

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TIKTOK INC.
Petitioner,

v.

DISTEFANO WEBSITE INNOVATIONS, LLC,
Patent Owner.

Case No. IPR2025-01061
U.S. Patent No. 11,763,316

**PETITION FOR *INTER PARTES* REVIEW
UNDER 35 U.S.C §312 AND 37 C.F.R. §42.104**

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35 U.S.C. § 102	3
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EXHIBIT LIST

No.	Short Name	Reference
1001	316 Patent	Certified Copy of U.S. Patent 11,763,316
1002	316 File History	Certified File History of 11,763,316
1003	Cockburn Decl.	Expert Declaration of Dr. Andy Cockburn
1004	Cockburn CV	Curriculum Vitae of Dr. Andy Cockburn
1005	551 File History	Certified File History of 09/589,551
1006	<u>Block</u> Provisional	Provisional U.S. Patent Application 60/172,983
1007	<u>Block</u>	U.S. Patent Application 2003/0050976A1
1008	<u>Arnold</u>	U.S. Patent 6,016,504
1009	<u>Arora</u>	U.S. Patent 5,845,299
1010	LinkedIn IPR POPR	IPR2019-00419, Paper No. 6 (Patent Owner's Preliminary Response)
1011	WDTX Complaint	<i>DiStefano Website Innovations, LLC v. Bytedance Ltd. et al.</i> , Case no. 1:24-cv-00763, Complaint (W.D. Tex. Jul. 8, 2024)
1012	EDTX Complaint	<i>DiStefano Website Innovations, LLC v. Bytedance Ltd. et al.</i> , Case no. 2:24-cv-00874-RWS-RSP, Complaint (E.D. Tex. Oct. 29, 2024)
1013	Bailey	U.S. Patent 6,785,671
1014	Bezos	U.S. Patent 6,029,141
1015	Horstmann	U.S. Patent 5,995,099
1016	Xia	U.S. Patent 7,028,254
1017	Hoyt	U.S. Patent Application 2001/0034646
1018	Pierce	U.S. Patent 7,139,727

1019	Ross	U.S. Patent 6,629,135
1020	Six Degrees	Six Degrees, https://web.archive.org/web/19980416103152/http://sixdegrees.com
1021	Dunnington	Guide to Web Site Promotion: How Companies Can Draw More Qualified Traffic to Their World Wide Web Sites
1022	Turbo Promote	Turbo Promote, https://web.archive.org/web/19970418080213/http://www.turbopromote.com/links.html
1023	Puzzle Depot	Puzzle Depot, https://web.archive.org/web/19990417052546/http://www.puzzledpot.com:80/recips.shtml
1024	Berners-Lee FAQ	https://www.w3.org/People/Berners-Lee/FAQ.html#browser
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1026	Macromedia	Macromedia, https://web.archive.org/web/19990223214509/http://www.macromedia.com/software/dreamweaver/
1027	<u>Arora</u> '145	U.S. Patent 5,911,145
1028	RAE	RAE Technology, WIKIPEDIA, https://en.wikipedia.org/wiki/Rae_Technology
1029	Forbes	Macromedia Hums the E-Business Tune, FORBES (OCT. 7, 1999), https://www.forbes.com/1999/10/07/mu3.html
1030	Macromedia Complaint	<i>Macromedia, Inc. v. Adobe Sys. Inc.</i> , Case No. 01-03940 SI, Complaint (N.D. Cal. Oct. 19, 2021)
1031	Macromedia Wikipedia	Macromedia, WIKIPEDIA, https://en.wikipedia.org/wiki/Macromedia
1032	<i>LinkedIn</i> IPR	IPR2019-00419, Paper 2
1033	RESERVED	
1034	RESERVED	
1035	Cockburn 1996	Andy Cockburn, Steve Jones. Which way now? Analysing and easing inadequacies in WWW navigation. <i>International Journal of Human-Computer Studies</i> ,

		Volume 45, Issue 1, 1996, Pages 105-129, ISSN 1071-5819, https://doi.org/10.1006/ijhc.1996.0044
1036	Cockburn 2002	A Cockburn, B McKenzie and M JasonSmith, <i>Pushing Back: Evaluating a New Behaviour for the Back and Forward Buttons in Web Browsers</i> . International Journal of Human-Computer Studies. 57(5):397-414. Academic Press. 2002.
1037	'760 Patent	U.S. Patent 8,768,760
1038	CAFC Brief	Revised Opening Brief of Appellant DiStefano Patent Trust III, LLC filed in <i>DiStefano Patent Trust III v. LinkedIn Corporation</i> , Case No. 19-01210, Dkt. 25 (Fed. Cir. Mar. 27, 2019).
1039	LinkedIn Complaint	<i>DiStefano Pat. Tr. III, LLC v. LinkedIn Corp.</i> , Civ. No. 1-17-cv-01798, Dkt. 1, Complaint (D. Del. Dec. 14, 2017)
1040	LinkedIn D. Del. Decision	<i>DiStefano Pat. Tr. III, LLC v. LinkedIn Corp.</i> , 346 F. Supp. 3d 616, 623 (D. Del. 2018)
1041	Oxford English Dictionary: "site"	https://www.oed.com/dictionary/site_n
1042	RESERVED	
1043	<u>Ahlberg</u>	C.Ahlberg, C.Williamson, B.Shneiderman, <i>Dynamic queries for information exploration: an implementation and evaluation</i> . In Proceedings of the SIGCHI Conference on Human Factors in Computing Systems (CHI '92). Association for Computing Machinery, New York, NY, USA, 619–626.

LISTING OF CHALLENGED CLAIMS

Element	Claim Limitation
Claim 1	
1[pre]	A method performed within and by a server system configured to modify and serve web pages, comprising:
1[a]	receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system, information indicating a selection of a web asset to be used in a first web site;
1[b]	receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset;
1[c]	generating, based upon the instruction, the edited web asset;
1[d]	forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;
1[e]	receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first web site to the second web site;
1[f]	storing, within a computer database system of the server system, first information indicating that the first identification was received by the server system;
1[g]	modifying, based upon the instruction, the first website to include the edited web asset;
1[h]	modifying, based upon the first information indicating that the first identification was received, the first web site to include the first hyperlink;
1[i]	modifying, based upon the first information indicating that the first identification was received, the second web site to include a reciprocal second hyperlink to the first web site; and

1[j]	serving computer data associated with the first website that includes the edited web asset and the first hyperlink from the first web site to the second web site, wherein
1[k]	the server system is configured to host the first web site and the second website,
1[l]	the editing screen is configured to display the web asset, and
1[m]	the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.
Claim 2	
2[pre]	The method of claim 1, wherein the server system is configured to:
2[a]	store, within the computer database system, second information indicating that a second identification to create the second hyperlink from the second website to the first website was received by the server system and from a second user associated with the second web site, and
2[b]	modify the second website to include the second hyperlink based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received.
Claim 3	
3	The method of claim 1, wherein the graphical user interface is configured to receive an entry associated with the first identification within an entry field of the graphical user interface.
Claim 4	
4[a]	The method of claim 1, wherein the graphical user interface is configured to present a graphical widget adjacent each of the one or more identifiers respectively associated with the one or more previously-created websites,
4[b]	the graphical widget is configured to receive a user-initiated selection, and
4[c]	the selection of the second website is based upon the user-initiated selection.

Claim 5	
5	The method of claim 1, wherein the server system is configured to identify the one or more previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for one or more suggested linking locations for the first website.
Claim 6	
6[a]	The method of claim 1, wherein the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and
6[b]	the server system is configured to select the one or more the previously-created websites associated with the one or more identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.
Claim 7	
7	The method of claim 6, wherein the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select one or more the previously-created websites associated with the one or more identifiers includes at least one of a group consisting of: a name of the first user, an email address of the first user, a hobby of the first user, a business of the first user, and an interest of the first user.
Claim 8	
8[a]	The method of claim 6, wherein the server system is configured to select the plurality of the previously-created websites associated with the one or more identifiers by searching other user information previously-supplied by other users of the server system and stored within the server system, and

8[b]	the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.
Claim 9	
9	The method of claim 6, wherein the first user and the second user are registered users of the server system.
Claim 10	
10	The method of claim 9, wherein the user information is supplied by the first user within the at least one information collection field of the graphical user interface during registration of the first user with the server system.
Claim 11	
11	The method of claim 1, wherein the first web site of the first user includes a plurality of web pages including a first web page.
Claim 12	
12	The method of claim 11, wherein the server is configured to serve, in response to a web page request from a third client device, the first web page of the first web site to the third client device.
Claim 13	
13[pre]	The method of claim 11, wherein the server system is configured to:
13[a]	create, in the first web page, a reciprocal link site for the first hyperlink, and
13[b]	create, in a second web page of the second website, a reciprocal link site for the second hyperlink.
Claim 14	
14[pre]	A server system configured to modify and serve web pages, comprising:
14[a]	a computer database system, and
14[b]	a hardware system configured to perform:
14[c]	receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system,

	information indicating a selection of a web asset to be used in a first website;
14[d]	receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset;
14[e]	generating, based upon the instruction, the edited web asset;
14[f]	forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;
14[g]	receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website;
14[h]	storing, within the computer database system of the server system, first information indicating that the first identification was received by the server system;
14[i]	modifying, based upon the instruction, the first website to include the edited web asset;
14[j]	modifying, based upon the first information indicating that the first identification was received, the first web site to include the first hyperlink;
14[k]	modifying, based upon the first information indicating that the first identification was received, the second web site to include a reciprocal second hyperlink to the first web site; and
14[l]	serving computer data associated with the first web site that includes the edited web asset and the first hyperlink from the first website to the second website, wherein
14[m]	the server system is configured to host the first web site and the second website,
14[n]	the editing screen is configured to display the web asset, and
14[o]	the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.

Claim 15	
15[pre]	The server system of claim 14, wherein the server system is configured to:
15[a]	store, within the computer database system, second information indicating that a second identification to create the second hyperlink from the second website to the first website was received by the server system and from a second user associated with the second website, and
15[b]	modify the second website to include the second hyperlink based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received.
Claim 16	
16	The server system of claim 14, wherein the graphical user interface is configured to receive an entry associated with the first identification within an entry field of the graphical user interface.
Claim 17	
17[a]	The server system of claim 14, wherein the graphical user interface is configured to present a graphical widget adjacent each of the one or more identifiers respectively associated with the one or more previously-created websites,
17[b]	the graphical widget is configured to receive a user-initiated selection, and
17[c]	the selection of the second website is based upon the user-initiated selection.
Claim 18	
18	The server system of claim 14, wherein the server system is configured to identify the one or more previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for one or more suggested linking locations for the first website.
Claim 19	

19[a]	The server system of claim 14, wherein the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and
19[b]	the server system is configured to select the one or more the previously-created websites associated with the one or more identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.
Claim 20	
20	The server system of claim 19, wherein the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select one or more the previously-created websites associated with the one or more identifiers includes at least one of a group consisting of: a name of the first user, an email address of the first user, a hobby of the first user, a business of the first user, and an interest of the first user.
Claim 21	
21[a]	The server system of claim 19, wherein the server system is configured to select the plurality of the previously-created websites associated with the one or more identifiers by searching other user information previously-supplied by other users of the server system and stored within the server system, and
21[b]	the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.
Claim 22	
22	The server system of claim 19, wherein the first user and the second user are registered users of the server system.
Claim 23	

23	The server system of claim 22, wherein the user information is supplied by the first user within the at least one information collection field of the graphical user interface during registration of the first user with the server system.
Claim 24	
24	The server system of claim 14, wherein the first web site of the first user includes a plurality of web pages including a first web page.
Claim 25	
25	The server system of claim 24, wherein the server is configured to serve, in response to a web page request from a third client device, the first web page of the first web site to the third client device.
Claim 26	
26[pre]	The server system of claim 24, wherein the server system is configured to:
26[a]	create, in the first web page, a reciprocal link site for the first hyperlink, and
26[b]	create, in a second web page of the second website, a reciprocal link site for the second hyperlink.

LISTING OF ABBREVIATIONS

'316 Patent	U.S. Patent 11,763,316
'760 Patent	U.S. Patent 8,768,760
AIA	The Leahy–Smith America Invents Act
Challenged Claims	Claims 1–26 of U.S. Patent 11,763,316
DiStefano	DiStefano Website Innovations, LLC
EDTX Action	<i>DiStefano Website Innovations, LLC v. Bytedance Ltd. et al.</i> , Case no. 2:24-cv-00874-RWS-RSP (E.D. Tex. Oct. 29, 2024)
GUI	Graphical User Interface
HTML	Hypertext Markup Language
IPR	<i>Inter Partes</i> Review
MOMC	Merchant Management Component
Petitioner	TikTok Inc.
VO	Virtual Outlet
VOMC	Virtual Outlet Management Component
WDTX Action	<i>DiStefano Website Innovations, LLC v. Bytedance Ltd. et al.</i> , Case no. 1:24-cv-00763 (W.D. Tex. Jul. 8, 2024).
WWW	World Wide Web
WYSIWYG	What You See Is What You Get

I. INTRODUCTION

Petitioner requests cancellation of claims 1-26 (“Challenged Claims”) of U.S. Patent 11,763,316.

The Challenged Claims are directed to a method for creating a “reciprocal arrangement” between two websites. EX1001, Abstract. The Challenged Claims each require a “*first web site*”¹ that includes a hyperlink to a “*second web site*,” where the “*second web site*” includes “*a **reciprocal** second hyperlink to the first web site.*”² However, the ’316 Patent and DiStefano admit that the claimed subject matter was neither novel nor nonobvious as of June 7, 2000 (the earliest priority).

The background of the invention explains how the software and hardware used to implement the claimed invention was “typical” and well-known. EX1001, 1:33-3:12; 2:51-58. DiStefano also admits that “reciprocal links were known in the art at the time of DiStefano’s invention.” EX1038, 5-6; §IV.C. At best, the Challenged Claims purport to provide a more convenient way to implement generic and conventional reciprocal links.

Even accounting for this alleged convenience, the prior art discloses every limitation of the Challenged Claim. Block (EX1007) discloses a social media website, where each user is associated with their own mini-site (“*first web site*”),

¹ Italics indicate claim language.

² All emphasis is added unless otherwise noted.

that includes a “My-Friends list” showing other users who the “*first user*” “has a relationship” with. EX1007, [0132]-[0133]. A “*hyperlink*” is associated with each “name” on the “My-Friends list” that can be used to access “that person's My-Home page” (“*second web site*”). *Id.* The “*second web site*” also includes a My-Friends list with a “***reciprocal second hyperlink***” back to the “*first web site.*”

Arnold (EX1008) discloses a Virtual Outlet (“VO”) website (“*first web site*”) and a merchant website (“*second web site*”). The VO website can offer various products for sale. EX1008, Fig. 1B. When a user clicks on products on the VO website, they are directed through a “*first hyperlink*” to the merchant website. The user can then click a “return” button (“*a reciprocal second hyperlink*”) located on the merchant website to return to the VO website. Arnold includes a “page layout” system that is used to specify the design of a webpage and then dynamically create webpages “in accordance with the layout.” EX1008, 7:58-65. The “page layout” system of Arnold is combined with the WYSIWYG (“What you see is what you get”) webpage editor of Arora, to design and build the websites disclosed in Arnold.

The Challenged Claims would have been obvious by at least June 2000.

II. IDENTIFICATION OF CHALLENGE

A. Grounds for Challenge

Ground		Claims	Prior Art
1	§103	1-26	<u>Block</u>
2	§103	1-9, 10-20, 22-26	<u>Arnold/Arora</u>
3	§103	8, 21	<u>Arnold/Arora/Ahlberg</u>

B. Prior Art

Each reference qualifies as prior art under pre-AIA 35 U.S.C. §102, as of the earliest alleged priority date of June 7, 2000.

Reference	Priority	Statue
<u>Block</u>	Dec. 10, 1999	§102(e)
<u>Arnold</u>	Aug. 8, 1996	§102(b)
<u>Arora</u>	July 29, 1996	§102(b)
<u>Ahlberg</u>	June 1, 1992	§102(b)

III. OVERVIEW OF THE TECHNOLOGY

The rapid growth of the “World Wide Web” in the 1990s led to significant developments in website creation technologies. Users sought more intuitive ways to design webpages, leading to the emergence of WYSIWYG editors and dynamically created websites, which allowed users to create webpages visually without extensive HTML knowledge. EX1035; EX1036. Reciprocal linking also became a common way to interconnect webpages and generate web traffic. EX1003, ¶¶87-89.

WYSIWYG: Tools like Dreamweaver, released in 1997, became industry standards due to their robust feature set and ease of use, with nearly 66% of professional website developers using Dreamweaver. EX1029. Dreamweaver, and other WYSIWYG editors, enabled users to design webpages visually—by dragging and dropping pre-defined webpage elements. EX1027; EX1009. Rather than having to write HTML code to implement visual elements; the WYSIWYG editor would

instead automatically generate HTML code based on the user's visual design. EX1009, 2:22-25, 5:60-63; EX1027, 2:17-20, 2:26-44; EX1028; EX1026. EX1003, ¶¶90-97; EX1016; EX1024; EX1025; EX1030; EX1031.

Reciprocal Links: “Reciprocal links” emerged as a term to describe a common method of interconnecting webpages to cross-promote content. A website would include hyperlinks to other sites with overlapping audiences, and reciprocal links on those other sites would mutually generate web traffic for the original website by linking back to the original website. EX1015, 1:60-66, 2:1-3, 3:27-30. Hoyt described creating interconnections between webpages through dynamic links, Pierce described marketing products through linked sites.; and Web Rings provided a search engine for locating linking opportunities. EX1017, [0009]; EX1018, 2:41-42, 2:54-56, 3:47-48; EX1021, 43-44; EX1003, ¶¶98-102; EX1022; EX1023.

Internet Marketing: By the late 1990s, e-commerce websites supported affiliate marketing, with reciprocal links driving traffic and supporting mutual growth in online presence and sales. EX1019, 1:29-33. Ross allowed hosts to create website storefronts and select products from a merchant's catalog, controlling the customer experience and dynamically generating webpages and links. *Id.*, 2:54-63, 6:8-28, 9:4-27, 21:50-22:9, 23:39-24:27; EX1003, ¶¶103-06.

Social Networking: By 1998, social networking sites like sixdegrees.com, had made interlinking of user profiles a standard practice in the space.

Sixdegrees.com managed user connections based on the users' relationships. EX1020. Block describes a structure to facilitate sharing between member profile pages within community areas, allowing users to navigate between profiles based on their relationships. EX1007, [0012], [0024], [0128]; EX1003, ¶¶107-08; EX1022.

IV. THE '316 PATENT

A. Overview

Fundamentally, the '316 Patent pertains to inserting hyperlinks into webpages to create reciprocal links between two webpages. EX1001, 3:16-21, 3:30-32, Abstract. The '316 Patent describes a “reciprocal arrangement” between two webpages, which include elements like “advertising messages (‘banner ads’)” that “link to the first website.” *Id.*, Abstract, 3:30-32. And additional “element[s that] include[] a link to the second webpage.” *Id.*; EX1003, ¶¶41-43.

B. Prosecution History

The '316 Patent was filed on July 19, 2013, and claims priority to June 7, 2000, through a series of continuation applications. During prosecution, the examiner rejected all the pending claims under §101 and §102, because the claims were directed to the abstract idea of establishing a reciprocal arrangement between webpages and were also anticipated by Bailey (EX1013). EX1002, 754-62. Throughout prosecution the examiner maintained the §101 rejection, over Applicant's argument that the claims were directed to a “process, machine,

manufacture or composition of matter,” and could not be performed mentally or through organizing human activity. *Id.*, 779, 781-82, 804-12, 934, 938-39, 946, 952-53, 976-94, 997, 1023-24, 1028, 1187, 1192, 1219-20, 1225-34. The Examiner later rejected the claims under §102, and §112, finding the claims indefinite and anticipated by Horstmann. (EX1015). EX1002, 908-20. Only after the Applicant cancelled all pending claims and introduced new claims (*Id.*, 1373) was notice of allowance issued. *Id.*, 1539; EX1003, ¶¶44-79; EX1014.

C. **LinkedIn Case**

In December 2017, DiStefano filed suit against LinkedIn alleging infringement of the '760 Patent (EX1037). The '760 Patent is in the same patent family as the '316 Patent and shares the same specification. EX1003, ¶¶80-81; EX1039. In 2018, the District Court held that claims 1, 4, 5, 8, and 10 of the '760 Patent were invalid under §101 because the claims were directed to the “abstract idea of facilitating cross-marketing relationships and fail to add any inventive combination, even when considered as an ordered combination.” *DiStefano Pat. Tr. III, LLC v. LinkedIn Corp.*, 346 F. Supp. 3d 616, 623 (D. Del. 2018) (EX1040).

