rossmann*, Abstract, 2:47-62, 3:11-18, 14:35-41 *with* '058 Patent, 1:35-42, 4:63-67. Further, *Rossmann* aims to provide easy and quick web access to mobile user, like the '058 Patent. *Compare Rossmann*, 3:11-18, 8:2-4 *with* '058 Patent, 1:43-49, 2:24-33. Therefore, *Rossmann* is in the same field of endeavor and reasonably pertinent to a problem described by the '058 Patent and is thus analogous art. *Dec.*, ¶¶65-66.

B. Himmel

Himmel was filed November 21, 1997, qualifying as prior art to the '058 Patent under at least 35 U.S.C. § 102(e). *Himmel* (Ex. 1005). *Himmel* was neither cited nor considered during prosecution of the '058 Patent.

Himmel teaches methods for “information retrieval in a computer network.” *Himmel*, 1:4-5. Specifically, *Himmel* teaches improved methods for utilizing

downloadable locally stored “bookmark sets” to navigate to websites over the Internet. *Id.*, 1:5-8, 4:54-57, Figs., 1, 6A, and 6B. A bookmark set “is a finite collection of bookmarks that have static and dynamic characteristics,” typically presented as sets of hyperlinked URLs. *Id.*, 5:28-40, 6:19-28, 7:1-2. *Himmel* also teaches a downloadable bookmark set comprising a “consumer hot list” including links to common web actions for a particular site. *Id.*, 18:53-20:35. These bookmark sets can be downloaded via a vendor CD-ROM containing a browser equipped with a bookmark manager and an active bookmark set with the URL addresses the vendor wants to advertise; pre-downloaded on a vendor kiosk to access specific vendor addresses; or pushed or pulled from a web server. *Id.*, 9:61-67, 10:1-8, 14:8-40, 15:42-52, 16:12-24.

Because *Himmel*, like the ’058 Patent, discloses accessing information sources or services on the web, *Himmel* is in the same field of endeavor as the ’058 Patent. *Compare Himmel*, 1:5-6, 2:63-3:9, with ’058 Patent, 1:7-9; *Dec.*, ¶¶69-70.

Further, like the ’058 Patent which seeks to efficiently guide the user to the most useful or frequently consulted information sources, including vendor sites, *Himmel* describes downloading bookmark sets “with the most important site links” for different applications, including for vendors advertising specific addresses. *Compare Himmel*, 10:1-8, 15:25-28, with ’058 Patent, 2:24-33, 2:34-40. *Himmel*, like the ’058 Patent, is also aimed at simplifying web searches for the user. *Compare*

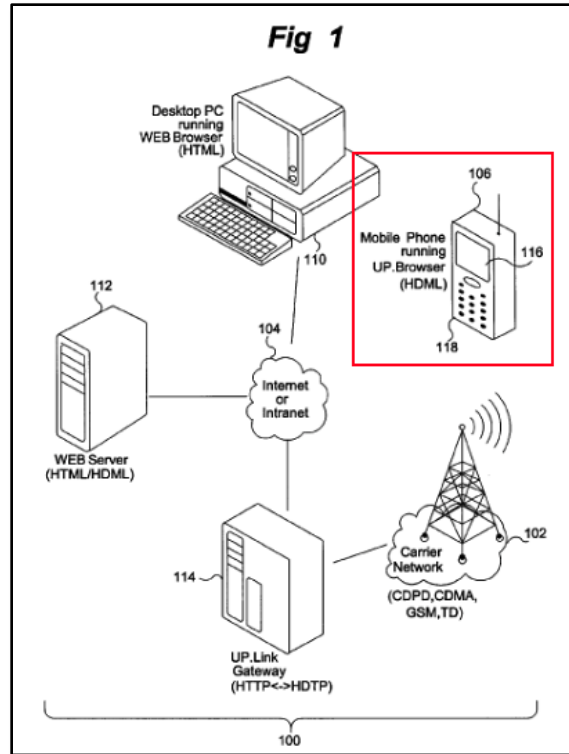
Himmel, 1:53-61, 2:63-3:9 with '058 Patent, 1:43-49. Therefore, *Himmel* is in the same field of endeavor and is reasonably pertinent to a problem described by the '058 Patent and is thus analogous art. *Dec.*, ¶¶69-70.

V. GROUND 1: CLAIMS 24-26 ARE OBVIOUS OVER ROSSMANN AND HIMMEL

A. Claim 24(Pre)

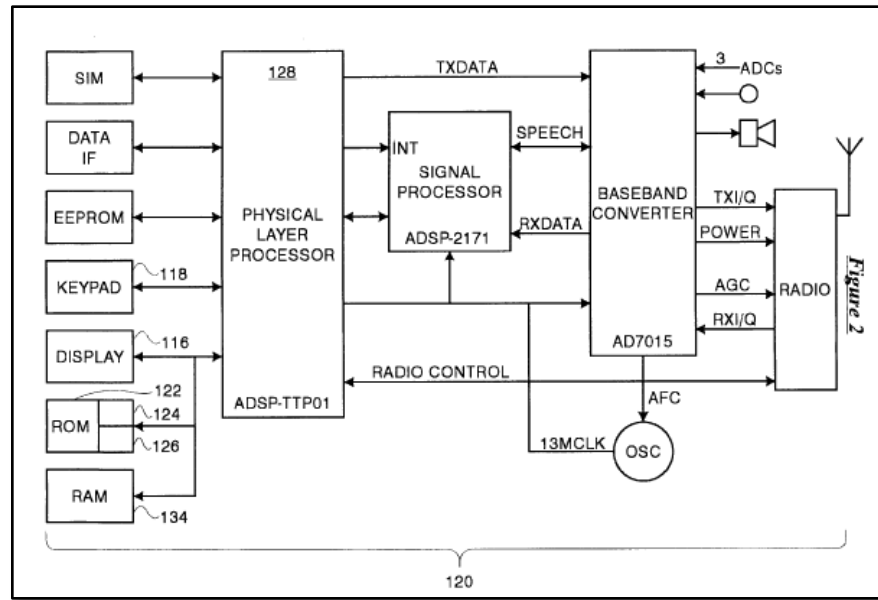
To the extent the preamble is limiting, *Rossmann* discloses a mobile communication device that accesses remote sources of information or services through a communication network, where *Rossmann's* mobile communication device includes a display, data storage, processor, controller, and a plurality of locally stored pages stored in data storage for display as explained below.

Rossmann invention “has particular applications to the navigation of Internet web pages using thin devices, such as a **mobile computing device**” or “a **mobile device**[.]” *Rossmann*, 2:66-3:3 (listing example mobile devices). Namely, *Rossmann's* “invention is a method for accelerating navigation of hierarchical layers of accessible information hosted in a server device through a two-way interactive communication device over a network” and is therefore “connectable to remote sources of information or services through a communication network” as claimed. *Id.*, 3:19-34. An example of *Rossmann's* two-way mobile communication device is boxed in red below in Figure 1:



Id., Fig. 1 (annotated). Mobile device 116, which can be a “cellular phone,” operates within data network 100. *Id.*, 4:48-5:5. Data network 100 “comprises an airnet 102” which is a wireless network (e.g., AT&T carrier network) and “landnet 104” (e.g., the Internet). *Id.*

Rossmann’s mobile communication device includes display 116 (“display”), data storage in EEPROM, ROM, and RAM (“data storage”), and several processors including a signal processor (“a processor”), including a microcontroller 128 (“a controller”). *Rossmann*, 6:11-59. These components are shown below in Figure 2:



Id., Fig. 2.

In embodiments, a user “initiates a communication session request to the server device” to access information on a website. *Id.*, 6:20-29. A user can use the “Handheld Device Transport Protocol (HDTP)” which controls the connection of an HDML web browser to a link server. *Id.*, 5:42-43. HDML is similar to HTML as a tag-based document language. *Id.* Using HDTP, a user can download an “HDML deck from the server device” to be cached in RAM 134. *Id.*, 6:20-29. This “deck” has “cards” that “include[] the information required to generate a screen display on the display screen 116.” *Id.*, 6:29-37. Thus, to “provide information service to mobile devices, the server device [] stores a plurality of decks [] containing accessible information.” *Id.*, 7:50-53. An example of this is shown in Figures 4A through 4G “illustrat[ing] the steps of navigating an information service web site

that generally provides hierarchic layers of information.” *Id.*, 12:18-34; *see also id.*, 11:3-6 (providing example website addressed at a particular web address).

Rossmann therefore teaches “a plurality of pages locally stored in said data storage and displayable on said display” by storing HDML decks comprising “cards” that represent screen displays, such decks and cards stored locally in the mobile device in RAM 134. *Rossmann*, 6:20-29, 13:60-63, Fig. 2 (local RAM 134); *see also id.*, 8:47-49 (decks can be kept in “work memory 148 of the phone 142 in Fig. 3”).

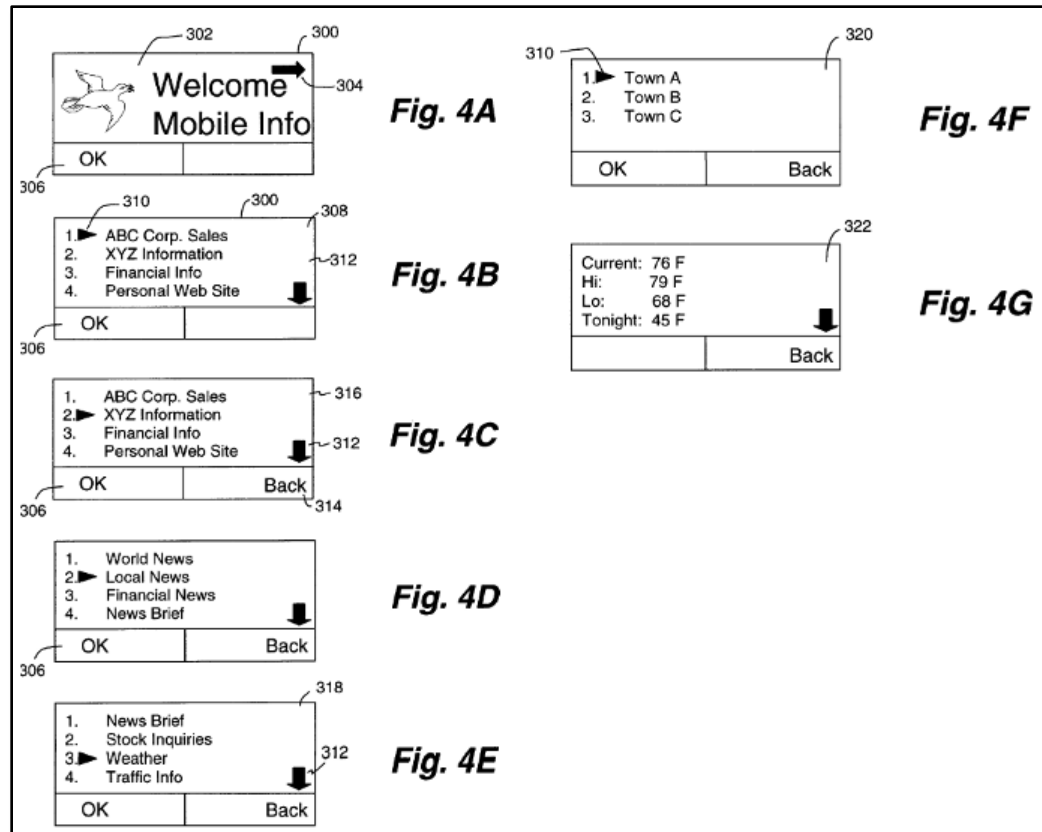
B. Claim 24(a)

As discussed in Section III.C., Petitioner asks the Board apply Patent Owner’s interpretation of “icon” and “direct access icon” for the purposes of this proceeding. *Supra*, Sec. III.C (proposing “icon” should be given its plain and ordinary meaning and include “textual icons” and “direct access icon” to mean “[a]n icon that, when selected, causes an address of at least one remote information or service source to be transmitted to a network”).

Rossmann teaches a set of locally stored pages stored in memory on a mobile device, i.e., stored HDML cards in RAM. *Supra*, Claim 24(Pre). Specifically, *Rossmann* teaches a user “initiates a communication session request to the server device” and downloads an “HDML deck from the server device” to be cached locally in the mobile device in RAM 134. *Id.*, 6:20-29, Fig. 2 (local RAM 134); *see also id.*, 8:47-49 (decks can be kept in “work memory 148 of the phone 142 in Fig. 3”). This

“deck is simply a group of screen displays” called “cards.” *Id.*, 6:33-36. *Rossmann* describes its embodiments involving communication between a client device and a server device using decks as “cache case” embodiments. *Id.*, 13:66-14:1.

In the “cache-case,” “[u]pon receiving a request from the user, the client module in the mobile device 142 first consults the work memory 148 therein to determine if the requested deck is available.” *Id.*, 8:49-55. If the request is met by one of the cards in the deck, that card is accessed without communication with the server. *Id.* If not, “a connection initiated by the client module 146 to the server device 144 is made to fetch the new deck.” *Id.*, 8:55-64. *Rossmann* teaches an example application of the latter in Figures 4A through 4G, reproduced below, where a user interested in the weather searches and navigates through locally stored decks and cards to ultimately display the weather in Town A for information within the mobile device:



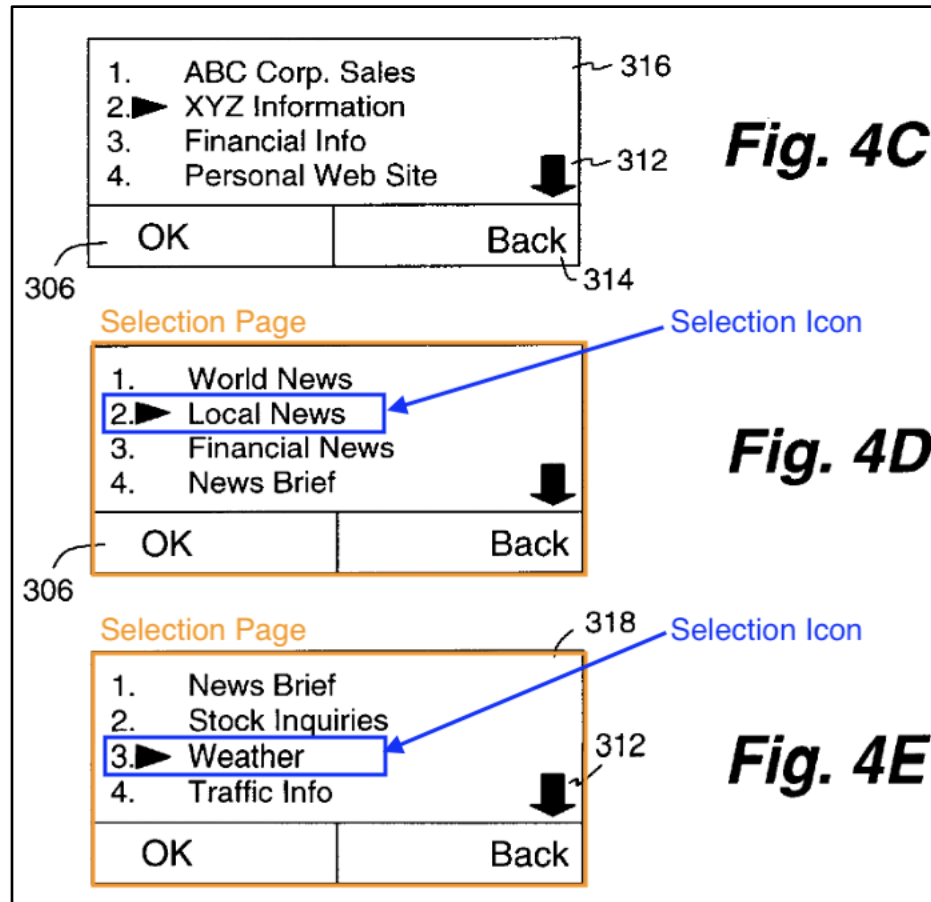
Id., Figs. 4A-4G.