DiStefano appealed, alleging that the Delaware court erred in finding that claim 1 is directed to an abstract idea when “the claims are limited to a specific, improved process, performed by a computer, for creating reciprocal links between a pair of webpages.” EX1038. The Federal Circuit affirmed the Delaware Court’s

decision. *DiStefano Pat. Tr. III, LLC v. LinkedIn Corp.*, 784 F. App'x 785 (Fed. Cir. 2019) (EX1040).

D. LinkedIn IPR

On December 14, 2018, LinkedIn filed an IPR challenging the '760 Patent. IPR2019-00419, Paper 2 (EX1032). The Board denied institution of LinkedIn's IPR, which presented grounds entirely different than those presented herein.³

Relevant here, in its POPR, DiStefano acknowledged that the limitations of the '760 Patent were “comparable” and “same or similar” to the limitations of the '316 Patent. EX1010, 2, 15-16. DiStefano described claim limitations including the term “reciprocal,” such as “reciprocal linking arrangement,” “reciprocal links,” and “reciprocal site.” *Id.*, 8-11, 14, 28. Additionally, DiStefano addressed the term “database” in the context of establishing a reciprocal arrangement. DiStefano stated “the claim language does not require a specific type of database. Rather, the claim language requires a database that is configured to having stored therein information that establishes the reciprocal linking arrangement.” *Id.*, 11-12; EX1003, ¶¶82-87.

³ LinkedIn's petition was premised upon the assertion that U.S. Patent Application No. 13/206,483, filed on August 9, 2011, (“the 2011 Application”) which was in the continuation chain of the '760 Patent, failed to provide written description support for the '760 patent claims. LinkedIn, accordingly, asserted a parent application (USP7,996,259) of the '760 as prior art.

E. Level of Ordinary Skill in The Art (A POSA)

A POSA at the time of the purported inventions of the '316 Patent would have had at least a bachelor's degree in computer science, computer engineering, or a related field, and two to three years of experience with the design or implementation of graphical user interfaces and applications for computers: a higher level of education or skill can make up for less experience, and vice versa. EX1003, ¶¶31-33; EX1004.

V. CLAIM CONSTRUCTION

A. “*reciprocal link site*”

A “*reciprocal link site*” in the context of the intrinsic evidence is a space within a webpage (within a website) for displaying reciprocal links to other websites. EX1003, ¶116.

First, the claims of the '316 Patent support this construction. Claims 13 and 26 recite “*a reciprocal link site for the first hyperlink*” “*in the first web page*” and “*a reciprocal link site for the second hyperlink*” “*in a second web page.*” A POSA would have appreciated, therefore, that the “*reciprocal link site*” is “***in the first web page***” and “***in a second web page.***” Thus, the “*link site*” is not a website/page, but is instead a part of the first/second webpage. EX1003, ¶¶117-19.

Moreover, the antecedent basis for the “*first hyperlink*” and “*second hyperlink*” confirms that they are the “*hyperlink from the first web site to the second*

web site” and “*reciprocal second hyperlink [back] to the first web site,*” respectively. A POSA would have understood that the “*reciprocal link site*” is a location/space in the first or second website to insert the first or second hyperlink. Thus, in this context, “*creat[ing]*” a “*site for [a] hyperlink*” within a “*web page*” is creating a location within a webpage where a hyperlink can be inserted. EX1041 (“site” is “[a] place of position; a location”); EX1003, ¶¶118, 123.

Second, the ’316 Patent’s specification also confirms this construction. EX1001, 15:8-14, Fig. 20A; EX1003, ¶¶119-21. Referring to FIG. 20A, the ’316 Patent states that “[t]he system... determines whether a reciprocal link site has already been created in the registered user’s website, **for displaying links to other websites.**” EX1001, 25:28-34. A POSA would have understood, because the “*reciprocal link site*” is created “for displaying links,” the “*reciprocal link site*” refers to a location within a website for displaying links. EX1001, Fig. 20A.

Third, the file history supports Petitioner’s construction. During prosecution of a parent application (USP7,996,259), the examiner explained that “the limitation ‘reciprocal site’ simply means,...providing a space in a website such that third parties can place their ads in said website.” EX1005, 506; EX1003, ¶122. DiStefano tacitly accepted that the term “reciprocal site” refers to a space in a website, challenging only that this “construction completely ignores the term ‘reciprocal’” arguing that “a reciprocal site refers to reciprocity.” EX1005, 506-07.

Finally, in the *LinkedIn* IPR, DiStefano stated that a “*reciprocal link site*” is **a location** for “**displaying links to other websites**” and supports “the concept of two webpages, each linking to the other.” EX1010, 14; *id.*, 27 (“the term ‘site,’ which means a location.”). DiStefano explained that “the specification of the ’760 and ’259 patents disclose **a link, at a reciprocal link site**, to another webpage, and creating a link back, to the registered user’s website, at this other webpage.” EX1010, 14; EX1003, ¶123.

Thus, a “*reciprocal link site*” is a space within a webpage (within a website) for displaying reciprocal links to other websites. EX1003, ¶124.

B. *Markush* group

Claims 7 and 20 recite a “*group consisting of*,” which signals a *Markush* group, and then “lists specified alternatives.” *Gillette Co. v. Energizer Holdings, Inc.*, 405 F.3d 1367, 1372 (Fed. Cir. 2005); EX1003, ¶125. Here, the claim includes “qualifying language”—*i.e.*, “*one or more*”—such that this *Markush* group may be considered “open.” *Abbott Lab's v. Baxter Pharm. Prod., Inc.*, 334 F.3d 1274, 1281 (Fed. Cir. 2003). The entire *Markush* Group “is disclosed by the prior art if one alternative in the *Markush* group is in the prior art.” *Fresenius USA, Inc. v. Baxter Int'l, Inc.*, 582 F.3d 1288, 1298 (Fed. Cir. 2009).

VI. DETAILED EXPLANATION OF GROUNDS FOR INVALIDITY

A. Ground 1: Block Renders Claims 1-26 Obvious

1. Block

Block was filed on September 20, 2002, and published on March 13, 2003 and is prior art under at least §102(e). EX1003, ¶¶127-30.

(i) Prior Art Status

Block is entitled to its provisional filing date of December 10, 1999 because the Block-Provisional supports at least claim 1 of Block. EX1003, ¶128.

<u>Block</u>, Claim 1	<u>Block-Provisional</u> (EX1006)
Block-Element 1[pre].	<i>E.g.</i> , EX1006, 2, 6, 14, 16, 57.
Block-Element 1(a).	<i>E.g.</i> , EX1006, 16, 165-167, 209, 230, 233, 241.
Block-Element 1(b).	<i>E.g.</i> , EX1006, 16, 22, 171, 210, 230, 234.
Block-Element 1(c).	<i>E.g.</i> , EX1006, 16, 22, 171, 210, 230, 234.
Block-Element 1(d).	<i>E.g.</i> , EX1006, 5-8, 14, 18-19, 27, 55, 70.

The teachings of Block relied on herein were carried forward from the Block-Provisional. EX1003, ¶129.

Citation to <u>Block</u> (EX1007)	Corresponding <u>Block-Provisional</u> Citation (EX1006)
Abstract	2, 6
[0011]-[0012]	6, 14
[0016]-[0017]	6-8
[0020]	14, 18-19, 54
[0025]	163-164, 167, 230
[0042]	6, 8, 263
[0051]-[0052]	9
[0090]-[0103]	14-24, 163-164, 200, 230, 263-264, 267
[0108]	19

[0113]-[0119]	7, 21, 39, 68-69, 80-81, 163-164, 212-218, 230, 233
[0121]-[0122]	17, 22, 164
[0125]-[0129]	23-24
[0132]-[0138]	25-27
[0156]-[0157]	33-34
[0169]-[0171]	37-39, 91
[0204]-[0209]	47-50
Fig. 1	14-18, 163, 200, 233
Fig. 2	54
Fig. 2A	68-69, 80-81, 163-164, 230, 233
Fig. 2D	7, 39, 212-218
Fig. 3	22, 165
Fig. 5	172
Fig. 7	23-25, 167
Fig. 8-9	25-26, 55, 70
Fig. 22	63, 78
Fig. 29	91
Fig. 45	131
Fig. 46A-B	48-49

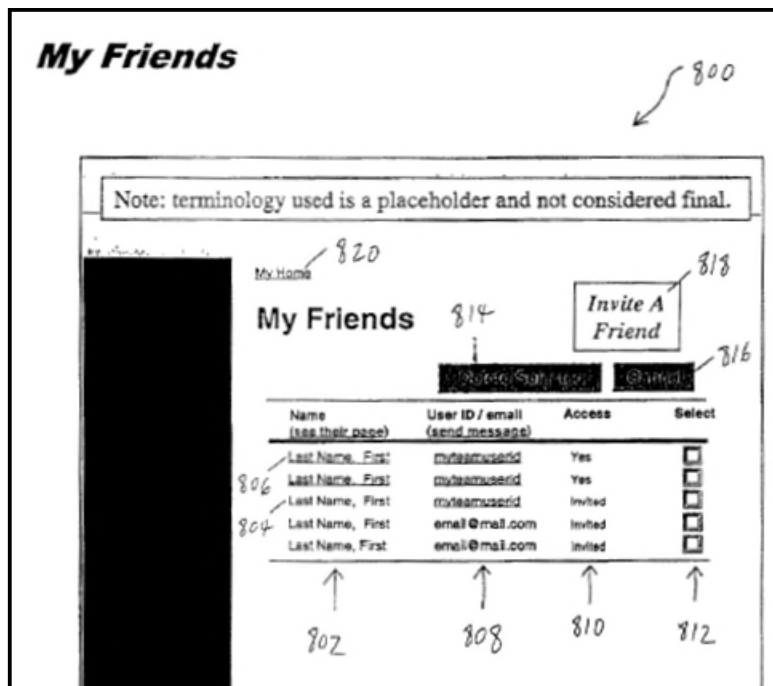
(ii) **Overview**

Block discloses a social media website with “a plurality of community areas.”

EX1007, [0016], Abstract; EX1003, ¶¶131-32.

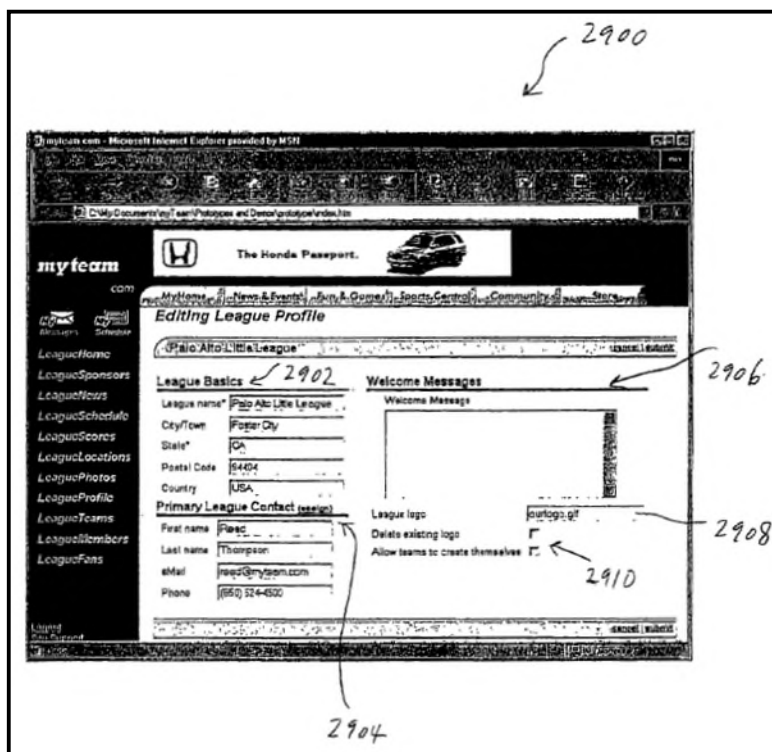
When an individual joins myteam.com, the “Member will be placed (by default) in their own My-Home mini-site 112.” EX1007, [0098]; EX1003, ¶¶133-34. The mini-site includes a My-Friends 800 which “displays ‘friends’ who are people that the user has invited...or other myteam.com Members with which the user has a relationship.” EX1007, [0132], [0133]; EX1003, ¶¶135-37. My-Friends also

“indicates whether the relationship is **reciprocal**.” EX1007, [0128], [0094]; EX1003, ¶136.



EX1007, Fig. 8.

Block describes a page for editing the website. EX1007, [0169], Fig. 29; EX1003, ¶¶138-40. Individuals “with Administrator access” receive an “‘edit’ link... that goes to an editable version of the detail information page for that item.” EX1007, [0095]; EX1003, ¶138.



EX1007, Fig. 29.

2. Claims 1/14

The '316 Patent includes two independent claims which overlap significantly. EX1003, ¶88. Claim 1 is broader than claim 14 and is directed to a “*method*.” Where claims overlap, they are addressed together.

(i) 1[pre]/14[pre]

Block discloses a “*server system configured to modify and serve web pages*.” EX1003, ¶¶141-45, 304-05. Block describes how webpages “can be hosted on computers and servers.” EX1007, [0207]. The servers in Block provide “access to **post/retrieve** information” including “a website...comprised of webpages.” EX1007, [0011]. Hosting, posting to, and retrieving a webpage are examples of

“serv[ing] web pages.” EX1003,¶143. An individual with “edit rights” also has access to “an editable version” of the webpages. EX1007, [0091], [0101], [0122]; EX1003,¶144. Accordingly, Block is a “server system” (and “method” performed therein) that can “modify and serve web pages.” EX1003,¶¶145.

(ii) **14[a]**

Block describes a “membership database” and “central website system and/or database” (“a computer database system”) that is “built via invitations from member users to non-member users” and stores registrant information and access levels. EX1007, Abstract, [0119], Fig. 2D; EX1003,¶¶306-08.

(iii) **14[b]**

In Block, websites/webpages “can be hosted on computers and servers” and users “use similar computers to access such websites and webpages”—i.e., a computer “hardware system.” EX1007, [0207], Fig. 46B; EX1003,¶¶309-11.

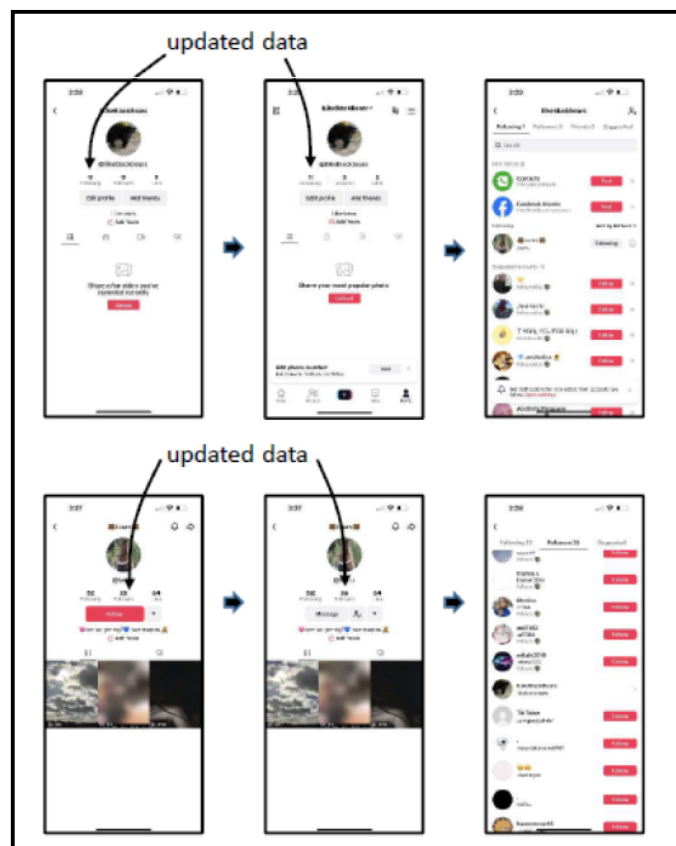
(iv) **1[a]/14[c]**

In Block, “individual[s] who [have] registered with the myteam.com website” (“a first user”) use a “computer” (“a first client device associated with a first user”) to access the myteam.com website. EX1007, [0091], [0207]-[0209], Figs. 46A-46B; EX1003,¶¶146-47.

Block explains that once the “first user” joins myteam.com and becomes a “Member” they get “their own **My-Home mini-site 112.**” EX1007, [0094], [0098];

EX1003,¶148. A POSA would have understood that each “My-Home mini-site” is a “web site,” and that the “My-Home mini-site” of “a first user” is “a first web site.”

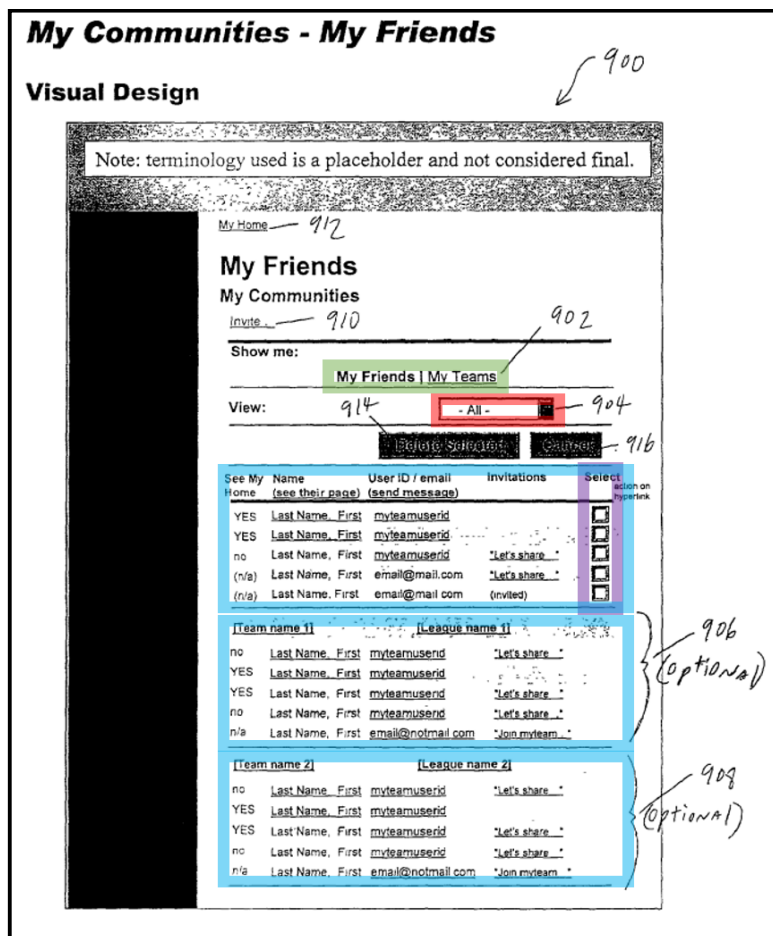
In the EDTX and WDTX Actions, DiStefano argues that a “first website” and “second website” are user profiles associated with a first and second TikTok user, respectively. EX1003,¶¶149-50; EX1012, 30 (below), 53, 26; EX1011. The “mini-site” of Block operates in the same manner as the accused first and second user profiles on TikTok. *TVIIM, LLC v. McAfee, Inc.*, 851 F.3d 1356, 1362 (Fed. Cir. 2017).



Block discloses “a web asset to be used in a first web site.” The ’316 Patent provides examples of “web asset[s]” including graphic image, text and related color,

sound and animation features, JAVA applets and scripts, message boards, web objects, and templates which can be displayed on a website. EX1001, 7:40-50; EX1003, ¶151.

Block explains that each “My-Home mini-site” has a “My-Friends” page that includes a “list of people with whom the user has a relationship.” EX1007, [0128]. My-Friends-page 900 (below) includes different tables for Friends, Team 1 (906), and Team 2 (908)(blue). The tables described in Block are “web asset[s] to be used in a first web site” because the tables (blue) are web objects and can include text and templates. EX1007, [0134], Fig. 9; EX1003, ¶152.

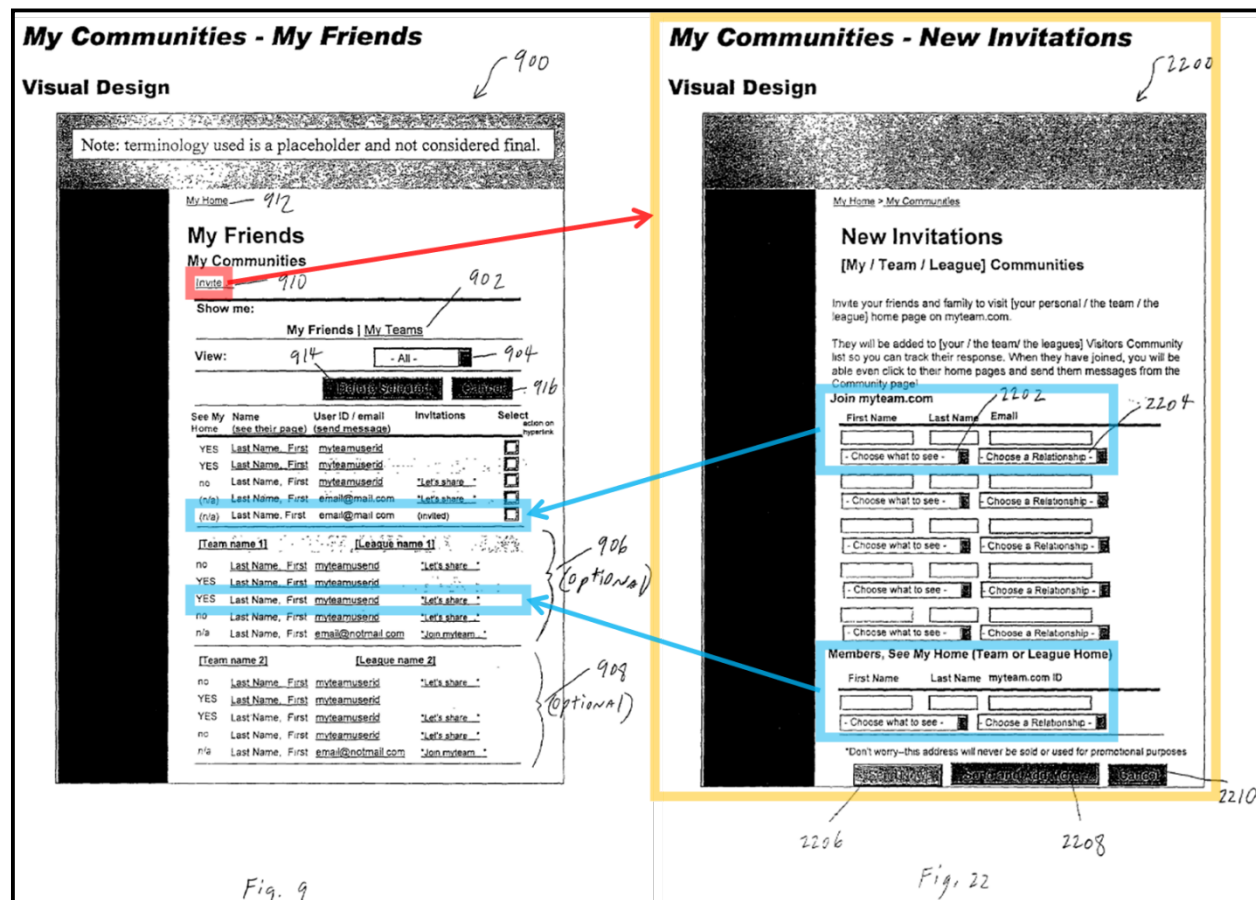


“The user is [also] given the option to select between a showing of My-Friends or the listing of Teams...**via the click-through selector 902,**” (green) and the option to select “which grouping to view” via the “drop-down menu 904” (red)—which includes values such as “All, Friends, Team1, Team2.” EX1007, [0134], Fig. 9; EX1003,¶153. Thus, the “*first user*” can interact with controls available in My-Friends-page 900 (“*a graphical user interface*”) to select which table is visible. EX1003,¶154. The “*first user*” can also use the “corresponding selection boxes and control tabs” (purple) in Fig. 9 to “delete” names from My-Friends. EX1007, [0134], Fig. 9. Therefore, the user can provide “*information indicating a selection of a web asset to be used in a first web site.*” EX1003,¶¶151-54.

The My-Friends-page 900 is also “*a graphical user interface associated with the server system.*” My-Friends-page 900 is part of myteams.com (“*server system*”) and is a “representative webpage” displayed on the browser of “*first client device associated with a first user.*” Accordingly, the user’s commands (“*information indicating a selection*”) are received from the “*first client device.*” EX1007, [0052]; Fig. 1; EX1003,¶154.

Block also describes an “invite” hyperlink 910 (red, Fig. 9) which links to New-Invitations-page 2200 (orange, Fig. 22), “where additional friends can be invited.” EX1007, [0134]; EX1003,¶155. New-Invitations-page 2200 is “*a graphical user interface*” used by the “*first user*” to invite new users to

myteams.com. Once invited, those new users will be added to the “*first user*”-My-Friends. EX1007, [0132]. Therefore, the “*first user*” can use New-Invitations-page 2200 to indicate “*a selection of a web asset*” (e.g., username) to be added to My-Friends (“*used in a first web site.*”) EX1007, Figs. 9, 22; EX1003, ¶¶155-56.



New-Invitations-page 2200 is “*a graphical user interface associated with the server system*” for the same reasons as above. As shown in Figure 2D, the invitation sent using New-Invitations-page 2200 is “*received*” by the “*central website & database.*” EX1007, Fig. 2D, [0119].

Alternatively, in Figure 3, Block describes various capsules 306-326 shown on the webpage, which can include at least “graphic image, text and related color, sound and animation features” and, therefore, are “web asset[s] to be used in a first web site.” EX1007, [0095], [0121]; EX1003, ¶157.

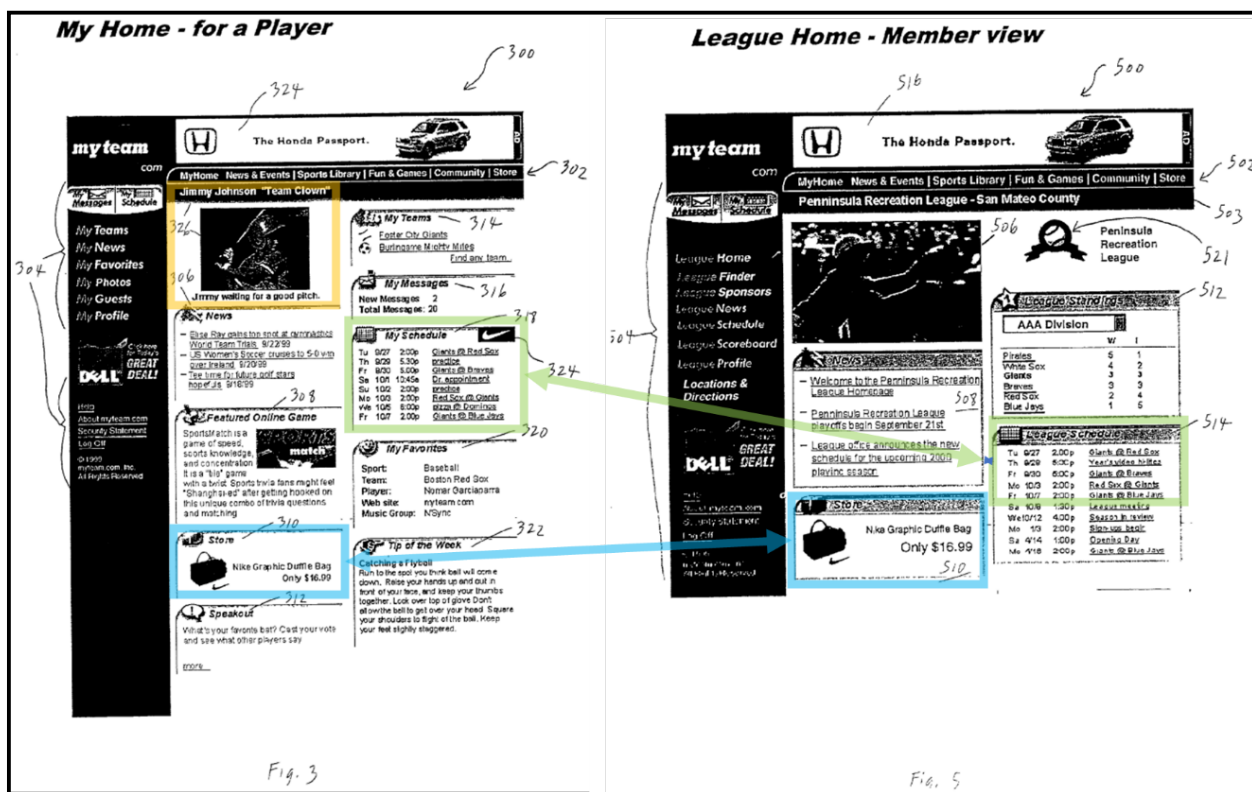
Block illustrates editing the capsule using an editable webpage: “Editing League Profile” page 2900 for editing League-Home page 500. EX1007, [0169], Figs. 5, 29; EX1003, ¶¶158-59. The “first user” can also be the League administrator, as shown below:

Access Level Chart				
X = access	Non-Members	Members		
	Anonymous Visitor	Invited Guest (Fan/Friend)	Participant	Administrator
My Home	no access 202	X 204	(NO -- unless verified family member such as Parent or Guardian) 206	X (That individual that owns it) 208
Team Home	X (limited) 210	X (can see more) 212	X (Still more)* 214	X (See and edit all) 216
League Home	X (limited) 218	X (can see more) 220	X (still more) 222	X (See and edit all) 224

* Can be expanded to include Fan Lists, and so forth

EX1007, Fig. 2.

Editing Store (**blue**) and Schedules (**green**) capsules posted on League-Home page can “crossover” to a member’s My-Home mini-site (“a first web site”). EX1007, [0103] (“Schedule information will be shared between the mini-sites”), Figs. 1, 2A, [0116], [0098]; EX1003, ¶160. Therefore, a command from the “Editing League Profile” page includes “a selection of a web asset” to be used on the user’s My-Home.



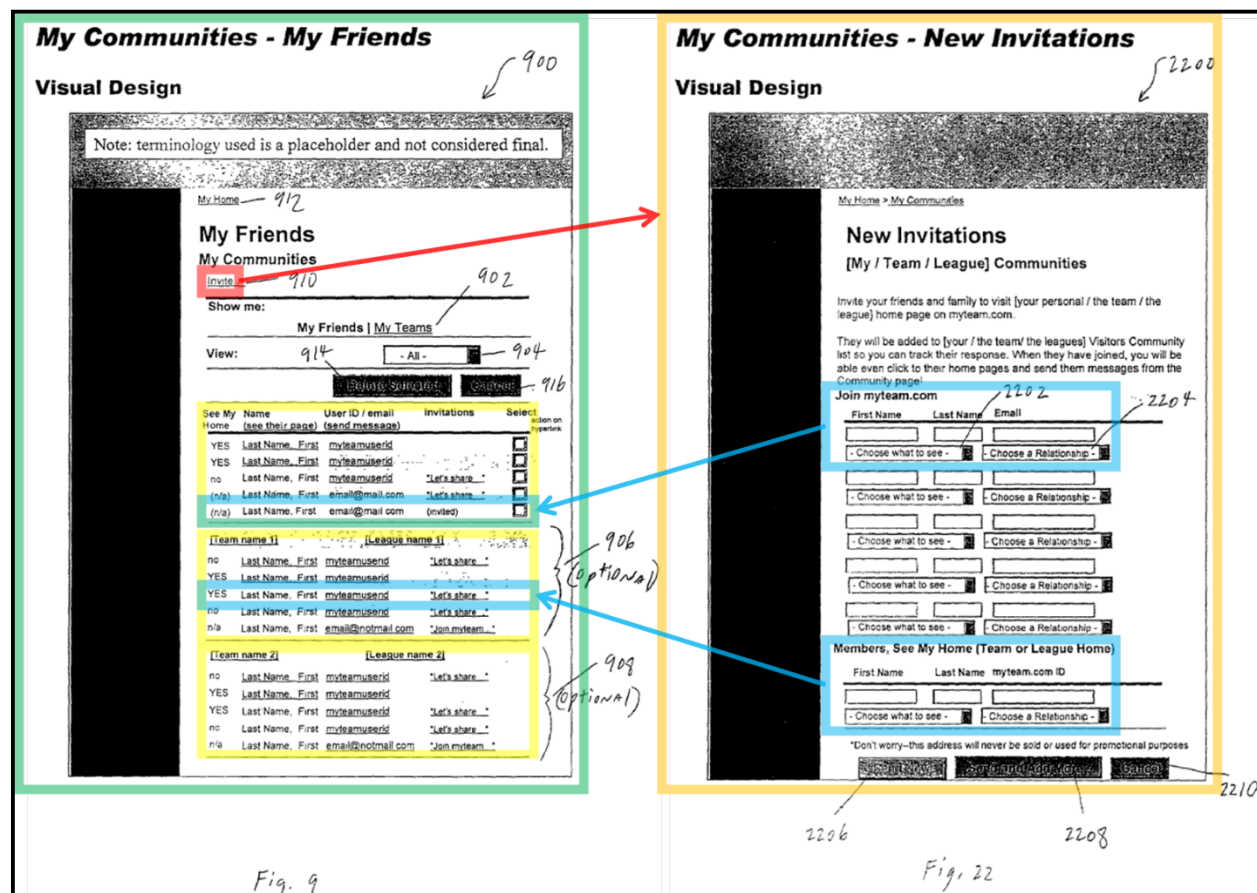
Block explains that My-Home 300 (“first web site”) includes “[p]ersonalized information 326” (**orange**) “regarding the owner of this page (Jimmy Johnson), including for instance pictures of the Player.” EX1007, [0121]. A POSA would have understood that Block’s system would include “a graphical user interface” for

“*selection of a web asset*” (“[p]ersonalized information 326”) “*to be used in a first web site*” similar to the “*graphical user interface*” in Fig. 29. EX1003, ¶¶161-65, 312-13. It also would have been obvious to use the GUI described in Fig. 29 to also edit My-Home as it would be cost effective and efficient to use the same tools to perform the same functions. EX1007, [0025]; EX1003, ¶164.

(v) **1[b]/14[d]**

“[C]lick-through selector 902,” “drop-down menu 904,” and the “selection boxes and control tabs” can be used to generate “*an instruction to modify the web asset.*” EX1007, [0134], Fig. 9; §VI.A.2(iv); EX1003, ¶¶167-69. “[C]lick-through selector 902,” and “drop-down menu 904” are used to provide instructions to change the asset to show different views. *Id.* The *first user*’s selection of a “selection box” along with pressing the “delete selected” button 914, generates a new table (“*generate an edited web asset*”) which will not include the selected user. EX1007, [0134]. The “*first user[’s]*” selection is “*an instruction to modify the web asset.*” EX1003, ¶¶166-69.

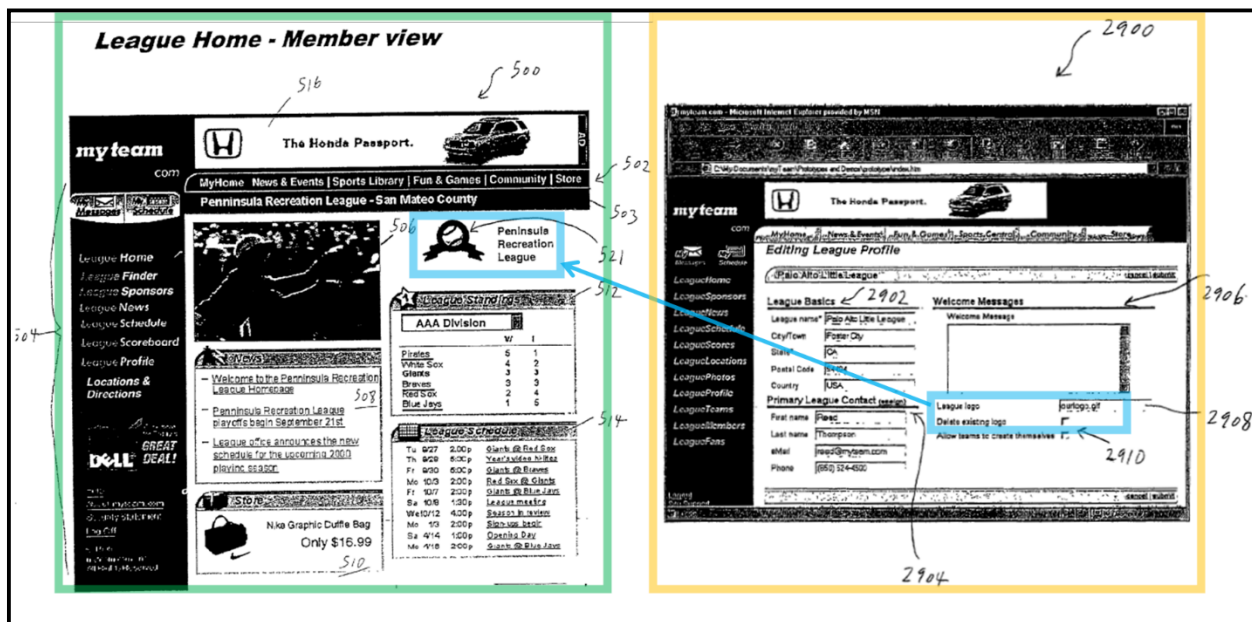
Likewise, the “*first user*” can provide an instruction to modify the tables (**yellow**) **via** invite hyperlink 910 (**red**) and boxes (**blue**) in the Invitations page (**orange**, Fig. 22). EX1007, [0134], [0156]-[0157]; EX1003, ¶170. The user’s instruction will cause additional names to be added to the My-Friends tables.



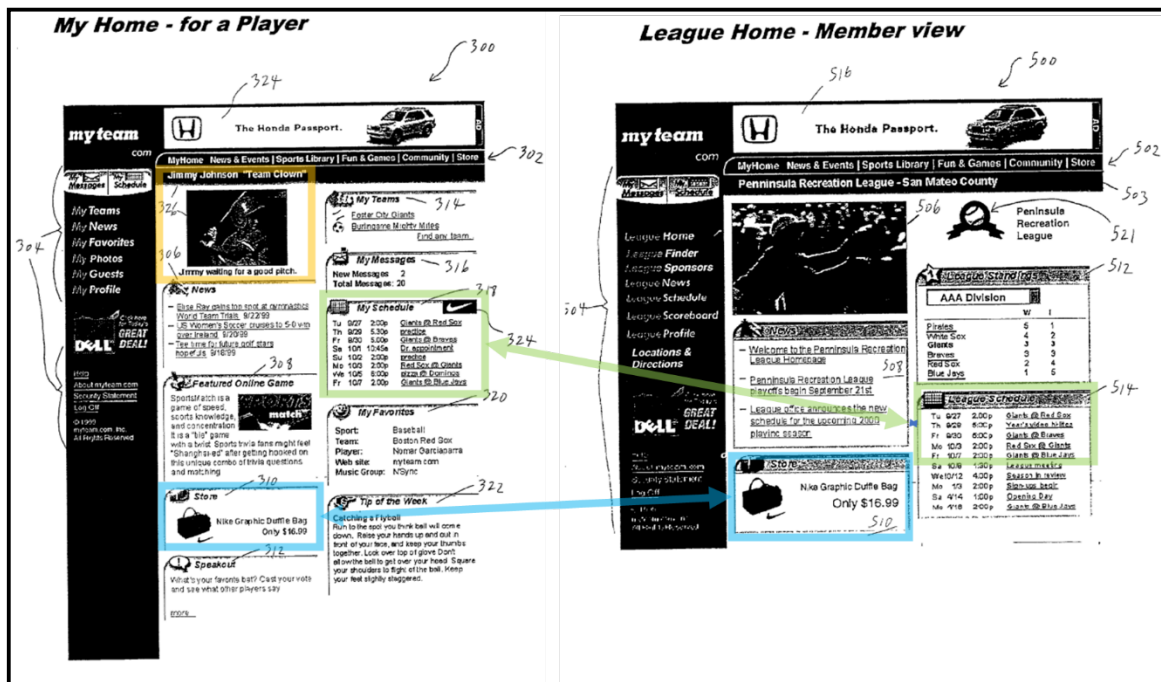
The user's commands are "receiv[ed], from the first client device." EX1003,¶170. My-Friends-page 900 and New-Invitations-page 2200 ("a graphical user interface") are also an "editing screen" because each is used to edit the user's mini-site. EX1003,¶170.

Fig. 29 of Block also illustrates page 2900 for editing League-Home page. EX1007, [0169]-[0170], Figs. 5, 29. An individual with edit access to League-Home 500 (e.g., league administrator) can modify capsules ("web assets") on League-Home 500 by providing instructions in the webpage 2900 (orange, Fig. 29) ("editing screen of the graphical user interface"), for example, via box 2908 to select an image

file for a “Logo” and checkbox 2910 to “Delete existing logo” to modify the logo (blue) on League-Home 500 (to provide “an instruction to modify the web asset to generate an edited web asset” from “the first client device”). EX1007, [0169]-[0171], Figs. 5, 29; §VI.A.2(iv); EX1003, ¶171.