Here, a user interested in the weather navigates through locally stored decks/cards to reach the weather in Town A. *See, e.g.*, Figs 4A-4G. “[A]n initial deck [is] transmitted to the mobile device” and stored in RAM. *Id.*, 6:20-29, 9:37-40. The initial deck includes two cards shown in Figures 4A and 4B for display to the user. *Id.*, 9:37-45, 9:62-10:4. The user navigates through the Figure 4A welcome page to the Figure 4B menu page; selects XYZ Information in Figure 4C; a new card deck is downloaded with displays for www.xyzinfo.com shown in Figures 4D-4G; and the user performs all subsequent navigation within the deck to arrive at the Figure 4G weather display for Town A. *Id.*, 10:34-11:56.

1. Rossmann teaches a first locally stored page specifically designed to include a selection icon

As explained above in Section III, Petitioner asks the Board adopt Patent Owner's construction of "specifically designed to include" for the purposes of this proceeding. *Supra*, Sec. III. Under Patent Owner's construction, the claim requires selection pages "used to include" the claimed set of icons. *Id.* As detailed below, *Rossmann* teaches a first locally stored page "used to include" a selection icon and therefore meets this claim limitation. *Dec.*, ¶¶80-89.

Rossmann teaches HDML cards comprising "selection icons" that locally access and display another selection page, such as the Local News icon in Figure 4D that accesses the corresponding HDML card displayed as Figure 4E. Example selection icons are depicted below, boxed in blue:



Rossmann, Figs. 4C-4E (annotated). In Fig. 4D (i.e., “first...locally stored page[]”), a user moves the black arrow to the second item, presses a soft key for “OK” or the number “2” on the keypad and the next locally stored page is displayed, shown in Figure 4E. *Id.*, 6:20-29, 9:54-59, 9:62-65, 11:15-33. A POSITA would have understood *Rossmann*’s selectable choices on the displayed HDML card are “icons” under the plain and ordinary meaning of that claim term. *Supra*, Sec. III; *Dec.*, ¶¶82-89. Selecting the “Local News” symbol indicates information related to local news will be displayed next. *Dec.*, ¶¶86-87. This first selection page is “used to include” a selection icon (e.g., Local News) because it is more than “merely capable of being

used” with a selection icon. *Supra*, Sec. III; *Dec.*, ¶81. During use, this selection page is programmed to display the set of selection icons for selection by the user and therefore satisfies Patent Owner’s construction. *Dec.*, ¶¶81-89 (describing “CHOICE” cards specifically designed to include hyperlink icons).

2. *Rossmann and Himmel render obvious a first locally stored page specifically designed to include a direct access icon*

As above, Petitioner asks the Board adopt Patent Owner’s construction of “specifically designed to include.” *Supra*, Sec. V.B.1. *Rossmann-Himmel* teaches a first locally stored page “used to include” a direct access icon and therefore meets this claim limitation. *Dec.*, ¶90.

Rossmann’s “cache case” embodiment does not expressly teach a selection page comprising both selection icons and “direct access icons.” *Dec.*, ¶91 (noting *Rossmann*’s cache case embodiment does, however, include both local hyperlinks to other stored cards and links to a server to download new decks). *Himmel* teaches downloading locally stored “bookmark sets” (at least one “direct access icon”) that a user can select to access a specific URL.

Himmel teaches “bookmark sets” managed by a “bookmark manager” software module comprising hyperlinked URLs for directly accessing websites over the Internet. *Himmel*, Abstract, 1:5-8, 5:22-27, Figs. 1, 6A, 6B; *Dec.*, ¶92. These bookmark sets are locally stored in RAM. *Id.*, 4:54-57, Fig. 1. “Each bookmark entry is comprised of a URL to a favorite page and an associated descriptive text string

which describes the web page in such a way to be easily recognized by the user.”

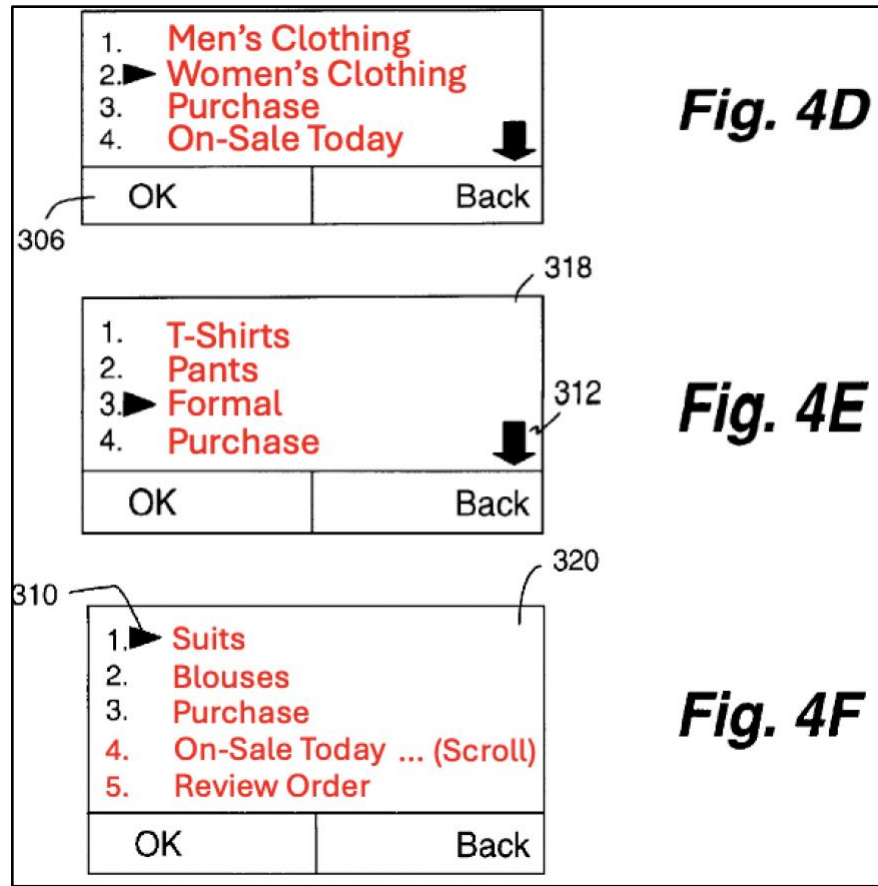
Id., 6:19-22. *Himmel* teaches downloading a “consumer hot list” bookmark set that includes URLs for popular web actions. *Id.*, 18:53-21:17. This bookmark set can be downloaded, for example, by a pull operation by the user. *Id.*, 14:9-24, 15:42-43, 19:30-31.

Himmel teaches consumer hot lists for different industries. *Id.*, 19:55-20:10; *Dec.*, ¶93. For the “Retail industry,” *Himmel* teaches a hot list including: Purchase, On-Sale Today, Review Order, Review Shopping Cart, and Consumer Address. *Id.*, 20:3-10. In operation, a user accesses a web server; the web server determines whether there is a consumer hot list tag in the page and if so, downloads this bookmark set; the consumer hotlist is presented to the user; and if a user selects a bookmark in the hot list, a web page at the URL of the selected item is retrieved. *Id.*, 21:3-17.

A POSITA would have been motivated to modify *Rossmann* pursuant to *Himmel* to incorporate *Himmel*’s “bookmark manager” software module to download a “consumer hot list” from a web server when *Rossmann*’s mobile device downloads a requested HDML deck from that server. *Dec.*, ¶94. *Himmel* teaches express advantages that would improve *Rossmann*’s invention, including providing a user with a “consistent user interface” when accessing a website to make navigation easier, particularly for websites in a particular market segment. *Himmel*,

18:63-65, 20:11-16; *Dec.*, ¶94. This facilitates *Rossmann*'s noted desire to simplify navigation for the user by providing an additional navigation aid. *Rossmann*, 2:38-54, 12:24-34; *Himmel*, 5:37-40 (describing navigation aids like “back” and “forward” tools and additionally, bookmarks); *Dec.*, ¶94. Utilizing *Himmel*'s consumer hot lists in *Rossmann*'s invention would provide more immediate access to commonly used web actions, reducing the network traffic required to navigate through webpages to arrive at a particular web function. *Dec.*, ¶¶94-95. This furthers *Rossmann*'s goal to provide “a mechanism for thin devices to reach a desired page without intensifying network traffic.” *Rossmann*, 2:54-56, 14:35-44; *Dec.*, ¶¶94-99. Further, during the late 90's, surfing the Internet over a network incurred charges and included caps in the total amount of data allotted. *Dec.*, ¶95. Improving *Rossmann* with additional direct links to commonly used webpages reduces Internet usage charges and limits data usage, particularly for the unskilled user. *Dec.*, ¶95.

In example operation pursuant to *Rossmann*'s modified Figure 4 embodiment in view of *Himmel*, if a user selected ABC Corp. Sales in Figure 4C, a new HDML deck would be downloaded and stored in RAM and the modified system would also download a consumer hot list to RAM associated with the ABC Corp. Sales website. *Dec.*, ¶¶96-97. The annotated figures below illustrate this example operation:



Annotated Figure 4D displays choices such as Men's Clothing, Women's Clothing, Accessories, along with consumer hot list links for common web actions, e.g., Purchase, On-Sale today. *Dec.*, ¶97. If a user selected Women's clothing, *Rossmann's* modified system displays the next page illustrated in annotated Figure 4E with more choices like T-shirts, Pants, Formal, along with the consumer hot list links discussed above. *Dec.*, ¶¶98-99. Selecting Formal results in annotated Figure 4F for Suits, Blouses, along with the same consumer hot list links, and so on for additional pages until the user reaches the desired action. *Dec.*, ¶100.

Thus, each page would include both selection icons for navigating to other local pages, along with direct access icons (e.g., On Sale Today) to directly navigate to a predetermined website to perform a common web action for the reasons and benefits above. *Dec.*, ¶¶96-100 (explaining consumer hot list icons are “selectively activated to connect said mobile communication device to a first predetermined one of said remote sources of information or services” as claimed). Like above, this first selection page is “used to include” a direct access icon (e.g., On Sale Today) because it is more than “merely capable of being used” with a direct access icon. *Supra*, Sec. III; *Dec.*, ¶¶96-100. During use, this selection page is programmed to display the set of direct access icons for selection by the user and therefore satisfies Patent Owner’s construction. *Dec.*, ¶¶96-100.

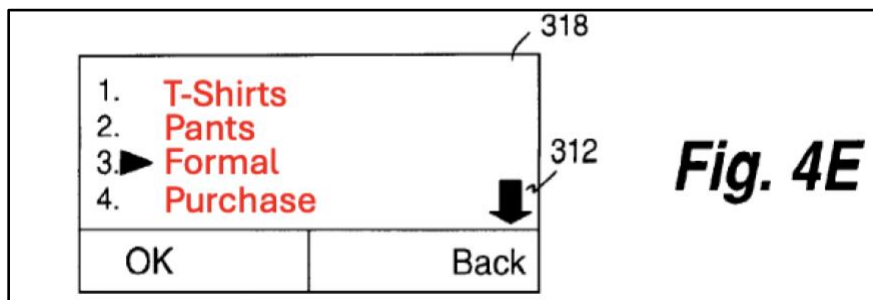
A POSITA would have had a reasonable expectation of success making this modification. *Dec.*, ¶101. First, technology for bookmarking websites and web actions was in place well before the earliest priority date of the ’058 Patent. *Dec.*, ¶101 (citing *Rossmann*, 2:38-41 among other support). Modifying *Rossmann* to utilize known bookmark manager software to store common web actions in RAM, the same location *Rossmann*’s HMDL decks are stored, would have therefore been a straightforward modification that would have been accomplished without undue experimentation. *Dec.*, ¶101 (noting *Himmel* at 21:27-34 explains its system is compatible with HTML and other similar protocols). Second, *Rossmann* already

includes the hardware and programming instructions to access a web server using HDML after a user request. *Rossmann*, 14:21-44 (describing “cacheless” embodiment). Thus, modifying *Rossmann* with *Himmel* would have utilized *Rossmann*’s existing hardware. *Dec.*, ¶102. *Rossmann*’s parent patent also supports accessing a web server using the HDML cards and decks. *See* U.S. Patent No. 5,809,415 (Ex. 1030), 8:64-9:3, 12:5-16:10; *Dec.*, ¶102. Third, *Himmel* teaches that known prior art methods utilized both selection and direct access icons on a single page and thus pages like those in the modified *Rossmann-Himmel* system were already known in the art. *See Himmel*, Fig. 6A; *Dec.*, ¶103.

C. Claim 24(a)(1)

As explained above in Claim 24(a), *Rossmann* teaches a number of locally stored pages as cards of an HDML deck. *Supra*, Claim 24(a). In the example operation of *Rossmann*’s modified Figure 4 embodiment, if a user selected ABC Corp. Sales in Figure 4C, a new HDML deck would be downloaded and stored in RAM and the modified system would also download a consumer hot list to RAM associated with the ABC Corp. Sales website. *Dec.*, ¶105. Figure 4D (*first locally stored page*) would display choices, along with consumer hot list links for common web actions, e.g., Purchase, On-Sale today. *Dec.*, ¶105. If a user continued to navigate to other pages, Figure 4E (*second locally stored page*) would display more choices along with these consumer hot list links, including a “second direct access

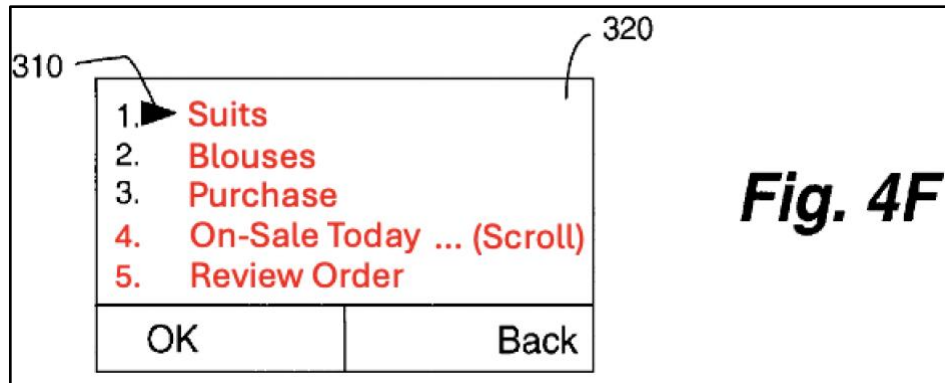
icon” such as “Purchase” and so on for additional pages. *Dec.*, ¶105. This second locally stored page includes both a selection icon for navigating to other local pages, along with direct access icons to directly navigate to a predetermined website to perform a common web action, illustrated below:



Annotated Figure 4E in this example therefore teaches a second locally stored page specifically designed to include at least one second direct access icon (e.g., Purchase) and a selection icon (e.g., Formal) to display a third locally stored page. *Dec.*, ¶105.

D. Claim 24(b)

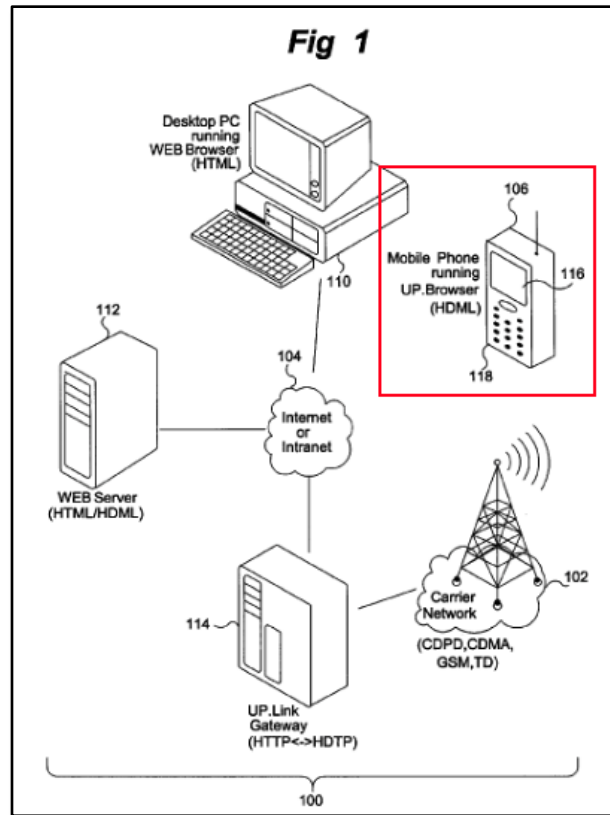
In the same example discussed in Claim 24(a)(1), utilizing *Rossmann-Himmel's* modified system, continuing from Figure 4E, once a user selects “Formal” a third locally stored page is displayed. *Dec.*, ¶106. This is shown below in Figure 4F:



Annotated Figure 4F includes numerous selection icons such as Suits, Blouses, Dresses, along with the consumer hot list links discussed above, including a third direct access icon such as Review Order. *Dec.*, ¶106.

E. Claim 24(c)

Rossmann expressly teaches its two-way communication device can be a “mobile phone.” *Rossmann*, 6:12-14 (“FIG. 2. Illustrates a block diagram of a typical digital **mobile phone** 120 that can be used in the arrangement of FIG. 1 to practice the present invention.”); *see also id.*, 2:66-3:3, 4:48-5:5. An example of *Rossmann*’s mobile phone is boxed in red below in Figure 1:



Id., Fig. 1 (annotated); *supra*, Claim 24(Pre).

F. Claim 25²

As discussed in Section III.C., Petitioner asks the Board apply Patent Owner's interpretation of "selection page" for the purposes of this proceeding. *Supra*, Sec. III.C (construing "selection page" to mean a "screen with selectable icons that are displayed together on a graphical user interface").

Rossmann-Himmel teaches selection pages with selectable icons displayed on the graphical user interface of a mobile device. *Supra*, Claim 24(a)-(b) (describing

² Antecedent Claim 24 does not recite a "selection page" but rather "pages" displaying icons. For the purposes of this IPR only, Petitioner interprets Claim 24's "pages" as "selection pages."

HDML cards representing user displays). A POSITA would have understood the HDML cards in *Rossmann* disclose a plurality of “selection pages” under Patent Owner’s claim construction. *Dec.*, ¶108. The ’058 Patent describes “selection pages” as locally stored pages displaying certain icons. ’058 Patent, Abstract, 3:61-4:3, 4:9-27, Fig. 1. This is also reflected in the language of the claims. In *Rossmann*, Figures 4C-4G are screen displays of cards in a deck stored locally on the mobile device that display icons for navigation on the graphical user interface of *Rossmann*’s mobile phone. *Rossmann*, 6:20-29, 9:43-47, 11:3-56; *Dec.*, ¶109.

While the example operation of the *Rossmann-Himmel* modified system discussed in Claim 24 above does not discuss a selection page including an icon “for directly accessing a search engine on the Web,” it would have been obvious, based on *Himmel*’s disclosures, to download a “search engine” icon along with the rest of the hot list icons for display on *Rossmann*’s mobile device. *Dec.*, ¶110. As discussed, in the modified system, a consumer hot list of common web actions is downloaded when a user requests a deck associated with a specific website. *Supra*, Claim 24(a). *Himmel* teaches common web actions such as Purchase, On-Sale Today, Review Order, Review Shopping Cart, and Consumer Address. *Himmel*, 20:3-10. *Himmel* also teaches other “rudimentary common” features such as “‘search’, ‘contact-us’, etc.” *Id.* 18:67-19:1.

A POSITA would have been motivated and found it obvious to download a “search” bookmarked web action for a particular website to quickly navigate to the search menu. *Dec.*, ¶111. This would enable quick and efficient user navigation to specific information or products directly without sifting through multiple pages. *Dec.*, ¶111. Furthermore, a POSITA would have understood mobile devices at that time lacked sufficient storage to include all potential options a user may desire in a single downloaded deck. *Dec.*, ¶111. As such, a POSITA would have recognized providing a search link would allow the user to efficiently access a relevant search engine if the deck/card lacked their desired choice. *Dec.*, ¶111. A POSITA would have appreciated success downloading this additional hotlink for the same reasons *Rossmann’s* invention accommodates hotlinks for other common web actions. *Dec.*, ¶112. Moreover, a POSITA would have understood this “search” hotlink is an icon “for directly accessing a search engine on the Web” because it is a search engine for that particular website, enabling a user to navigate to a website’s search bar to type and search for specific information. *Dec.*, ¶113.

G. Claim 26

Rossmann-Himmel teaches when a user selects a direct access icon hyperlink on a displayed page, an address is emitted over the Internet to the website the user selected. For example, *Himmel* teaches “[e]ach hyperlink contains URL location information that serves as an **address of the web site.**” *Himmel*, 5:35-36. When a

user selects a direct access icon, e.g., “Purchase” or “On-Sale Today” associated with the ABC Sales Corp. website, the specific URL containing the address corresponding to that web action would be “emitted” over the Internet to retrieve that webpage. *Id.*, 2:4-7 (“bookmarks offer a means of page retrieval”), 5:28-6:28 (describing client-server communication to reach a website), 19:22-31 (“a consumer hot list is composed of a consumer ‘request’, a text string for display in the user interface which indicates what will happen if the request is selected and a web ‘action’, a URL to another web page”); *Dec.*, ¶114.

Indeed, *Rossmann* confirms “each of the menu items” displayed to a user on a page “corresponds to a resource locator in the card,” including “an address of the particular object associated with that menu item” such as its “URL.” *Rossmann*, 10:26-34. “The address can be...to a remote object on a server computer.” *Id.* Thus, in the modified system, when a user selects a displayed menu item from the consumer hotlist, the URL address associated with that item is emitted over the Internet to the server hosting the desired action. *Dec.*, ¶¶94-95, 115; *supra*, Claim 24(a) (motivation to combine *Rossmann*’s and *Himmel*’s teachings).

VI. GROUND 2: CLAIMS 1, 2, 4-6, 10-23, AND 27 ARE OBVIOUS OVER ROSSMANN, HIMMEL, AND KING

A. King

King was filed April 30, 1998, qualifying as prior art to the '058 Patent under at least 35 U.S.C. § 102(e). *King* (Ex. 1006). *King* was neither cited nor considered during prosecution of the '058 Patent.

King teaches “methods for inline variable management in a hypermedia display language” such that variables “can be substituted in a hypermedia display language” based on user activity. *King*, Abstract, 2:21-30. These variables can be substituted into URLs using a “text substitution method” for use in an HDML environment. *Id.*, 9:49-10:27. These generated URLs can then be saved in a “navigation history stack” to “easily go backwards through the content he or she has viewed[.]” *Id.*, 11:57-12:5, Fig. 4B.

Because *King*, like the '058 Patent, discloses accessing information sources or services on the web, *King* is in the same field of endeavor as the '058 Patent. *Compare King*, 1:13-25, with '058 Patent, 1:7-9; *Dec.*, ¶¶118-119.

Further, just like the '058 Patent which seeks to reduce the steps occurring over a network, *King* addresses the problem of network communications that require “network round-trip” communications between mobile devices and a server, which “introduces additional latency and causes unnecessary network traffic.” *Compare King*, 2:3-5, 2:26-30, 4:59-5:4 with '058 Patent, 1:35-42, 4:63-67. Therefore, *King*

is in the same field of endeavor and reasonably pertinent to a problem described by the '058 Patent and is thus analogous art. *Dec.*, ¶¶118-119.

B. Claim 1(Pre)

As discussed in Section III.C., Petitioner asks the Board apply Patent Owner's interpretation of "website" for the purposes of this proceeding. *Supra*, Sec. III.C (construing "website" to mean "a source of information or services accessible via a network using HTTP or another web protocol").

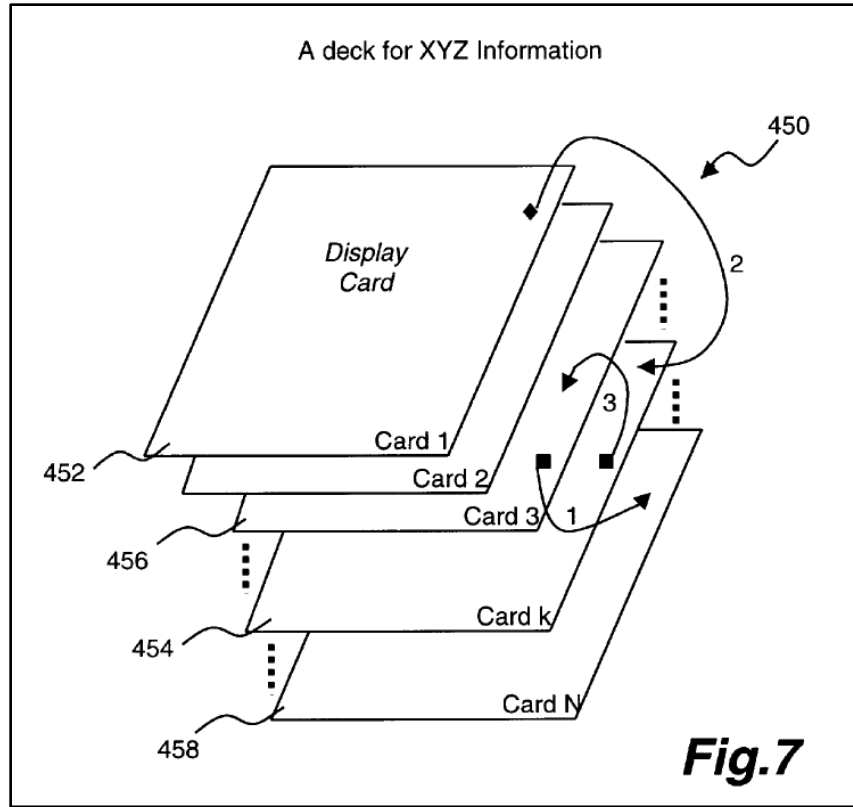
- 1. Apparatus for accessing information- or service-providing Web sites, comprising a communication device connectable through a communication network to the Internet, control and processing device or devices, data storage device or devices, and a display,***

As above in Claim 24, *Rossmann* teaches a mobile communication device that teaches this limitation. *Supra*, Claim 24(Pre). *Rossmann* also teaches accessing "information- or service-providing Websites." *Rossmann* teaches accessing example website www.xyzinfo.com using known web protocols such as HTTP, downloading a deck with cards identified in Figures 4A through 4G, and locally navigating those cards to ultimately obtain weather information for Town A. *See generally id.*, 9:37-11:56.

2. ***said storage device or devices containing a plurality of selection pages within a tree menu structure, said selection pages being beforehand locally stored in said data storage device or devices***

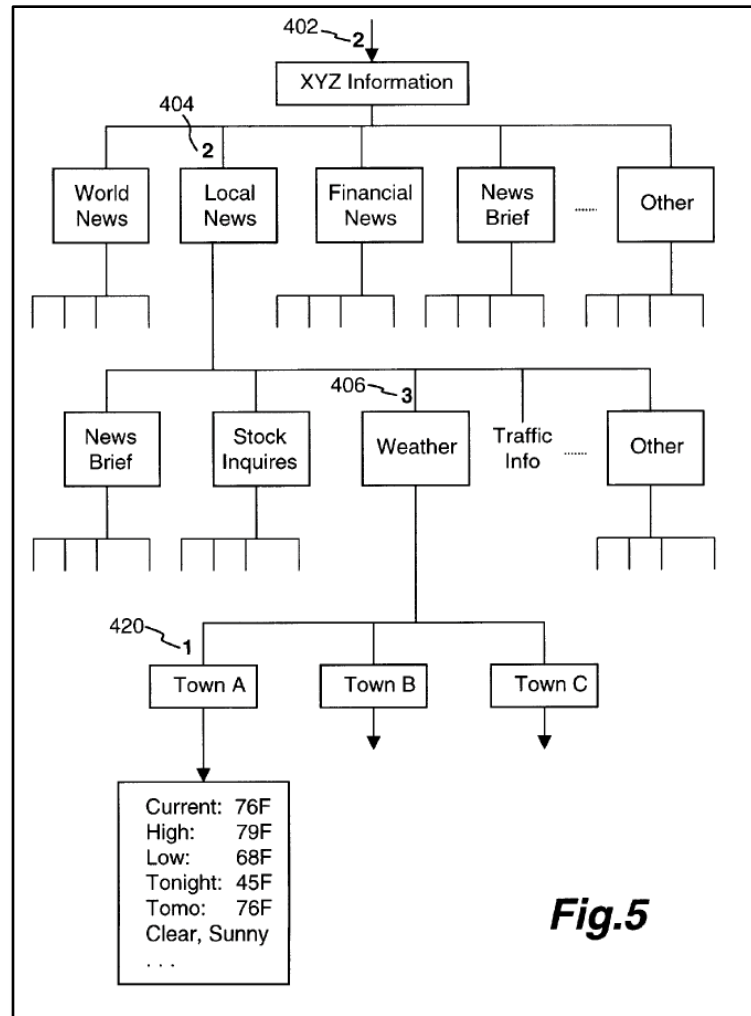
As above in Claim 24, *Rossmann* teaches “said storage device or devices containing a plurality of selection pages” by storing “HDML decks” comprising cards that represent screen displays. *Supra*, Claim 24(a).