Block describes that a “web asset” posted on League-Home page “crossover[s]” to each user’s mini-site 112 (“first website”), including My-Home 300. EX1007, [0103], [0121], Figs. 1, 2A, 3, [0116], [0095]; §VI.A.2(iv); EX1003, ¶¶172-73. Therefore, the League editing page 2900 (Fig. 29), is an “editing screen of the graphical user interface” which allows a first user to provide “an instruction to modify the web asset...” to be used on the “first website.” EX1003, ¶¶171-72. When a League administrator edits the schedule capsule (green), those edits would also be reflected on the “first website.”



It would also have been obvious to use the GUI interface like the League editing page 2900 to edit the My-Home mini-site. EX1003, ¶¶173-74, 314-15; §VI.A.2(iv).

(vi) 1[c]/14[e]

“[B]ased upon the instruction” received in Elements 1[b]/14[d] Block generates “the edited web asset.” §VI.A.2(v); EX1003, ¶¶175-76. Depending on the selections made with “click-through selector 902” and “drop-down menu 904” different web assets are generated and displayed. *Id.* When the “first user” selects a “selection boxes and control tabs” and presses “delete selected” button 914, a new table will be generated (“the edited web asset”) based on the user’s command. EX1007, [0134]. Once invited by the “first user,” new users will be added to My-Friends. EX1007, [0132]. Block also explains that a user can upload an image file

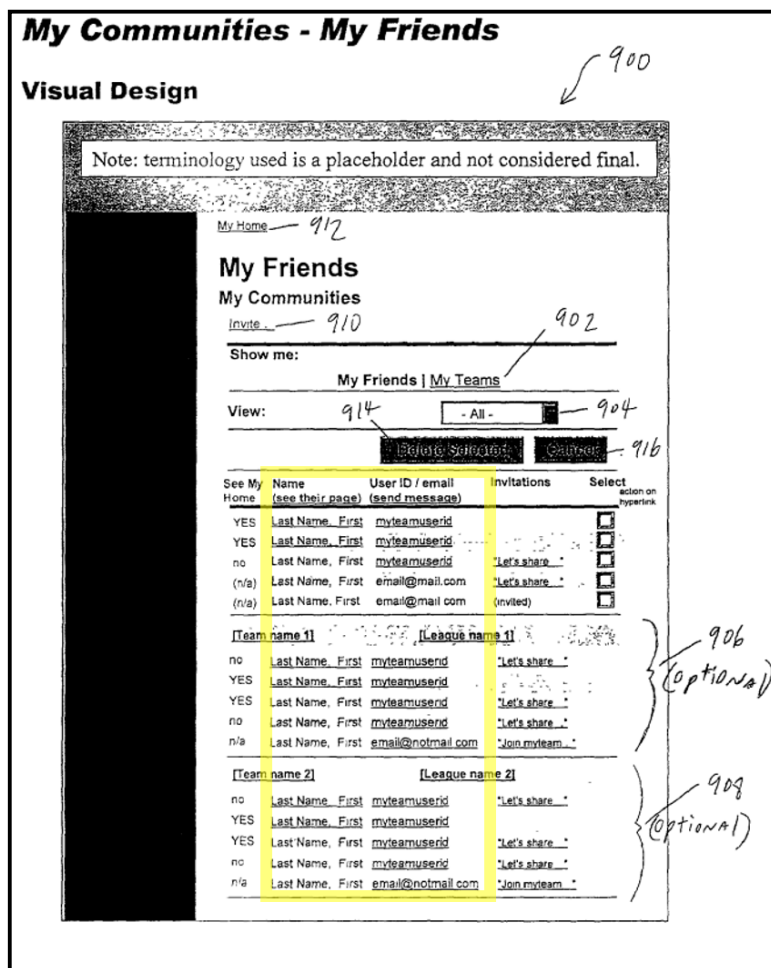
of a league logo via box 2908 (Fig. 29), or modify the schedule capsule 514, which would then be displayed as a league logo 521 or schedule 318, which may then crossover to a My-Home 300. EX1007, [0170]

Therefore, once Block's server system receives "*an instruction*," it edits the web asset based on the instruction to generate the edited web asset which is then "*viewable*" on the webpage. EX1003, ¶¶177-78, 316-17.

(vii) **1[d]/14[f]**

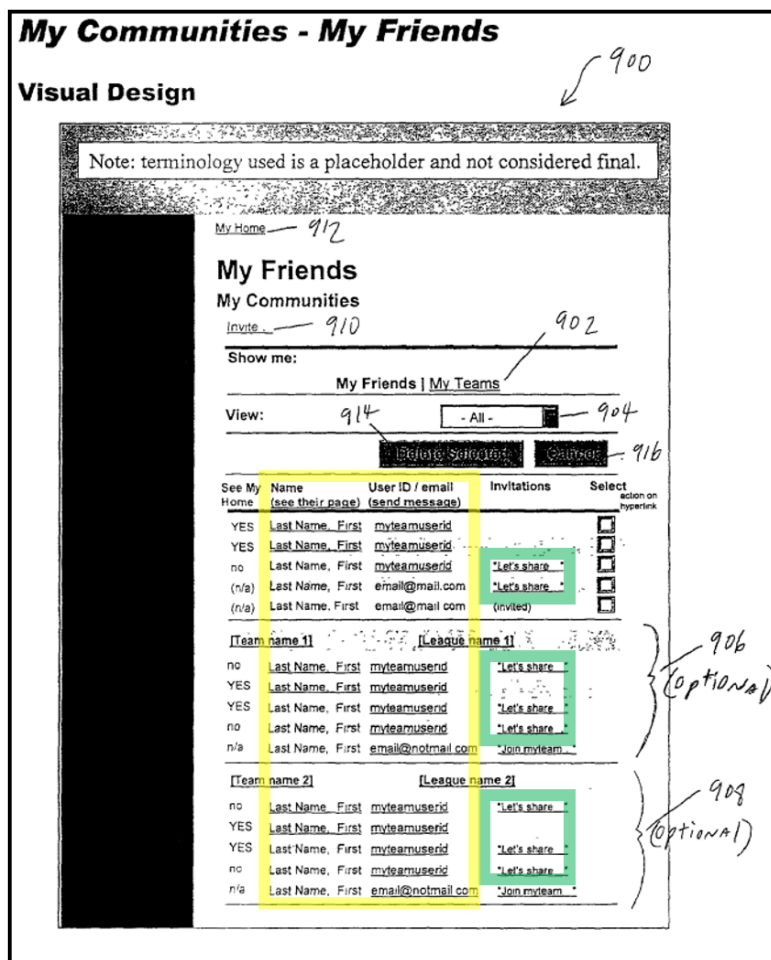
Block explains that once an individual joins myteam.com they "will be placed (by default) in their own My-Home mini-site 112." EX1007, [0098]. EX1003, ¶¶179-81. Mini-sites of other users who previously joined myteam.com would be "*one or more previously-created websites that were previously-created....*" EX1007, [0012], [0097]; EX1003, ¶181.

My-Friends-page 900 includes a "listing of" names with "click-through" links to each listed "person's My-Home page." EX1007, [0134], Fig. 9. Since My-Friends-page 900 displays names and Member-IDs of members (yellow) associated with a link to "that person's My-Home page," Block describes "*display[ing]*" "*one or more identifiers respectively associated with... [the] previously-created websites.*" The "*one or more identifiers*" displayed on My-Friends-page 900 are also "*forward[ed]*" to the "*first client device*" because the "*identifiers*" are displayed in the web browser of the "*first client device*" (as below). EX1003, ¶¶182-83, 318-19.



(viii) 1[e]/14[g]

Block explains that a Member (“a first user” using the “first client device”) can send an invitation to another Member. EX1007, [0094]. In Fig. 9 (“the graphical user interface”), the Invitation column includes “the type of Invitation,” and a “Let’s share” button (green) used to send out invitations to current members. EX1007, [0134], Figs. 2D, 9, [0129], [0119]; EX1003, ¶¶184-86.



Block also describes “invite” hyperlink 910 (red, Fig. 9) which “links to the Invitations page” (orange, Fig. 22) “where additional friends can be invited.” EX1007, [0134], [0156]; EX1003, ¶187. Invitations-page 2200 includes a table (blue) which “allows a Member to invite friends and family whom are already Members.” EX1007, [0156]; §VI.A.2(iv). Accordingly, when the “first user” sends an invitation to a current user they create “a first identification indicating a selection of a second website from the one or more previously-created websites.” EX1003, ¶188.

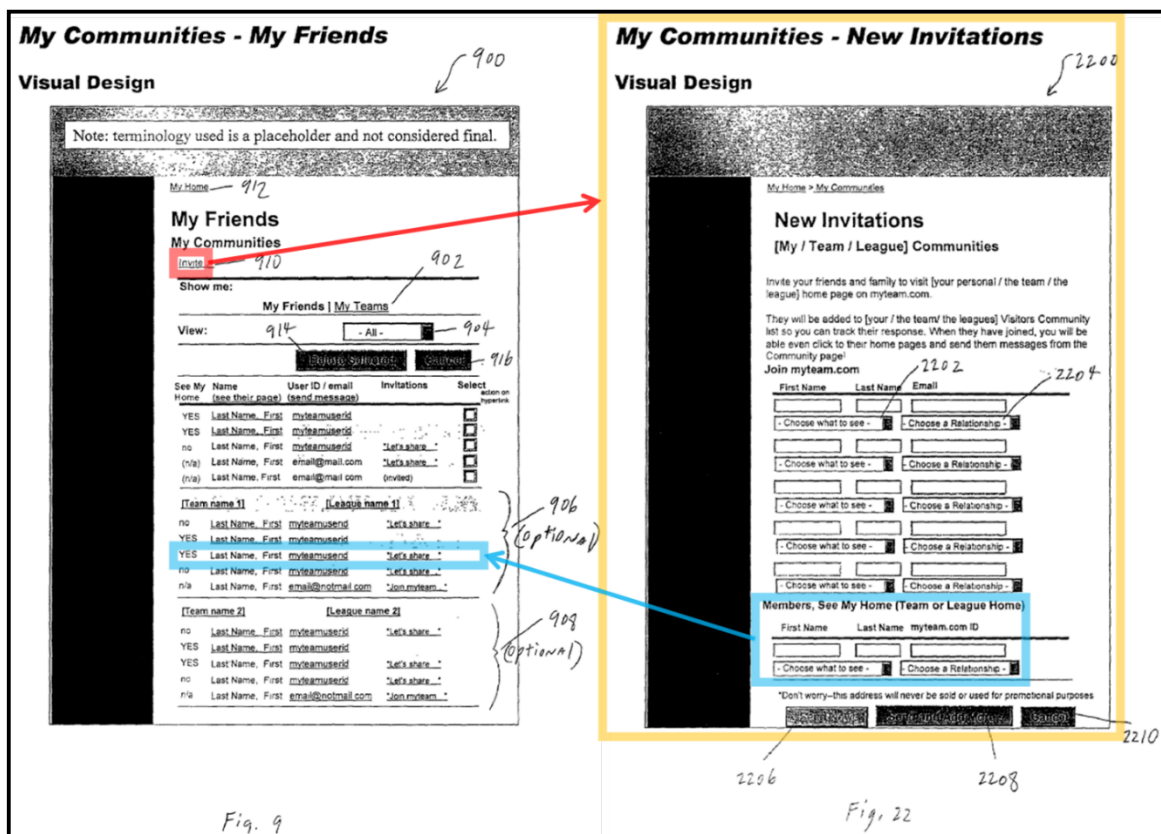
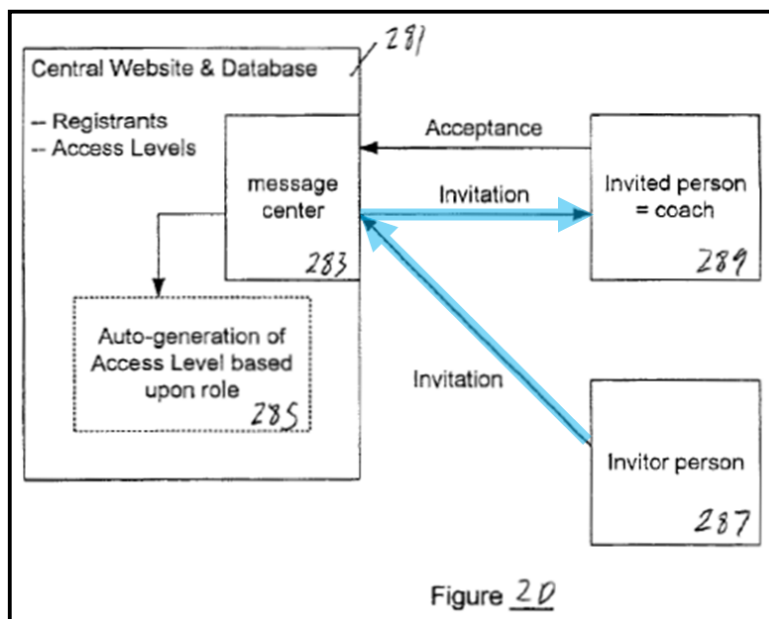
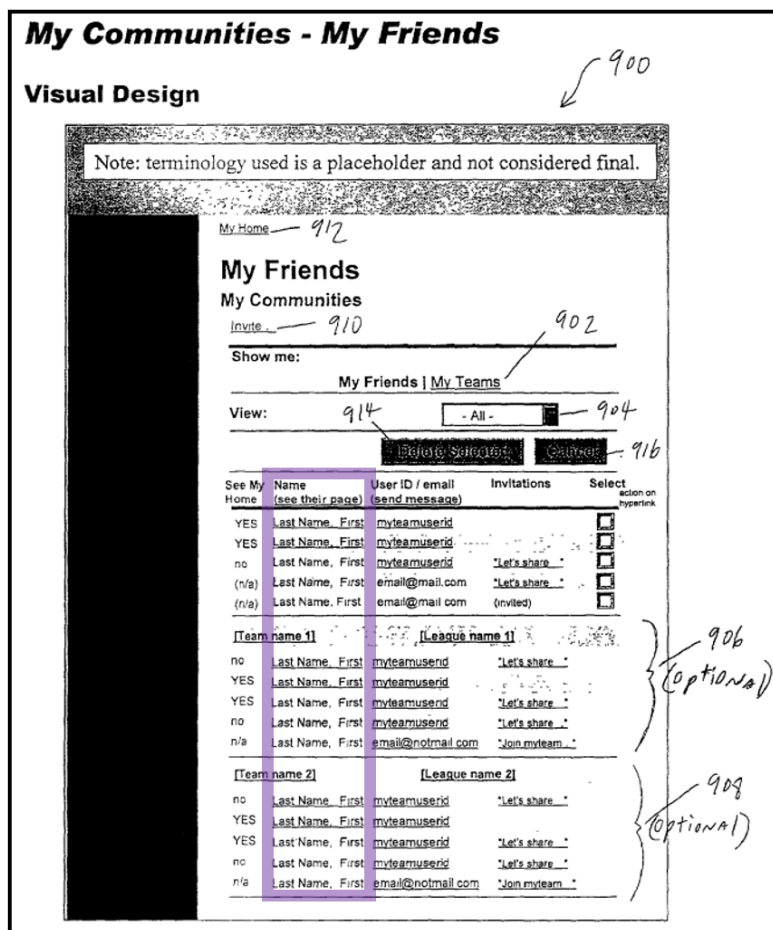


Fig. 2D of Block shows how a user can send an invitation to an “invited person,” which “passes through the website’s message center 283 and is routed to the invited person 289.” EX1007, Fig. 2D, [0119]. Thus, the invitation (blue, Fig. 2D) (“a first identification...”) is “receiv[ed], from the first client device” by the “server system.” EX1003, ¶¶189-91.



Block's invitation is *"to create a first hyperlink from the first web site to the second web site."* Block explains that names (**purple**) on the "My-Friends list" (*"first website"*) are click-through links that lead to another user's My-Home (*"second website"*). EX1007, [0133]-[0134], Figs. 8-9; EX1003, ¶190. My-Friends "shows a first table which displays 'friends' who are people that the user has invited to be myteam.com Members." EX1007, [0132], [0134] (Fig. 9 operates the same). Therefore, when an invitation is sent (*"a first identification..."*) a hyperlink (*"first hyperlink"*) to the "invited person's" My-Home (*"second web site"*) is added to the My-Friends of the *"first user."* EX1003, ¶¶189-92, 320-21.

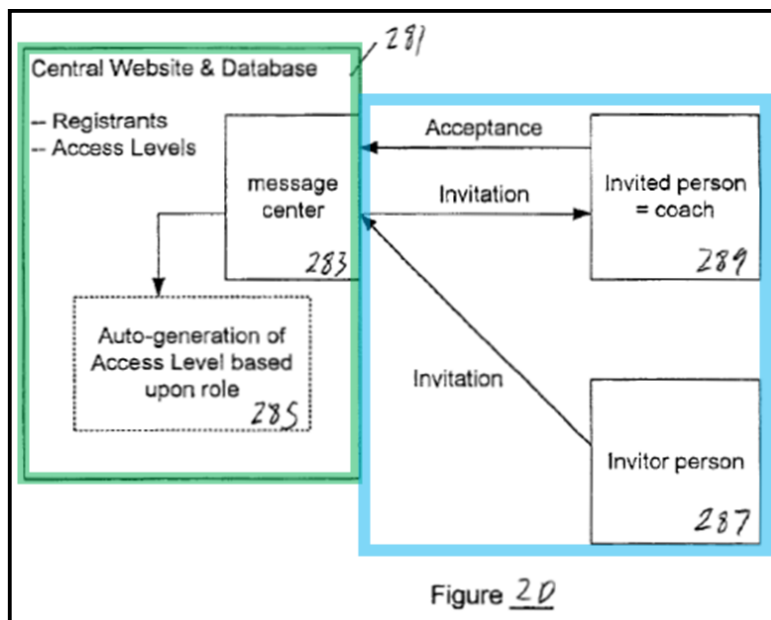


EX1007, Fig.9.

(ix) 1[f]/14[h]

Block describes a “central website system and/or database,” which “store[s] information such as the registrants and their access levels.” EX1007, [0119], Fig. 2D. The invitation (“*the first identification*”) “passes through the website’s message center 283 [of the central website and/or database 281] and is routed to the invited person,” and the invited person’s acceptance is then sent back to the message center 283. EX1007, [0119]; EX1003, ¶¶193-95. The database (**green**) stores information regarding the invitation and acceptance (**blue**). A POSA would have understood

that the “*first information indicating...*” is the information indicating that an invitor person sent an invitation to the invited person—i.e., the entry in the database is an example of the “*first information*”. EX1007, Abstract; EX1003, ¶195. Block therefore “*stor[es], within a computer database system of the server system, first information...*” EX1003, ¶¶195-96, 322-23.