Rossmann’s HDML cards (“selection pages”) are locally stored within RAM in the mobile device as a deck. *Rossmann*, 6:20-37 (the phone receives an “HDML deck from the server device and stores the deck as cached in RAM 134”), 7:50-53, 12:18-34. The HDML cards are stored “before” the final target information is obtained and therefore are “beforehand locally stored” as claimed. *Dec.*, ¶123. The deck for XYZ Information is depicted below in Figure 7:



Rossmann, Fig. 7.

Rossmann teaches its HDML cards are hypertext that link to other cards in the deck and represent website information “configured to have a downward **tree structure** **400** of information services[.]” *Rossmann*, 11:34-55, 13:53-54. This tree structure is illustrated below in Figure 5:



Id., Fig. 5. In this example, “entry 402 contains a number of hyperlinkable nodes linking to other text pages that further contains a number [of] hyperlinkable nodes.” *Id.*, 11:43-46. “Like **tree branches**, the structure 400 ends with leaves that are text pages or display cards.” *Id.*, 11:46-48. “One of the final leaves along the node ‘Weather’ 406 is a page 420 that provides weather information in Town A[.]” *Id.*, 11:53-54. *Rossmann’s* HDML cards are therefore “within a tree menu structure” such that they are hierarchically linked hypertext pages that are the nodes of tree structure websites. *Dec.*, ¶124.

Rossmann's HDML cards and associated screen displays of webpages are consistent with the “tree structure” described by the inventor. *Dec.*, ¶¶124-125. During the '058 Patent's prosecution, Applicant filed an inventor declaration discussing an example tree structure. '058 Patent File History (Ex. 1002), 466-470. The inventor described an example operation of a webphone accessing a women's clothing webpage by locally navigating locally stored pages “Summary/Shopping/for Women/Clothing.” *Id.* The “Clothing” page was the “last page” “in the successively linked pages” such that the “screen of the attachment refers to a tree structure of pages with [] reference to...Summary/Shopping/for Women/Clothing.” *Id.* Consistent with the inventor's discussion, *Rossmann's* HDML cards are “within a tree menu structure.” *Dec.*, ¶125.

3. ***and each being specifically designed for containing a set of icons including at least one of a direct access icon for directly accessing remote sources of information and a selection icon for locally accessing another selection page within said tree menu structure, wherein said plurality of selection pages includes:***

Petitioner asks the Board adopt Patent Owner's construction of “specifically designed [for containing]³” for the purposes of this proceeding. *Supra*, Sec. III. For the same reasons in Claim 24 above, *Rossmann-Himmel* teaches locally stored

³ For the purposes of this IPR only, Petitioner understands Patent Owner's construction for “specifically designed to include” applies equally to the analogous “specifically designed for containing” claim language in Claim 1.

selection pages “used to include” both direct access and selection icons and therefore meets this claim limitation. *Dec.*, ¶¶90-104, 126.

In *Rossmann*’s modified system in view of *Himmel*, these selection pages contain “a set of icons including at least one of a direct access icon for directly accessing remote sources of information and a selection icon for locally accessing another selection page within said tree menu structure.” *Supra*, Claim 24 (describing both direct access icons and selection icons on selection pages in the modified system); *supra*, Claim 1(Pre) (describing selection pages “within said tree menu structure”).

C. Claim 1(a)

As above in Claim 24, *Rossmann* teaches HDML cards (“selection pages”) locally stored within RAM in the mobile device. *Rossmann*, 6:20-37. *Rossmann* teaches at least a first, second, and third selection page. *Supra*, Claim 24(a)-(b).

D. Claim 1(a)(1)

For the same reasons in Claim 24, *Rossmann* teaches this limitation. *Supra*, Claim 24(a).

E. Claim 1(a)(2)

For the same reasons in Claim 24, *Rossmann* teaches this limitation. *Supra*, Claim 24(a)(1).

F. Claim 1(a)(3)

For the same reasons in Claim 24, *Rossmann* teaches this limitation. *Supra*, Claim 24(b).

G. Claim 1(b)

For the same reasons in Claim 25, *Rossmann* teaches this limitation. *Supra*, Claim 25.

H. Claim 1(c)

Rossmann teaches a user can perform a preliminary search for information or service, locally within the mobile device in different themes and sub-themes within a plurality of displayed selection pages, i.e., by locally navigating through a downloaded HDML deck.

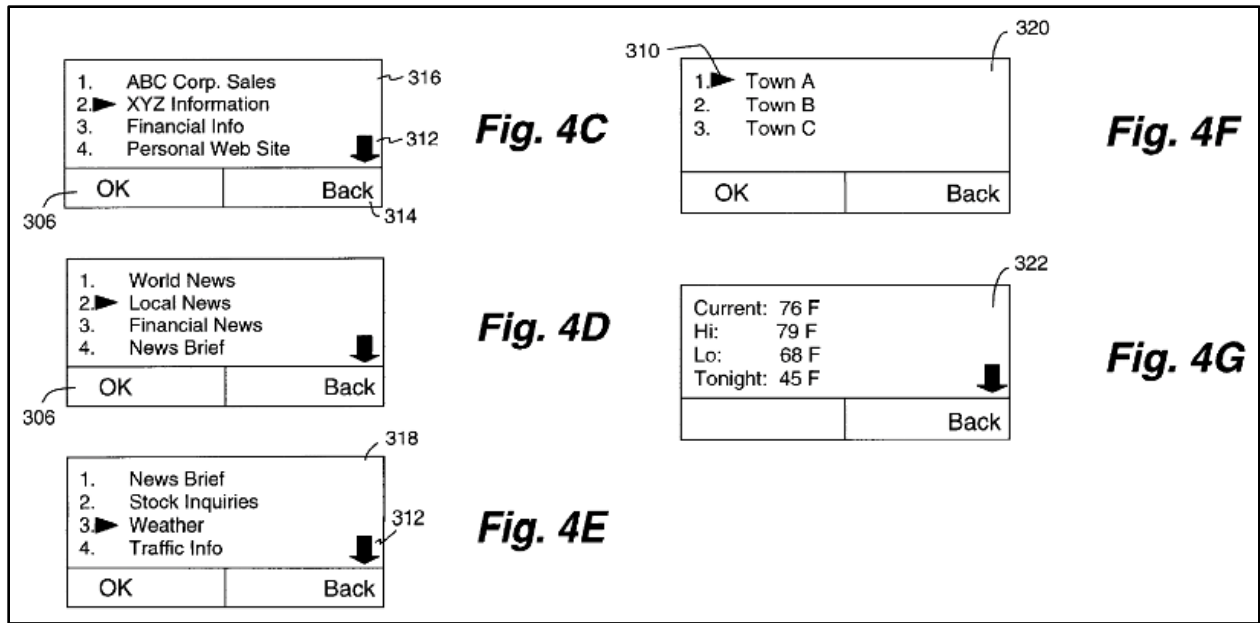
1. a preliminary search locally performed within said communication device

Rossmann teaches a user “initiates a communication session request to the server device” and downloads an “HDML deck from the server device” to be cached locally in the mobile device in RAM 134. *Supra*, Claim 24. This “deck is simply a group of screen displays” called “cards.” *Id.* As above, a user performs a local preliminary search for information within the mobile device by navigating through the display cards in an HDML deck. *Id.* (describing a user interested in the weather navigating through locally stored decks and cards to ultimately display the weather in Town A and a similar example for ABC Sales Corp).

A POSITA would have understood this is a “preliminary” search performed locally within *Rossmann*’s mobile device consistent with the disclosures of the ’058 Patent. *Dec.*, ¶135. The ’058 Patent provides a single passage describing performing a “preliminary” search. ’058 Patent, 2:24-33, 2:64-3:4. This passage describes implementing “preliminary selection steps in pages” before “finally emitting on the Internet only a complete address for accessing a well-targeting information source.” *Id.* In other words, a preliminary search of local pages is performed by the user before the final target information is obtained. *Dec.*, ¶135; ’058 Patent, 2:58-3:4 (describing how a “user can thus locally achieve...a preliminary search” by searching local pages). Consistently, a user in *Rossmann* preliminarily searches through the local pages in Figures 4C-4F before displaying target information in Figure 4G as claimed. *Dec.*, ¶135. Further, *Rossmann*’s local preliminary search serves the same goal as the “preliminary search” in the ’058 Patent—to reduce network traffic and simplify browsing. ’058 Patent, 1:35-42, 2:24-33, 4:63-67; *Rossmann*, 2:48-51, 12:24-34.

2. *in different themes and sub-themes within a plurality of successively displayed selection pages*

Rossmann’s user performs the preliminary local search described above through different themes and sub-themes within successively displayed selection pages as shown in Figures 4C-4G below:



Rossmann, Figs. 4C-4G. *Rossmann* teaches different themes and sub-themes similar to the '058 Patent. The '058 Patent provides example “themes” like “sport, televisions, weather forecast or stock exchange” and “sub-themes” like “collective sports,” “training,” or “transfers.” '058 Patent, 4:1-51. Likewise, *Rossmann* teaches themes including ABC Corp. Sales, XYZ Information, Financial Info, and Personal website. *Rossmann*, Fig. 4C. These themes have sub-themes, such as World News, Local News, Financial News, and News Brief, Stock Inquiries, Weather, and Traffic Info. *Id.*, Figs. 4D-4F.

Rossmann teaches a user can search through these themes and sub-themes by navigating through the locally stored display pages. *Supra*, V.B (describing navigation through the pages in Figures 4C-4G). A POSITA would have understood *Rossmann's* control and processing devices enable a user to perform the

aforementioned “preliminary search” by receiving and translating user input into electrical signals within the mobile phone and interpreting those signals to generate a specific computing response. *Dec.*, ¶¶137-140.

I. Claim 1(c)(1)

Rossmann-Himmel teaches when a user selects a direct access icon hyperlink on a displayed page, an address is communicated over the Internet to the website the user selected. *Supra*, Claim 26. *Himmel* teaches “[e]ach hyperlink contains URL location information that serves as an **address of the web site.**” *Himmel*, 5:35-36. When a user selects a direct access icon, e.g., “Purchase” or “On-Sale Today” associated with the ABC Sales Corp. website, the specific URL containing the address corresponding to that web action would be “emitted” over the Internet to retrieve that webpage. *Id.*, 2:4-7, 5:28-6:28, 19:22-31; *Dec.*, ¶141.

Indeed, *Rossmann* confirms “each of the menu items” displayed to a user on a page “corresponds to a resource locator in the card,” including “an address of the particular object associated with that menu item” such as its “URL.” *Rossmann*, 10:26-34. “The address can be...to a remote object on a server computer.” *Id.* Thus, in the modified system, when a user selects a displayed menu item from the consumer hotlist, the URL address associated with that item is emitted over the Internet to the server hosting the desired action. *Dec.*, ¶¶94-95, 142; *supra*, Claim 24 (motivation to combine *Rossmann*’s and *Himmel*’s teachings).

A POSITA would have understood *Rossmann's* control and processing devices enable an address to be emitted on the communication network as claimed by receiving and translating user input into electrical signals within the mobile phone and interpreting those signals to generate a specific computing response. *Dec.*, ¶¶141-142.

J. Claim 1(c)(2)

As discussed in Section III.C., Petitioner asks the Board apply Patent Owner's interpretation of "said address being locally generated" for the purposes of this proceeding. *Supra*, Sec. III.C (construing this phrase to mean "said address being generated on the device").

Rossmann-Himmel teaches a user-display with selectable menu items that include URL addresses to access a desired webpage. *Supra*, Claim 24(a) (describing selection icons and direct access icons on a display and motivation for the modification) and 1(c)(1) (describing URLs associated with selectable items). In the modified system, both the HDML decks and consumer hot list bookmark set are stored "locally" in RAM in the mobile device. *Rossmann*, 6:20-29; *Himmel*, 4:54-57, Fig. 1. The decks and bookmark sets include URL addresses for particular webpages hosted on a webserver. *Rossmann*, 10:26-34; *Himmel*, 5:35-36. When a user selects an item, e.g., "Purchase," the address associated with that web action is generated on the phone and sent to the web server supporting that web action. *Dec.*,

¶144. The desired webpage is retrieved such that the user directly accesses the information- or service-providing website. *Dec.*, ¶144.

While a POSITA would have understood *Rossmann*'s modified system locally generates an address when a user selects a direct access icon displayed in the HDML browser, *Rossmann* does not detail this process. *Dec.*, ¶145. *King* teaches well-known URL generation in an HDML environment.

Namely, *King* teaches applying certain variables to modify a URL as a user navigates through the selection pages. *King*, 8:65-14:17, Fig. 5. When the user selects a particular choice, the values of the variables bound to the CHOICE tag are updated to reflect the new information. *Id.*, 8:7-13. The values of variables are substituted into the hypertext during the processing and display of the hypertext, and may be inserted into a URL. *Id.*, 2:39-42, 8:66-9:2. 9:51-54. In this way, *King* teaches “generating” a URL locally on the device based on user selections. *Dec.*, ¶146.

A POSITA would have been motivated to apply *King*'s teachings in the *Rossmann-Himmel* system to successfully travel to a remote webpage using HDML and for the benefits discussed in *King*. *Dec.*, ¶147. *King* explains its inline variable management technique “solves the problem of using client state in displays without the necessity of the server round-trip and without incurring all the memory and processing requirements of a full scripting language.” *King*, 2:26-30. *Rossmann-*

Himmel would therefore appreciate these same benefits by employing *King*'s inline variable management processes. *Dec.*, ¶¶147-150. A POSITA would have appreciated a reasonable expectation of success modifying *Rossmann-Himmel* with *King*'s teachings because *Rossmann* and *King* share an assignee, describe a similar HDML architecture, and are built on top of the HDML 2.0 specification incorporated expressly by reference into both references. *Dec.*, ¶147. Indeed, *King* elucidates processes already described in the HDML 2.0 specification and incorporated by reference into *Rossmann*. *Dec.*, ¶¶146-150.