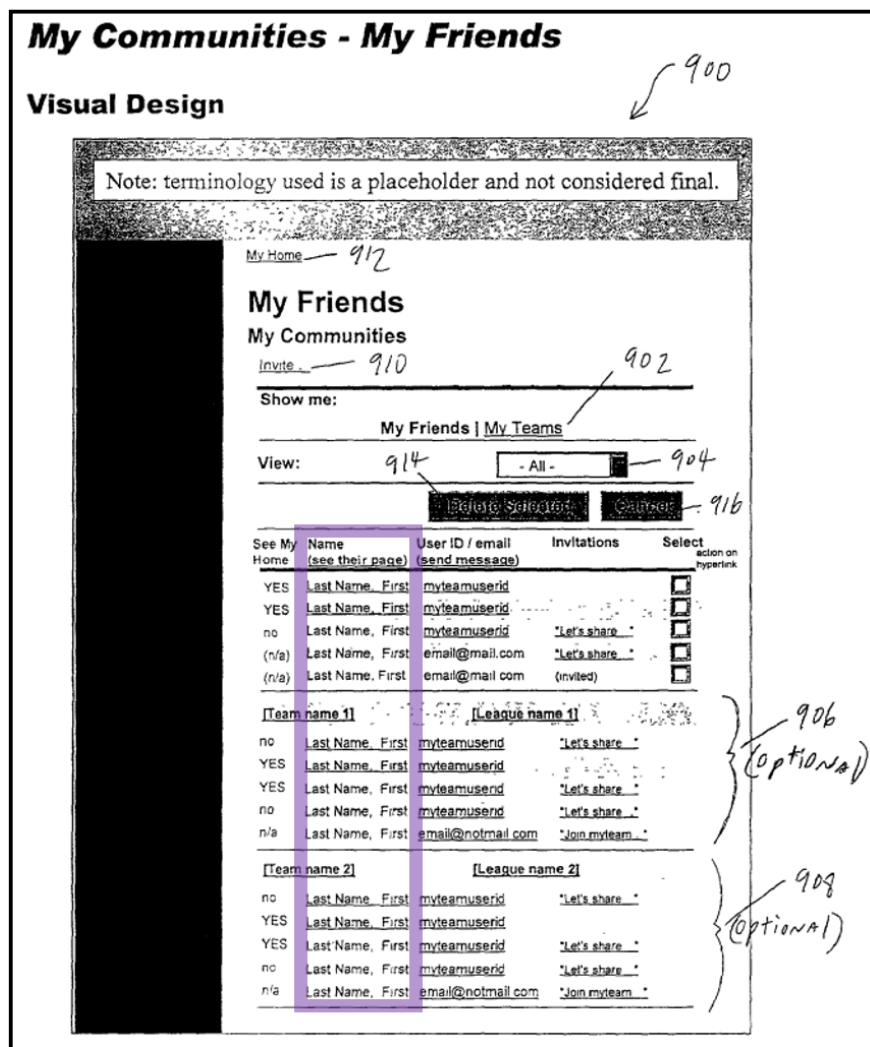
(x) 1[g]/14[i]

Block explains that when the “*first user*” selects a “selection boxes and control tabs” and presses “delete selected” button 914, a new table (“*edited web asset*”) will be generated based on the user’s command and displayed on the “*first website*.” EX1007, [0134]; §§VI.A.2(v)-VI.A.2(vi); EX1003, ¶¶197-98. Depending on the selections made with “click-through selector 902” and “drop-down menu 904” different web assets are generated and displayed. *Id.* Likewise, once invited by the

“*first user*,” a new My-Friends table is generated “*based upon the instruction*” that includes the “invited person” and is added to the “*first user*’s” My-Friends-page—which is part of the “*first website*.” EX1007, [0132]; Figs. 9, 22; §VI.A.2(v); EX1003, ¶198. A “*first user*” can also upload an image file of a league logo via box 2908 (Fig. 29), which would then be displayed as a league logo 521 in League-Home 500, which may then crossover to a My-Home 300. EX1007, [0170]; EX1003, ¶199. Likewise, when League administrator modified schedule 514, and updated schedule with “crossover” to schedule 318 on the “*first website*.” EX1003, ¶¶200-02, 324-25.

(xi) **1[h]/14[j]**

Block explains that names on the “My-Friends list” (“*first website*”) are click-through links (**purple**). EX1007, [0133], Figs. 8-9; §§VI.A.2(viii)-VI.A.2(ix). The click-through links leads to the My-Home for a second user (“*second website*”). EX1003, ¶¶203-05. Since My-Friends “displays ‘friends’ who are people that the user has invited to be myteam.com Members,” EX1007, [0132], a POSA would have understood that when the “*first user*” invites another user, (second user), the second user’s information and a hyperlink (“*the first hyperlink*”) to the “*second website*” are added to the “*first user*”-My-Friends (“*first website*”). EX1003, ¶¶203-06, 326-27; §VI.A.2(viii).



EX1007, Fig. 9.

(xii) 1[i]/14[k]

Block explains that “[w]hen an individual accepts an Invitation to a My-Home page, the link to the invitor’s My-Home page is [added to] their My Fans page.” EX1007, [0094], [0128], [0132]; EX1003, ¶¶207-09; §VI.A.2(xi), §VI.A.2(viii).

Accordingly, a “second hyperlink” to the invitor’s My-Home (“the first web site”) is “reciprocally” included on the second user’s My-Friends (“the second web

site”) after the second user accepts that invitation—i.e., “*based upon the first information...*” EX1003, ¶¶207-10,328-29.

(xiii) **1[j]/14[l]**

Block discloses that the website/webpage of the users “can be hosted on computers and servers”—i.e., a “*server system*” configured to “*serve web pages.*” §VI.A.2(i); EX1007, [0011], [0207]. Once the webpage is modified based on the instruction from the user via “invite” hyperlink 910 and Invitations page (**orange**, Fig. 22), the modified listings become viewable to a user (**green**, Fig. 9) §VI.A.2(x). A POSA would have understood that serving the web page includes “*serving computer data associated with the first website.*” EX1003, ¶¶211-14,330-31.

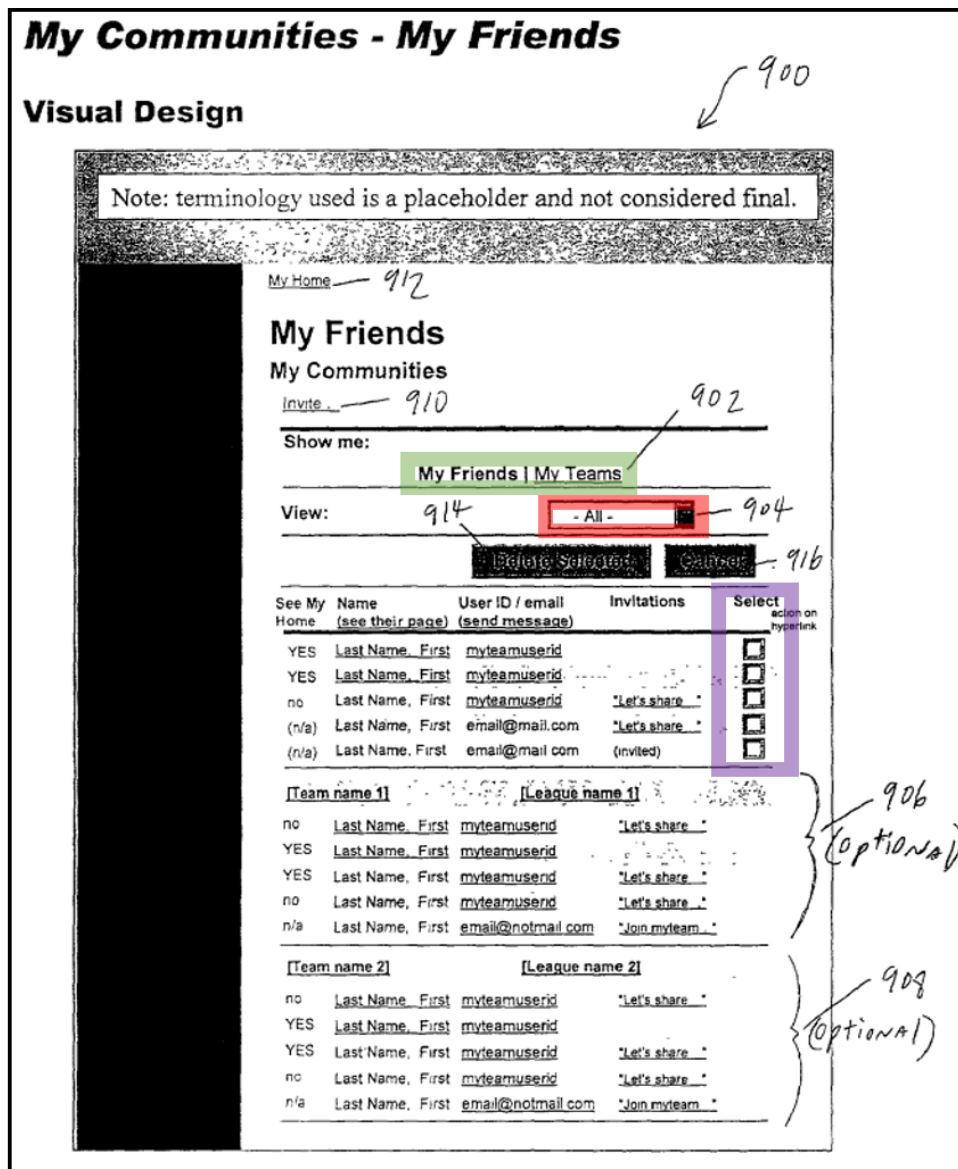
(xiv) **1[k]/14[m]**

Block discloses “*first web site*” (“My-Home mini-site” of “*first user*”) and “*second web site*” (“My-Home mini-site” of “*second user*”). §§VI.A.2(iv), VI.A.2(viii). Both mini-sites are hosted as part of myteam.com (“*server system*”). EX1007, [0042]. EX1003, ¶¶215-16, 332-33.

(xv) **1[l]/14[n]**

My-Friends-page 900 is an “*editing screen*” and includes a “click-through selector 902,” (**green**), “drop-down menu 904” (**red**), and the “selection boxes and control tabs” (**purple**). EX1007, [0134], Fig. 9; §VI.A.2(v). My-Friends-page 900

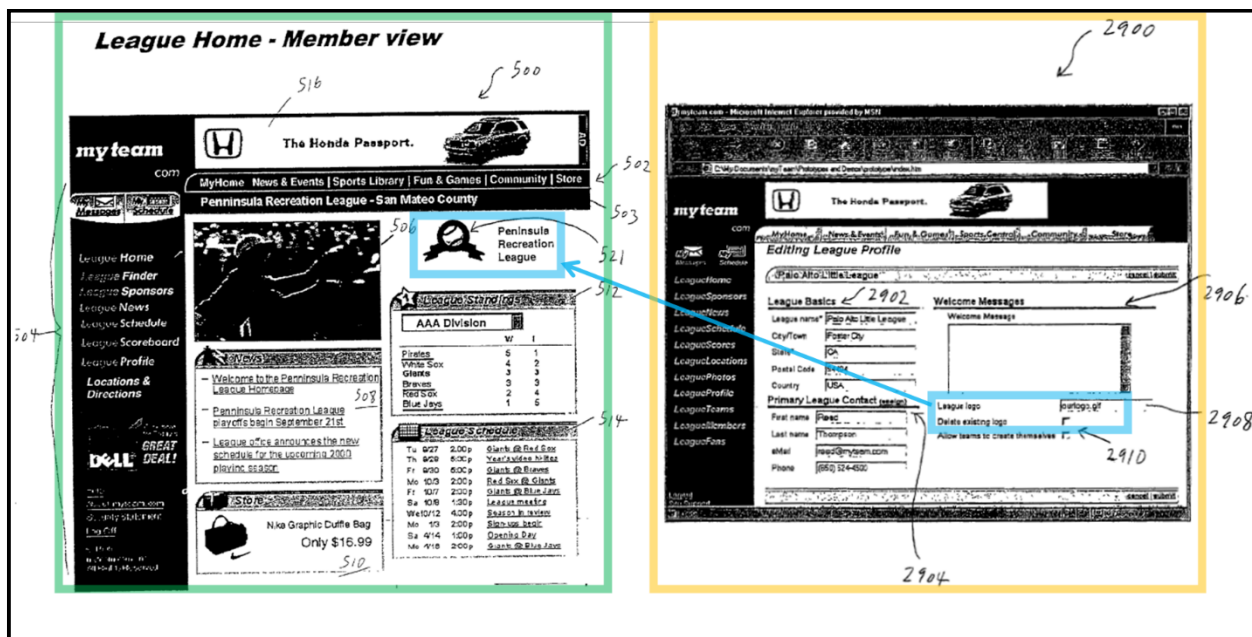
also displays tables of group of listings for Friends, Team 1 (906), and Team 2 (908) (“the web asset”). EX1003, ¶¶217-19.



Block also shows an “editing screen” (orange, Fig. 22) which allows the user to enter information of invitees. EX1007, [0156]; §VI.A.2(v); EX1003, ¶220. A POSA would have found it obvious to have the “editing screen” display the web asset so the user can see the entered information on the invite and ensure the

information is correct. EX1003,¶220. Accordingly, Block renders obvious “*the editing screen is configured to display the web asset.*” EX1003,¶¶220-22.

Block also explains that for an individual with “edit access rights..., an ‘edit’ access link will be displayed that will lead to an editable version of the page.” EX1007, [0095], [0122]; EX1003,¶218. A POSA would have understood that “an editable version of the page” is an “*editing screen [] configured to display the web asset*” (e.g., **orange**, Fig. 29) since it is a “version of the page” being edited, which would include the web assets on that page. EX1007, [0169]-[0170]; §VI.A.2(v); EX1003,¶¶221,334-35.

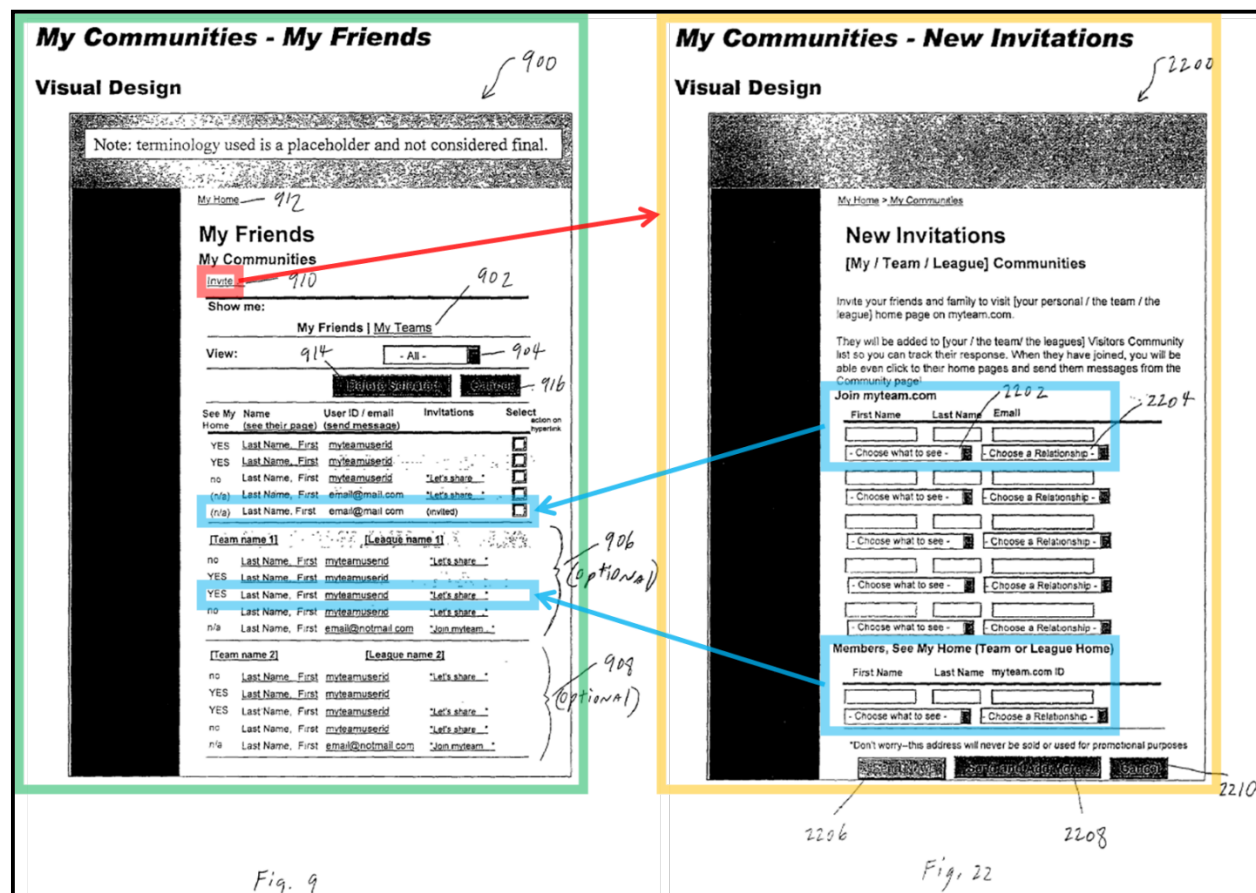


(xvi) 1[m]/14[o]

When the “*first user*” selects a “selection boxes and control tabs” and presses “delete selected” button 914, a new table will be generated based on the user’s

command and will **be displayed**. EX1007, [0134]. §VI.A.2(x). Therefore, the “*graphical user interface*” includes “*a primary display screen configured to display the edited web asset based upon the instruction.*” Alternatively, “click-through selector 902,” and “drop-down menu 904” can be used to change what information is displayed on My-Friends-page 900. EX1003, ¶¶223-24. The My-Friends-page 900 include sub-screens (“*a primary display screen*”) displaying a “selected” “grouping to view[s]” (“*the edited web asset*”) such as: “All, Friends, Team1, Team2, and so forth.” EX1007, [0134].

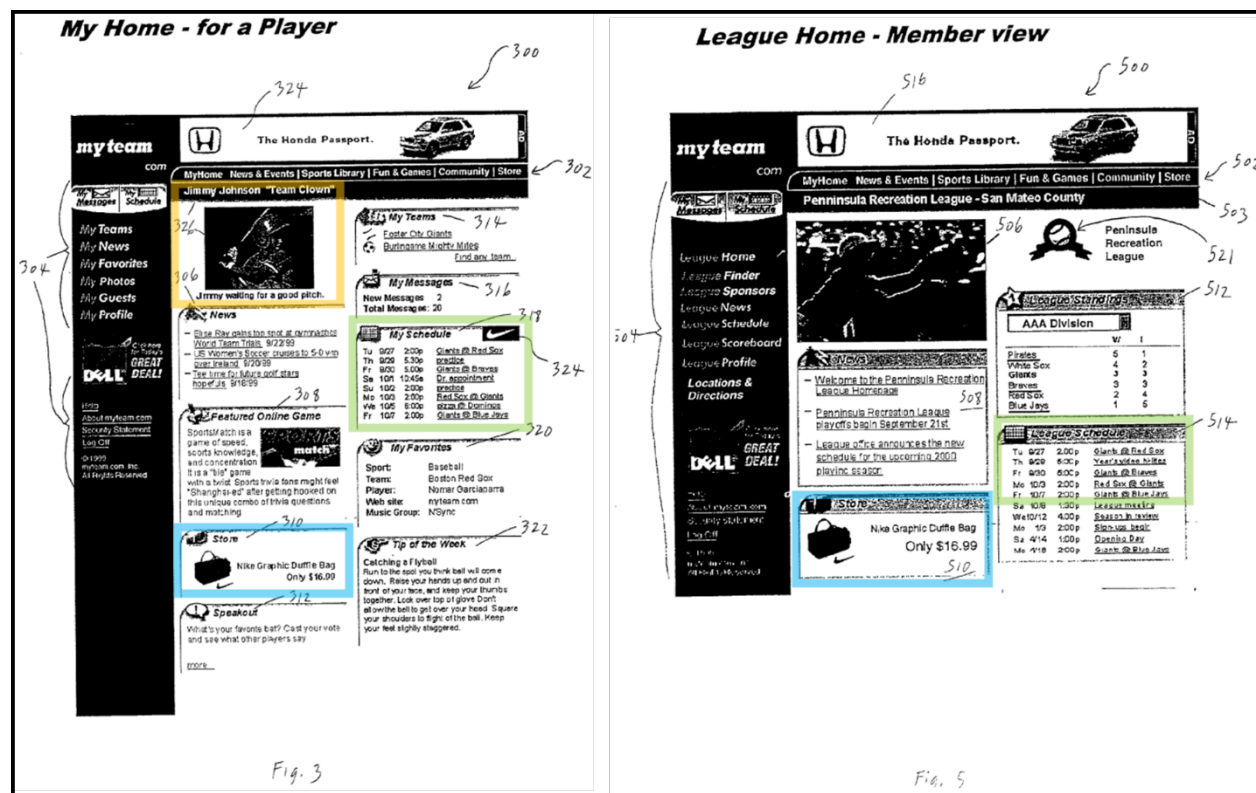
A user can also click on the “invite” hyperlink 910 (**red**) which links to Invitations-page 2200. Then a user can provide an “instruction” via the boxes in Invitations-page 2200 (“*editing screen*,” **orange**) such as a username of the invitee on My-Friends-page 900. The inputted information will then be displayed on My-Friends-page 900 (“*a primary display screen*,” **green**). EX1007, [0134], [0156], Figs. 9, 22; EX1003, ¶225.



Block explains that a user can provide an “instruction” via the box 2908 in “Editing League Profile” page 2900 (“editing screen,”) “to display the edited web asset” (e.g., a league logo) on League-Home 500 (“a primary display screen”). EX1007, [0169]-[0170], Figs. 5, 29; EX1003, ¶226.

Capsules such as store (blue) and Schedules (green) posted on League-Home 500 also “crossover” to each user’s mini-site 112. EX1007, [0103], Figs. 1, 3, 5, 2A, [0116]; §VI.A.2(iv). My-Home 300 is, therefore, another example of “a primary display screen configured to display the edited web asset” (“[p]ersonalized

information 326”) “based upon the instruction” provided via the League editing site 2900. EX1007, [0121], Fig. 3; EX1003, ¶¶227-28,336-37.



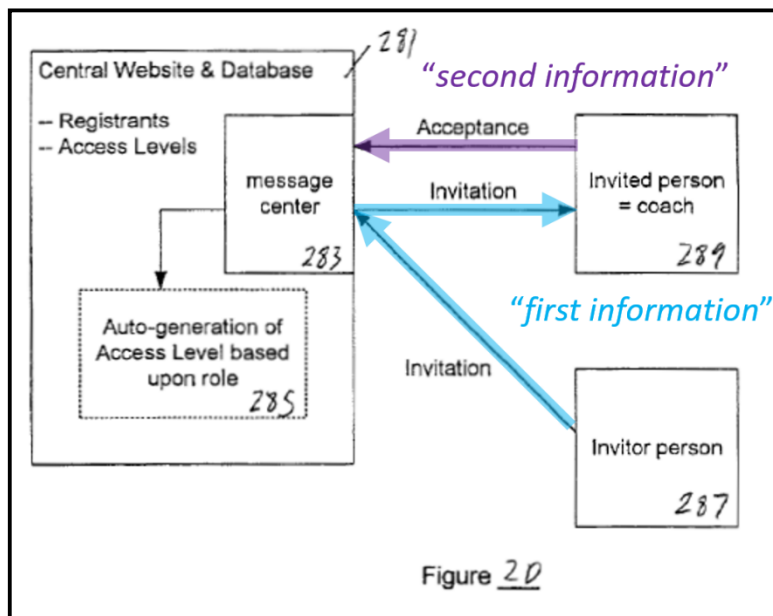
3. Claims 2/15

(i) 2[a]/15[a]

Fig. 2D of Block shows how invitations are stored in a “central website & database” and “pass[] through the website’s message center 283 and [are] routed to the invited person 289.” EX1007, Fig. 2D, [0094], [0119], [0128]; §§VI.A.2(viii)-VI.A.2(ix). When the invited person accepts the invite, their name and a hyperlink to their My-Home is added to the “first website.” *Id.*; EX1003, ¶¶229-31.

The invitee's acceptance of the invite (*"second information"*) is information received *"from a second user...."* The *"invitee's acceptance"* also causes a *"link to the invitor's My-Home"* to be added to the *"second website"* on the *"My Fans/[Friends] page."* EX1007, [0094], [0128]. The *"invitee's acceptance"* is, thus, an *"identification to create the second hyperlink...."* EX1003, ¶231.

The *"invitee's acceptance"* (**purple**) is *"sent back to the message center 283"* and routed through and stored in the *"central website & database."* EX1007, [0119], Fig. 2D. The entry of the *"second information"* in the database, therefore, *"indicates"* that the *"second information"* was *"received by the server system"* and *"store[d] within the computer database system."* EX1003, ¶¶232-33, 338-39.

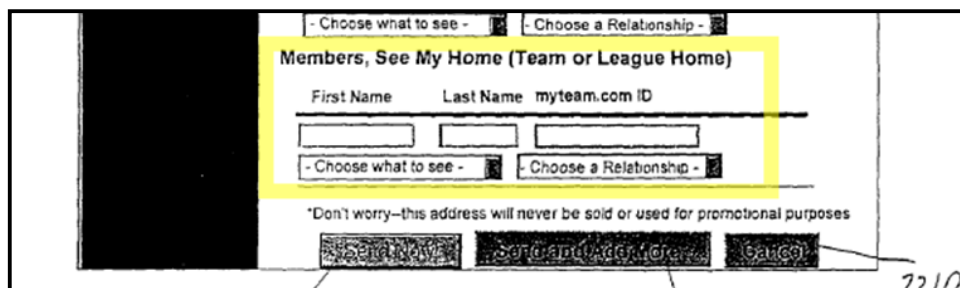


(ii) **2[b]/15[b]**

When the “invited person” “accepts an Invitation” a “link to the invitor’s My-Home page” is added to the “invited person’s” My Fans/[Friends] page.” EX1007, [0094], [0128]. Therefore, the “My Fans/[Friends] page” of the “*second website*” is “*modifi[ed]*” “to include “*the second hyperlink*” based the received “*first identification*” and “*second identification.*” EX1007, [0094]; §VI.A.2(xii); EX1003, ¶¶234-35,340-41.

4. Claims 3/16

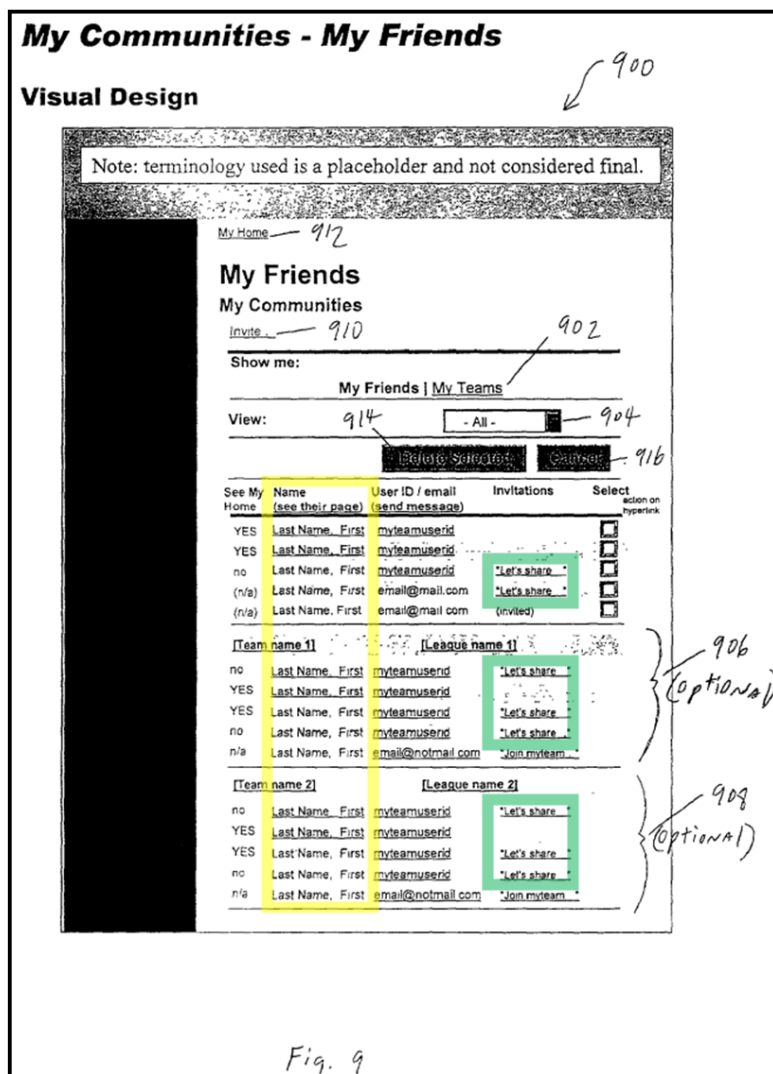
Invitations-page 2200 (“*graphical user interface*”) includes an “*entry field*” that is used to provide information such as the invitee’s name, myteam.com user id, and access controls—i.e., “*is configured to receive an entry associated with the first identification.*” §VI.A.2(viii); EX1003, ¶¶236-39,342-43.



EX1007, Fig. 22.

5. Claims 4/17(i) **4[a]/17[a]**

My-Friends-page 900 “display[s]” a Name Column (**yellow**) which “includes click-through” links to another user’s “My-Home” (*“one or more identifiers respectively associated with one or more previously-created websites.”*). EX1007, [0134], Fig. 9; §VI.A.2(vii). My-Friends-page 900 includes “Let’s share” (**green**) (*“graphical widget adjacent”* to the *“one or more identifiers”*) which can be used send out invitations. EX1007, [0134], [0129]. The plain meaning of a *“graphical widget”* is an interactable element, such as a button in a GUI. EX1003, ¶241. Since Block describes click-through links or buttons which a user can interact with to send messages or invitations, a POSA would have understood that “Let’s share” is a *“graphical widget.”* EX1003, ¶¶240-42, 344-45.



(ii) 4[b]/17[b]

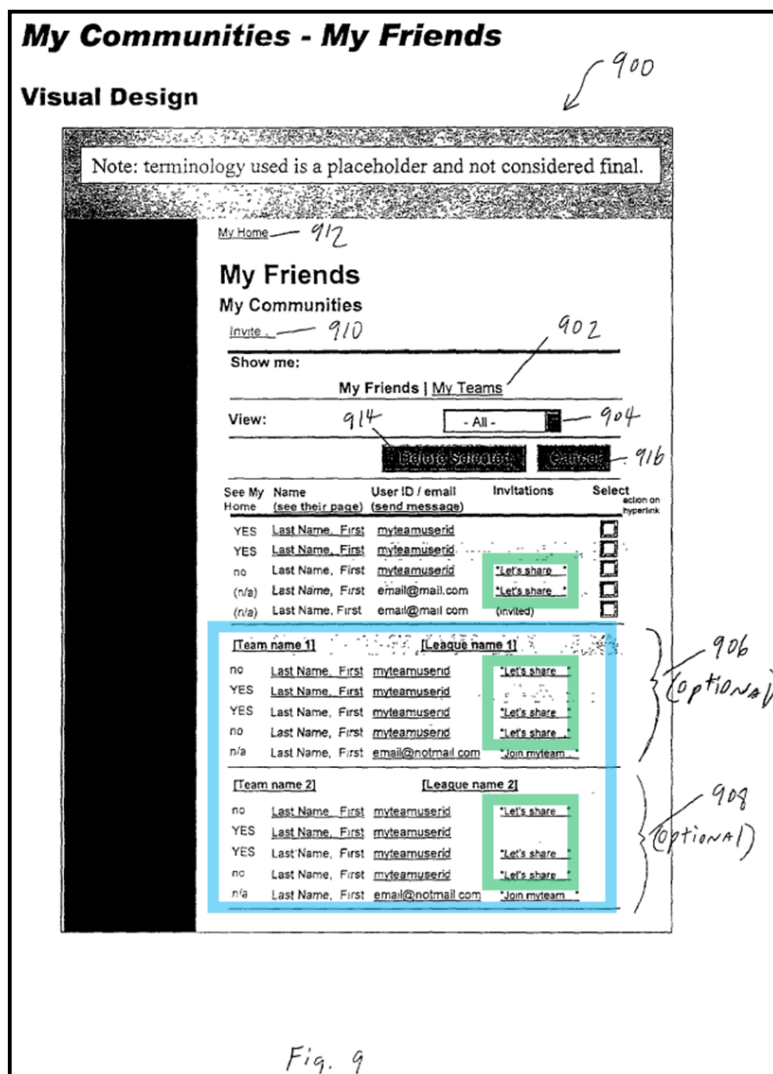
Block explains that an “invitation might be in the form of:...‘let's share pages.’” EX1007, [0129]. Therefore, a POSA would have understood that a user can select the “Let’s share” (green, above) button—i.e., “the graphical widget is configured to receive a user-initiated selection.” §VI.A.2(viii); §VI.A.5(i); EX1007, Fig. 9; EX1003, ¶¶243-45, 346-47.

(iii) 4[c]/17[c]

A POSA would have understood that the “Let’s share” button includes a *“selection of the second website is based upon the user-initiated selection.”* §§VI.A.2(vii)-VI.A.2(viii), VI.A.5(i)-VI.A.5(ii); EX1007, [0129], [0134], Fig. 9; EX1003, ¶¶246-48, 348-49.

6. Claims 5/18

Block’s “My communities” button can be used to load My-Friends 900 which shows “My-Friends or the listing of Teams the user is involved with” (*“one or more previously-created websites”*). EX1007, [0132], [0128], [0134]; §VI.A.2(viii). Block also explains that a user can search for teams using Team-Finder 1230 and join a team by clicking on the “become a member” option within the Team-Finder interface. EX1007, [0127]. When a user joins a team, a listing of *“one or more previously-created websites”* is added to their My-Friends. Therefore, a POSA would have understood that loading My-Friends using the “My communities” button or joining a team through the Team-Finder interface are examples of *“a request generated by the graphical user interface”* which is received by the *“server system.”* EX1003, ¶¶252-54. Accordingly, Block *“identif[ies] the one or more previously-created websites based upon a receipt”* of the *“request.”* EX1003, ¶¶249-55, 350-51.



The “Let’s share” button (green) can be used to send invitations to existing users. Once the “invited person” accepts the invitation the “first” and “second hyperlink” are created. §VI.A.2(viii). Loading My-friends or joining a team causes the “server system” of Block to identify “one or more suggested linking locations for the first website,” because it suggests other members to invite to be friends. EX1003, ¶¶249-51.

7. Claims 6/19(i) 6[a]/19[a]

Block explains that a new myteam.com member “must complete the registration form” which a POSA would understand is like the editing layout in Fig. 45. EX1007, [0093], [0204]. Accordingly, Block renders obvious these claim Elements. EX1003, ¶¶256-59,352-53.

The screenshot shows a web browser window displaying the myteam.com website. The page title is "Editing Dan Ahlberg". The form is divided into two main sections: "Vital Statistics" and "Role".

Vital Statistics:

- First name*: Dan
- Last name*: Ahlberg
- Middle initial: J
- Birthdate*: 4/14/58
- Phone: (508) 524-4528
- eMail: ahlberg@myteam.com
- myteam ID: danahen

Role:

- Title/Job: [blank]
- Access level: [blank]
- Address: 4508
- Address 1*: 5 Martin Drive
- Address 2: [blank]
- City/Town*: Sudbury
- State*: MA
- Postal Code: 02148
- Country: USA

Handwritten annotations on the form include:

- 4500: A curved arrow pointing to the top right corner of the browser window.
- 4502: An arrow pointing to the "Dan Ahlberg" text in the "Editing Dan Ahlberg" header.
- 4506: An arrow pointing to the "Role" section header.
- 4508: An arrow pointing to the "Address" field.
- 4504: An arrow pointing to the "Birthdate*" field.

(ii) 6[b]/19[b]

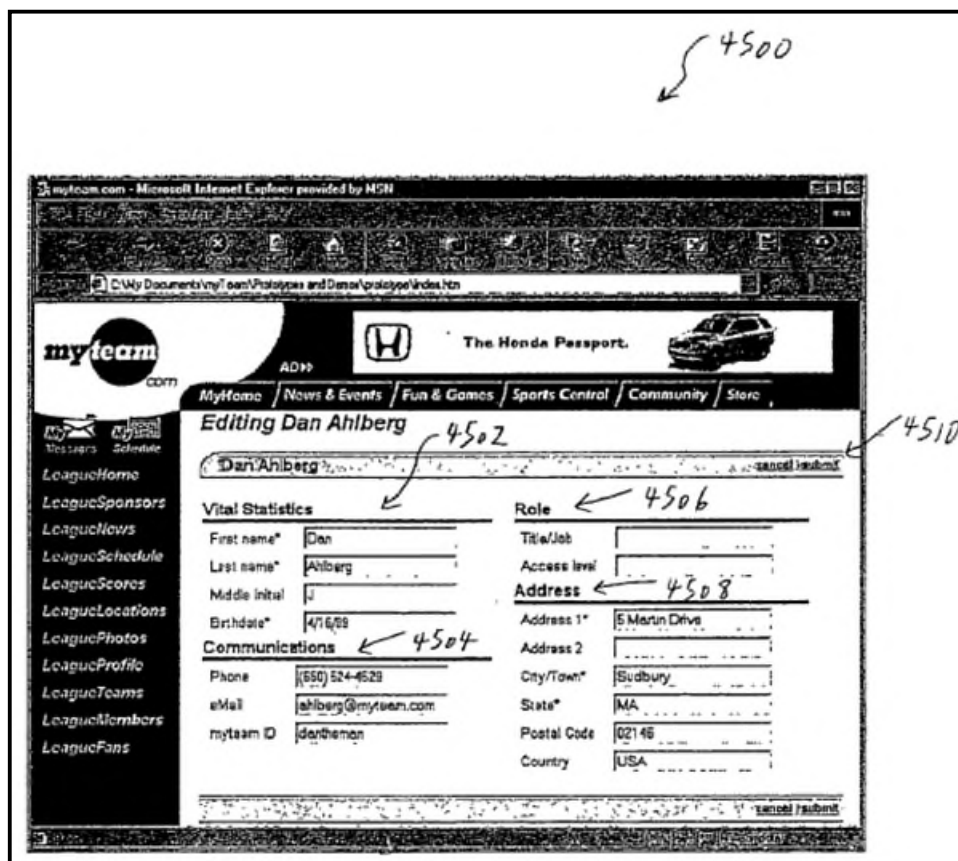
When a user submits the “registration form” to join myteam.com Block “select[s] the one or more the previously-created websites” to display on My-Friends-page 900. EX1007, [0093], [0134]; §VI.A.2(vii), VI.A.7(i). The individuals or Team members on the My-Friends webpage 900 are selected based on “the primary information about this website Member and all security access relationships

to all communities in which the Member is a Participant” which are populated when the registration form is completed and submitted. EX1007, [0093], [0134]. Different “access levels” allow the user to view and edit different information. EX1007, Fig. 2. Therefore, “*based upon the user information supplied*” (the access level and communities) different “*previously-created websites*” are selected and displayed to the user. EX1003, ¶¶260-63, 354-55.

8. Claims 7/20

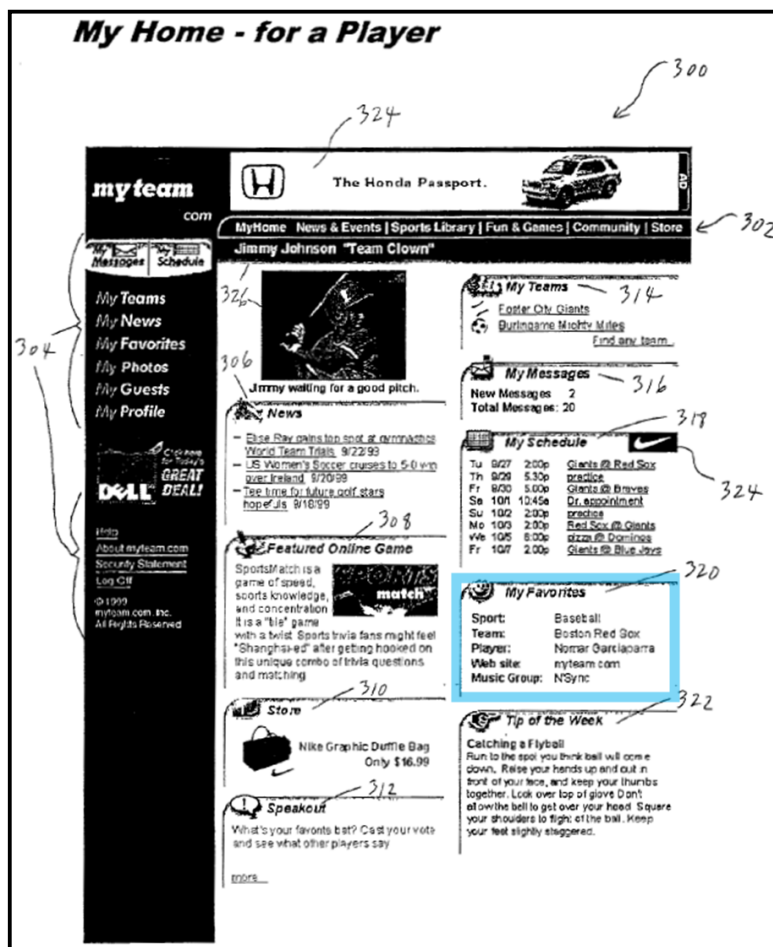
This claim recites a Markush group and lists specified alternative “*identifiers*” that can be associated with “*the previously-created websites.*” EX1003, ¶¶264-65.

A registration form similar to webpage 4500 allows a user to provide user information such as name and the person’s email (“*a name of the first user, an email address of the first user*”) and the individual’s role (including title/job, and access level) 4506 (“*a business of the first user*”). EX1007, [0093], [0204], Fig. 45. As explained above, “*user information supplied by the first user*” via registration form is “*used to select one or more the previously-created websites.*” §VI.A.7(ii); EX1003, ¶¶266-67.



EX1007, Fig. 45.