A POSITA would have understood *Rossmann-Himmel-King*'s system teaches generating a URL of a direct access icon locally by variably modifying that URL to access the appropriate webpage selected by the user and therefore meets Patent Owner's construction of "locally generating" an address. *Dec.*, ¶150. For example, while the phone displays an HDML card comprising both selection and direct access icons ("during the display...step"), a user selects the "Purchase" direct access icon ("during the...selection step") and an address for the website hosting the "Purchase" webpage is generated on the mobile device ("locally generated"). *Dec.*, ¶¶146-150.

K. Claim 1(d)

For the same reasons in Claim 24, *Rossmann* teaches this limitation. *Supra*, Claim 24(c).

L. Claim 2

Rossmann-Himmel teaches direct access icons that access commercial sites. Namely, *Himmel* teaches an express example of a “consumer hot list” “presented on a retail site like www.sears.com.” *Himmel*, 20:63-64, Fig. 15. This consumer hot list includes bookmarked icons for direct links to common retail actions, “such as Purchase 552, On-Sale Today 553, Review Order 554, Review Shopping Cart 555 and Consumer Address 556.” *Id.*, 20:64-67. “The selection of any of these bookmarks would result in the retrieval of a web page which would provide the listed action.” *Id.*, 20:67-21:2. For the reasons explained above, a POSITA would have been motivated to modify *Rossmann* to implement the consumer hot lists in *Himmel* and would have had a reasonable expectation of success making that modification. *Supra*, Claim 24(a); *Dec.*, ¶¶76-104, 152. This includes hot lists for commercial sites. *Dec.*, ¶152 (explaining “Sears” is a “commercial site” because it sells goods from various retailers or offers additional services).

In another example, *Rossmann* teaches accessing another website for ABC Corp. Sales. *Rossmann*, Figs. 4B, 4C. A POSITA would have understood www.abc.com is a commercial site. *Dec.*, ¶153. *Rossmann*’s parent patent supports this and provides express examples of a Corp. Sales website for purchasing goods. *See* U.S. Patent No. 5,809,415 (Ex. 1030), 12:13-41, Figs. 2A-2C. In the modified system, a user would be able to select direct access icons, e.g., “Purchase” or “On-

Sale Today,” as disclosed in *Himmel* to arrive at the specific webpage on the commercial site to purchase a selected item or to view items on-sale on that website. *Dec.*, ¶153.

Alternatively, *Himmel* also teaches bookmark sets applied in a “kiosk or point of sale environment.” *Himmel*, 10:1-8. These kiosks are “typically sponsored by a vendor” and may limit the URLs available in a bookmark set to those the vendor wants to advertise. *Id.*, 9:66-67, 10:1-8. A POSITA would have found it obvious to apply this alternative application of *Himmel*’s bookmark sets in *Rossmann*’s invention, in addition to the consumer hotlist bookmark sets discussed above. *Dec.*, ¶154 (explaining this kiosk environment would have linked a user to a “commercial site”). For example, in a kiosk application, *Rossmann*’s mobile device would be a “mobile computing device” or an “internet appliance controller.” *Rossmann*, 6:60-65; *Dec.*, ¶154. This kiosk device would download a preset deck with a choice card listing sponsored websites approved by the vendor. *Dec.*, ¶154. Using an example where the vendor is Sears as discussed in *Himmel*, the initial downloaded deck would include a “Sears” icon for directly accessing the www.sears.com homepage, and would include additional icons to navigate affiliated websites or webpages, e.g., XYZ Corp. Sales discussed above. *Dec.*, ¶154. Rather than traversing local cards for different screen displays for Sears, a user would be directed straight to the homepage advertised by the host vendor. *Dec.*, ¶154. A user would navigate the same local

HDML cards above for affiliated XYZ Corp. Sales, utilizing hotlist URL links for specific advertised webpages (e.g., “On-Sale Today”). Internet navigation is further simplified for the user in this example by limiting the universe of accessible URLs to the narrow list provided by the vendor. *Dec.*, ¶154.

A POSITA would have been motivated to implement *Rossmann*’s invention in the vendor kiosk environment described in *Himmel* for a number of reasons. *Dec.*, ¶155. A POSITA would have understood *Rossmann*’s methods are applicable to a wide range of applications, including vendor-specific applications. *Dec.*, ¶155. In the kiosk environment, *Rossmann*’s methods for local navigation would appreciate the same benefits noted above, including limiting network traffic and simplifying user navigation. *Dec.*, ¶155. This would reduce network charges for the vendors hosting the devices and would improve user navigation by both limiting bandwidth concerns and providing streamlined navigation for users unfamiliar with web surfing. *Dec.*, ¶155. This is particularly beneficial to the vendor to ensure the user is browsing the vendor’s website and other pre-approved websites and webpages. *Dec.*, ¶155. For the same reasons above, a POSITA would have appreciated a reasonable expectation of success modifying *Rossmann* pursuant to *Himmel*, including in various applications and environments. *Supra*, Claim 24(a); *Dec.*, ¶¶76-104, 155.

M. Claim 4

Rossmann-Himmel teaches a selection page comprising two or more direct access icons. *Supra*, Claim 24(a). As discussed, in the ABC Sales Corp. example of modified system, the HDML cards (“selection pages”) in Figures 4D and 4E would further display a consumer hot list with selectable linked icons to common web actions (“direct access icons”). *Dec.*, ¶156; *Rossmann*, Figs. 4D and 4E; *Himmel*, 18:53-21:17. This would include, for example, Purchase, On-Sale today, etc. *Id.*; *Dec.*, ¶156. A POSITA would have understood “Purchase” corresponds to a distinct service compared to “On-Sale today.” *Dec.*, ¶156.

To the extent Patent Owner argues the claimed “distinct sources of information or services” requires information or services from different websites altogether, a POSITA would have found it obvious to include a selection page with two or more direct access icons corresponding to different websites in *Rossmann-Himmel* in the kiosk environment described above in Claim 2. *Dec.*, ¶¶152-155, 157. Specifically, it would have been obvious to a POSITA for a vendor to include more than one direct link to a website, such as a link to Sears’ homepage and a link to Kmart’s homepage, a subsidiary of Sears. *Dec.*, ¶157. This would beneficially provide a user with direct access to additional products or services while allowing the vendor to control which products or services the user sees. *Dec.*, ¶157. Additionally, the number of direct links to a website would be an obvious matter of

design choice within the skill of the art. *Dec.*, ¶157. A POSITA would have had success implementing two or more direct links to different websites for the same reasons as including a single link. *Dec.*, ¶157.

N. Claim 5

As above in Claim 1, *Rossmann-Himmel* teaches retrieving and displaying a page from a website after the user selects a direct access icon. *Supra*, Claim 1(a)(1)-(3) (referencing Claim 24’s analysis). Specifically, in the modified system, once a user selects a bookmark in the downloaded hot list, the system “retrieves a web page at the URL of the selected item” for presentation to the user. *Himmel*, 21:3-17; *Dec.*, ¶158. If a user selects the “Purchase” direct access icon, then a “purchase” webpage associated with the website the user is navigating is displayed on the display of *Rossmann*’s mobile device. *Dec.*, ¶158.

O. Claim 6

Rossmann’s modified system teaches a selection page specifically designed to include both a direct access icon and a selection icon. *Supra*, Claim 1(a)(1) (citing Claim 24(a) discussion of a single selection page used to include both claimed icons, e.g., “Men’s Clothing” and “Purchase”).

P. Claim 10

For the same reasons *Rossmann* teaches a second selection page displaying sub-theme information of a first, *Rossmann* teaches displaying information that is a “sub-category” of the first page. *Supra*, Claim 1(c) (describing accessing a second

selection page displaying information as a sub-theme of the first selection page). A POSITA would have understood “sub-themes” like “News Brief” or “Weather” in Figure 4E are sub-categories of “Local News” in Figure 4D. *Dec.*, ¶160.

Q. Claim 11

Rossmann teaches displaying a webpage from a Web site corresponding to the selected direct access icon via the Internet. *Supra*, Claim 5. A POSITA would have understood the control and processing devices in *Rossmann* are configured to receive a webpage for display. *Dec.*, ¶161.

R. Claim 12

Rossmann-Himmel teaches the selection icons and direct access icons of claim 1. *Supra*, Claim 1. *Rossmann-Himmel* further renders obvious selection icons that present distinct graphic features from direct access icons such that the selection icons present thematic graphic features for categories of information and the direct access icons present graphic features for an action link. *Id.*; *Dec.*, ¶162. Namely, selection icons such as XYZ Information, World News, Local News, Financial News, News Brief, Weather, etc. present graphic features illustrating particular categorical themes for a user to select. *Rossmann*, Figs. 4B-4E; *Dec.*, ¶162. Direct access icons like Purchase, On Sale Today, Review Order, Review Shopping Cart, etc. present graphic features illustrating web actions that are distinct from the categories of information presented in the selection icons. *Himmel*, 19:55-20:10; *Dec.*, ¶162. A

POSITA would have found it obvious to graphically distinguish the “direct access icons” in *Rossmann-Himmel* from the selection icons to (1) highlight that selecting a direct access icon will access the Internet and therefore potentially incur charges and use data, and (2) simplify and improve user navigation by graphically showing the themes of local pages for browsing. *Dec.*, ¶162. A user would benefit from clear indications that charges or data usage will result from selecting a specific icon and clear, universally understood directions for navigation. *Dec.*, ¶162.

A POSITA would have recognized *Himmel* teaches graphic features associated with icons, shown below:



Himmel, Fig. 15 (excerpt). A POSITA would have been motivated to apply a well-known graphic, like the Netscape graphic above, to *Rossmann-Himmel*'s direct access icons indicating a user will use network resources for the benefits above. *Dec.*, ¶163. Further, a POSITA would have been motivated to implement well-known graphics for News or Weather to indicate local pages are available for that theme. *Dec.*, ¶163. Applying differentiating graphics to selection and direct access icons would have been a simple design choice well within the skill of a POSITA at the time. *Dec.*, ¶¶164-165 (describing reasonable expectation of success).

S. Claim 13

Rossmann teaches moving an arrow to an icon and pressing a predetermined button such as a soft key or the numbered button to select an option listed on the graphical user interface of the mobile communication device. *Rossmann*, 10:51-60, 11:15-21. In *Rossmann*'s modified system, a POSITA would have understood *Rossmann-Himmel*'s direct access icons would have been selected in the same way, such that moving an arrow and pressing a predetermined button for a direct access icon, e.g., Purchase, constitutes "clicking" this icon. *Dec.*, ¶166.

T. Claim 14

Rossmann teaches downloading HDML decks comprising cards ("selection pages") in RAM. *Supra*, Claim 1(Pre) (citing Claim 24(a)).

U. Claim 15

Rossmann teaches downloading HDML decks comprising cards ("selection pages") in RAM in *Rossmann*'s mobile communication device using airnet 102 and the Internet. *Supra*, Claim 1(Pre) (citing Claim 24(a)); *Rossmann*, 4:48-64 (airnet 102 is a mobile carrier network such as "AT&T or GTE").

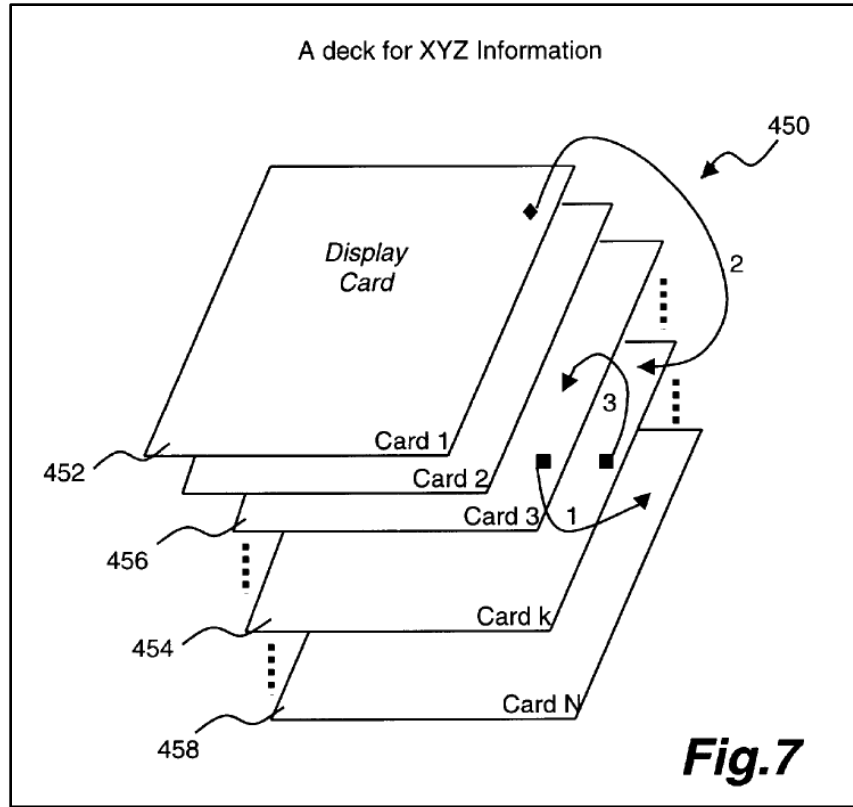
V. Claim 16

Rossmann teaches its HDML cards present a screen display with "menu 308 as shown in FIG. 4B" to a user. *Rossmann*, 9:62-67. Menu 308 includes "a number of items that can be accessed by the user." *Id.* *Rossmann* teaches a "screen display can be larger than the number of lines available on the display screen 300 and so the

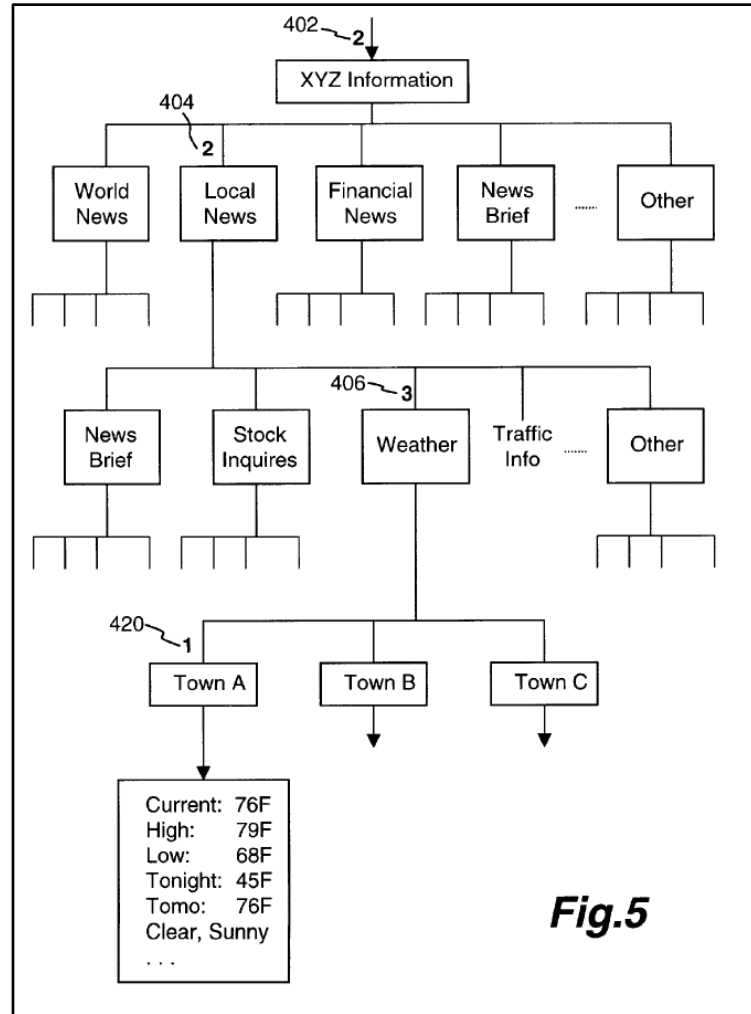
user must **scroll the screen display** to view the complete screen.” *Id.*, 10:4-7. “[T]o view the additional items, the user presses the downward arrow key corresponding to the multi-display screen card indicator 312” such that “when the downward arrow key is pressed, each line of the display is **rolled up one line**.” *Id.*, 10:7-11. A POSITA would have understood *Rossmann*’s selection pages therefore operate as rolling menus, allowing the user to roll up or down to different choices. *Dec.*, ¶169.