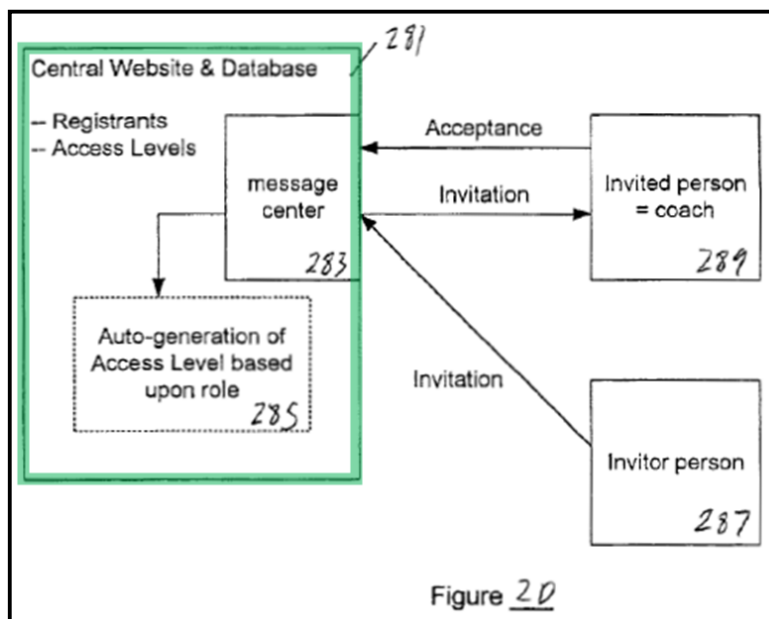
Moreover, My-Home 300 includes a My-Favorites 320 capsule (blue) which describes the user's favorite sport, team, player, and music group (*"a hobby of the first user"* and *"an interest of the first user."*). The user information in the My-Favorites capsule is *"supplied by the first user,"* just like the other information provided in the webpage 4500. Therefore, the user interests and hobbies, such as what sport they play, can be *"used to select one or more the previously-created websites."* EX1003, ¶¶268-69,356-57.



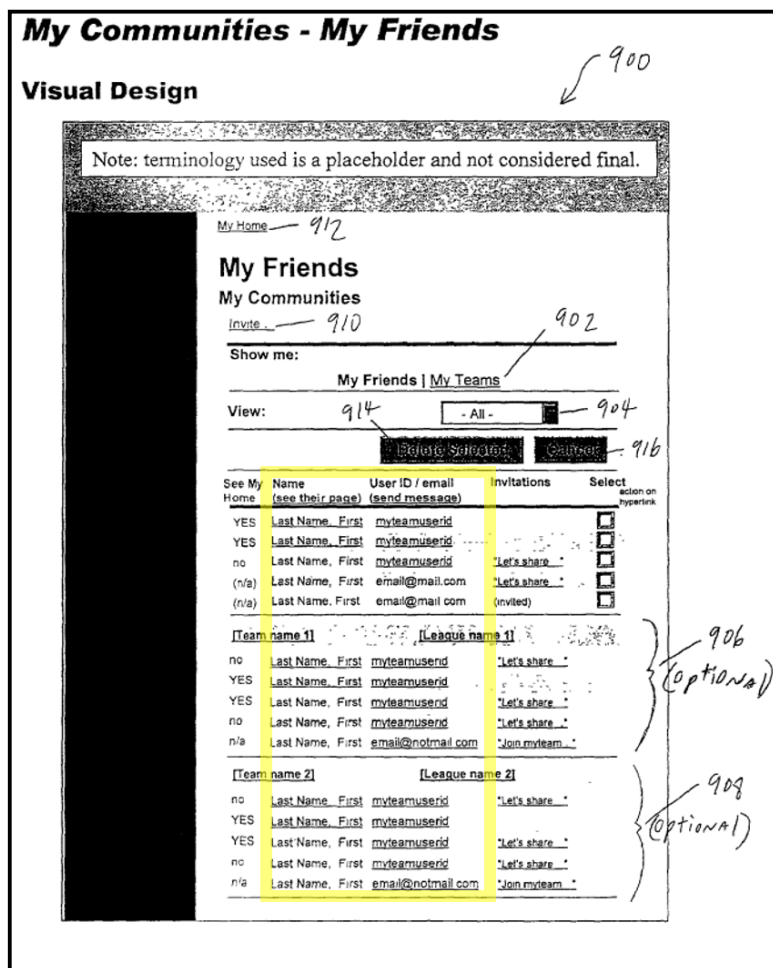
EX1007, Fig. 3.

9. Claims 8/21(i) 8[a]/21[a]

A POSA would have understood that name, myteam-id, and email information displayed on the My-Friends 900 are “*previously-supplied by other users of the server system*” and “*stored within the server system*” in the same way the “*first user*” provided their information via a registration form. §VI.A.7(i); EX1003, ¶¶270-71; §VI.A.2(ix); EX1007, [0119]; Fig. 2D.



A POSA would have understood that “*the plurality of the previously-created websites*” on My-Friends-page 900 are selected by searching “*other user information*” (e.g., name, user id, email, **yellow**) “*previously-supplied by other users of the server system and stored within the server system*” in “[t]he central website and database 281.” EX1003, ¶270. Each of the “*one or more previously-created websites*” (**yellow**) displayed on My-Friends is selected based on searching “*other user information previously-supplied by other users*” because each user previously supplied its “*user information.*” EX1001, 15:30-37 (stating server computer 140 determines linking locations “based upon the information provided by the registered user during the log in process” and searching “the information stored in third party user database 160.”); §§VI.A.6-VI.A.7; EX1003, ¶¶272-73, 358-59.



EX1007, Fig. 9.

(ii) 8[b]/21[b]

Block describes a Team-Finder or a League-Finder which is “a search engine” that allow users to search for teams or leagues. EX1007, [0127]; EX1003, ¶277. §VI.A.6. The Team-Finder is “using the user information supplied by the first user within the at least one information collection field of the graphical user interface” because it allows the “first user” to (1) enter a text search—e.g., “This search has located the team ‘Foster City Giants,’ as was specified by the user” (EX1007,

[0127])—and (2) “browse through a listing of Leagues” that are displayed when “selecting a league.” EX1007, [0138].

A POSA would have understood that Block’s server system includes “a search engine” like the Team-Finder used to search for other user information stored in “[t]he central website and database 281” “to select the plurality of the previously-created websites” displayed on My-Friends 900. EX1007, [0119]; EX1003, ¶¶274-78; EX1001, 15:37-41 (“Server computer 140 can utilize any one of a number of search engines that are currently well known in the art to identify such websites [(i.e., desirable marketing locations)] using the log in information provided by the registered user.”). The listing of the “one or more previously-created websites” (yellow, above) displayed on the “first user’s” My-Friends is also based on the “first user’s” set access level, which is “the user information supplied by the first user.” EX1003, ¶¶275,360-61.

10. Claims 9/22

The “first user” and “second user” are individuals “who [have] registered with the myteam.com website.” EX1007, [0091], [0108], Abstract; §§VI.A.2(iv), VI.A.3(i); EX1003, ¶¶279-81,362-63.

11. Claims 10/23

Upon accepting an invitation to join myteam.com, “the user must complete the registration form.” EX1007, [0093]. The recipient of an invitation can “go to the

myteam.com registration page, which prompts for the Invitation-Number.” EX1007, [0094]. A POSA would have understood that a registration page (“*graphical user interface*”) like webpage-4500 will be used “*during registration of the first user with the server system*” so that the first user can provide user information to the server system. EX1003, ¶¶282-85,364-65.

12. Claims 11/24

Each member of myteams.com gets “their own My-Home mini-site 112,” which includes a plurality of linked pages: My-Team, My-News, My-Favorites, My-Photos, My-Guests, My-Profile (“available on the left border, or navigation bar”). EX1007, [0098], [0121]; EX1003, ¶¶286-89,366-67.



13. Claims 12/25

An invited member or a visitor can see another member's My-Home. EX1007, [0091]. A person can click-through on the name of the persons on the My-Friends list (e.g., Figs. 8-9) "in order to see that person's My-Home page." EX1007, [0132]-[0133]; [0128], [0051], [0098]. If a third user who is a member of myteam.com or a visitor invited by a member is viewing the member's My-Friends page "from a third client device" and clicks on the name of the "first user" ("a web page request from a third client device") who owns the "first web site," Block's

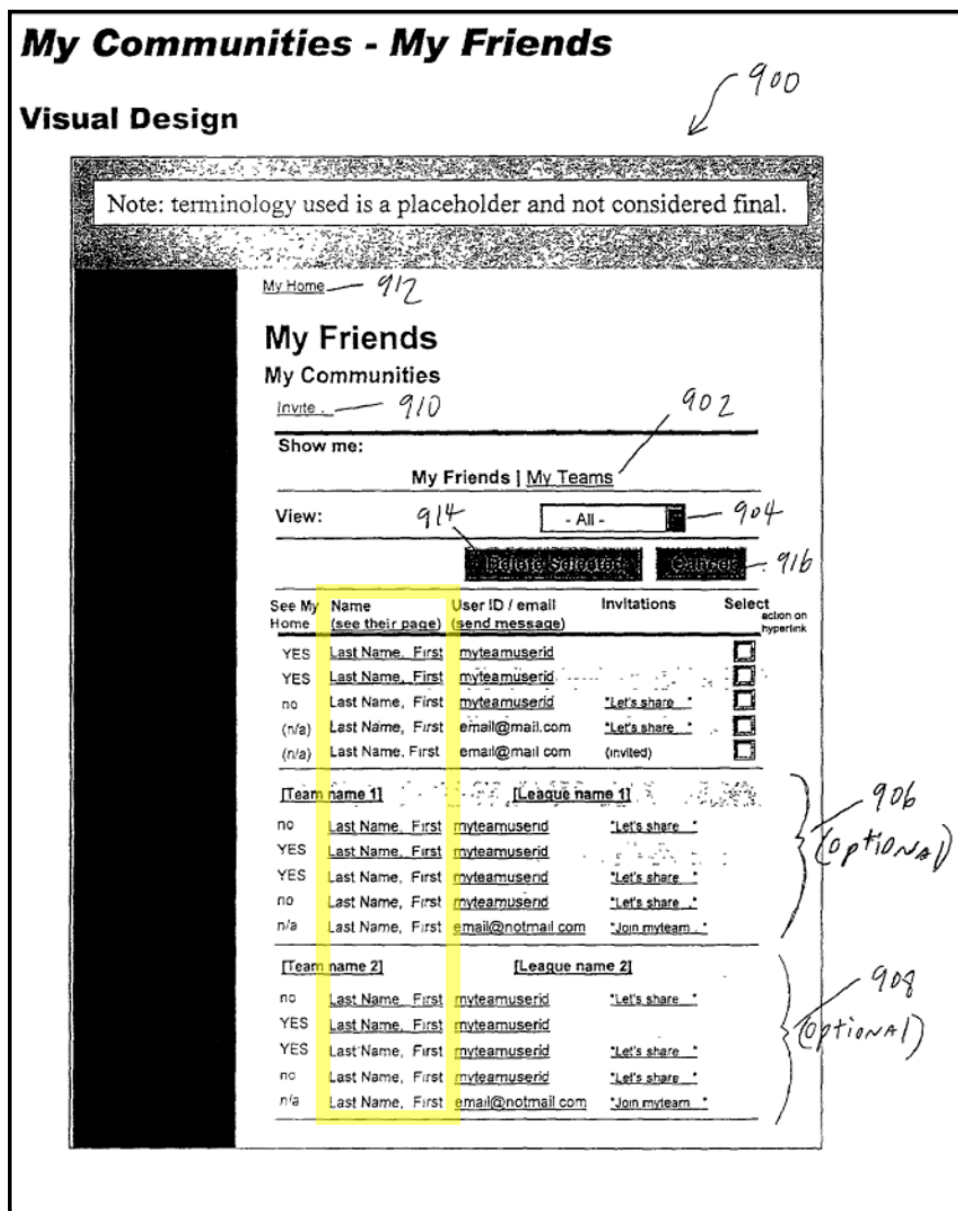
system would serve the first user's My-Home and My-Friend pages (*"the first web page of the first web site"*) *"to the third client device."* A third user would access myteam.com using a client device in that same manner as the *"first user."* §VI.A.2(iv); EX1003, ¶¶290-94,368-69.

14. Claims 13/26

(i) **13[a]/26[a]**

A *"reciprocal link site"* a space within a webpage (within a website) for displaying reciprocal links to other websites. §V.A.

My-Friends 800/900 "displays 'friends' who are people that the user has invited to be myteam.com Members." EX1007, [0132]. Block creates a *"first hyperlink"* on the *"first user's"* My-Friends. §VI.A.2(xi). Block also creates a reciprocal *"second hyperlink"* on the *"second user's"* My-Friends. §VI.A.2(xii). Therefore, My-Friends 800/900 includes a space within a webpage for displaying reciprocal links to other websites (*"a reciprocal link site for the first hyperlink"*) (**yellow** below); EX1003, ¶¶295-99,370-71.



EX1007, Fig. 9.

(ii) 13[b]/26[b]

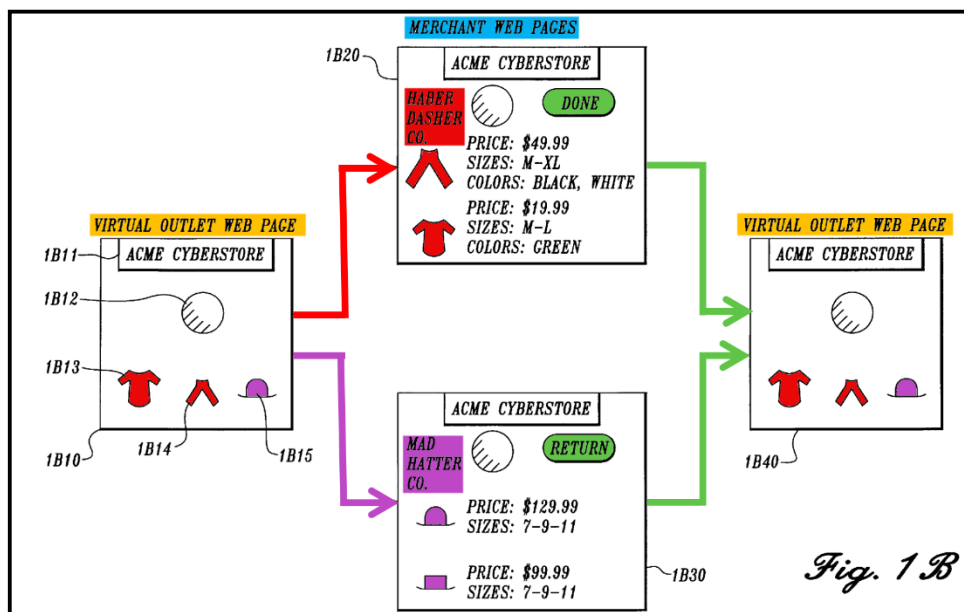
Just like the first user, Block describes that the second user also has their own My-Friends (“second web page”) that includes a reciprocal link back to the “first website.” EX1007, [0094]. Block discloses this claim element for the same reasons. EX1003, ¶¶300-303, 372-73.

B. Ground 2: Arnold/Arora Renders Claims 1-7, 9-20, 22-26 Obvious**1. Arnold**

Arnold was filed on August 8, 1996, and published on January 18, 2000 and is prior art under at least §102(b). EX1003, ¶¶374-375.

Arnold describes a system that “allows a virtual outlet (“VO”) owner” to “offer a merchant's products for sale,” and a purchase mechanism that “allows a customer to see what products are being offered for sale by the VO.” EX1008, 5:26-33; EX1003, ¶376-387.

FIG. 1B illustrates “the sequence of webpages as seen by a customer of a VO,” **AcmeCyberstore.** EX1008, 7:30-8:6; EX1003, ¶387. There are two merchants, **HaberDasher Company, which sells pants and shirts**, and **MadHatter Company, which sells hats**. *Id.* A customer starts at **AcmeCyberstore's** webpage which contains products that are offered for sale (**1B13, 1B14**, and **1B15**). When a product is selected, a hyperlink directs the customer to the merchant page (**HaberDasher/MadHatter**) that sells the product. *Id.* This page is identified by a URL (hotlink) associated with that product. *Id.* The customer can select the **return/done icon** to return to the **VO webpage**. *Id.*



2. Arora

Arora was filed on July 29, 1996, and published on December 1, 1998 and is prior art under at least §102(b). EX1003, ¶¶388-389.

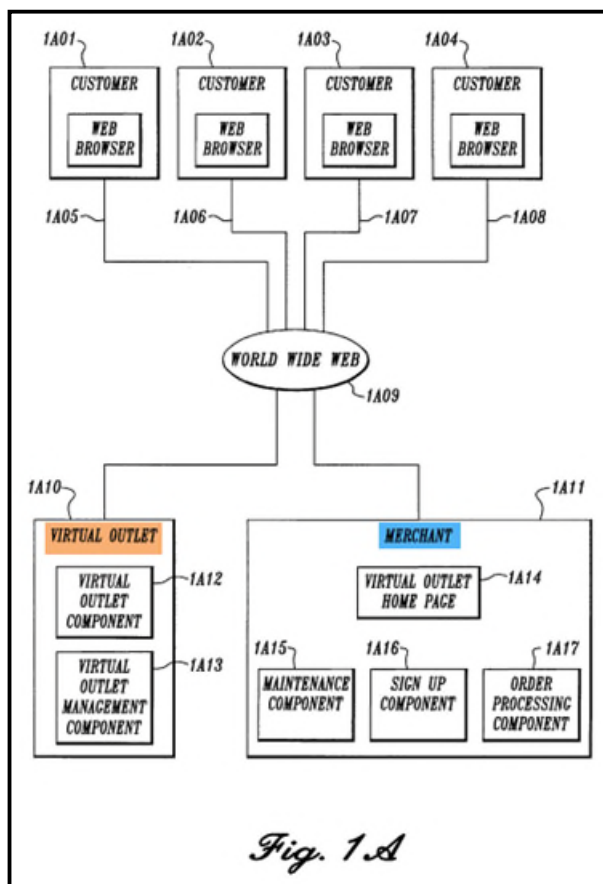
Arora describes a WYSIWYG webpage editor that uses a “drag and drop interface to allow a user to easily design” and “generate” a webpage. EX1009, 2:20-25; EX1003, ¶¶390-397.

3. Arnold/Arora

A POSA would have been motivated to combine Arnold and Arora (Arnold/Arora). *Infra* §VI.B.4; EX1003, ¶¶398, 416-422. In Arnold/Arora, the page layout design system of Arnold would be combined with the WYSIWYG interface of Arora. EX1003, ¶¶398-422.

In Arnold, a server system containing a **virtual outlet** and **merchant** sell products to “customers” over the internet. EX1008, Abstract, Fig. 1A;

EX1003, ¶387. The **VO-computer** “provides the Webpages of the virtual outlet to customers.” EX1008, 6:65-7:9. And the **merchant-computer** “provides the merchant Webpage to the customer.” EX1008, 5:52-53; EX1003, ¶399.

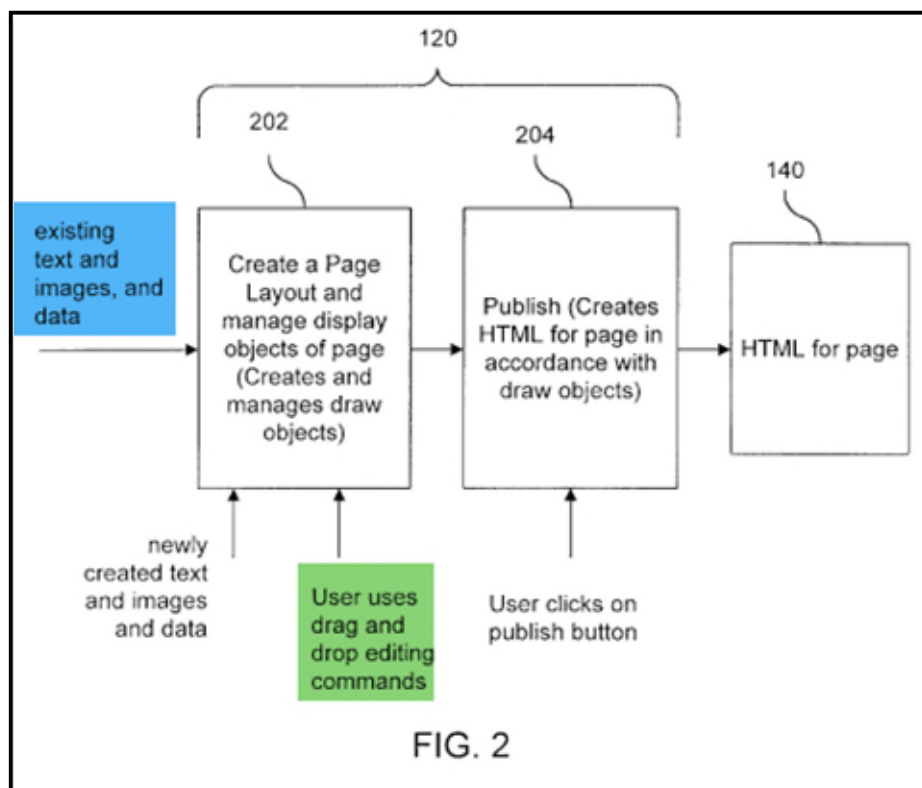


Arnold includes a “Virtual Outlet” (VOMC) and “Merchant” (MOMC) management component that provide “management and sign-up facilities.” EX1008, 8:39-44, 11:50-52. The VOMC and MOMC both reside within Arnold’s server system and include a web editing systems that uses layouts to facilitate adding, modifying and previewing assets within a webpage. EX1003, ¶400. The

page layout in Arnold can specify the visual appearance of webpages—i.e., “banner, logo, and background color of the Webpage.” EX1008. 7:60-65.