W. Claim 17

As above in Claim 1(Pre), *Rossmann* teaches HDML cards (“selection pages”) are hypertext that link to other cards in the deck and represent website information “configured to have a downward **tree structure 400** of information services[.]” *Supra*, Claim 1(Pre); *Rossmann*, 11:34-55, 13:53-54. The deck associated with the XYZ Information example is depicted below in Figure 7:



Rossmann, Fig. 7. This tree structure is illustrated below in Figure 5:



Id., Fig. 5. In this example, “entry 402 contains a number of hyperlinkable nodes linking to other text pages that further contains a number [of] hyperlinkable nodes.” *Id.*, 11:43-46. “Like **tree branches**, the structure 400 ends with leaves that are text pages or display cards.” *Id.*, 11:46-48. A POSITA would have understood the selection page illustrated in Figure 4C in *Rossmann* is the “trunk” of the tree menu structure above in Figures 5 and 7 such that the remaining branches flow from that initial trunk. *Dec.*, ¶170.

X. Claim 18

Rossmann-Himmel teaches when a user selects a direct access icon hyperlink on a displayed page, *Rossmann's* control and processing devices emit an address over the Internet to the website the user selected. *Supra*, Claim 1(c)(1). A POSITA would have understood this is a “request-answer” sequence, where the selection of the direct access icon hyperlink generates a request with the webpage URL to obtain a response with the requested webpage. *Dec.*, ¶¶171-172.

This request-answer sequence occurs after the user locally searches through themes and sub-themes. *Supra*, Claim 1(c). Namely, *Rossmann* teaches a user can search through themes and sub-themes by navigating through the locally stored display pages, which are cards of the HDML deck and select a particular theme or sub-theme. *Id.*

Y. Claim 19

As explained in Claim 2, in the kiosk environment, *Rossmann-Himmel* teaches accessing a vendor's homepage on *Rossmann's* “mobile computing device” or an “internet appliance controller” by selecting the icon associated with that homepage on the display screen. *Supra*, Claim 2. For instance, by clicking “Sears” in the modified system, a user would be taken to the Sears homepage at www.sears.com. *Id.*; *Dec.*, ¶¶154-155, 173-174. It would have been obvious to use a logotype to represent the “Sears” homepage to provide an easy, user-friendly

navigation to the Sear’s website. *Dec.*, ¶¶154-155, 174. A POSITA would have recognized a logotype includes a text logo of a company’s name or initials. *Dec.*, ¶174. Thus, a “Sears” icon represents a logotype because it is a text logo related to the company name. *Dec.*, ¶174.

Alternatively, as above in Claim 12, it would have been obvious and a POSITA would have been motivated to add further graphic or semi-graphic marks to each of the icons in this example to improve user navigation. *Supra*, Claim 12; *Dec.*, ¶¶163-165, 175.

Z. Claim 20

Rossmann teaches its icons include local or remote text-based hyperlinks and therefore comprise “textual elements.” *Supra*, Claim 24(a)-(b) (describing each selection and direct access icon including textual elements for a local hyperlink or hyperlink to a webpage).

AA. Claim 21(Pre)

Rossmann teaches a mobile phone (“communication device”) that connects to websites over a communication network and that includes the claimed list of components. *Supra*, Claim 24(Pre) (claiming these same components).

BB. Claim 21(a)

For the same reasons in Claim 24, *Rossmann* teaches this limitation. *Supra*, Claim 24(a).

CC. Claim 21(b)

For the same reasons in Claim 24, *Rossmann* teaches this limitation. *Supra*, Claim 24(a)(1).

DD. Claim 21(c)

For the same reasons in Claim 25, *Rossmann* teaches this limitation. *Supra*, Claim 25 (describing how it would have been obvious to download a “search engine” icon along with the rest of the hot list icons for display on *Rossmann*’s mobile device such that a user would navigate to a search menu to control searches on the Web); *Dec.*, ¶¶108-113.

EE. Claim 21(d)

Rossmann-Himmel teaches a plurality of locally stored pages comprising various sets of icons. *Supra*, Claim 1, Claim 25. As explained in Claims 2 and 19, in the kiosk environment, *Rossmann-Himmel* teaches accessing a vendor’s homepage on *Rossmann*’s “mobile computing device” or an “internet appliance controller” by selecting the icon associated with that homepage on the display screen. *Supra*, Claim 2, 19. By clicking “Sears” in the modified system, a user would be taken to the Sears homepage at www.sears.com. *Id.*; *Dec.*, ¶181. A POSITA would have understood this homepage is a “portal of [a] Web site” as claimed consistent with the intrinsic record. *Dec.*, ¶181. During prosecution, the Examiner explained a “portal to a website is merely a website combining content from different sources on a single interface” and found a prior art webpage combining links on a single interface to

teach this limitation. '058 File History, at 483. Consistent with the Examiner's explanation, *Rossmann-Himmel*'s "Sears" icon links to the Sears homepage shown in *Himmel* Figure 15 that combines content from different sources on a single interface such as "products & services," "what's new at Sears," "store locator," etc. *Himmel*, Fig. 15; *Dec.*, ¶181.

Moreover, it would have been obvious for the same reasons explained above to download a "Purchase" hotlink associated with the Sears website to link to a web document. *Dec.*, ¶183. *Himmel* teaches when a hotlink, e.g., Purchase, is selected, "the applicable web action is performed by the web server, i.e. typically **redirection to another web document.**" *Himmel*, 19:27-30. Thus, the "Purchase" icon directly accesses a document provided by the Sears website, such as the Purchase webpage. *Dec.*, ¶183.

FF. Claim 21(e)

For the same reasons in Claim 24, *Rossmann* teaches this limitation. *Supra*, Claim 24(c).

GG. Claim 22

Supra, Claim 1(Pre) (describing HDML cards stored "before" the final target information is obtained and therefore are "beforehand locally stored" as claimed).

HH. Claim 23

Supra, Claim 1(Pre) (describing how *Rossmann*’s HDML cards are organized in a “tree menu structure” such that they are hierarchically linked hypertext pages that are the nodes of tree structure websites).

II. Claim 27(Pre)

As above in Claims 1 and 24, *Rossmann* teaches methods for accessing a website over a network from its mobile phone that includes a display. *Supra*, Claim 24(Pre), Claim 1(Pre).

JJ. Claim 27(a)

As above in Claim 1, *Rossmann* teaches performing a preliminary search through displays that include different themes and sub-themes. *Supra*, Claim 1(c) (describing *Rossmann*’s Figure 4 embodiment). *Rossmann* teaches its display pages can be successively displayed in response to sequential user requests, or can be displayed in response to a compound request—e.g., a keypad input of “2231” corresponding to the line item in each display. *Rossmann*, 11:57-64, 12:60-13:2. In either case, each request “is executed as if individually and *successively* entered[.]” *Id.*, 13:29-32, 13:38-54.

KK. Claim 27(a)(1)

Supra, Claim 1(Pre) (claiming substantively identical requirement).

LL. Claim 27(a)(2)

Supra, Claim 1(a) (claiming substantively identical requirement).

MM. Claim 27(a)(3)

Supra, Claim 1(a)(1) (claiming substantively identical requirement).

NN. Claim 27(a)(4)

Supra, Claim 1(a)(2) (claiming substantively identical requirement).

OO. Claim 27(a)(5)

As discussed in Section III.C., Petitioner asks the Board apply Patent Owner’s interpretation of “direct access icon” for the purposes of this proceeding. *Supra*, Sec. III.C (proposing “direct access icon” to mean “[a]n icon that, when selected, causes an address of at least one website to be transmitted to a network”). *Rossmann’s* modified system teaches this claim for the same reasons stated above. *Supra*, Claim 24(b); *Dec.*, ¶¶106, 192.

PP. Claim 27(b)

Supra, Claim 1(c)(1) (claiming substantively identical requirement).

QQ. Claim 27(b)(1)

As above, *Rossmann’s* modified system teaches locally generated an address while the user searches through display pages and selects a direct access icon. *Supra*, Claim 1(c)(2). For those same reasons, *Rossmann’s* modified system teaches locally generating an address “during said displaying and selection” as claimed. *Dec.*, ¶¶143-150, 194.

RR. Claim 27(c)

Supra, Claim 1(b) (claiming substantively identical requirement).

SS. Claim 27(c)(1)

Supra, Claim 1(d) (claiming substantively identical requirement).

VII. GROUND 3: CLAIMS 1, 2, 4-6, 10-23, 25, 27 ARE OBVIOUS OVER ROSSMANN, HIMMEL, KING, AND ADAR

A. Adar

Adar was filed May 5, 1999, qualifying as prior art to the '058 Patent under at least 35 U.S.C. § 102(e). *Adar* (Ex. 1008). *Adar* was neither cited nor considered during prosecution of the '058 patent.

Adar teaches methods for “facilitating searching and recommending resources” for Internet searches. *Adar*, 4:18-28. Namely, *Adar* teaches “a bookmark system” where a user can access and manage their bookmarks including popular bookmarks like “Yahoo!” *Adar*, 5:38-67, 6:1-19, 8:41-65, 10:47-53. The system can generate recommendations of popular bookmarks for the user based on metrics of all user bookmarks within a database. *Id.*, 14:18-54.

Because *Adar*, like the '058 Patent, discloses accessing information sources or services on the web, *Adar* is in the same field of endeavor as the '058 Patent. *Compare Adar*, 1:8-12, with '058 Patent, 1:7-9; Dec., ¶¶198-199.

Further, like the '058 Patent, which seeks to efficiently guide to the most useful information sources or the most frequently consulted information sources, *Adar* describes tracking popularity metrics such as frequency and recency of access to enhance recommendation operations. *Compare Adar*, 12:41-47, 14:37-54 with

'058 Patent, 2:24-33, 2:34-40. Therefore, *Adar* is in the same field of endeavor and is reasonably pertinent to a problem described by the '058 Patent and is thus analogous art. Dec., ¶¶198-199.

B. Claims 1, 2, 4-6, 10-23, 25, 27

Claims 1, 2, 4-6, 10-23, 25, and 27 are obvious over *Rossmann-Himmel-King* for the reasons above. Petitioner advances Ground 3, and specifically *Adar*, should Patent Owner argue or the Board find that *Rossmann-Himmel's* “search” icon to access a search menu within a webpage is not a conventional “search engine” as that term is used in the '058 Patent. Petitioner provides an invalidity mapping analyzing *Adar's* teachings to the relevant claim language reciting a selection page used to include an icon to a “search engine.” Petitioner incorporates by reference the remaining analysis for *Rossmann-Himmel-King* for all other claims and limitations.

1. Claim 1(b) – at least one selection page being specifically designed for containing one or more icons for directly accessing a search engine on the Web,⁴

Rossmann-Himmel teaches selection pages with selectable icons displayed on the graphical user interface of a mobile device. *Supra*, Ground 1, Claim 24(a)-(b) (describing HDML cards representing user displays). A POSITA would have

⁴ As mapped in Ground 1, the following limitations are immaterially different from Claim 1(b): Claim 21(c); Claim 27(c). Accordingly, independent claims 1, 21, and 27 and their associated dependents are obvious over *Rossmann, Himmel, King*, and *Adar* for the reasons above. Further, dependent claim 25 also recites materially the same limitation and is obvious for the same reasons.

understood the HDML cards in *Rossmann* disclose a plurality of “selection pages” as construed by Patent Owner. *Dec.*, ¶201.

Should Patent Owner argue, or the Board find, *Rossmann*’s modified system does not teach a “selection page specifically designed for containing one or more icons for directly accessing a search engine on the Web,” it would have been obvious, based on *Adar*’s disclosures, to download a “search engine” icon for display on *Rossmann*’s mobile device for the reasons explained below.

Adar teaches a “bookmark database” that “maintains a set of bookmarks” for a user. *Adar*, 5:58-65. In operation, a user “receives bookmark data and a shared bookmarks (‘SBM’) computer program [] from the database 1022 at the beginning of a session of use.” *Id.*, 10:41-53, Fig. 10. “[A] user’s bookmark collection can be maintained and modified locally at the user’s system 1010” such that “many operations performed by the shared bookmark system can be executed at the user’s system 1010 without any further communication with the database 1022.” *Id.*, 10:54-57, 11:4-14. *Adar* teaches specific popular bookmarks can be sent to a user, including the “Yahoo!” search engine. *Adar*, 7:12-13 (“For example, it is likely that many (or even all) of the user of the system will have a bookmark for ‘Yahoo!’”); *see also id.*, 2:59-65 (“categories of search engines...include...e.g., Yahoo”).

A POSITA would have been motivated to modify the resident “bookmark manager” software in *Rossmann-Himmel-King* with the functionality of the “SBM”

bookmarks computer program to download popular bookmarks from a bookmark database at the start of a user session, including a “Yahoo!” search engine bookmark to obtain immediate access to popular web search engines. *Dec.*, ¶204. In operation, when a user initiates a request for an HDML deck, *Rossmann’s* deck, *Himmel’s* hotlist of bookmarked web actions, and *Adar’s* popular bookmarks would all be downloaded locally to the user’s phone to simplify user navigation. *Dec.*, ¶204. This would provide instant navigation to the Yahoo! search engine should the user want to control web searches if the information sought by the user is not found in the downloaded HDML deck. *Dec.*, ¶¶204-205.

A POSITA would have had a reasonable expectation of success making this modification because it would have only required simple programming changes to *Rossmann-Himmel’s* bookmark manager software with known bookmarking functionality, along with additional database storage in *Rossmann-Himmel-King’s* communication architecture. *Dec.*, ¶¶205-206.

VIII. GROUND 4: CLAIMS 3, 7-9 ARE OBVIOUS OVER ROSSMANN, HIMMEL, KING, AND BOYLE OR ALTERNATIVELY, OVER ROSSMAN, HIMMEL, KING, ADAR, AND BOYLE

A. Boyle

Boyle was filed April 30, 1998, qualifying as prior art to the ’058 Patent under at least 35 U.S.C. § 102(e). *Boyle* (Ex. 1007). *Boyle* was neither cited nor considered during prosecution of the ’058 Patent.

Boyle teaches updating a user's stored Web information in an HDML compatible mobile device. *Boyle*, Abstract, 2:9-28, 7:12-29. "When one or more pages of information are updated, users of those client devices subscribing to the updated pages of information receive a notification from one of the server devices that stores the updated information." *Id.*, 2:16-20. This allows "the client devices to fetch the updated information from the server device." *Id.*, 2:27-28. This is particularly relevant for devices that "may have cached a local copy of the outdated content." *Id.*, 5:23-36.

Because *Boyle*, like the '058 Patent, discloses accessing information sources or services on the web, *Boyle* is in the same field of endeavor as the '058 Patent. *Compare Boyle*, 2:3-16, *with* '058 Patent, 1:7-9; *Dec.*, ¶¶208-209.

Further, like the '058 Patent which seeks update locally stored selection pages for the user, *Boyle* describes means to update locally stored pages when it becomes outdated. *Compare Boyle*, Abstract, 2:9-28 5:23-36, *with* '058 Patent, 2:51-57, 5:14-19. Therefore, *Boyle* is in the same field of endeavor and is reasonably pertinent to a problem described by the '058 Patent and is thus analogous art. *Dec.*, ¶¶208-209.

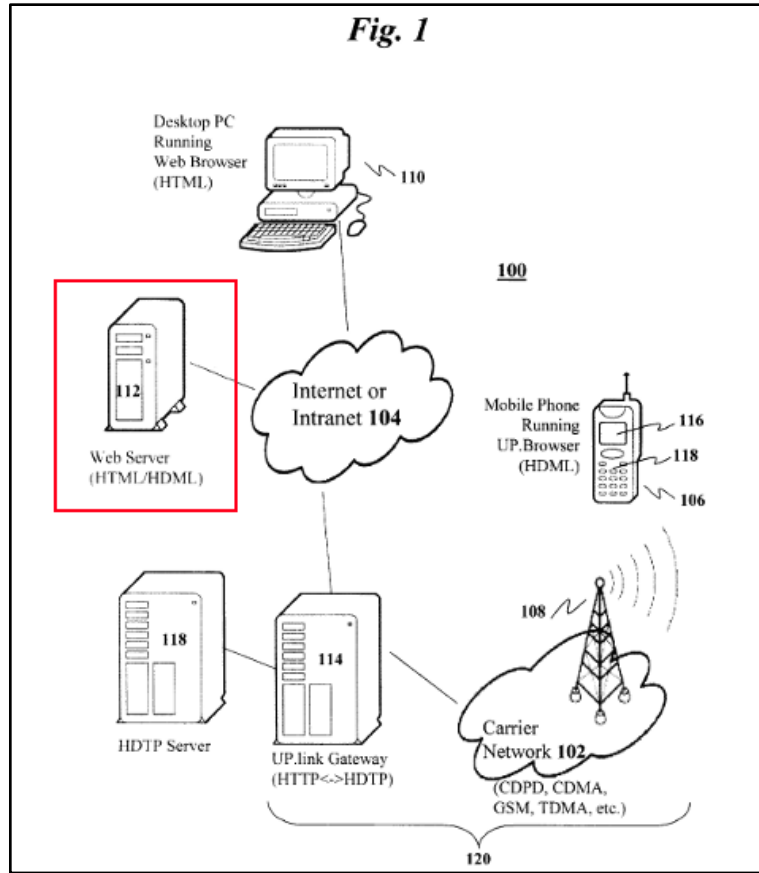
B. Claim 3

Rossmann-Himmel-King or alternatively *Rossmann-Himmel-King-Adar* teaches the method of claim 1, including locally storing HDML decks made up of cards in RAM, such cards representing web screen displays for a user (locally stored

“selection pages”). *Supra*, Claim 24. However, none of these references expressly discuss a process to update these HDML decks when new web information is available. *Boyle* teaches this process.

Boyle teaches “[w]hen any content in one of the web servers get updated, the mobile devices that subscribe to the updated content must be made aware of the update as many of the mobile devices may have cached a local copy of the outdated content.” *Boyle*, 5:24-28. To accomplish this, *Boyle* teaches a “web server that has the updated content,” such that the web server “send[s] a notification, or an electronic message, to the mobile devices so as to make users thereof aware that an update to the local copy in the mobile devices has occurred at the web server.” *Id.*, 5:31-35. “The users can then make a decision to fetch the update.” *Id.*, 5:35-36.

This web server is shown below in Figure 1:



Id., Fig. 1 (annotated); *see also id.*, 9:39-41 (noting “web server device 202” discussed in *Boyle’s* disclosure “is one of Web servers 112”). *Boyle* teaches “[m]obile device 106 accesses the information in web server device 202 via link server device 114 that is coupled to Internet 104.” *Id.*, 6:68-62. “Web server device 202 pushes a notification or a piece of electronic message to link server device 114 when there is a change or update to the information subscribed by mobile device 106.” *Id.*, 7:12-15. “Accessible information is generally presented in hierarchical pages of hyperlinked HDML pages.” *Id.*, 7:15-27 (describing receiving a new deck with updated HDML pages). *Boyle* teaches that “[u]pon receiving the notification,

mobile device 106 reacts according to the action type as to how to make a user of the mobile device 106 aware of the update at web server device 202” such that “[w]hen the updated information is desired, the updated information can be accessed through a pull agent 210 via wideband channel 206 using the address embedded in the notification.” *Id.*, 7:40-51, 8:10-13; *see also id.*, 17:8-13 (describing the mobile device receiving the updated information). The mobile devices then stores this updated HDML deck. *Id.*, 6:48-51, 17:5-13.

A POSITA would have been motivated to incorporate *Boyle*’s functionality to update outdated HDML decks in the modified *Rossmann* system at least because of the express benefits taught in *Boyle* discussed below. *Dec.*, ¶213. *Boyle* recognizes the “great need” to efficiently inform users of updates, particularly if the user is browsing a cached local copy of outdated content. *Boyle*, 1:56-59, 5:23-28. *Boyle* provides this solution “without incurring uncontrollable costs and increasing unnecessary network traffic.” *Id.*, Abstract, 3:33-39. *Boyle* achieves this by notifying a user when updated web information is available, optionally using a narrowband channel provided by a phone carrier, while allowing the user to decide whether to fetch the update. *Id.*, 5:35-36, 7:13-29, 7:59-65. This saves costs by giving the user the choice to access this information and thereby incur any network charges; reduces unnecessary network traffic; and provides efficient means to update outdated content. *Id.*, 1:56-67, 5:24-36, 8:10-13.

A POSITA would have had a reasonable expectation of success incorporating *Boyle*'s HDML deck functionality into the modified *Rossmann* system for several reasons. *Dec.*, ¶214. *Rossmann* and *Boyle* share an inventor, are assigned to the same company, and share a common HDML infrastructure. *Dec.*, ¶214. *Rossmann* and *Boyle* describe overlapping mobile devices operating in similar networks with similar network hardware. *Dec.*, ¶214. This includes a similar mobile device 106 in communication with a common web server 112. Based on these shared teachings, a POSITA would have understood *Rossmann*'s modified system would seamlessly adopt *Boyle*'s methods to update software stored in *Rossmann*'s mobile device using the common web server in both references. *Dec.*, ¶214. This would have required adding known software functionality to the same network hardware in an infrastructure compatible with *Boyle*'s process. *Dec.*, 214.

Additionally, a POSITA would have understood the “web server” disclosed in *Boyle* is a “management server” as that term is used in the '058 Patent. *Dec.*, ¶215. The '058 Patent describes the claimed process for updating information, stating “[t]his updating can be achieved by downloading from a management server programmed for achieving this operation on a plurality of access devices or terminals implementing this method.” '058 Patent, 2:53-57. In other words, a “management server” is a server that manages updates for a plurality of mobile devices. *Dec.*, ¶215. *Boyle* teaches its web server manages updates for several mobile devices and is a

“management server” as claimed. *Boyle*, 8:56-61 (“the description is equally applied to a plurality of the mobile devices in communication simultaneously with the server device”). Fig. 3 (mobile devices 302, 304, 306); *Dec.*, ¶215.

Finally, a POSITA would have understood *Rossmann’s* control and processing devices are arranged for receiving this updated data from the web server, and for processing this updated data to store it for display to the user. *Dec.*, ¶216. These processing devices receive and translate communications between the mobile phone and network devices and interpret those communications to generate a specific computing response, including storage and display. *Dec.*, ¶216.

C. Claim 7

Rossmann’s modified system in view of *Boyle* teaches control and processing devices configured to receive data from a management server to update *Rossmann’s* HDML cards (“selection page”). *Supra*, Claim 3; *see also Boyle*, 5:24-36, 7:12-8:13, 17:5-13. A POSITA would have understood or found obvious the associated icons on these pages are likewise updated upon a page update. *Dec.*, ¶217. Namely, the selection icons to link to other local pages would have been updated with the updated HDML deck/cards and new hotlinks would be downloaded with the deck update. *Dec.*, ¶217. Thus, both “selection icons” and “direct access icons” are updated in *Rossmann’s* modified system. *Dec.*, ¶217.

D. Claim 8

Rossmann's modified system in view of *Boyle* teaches the apparatus of claim 7. *Supra*, Claim 7. *Boyle* teaches “one way” “[t]o be timely and periodically informed” of updated information, “is to electronically communicate the information requests into a mobile device that is connected to a wireless data network.” *Boyle*, 1:42-49. As discussed in Claim 3, *Boyle* teaches a web server that notifies a user of an updated HDML deck at the web server. *Supra*, Claim 3; *Boyle*, 5:31-36, 7:12-28. The users are then able to “make a decision to fetch the update.” *Id.* It would have been obvious to a POSITA for a user to “periodically” check for updated information in response to web server notifications at regular intervals. *Dec.*, ¶218. *Boyle* provides the user discretion when to access updates. *Boyle*, 5:31-36, 7:12-28. Thus, a user would have been motivated to check either on demand upon receiving an update (*infra*, Claim 9), or periodically based on user preferences. *Dec.*, ¶218.

E. Claim 9

Rossmann's modified system in view of *Boyle* teaches the apparatus of claim 8. *Supra*, Claim 8. As discussed in Claim 3, *Boyle* teaches a web server that notifies a user of an updated HDML deck at the web server that allows “[t]he users [to] then make a decision to fetch the update.” *Supra*, Claim 3; *Boyle*, 5:31-36, 7:12-28. This allows a user to receive updated information “on demand” as claimed. *Dec.*, ¶219.

IX. THE BOARD’S DISCRETION UNDER 35 U.S.C. § 314(A)

A. *Fintiv*

The parallel Apple litigation is early. Claim construction is ongoing, no substantive orders have issued, discovery does not open until May 2, 2025, final invalidity contentions are not due until June 26, 2025, and summary judgment briefs are due March 12, 2026 at the earliest. Scheduling Order (Ex. 1037). The *Fintiv* factors favor institution: (1) this IPR is filed while the Apple litigation is in its nascent stages; (2) the actual trial date is uncertain and could materially differ from the Court’s default schedule, to be held “as soon as practicable” in the Scheduling Order; (3) there has been little to no investment in the litigation given the early stage, and this Petition challenges a wide number of claims not asserted in the district court litigation of which the jury will not analyze invalidity; and (5) the Petition indicates a high likelihood of unpatentability as demonstrated herein. Together, these factors strongly favor the Board declining discretionary denial.

Pursuant to the Office’s Interim Process Concerning Institution published March 26, 2025, Petitioner reserves the right to address in further briefing any discretionary denial issues raised by Allani.

X. CONCLUSION

For the forgoing reasons, Petitioner respectfully requests *inter partes* review of the Challenged Claims of the ’058 Patent.

Respectfully submitted,

BY: /s/ Adam P. Seitz
Adam P. Seitz, Reg. No. 52,206
Paul R. Hart, Reg. No. 59,646
Hunter A. Horton, *pro hac vice* to be
submitted

COUNSEL FOR PETITIONER

XI. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(A)(1)

A. Real Party-In-Interest

Apple Inc. is the real party-in-interest. 37 C.F.R. § 42.8(b)(1).

B. Related Matters

The following matters relate to the '058 Patent:

- *ALLANI v. Apple, Inc.*, No. 6:24-cv-00304 (W.D.Tex. June 3, 2024)
- *ALLANI v. Google, Inc.*, No. 6:24-cv-00305 (W.D.Tex. June 3, 2024)

C. Lead and Back-Up Counsel

Petitioner provides the following designation and service information for lead and back-up counsel. 37 C.F.R. § 42.8(b)(3) and (b)(4).

Lead Counsel	Back-Up Counsel
Adam P. Seitz (Reg. No. 52,206) adam.seitz@eriseip.com PTAB@eriseip.com	Paul R. Hart (Reg. No. 59,646) paul.hart@eriseip.com PTAB@eriseip.com
<u>Postal and Hand-Delivery Address:</u> ERISE IP, P.A. 7015 College Blvd., Suite 700 Overland Park, Kansas 66211 Telephone: (913) 777-5600 Fax: (913) 777-5601	<u>Postal and Hand-Delivery Address:</u> ERISE IP, P.A. 717 17 th Street, Suite 1400 Denver, Colorado 80202 Telephone: (913) 777-5600 Fax: (913) 777-5601
	Hunter A. Horton (<i>pro hac vice</i> to be submitted) hunter.horton@eriseip.com
	<u>Postal and Hand-Delivery Address:</u> ERISE IP, P.A. 7015 College Blvd., Suite 700 Overland Park, Kansas 66211 Telephone: (913) 777-5600

	Fax: (913) 777-5601
--	---------------------

CLAIM LISTING APPENDIX

U.S. Patent No. 10,943,058 for Claims 1-27

Claim Designation	Claim Language
Claim 1(Pre)	Apparatus for accessing information- or service-providing Web sites, comprising a communication device connectable through a communication network to the Internet, control and processing device or devices, data storage device or devices, and a display, said storage device or devices containing a plurality of selection pages within a tree menu structure, said selection pages being beforehand locally stored in said data storage device or devices and each being specifically designed for containing a set of icons including at least one of a direct access icon for directly accessing remote sources of information and a selection icon for locally accessing another selection page within said tree menu structure, wherein said plurality of selection pages includes:
Claim 1(a)	a first selection page, a second selection page and a third selection page,
Claim 1(a)(1)	said first selection page being specifically designed for containing a selection icon for locally accessing said second selection page,
Claim 1(a)(2)	said second selection page being specifically designed for containing a selection icon for locally accessing said third selection page,
Claim 1(a)(3)	said third selection page being specifically designed for containing one or more direct access icons for directly accessing an information- or service-providing Web site, and
Claim 1(b)	at least one selection page being specifically designed for containing one or more icons for directly accessing a search engine on the Web,
Claim 1(c)	wherein the control and processing device or devices are programmed for: enabling a preliminary search locally performed within said communication device in different themes and sub themes within said plurality of selection pages, and
Claim 1(c)(1)	emitting on the communication network, in response to selection of a direct access icon in a selection page being currently displayed, an address of an information- or service-providing Web site corresponding to said selected direct access icon,

Claim 1(c)(2)	said address being locally generated during the preliminary search and selection,
Claim 1(d)	wherein the apparatus is implemented in a mobile phone.
Claim 2	The apparatus according to claim 1, characterized in that the direct access icons comprise icons for accessing commercial sites.
Claim 3	The apparatus according to claim 1, characterized in that the control and processing device or devices are arranged for receiving, by downloading from a management server, data for updating selection pages, and for processing said updating data so that new selection pages are stored in the data storage device or devices.
Claim 4	The apparatus according to claim 1, wherein said at least one selection page comprising two or more direct access icons comprises direct access icons corresponding to distinct sources of information or services.
Claim 5	The apparatus according to claim 1, wherein a page from a Web site is displayed on said display in response to selecting a direct access icon.
Claim 6	The apparatus according to claim 1, wherein at least one of the selection pages is specifically designed to include both at least one direct access icon and at least one selection icon.
Claim 7	The apparatus according to claim 1, wherein said control and processing device or devices are configured to receive, from a server, data for updating information associated with at least one of a selection page, a direct access icon and a selection icon.
Claim 8	The apparatus according to claim 7, wherein said updating information is received periodically.
Claim 9	The apparatus according to claim 8, wherein said updating information is received on demand.
Claim 10	The apparatus according to claim 1, wherein the second selection page displays information corresponding to a sub-category of the first selection page.
Claim 11	The apparatus according to claim 1, wherein said control and processing device or devices are configured to receive information from the information- or service-providing Web site corresponding to said selected direct access icon via the communication network.

Claim 12	The apparatus according to claim 1, wherein the selection icons present graphic features that are distinctive from those of the direct access icons.
Claim 13	The apparatus according to claim 1, wherein selection of a direct access icon in a selection page being displayed comprises clicking on said icon.
Claim 14	The apparatus according to claim 1, wherein said selection pages stored in said data storage device or devices are downloaded thereto.
Claim 15	The apparatus according to claim 1, wherein said selection pages stored in said data storage device or devices are downloaded thereto over a mobile connection.
Claim 16	The apparatus according to claim 1, wherein said selection pages operate as rolling menus.
Claim 17	The apparatus according to claim 1, wherein at least one of the selection pages is a trunk of the tree menu structure.
Claim 18	The apparatus according to claim 1, wherein the control and processing device or devices are configured to command a request-answer sequence characterized in that the request comprises the address of the information- or service-providing Web site, and wherein the request-answer sequence is preceded by a locally implemented selection of themes and sub-themes.
Claim 19	The apparatus according to claim 1, wherein the icons comprise logotypes, graphic marks or semi-graphic marks.
Claim 20	The apparatus according to claim 1, wherein the icons comprise textual elements.
Claim 21(Pre)	A communication device connectable to remote sources of information or services through a communication network, the communication device comprising a display, data storage, a processor, a controller and a plurality of pages locally stored in said data storage and displayable on said display,
Claim 21(a)	wherein a first one of said locally stored pages is specifically designed to include at least one selection icon capable of being selectively activated to display a second one of said locally stored pages on said display,
Claim 21(b)	wherein said second one of said locally stored pages is specifically designed to include at least one direct access icon capable of being selectively activated to connect said communication device to a predetermined one of said remote

	sources of information or services, and at least one second selection icon capable of being selectively activated to display a third one of said locally stored pages on said display,
Claim 21(c)	wherein at least one of said first, second and third locally stored pages is further specifically designed to include at least one icon for directly accessing a search engine for permitting a user to control searches on the Web,
Claim 21(d)	wherein at least one of said first, second and third locally stored pages is further specifically designed to include at least one icon for directly accessing a portal of Web site and one icon for directly accessing a document provided by said Web site, and
Claim 21(e)	wherein the communication device is a mobile phone.
Claim 22	The communication device according to claim 21, characterized in that said selection pages are locally stored in the data storage beforehand.
Claim 23	The communication device according to claim 21 wherein said selection pages stored in said data storage are organized in a tree menu structure.
Claim 24(Pre)	A mobile communication device connectable to remote sources of information or services through a communication network, the communication device comprising a display, data storage, a processor, a controller and a plurality of pages locally stored in said data storage and displayable on said display,
Claim 24(a)	wherein a first one of said locally stored pages is specifically designed to include at least one direct access icon capable of being selectively activated to connect said mobile communication device to a first predetermined one of said remote sources of information or services and at least one selection icon capable of being selectively activated to display a second one of said locally stored pages on said display,
Claim 24(a)(1)	wherein said second one of said locally stored pages is specifically designed to include at least one second direct access icon capable of being selectively activated to connect said mobile communication device to a second predetermined one of said remote sources of information or services, and at least one second selection icon capable of being selectively activated to display a third one of said locally stored pages on said display,
Claim 24(b)	wherein said third one of said locally stored pages is specifically designed to include at least one third direct access icon capable

	of being selectively activated to connect said mobile communication device to a third predetermined one of said remote sources of information or services, or at least one third selection icon capable of being selectively activated to display a fourth one of said locally stored pages on said display,
Claim 24(c)	wherein the mobile communication device is a mobile phone.
Claim 25	The mobile communication device according to claim 24, wherein at least one of the selection pages is further specifically designed to include one or more icons for directly accessing a search engine on the Web.
Claim 26	The mobile communication device according to claim 24, wherein selective activation of a direct access icon comprises emitting, on the communication network an address of the first, second or third predetermined one of said remote sources.
Claim 27(Pre)	A method for accessing information- or service-providing Web sites, from a mobile communication device connected through a communication network and provided with a display, comprising:
Claim 27(a)	a preliminary search for information or service, locally performed within said communication device in different themes and sub-themes within a plurality of successively displayed selection pages,
Claim 27(a)(1)	said selection pages being organized in a tree menu structure and beforehand locally stored within said communication device, each said selection page being specifically designed to include a set of icons,
Claim 27(a)(2)	said selection pages further comprising a first selection page, a second selection page and a third selection page,
Claim 27(a)(3)	said first selection page being specifically designed to include a selection icon for locally accessing said second selection page,
Claim 27(a)(4)	and said second selection page being specifically designed to include a selection icon for locally accessing said third selection page,
Claim 27(a)(5)	said third selection page being specifically designed to include one or more direct access icons for directly accessing an information- or service-providing Web site, and
Claim 27(b)	emitting on the communication network, in response to a selection of a direct access icon in a selection page being

	currently displayed, an address of an information- or service-providing web site corresponding to said selected icon,
Claim 27(b)(1)	said address being locally generated during said displaying and selection and for directly accessing said information- or service-providing Web site,
Claim 27(c)	wherein: at least one of said selection pages further being specifically designed to include one or more icons for directly accessing a search engine on the Web, and
Claim 27(c)(1)	the mobile communication device is a mobile phone.

APPENDIX OF EXHIBITS

Exhibit 1001	U.S. Patent No. 10,943,058 (“’058 Patent”)
Exhibit 1002	File History of the ’058 Patent (the “’058 File History”)
Exhibit 1003	Declaration of Dr. Ben Bederson (“Dec.”)
Exhibit 1004	U.S. Patent No. 6,119,155 to Rossmann et al. (“Rossmann”)
Exhibit 1005	U.S. Patent No. 6,037,934 to Himmel et al. (“Himmel”)
Exhibit 1006	U.S. Patent No. 6,353,839 to King et al. (“King”)
Exhibit 1007	U.S. Patent No. 6,138,158 to Boyle et al. (“Boyle”)
Exhibit 1008	U.S. Patent No. 6,493,702 to Adar et al. (“Adar”)
Exhibit 1009	U.S. Patent Publication No. 2001/0044299 to Sandegren (“Sandegren”)
Exhibit 1010	David Pogue, <u>Palm Pilot: The Ultimate Guide</u> , O’Reilly and Associates, Inc. (1998) (“Pogue”)
Exhibit 1011	Martin Skegg and Michael Oliveria-Salac inspect the tiny tools of global communication, <u>The Independent</u> , Newspapers.com, London, Greater London, England (May 8, 1999) (“ <i>The Independent</i> ”)
Exhibit 1012	Nokia Mobile Phones, User’s Guide, 9352062 Issue 2, (1999) (“Nokia”)
Exhibit 1013	U.S. Patent No. 6,363,419 to Martin, Jr. et al. (“Martin, Jr.”)
Exhibit 1014	HDML 2.0 Specification, (April 11, 1997) (“HDML Spec”)
Exhibit 1015	Mark Brown, et al., <u>Special Edition Using Netscape 2</u> , Que, (1995) (“Brown”)
Exhibit 1016	Douglas A. Downing, Ph.D, et al., <u>Dictionary of Computer and Internet Terms, Tenth Edition</u> , Barron’s Educational Series, Inc., (2009) (“Barron’s 2009”)
Exhibit 1017	Hy Bender, et al., <u>Dummies 101: The Internet for Windows 98</u> , IDG Books Worldwide, (1998) (“Bender”)
Exhibit 1018	U.S. Patent No. 6,718,310 to Fuisz et al. (“Fuisz et al.”)
Exhibit 1019	U.S. Patent No. 6,338,050 to Conklin et al. (“Conklin et al.”)
Exhibit 1020	Benjamin B. Bederson, et al., <u>A Zooming Web Browser</u> (1996) (“Bederson”)
Exhibit 1021	Ron R. Hightower, et al., <u>PadPrints: Graphical Multiscale Web Histories</u> , UIST (1998) (“Hightower”)
Exhibit 1022	Douglas Downing, Ph.D., et al., <u>Dictionary of Computer and Internet Terms</u> , Fifth Edition, Barron’s Business Guides, (1996) (“Barron’s 1996”)

Exhibit 1023	Donald Spencer, <u>Webster's New World Dictionary of Computer Terms</u> , Fifth Edition, Macmillan General Reference (1994) (" <i>Spencer</i> ")
Exhibit 1024	U.S. Patent No. 6,237,080 to Mäkinen (" <i>Mäkinen</i> ")
Exhibit 1025	U.S. Patent No. 5,781,909 to Logan, et al. (" <i>Logan</i> ")
Exhibit 1026	U.S. Patent No. 6,546,393 to Khan (" <i>Khan</i> ")
Exhibit 1027	U.S. Patent No. 6,163,779 to Mantha, et al. (" <i>Mantha</i> ")
Exhibit 1028	U.S. Patent No. 6,928,615 to Haitsuka, et al. (" <i>Haitsuka</i> ")
Exhibit 1029	U.S. Patent No. 6,456,303 to Walden, et al. (" <i>Walden</i> ")
Exhibit 1030	U.S. Patent No. 5,809,415 to Rossmann (" <i>Rossmann Parent</i> ")
Exhibit 1031	U.S. Patent No. 6,182,010 to Berstis (" <i>Berstis</i> ")
Exhibit 1032	U.S. Patent No. 8,271,877 to Allani (" <i>Allani</i> ")
Exhibit 1033	File History of the '877 Patent (the " <i>'877 File History</i> ")
Exhibit 1034	<i>FERID ALLANI vs. APPLE, INC.</i> , Case No. 6:24-cv-00304-ADA (WDTX, Dkt. No. 1) (" <i>Complaint</i> ")
Exhibit 1035	<i>FERID ALLANI vs. APPLE, INC.</i> , Case No. 6:24-cv-00304-ADA Plaintiff's Preliminary Infringement Contentions with Exhibit (" <i>Plaintiff's Preliminary Infringement Contentions</i> ")
Exhibit 1036	<i>FERID ALLANI vs. APPLE, INC.</i> , Case No. 6:24-cv-00304-ADA (WDTX, Dkt. No. 21) (" <i>Apple Opening Markman Brief</i> ")
Exhibit 1037	<i>FERID ALLANI vs. APPLE, INC.</i> , Case No. 6:24-cv-00304-ADA (WDTX, Dkt. No. 18) (" <i>Scheduling Order</i> ")
Exhibit 1038	<i>Intentionally Left Blank</i>
Exhibit 1039	<i>Intentionally Left Blank</i>
Exhibit 1040	<i>FERID ALLANI vs. APPLE, INC.</i> , Case No. 6:24-cv-00304-ADA (WDTX, Dkt. No. 23) (" <i>Responsive Claim Construction Brief</i> ")
Exhibit 1041	<i>FERID ALLANI vs. APPLE, INC.</i> , Case No. 6:24-cv-00304-ADA (WDTX, Dkt. No. 24) (" <i>Reply Claim Construction Brief</i> ")
Exhibit 1042	<i>FERID ALLANI vs. APPLE, INC.</i> , Case No. 6:24-cv-00304-ADA (WDTX, Dkt. No. 25) (" <i>Surreply Claim Construction Brief</i> ")

CERTIFICATION OF WORD COUNT

The undersigned certifies pursuant to 37 C.F.R. §42.24 that the foregoing Petition for *Inter Partes* Review, excluding any table of contents, mandatory notices under 37 C.F.R. § 42.8, certificates of service or word count, or appendix of exhibits, contains 13,798 words according to the word-processing program used to prepare this document (Microsoft Word).

Dated: April 24, 2025

BY: /s/ Adam P. Seitz
Adam P. Seitz, Reg. No. 52,206

COUNSEL FOR PETITIONER

**CERTIFICATE OF SERVICE ON PATENT OWNER
UNDER 37 C.F.R. § 42.105**

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105, the undersigned certifies that on April 24, 2025 a complete and entire copy of this Petition for *Inter Partes* Review including exhibits was provided via Federal Express to the Patent Owner by serving the correspondence address of record for the '058 Patent as listed on PAIR:

Nixon & Vanderhye, PC
901 North Glebe Road, 11th Floor
Arlington, VA 22203

Further, a courtesy copy of this Petition for *Inter Partes* Review was sent via Email to Patent Owner's litigation counsel:

Hudnell Law Group
17595 Harvard Ave., Ste C-810
Irvine, CA 92614
Stanley H. Thompson, Jr. (stan@hudnelllaw.com)
Lewis E. Hudnell, III (lewis@hudnelllaw.com)

BY: /s/ Adam P. Seitz
Adam P. Seitz, Reg. No. 52,206

COUNSEL FOR PETITIONER