A POSA would have modified Arnold’s VOMC and MOMC with Arora’s WYSIWYG webpage editor. EX1003, ¶404-415.

The GUI described by Arora allows users to add assets into a webpage and edit them.



EX1009, FIG. 2.

Arora’s GUI, called the “page draw editor” includes an editing screen that allows users to add and edit assets into a webpage:

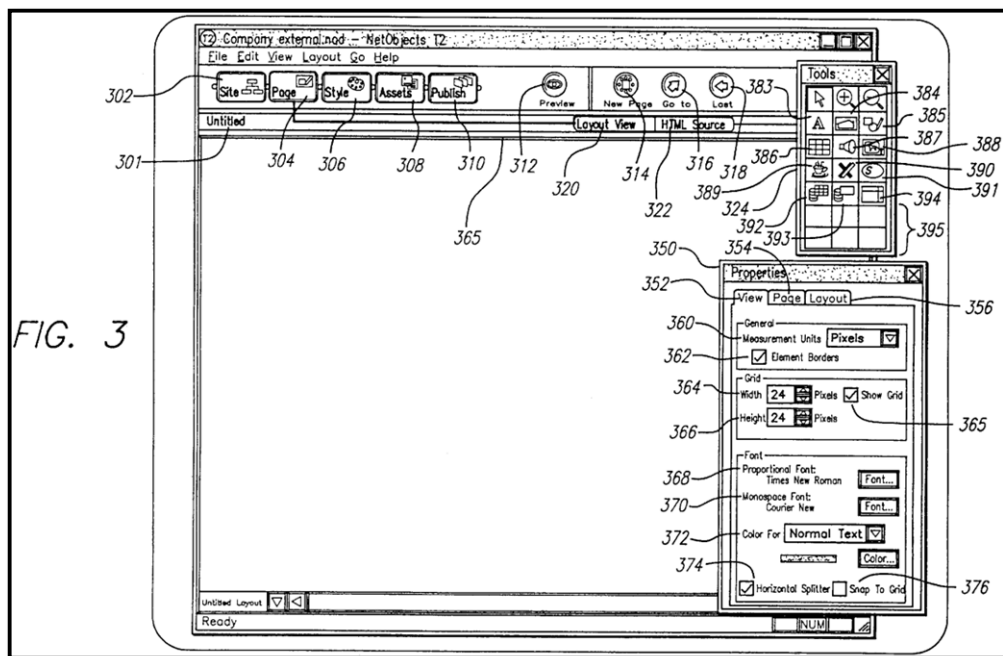
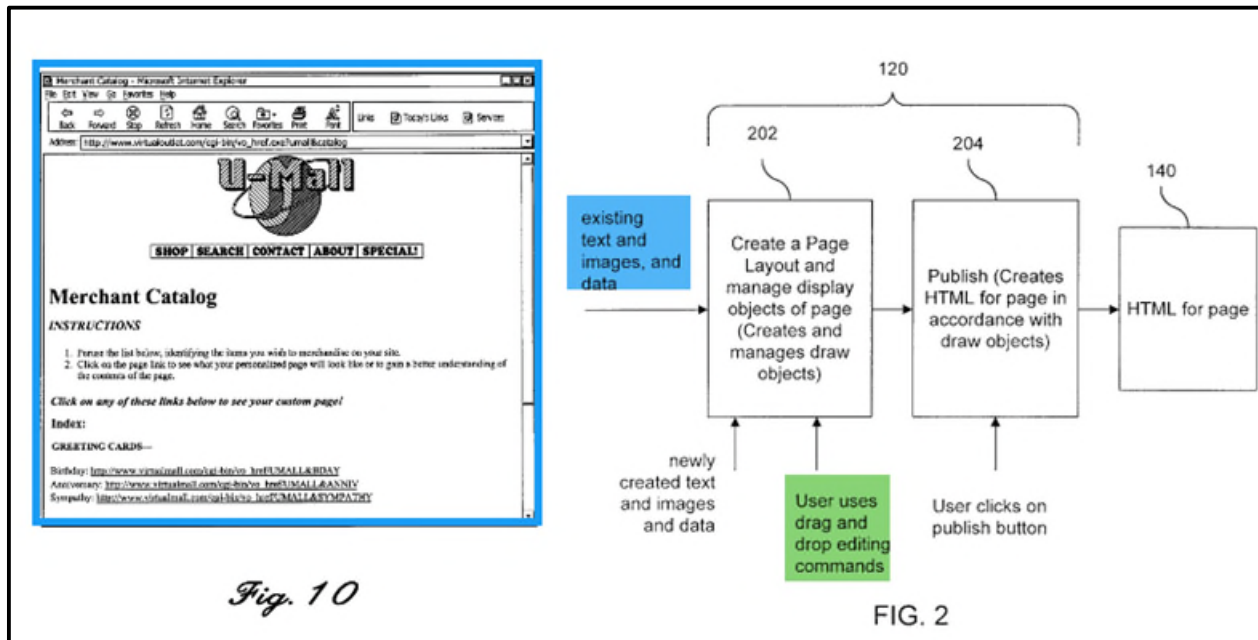


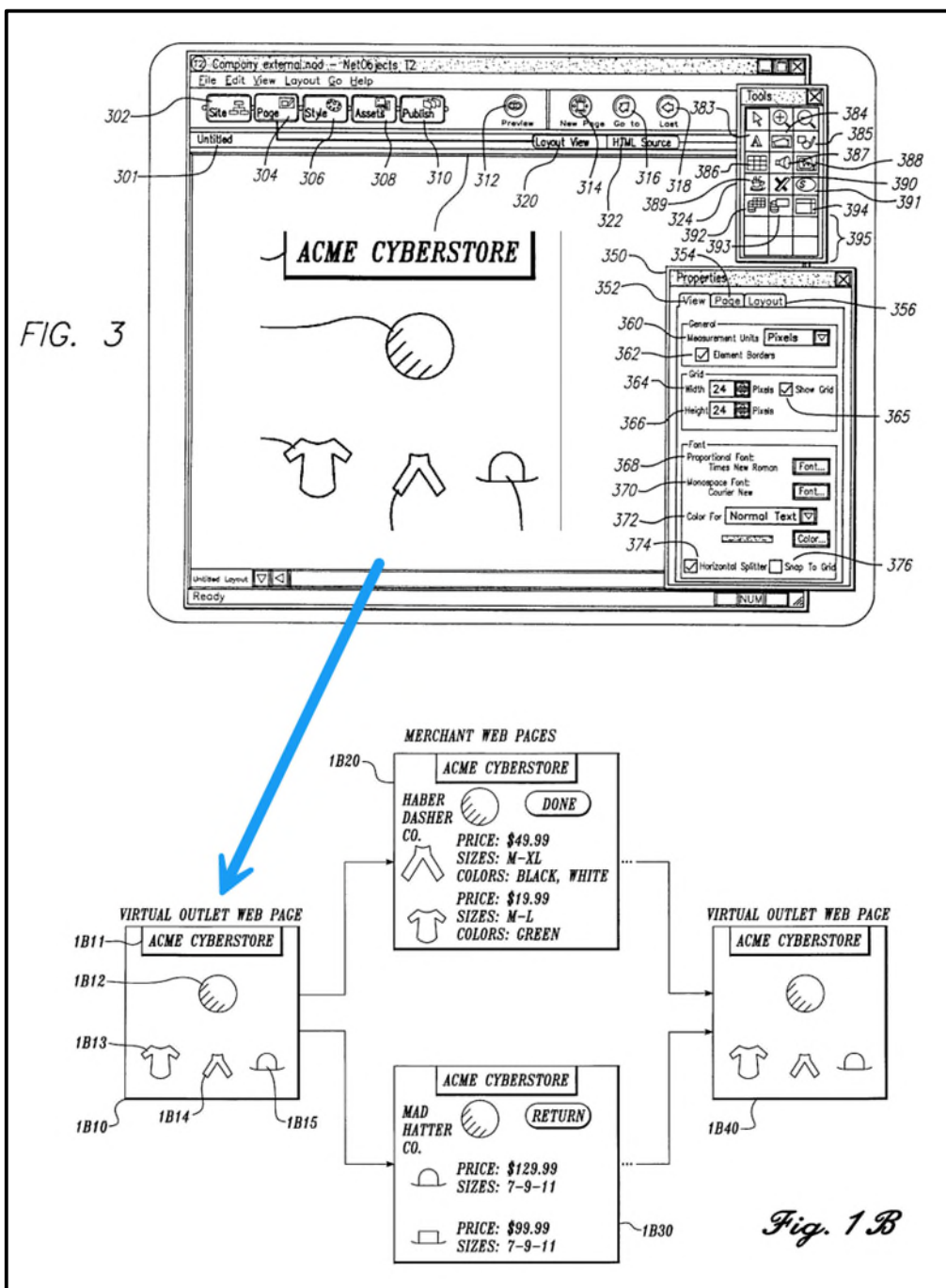
FIG. 3

Using Arora's WYSIWYG editor within Arnold's VOMC and MOMC enables more extensive editing and design elements for the VO and Merchant webpages. EX1003, ¶410. Arnold/Arora would have been simple substitution. Since Arnold's VOMC and MOMC already includes web editing functionality, a POSA would have simply substituted Arora's WYSIWYG editor for Arnold's VOMC and MOMC web editing features. Where both systems disclose analogous functionalities, a POSA would have combined them. EX1003, ¶¶416-422.

In this implementation, the web assets from Arnold's catalog are inserted into and edited by Arora's GUI, and subsequently edited. EX1003, ¶414.



EX1008, Fig. 10; EX1009, Fig. 2.



EX1008, Fig. 1B; EX1009, Fig. 3.

4. Motivation to Combine

Arnold/Arora would have been simple substitution and a POSA would have had a high likelihood of success in making the combination. §VI.B.3; EX1003, ¶417.

Arnold and Arora are analogous art to the '316 patent. EX1003, ¶418. Arnold, Arora and the '316 Patent are all in the same field of endeavor—*i.e.*, creating and marketing websites. EX1009, 1:18-21; EX1008, 3:1-4; EX1001, 3:16-25. EX1003, ¶418. Arnold, Arora and the '316 Patent also relate to similar problems—*i.e.*, improving website designs. *Id.*

A POSA also would have recognized that Arnold/Arora is a combination of old elements. Website design using GUIs, including WYSIWYG, and reciprocal linking were not new in 2000. §III; EX1038, 5-6. Because these components had been in existence for so long, a POSA would have recognized that combining these prior art references constituted nothing more than a simple substitution of one known element for another to obtain a predictable result. EX1003, ¶¶419-420.

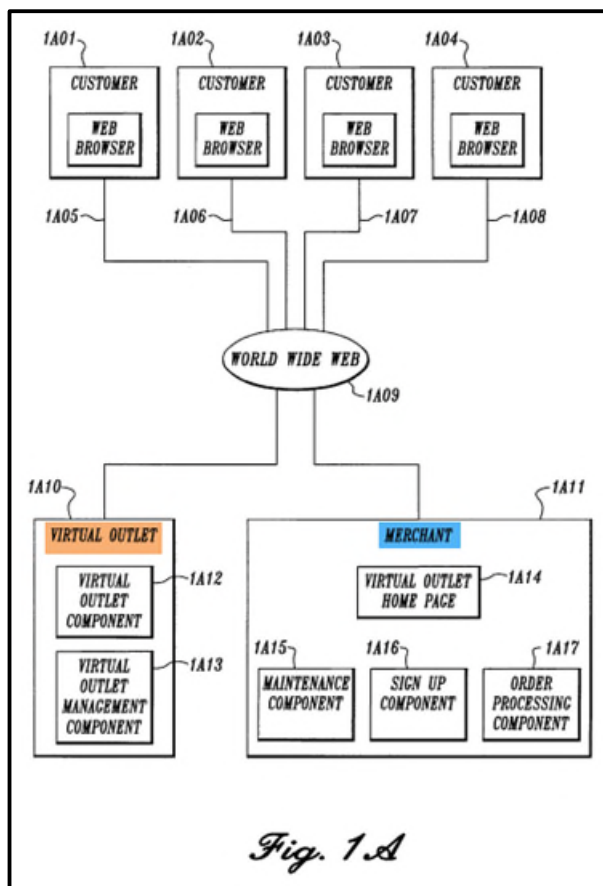
A POSA would also have been motivated to combine Arnold/Arora to take advantage of the WYSIWYG editor of Arora. Arora describes the benefits of its “drag and drop interface” including that it: (1) the placement of objects in the editor reflects the page layout displayed in the browser, (2) it is easier for the designer to use a consistent format across webpages, (3) automatically updating various pages within the website, and (4) ease of designing graphical webpages. EX1009, 2:20-61; EX1003, ¶¶390-397. Therefore, a POSA would have been motivated to use WYSIWYG editor of Arora to build and design the sites in Arnold.

Since Arnold's system is "quite flexible, and **can accommodate a large number of different approaches to webpage design**," a POSA would have been encouraged to integrate systems such as Arora. EX1008, 14:52-55; EX1003, ¶415.

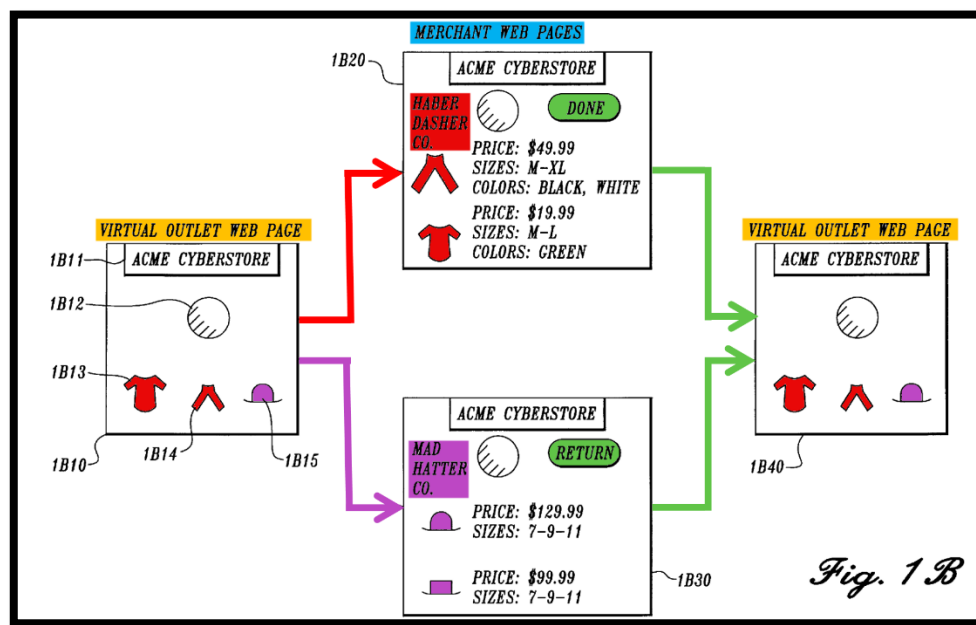
5. Claims 1/14

(i) **1[pre]/14[pre]**

Arnold describes a "system of networked computers." EX1008, 6:65-66; EX1003, ¶¶423, 650-651. In Arnold, a virtual outlet (**orange**) and merchant (**blue**) sell products to "customers" over the internet. EX1008, Abstract, Fig. 1A; EX1003, ¶424, 650-651.



A VO-computer 1A10 “provides the Webpages of the virtual outlet to customers via the WWW.” EX1008, 6:65-7:9. The webpages of the virtual outlet include “link[s that] identif[y] a merchant Webpage available from the merchant-computer.” EX1008, 4:11-12. The merchant-computer 1A11 “provides the merchant Webpage to the customer computer.” EX1008, 5:52-53. This arrangement of VO-computer 1A10 and merchant-computer 1A11 together form “a server system.” EX1003, ¶425, 650-651. The VO-computer 1A10 and merchant-computer 1A11 both “provide” webpages to the customers through the WWW and, therefore, are “configured to... serve web pages.” EX1003, ¶¶425-426, 650-651.



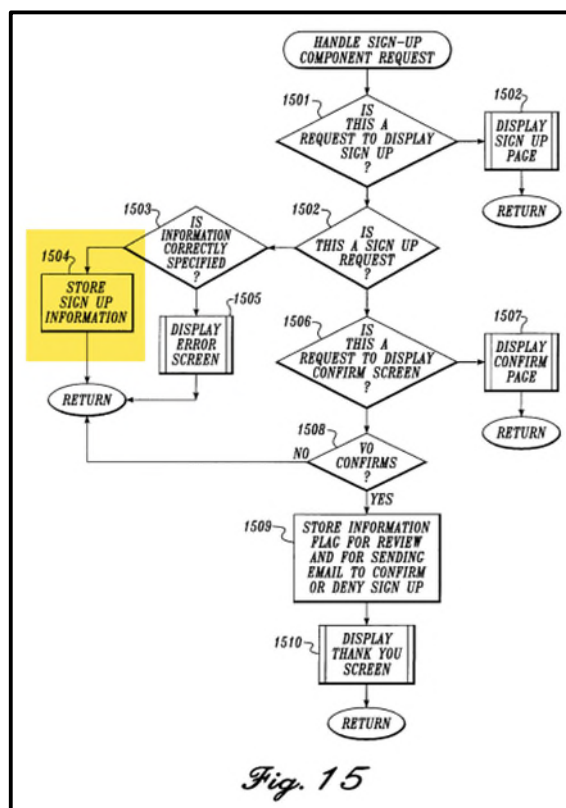
EX1008, FIG. 1B.

Arnold also “modif[ies] web pages.” EX1003, ¶¶426-427, 650-651. When the merchant-computer receives the request for a webpage, the “merchant-computer

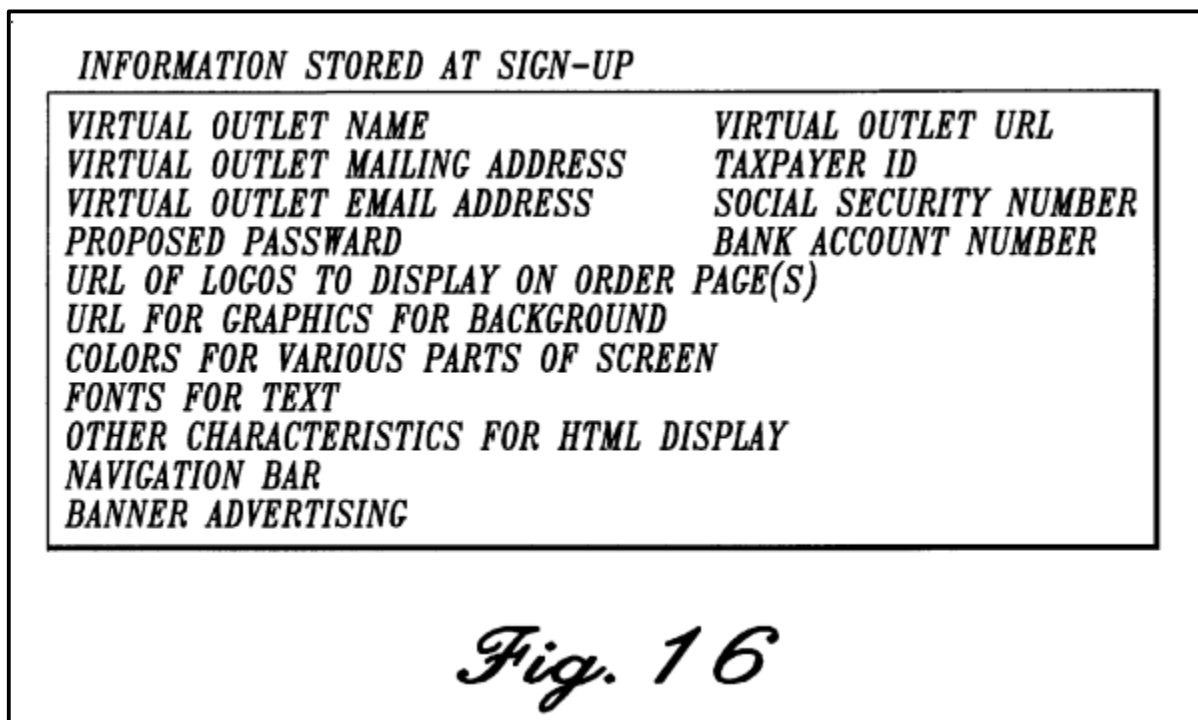
modifies the **merchant Webpage**,” to include, for example, specialized logos, information, banners, and will also add a “**return link**.” EX1008, 4:20-21. The modified merchant Webpage is displayed at the customer computer to allow the customer to purchase the product from the merchant. EX1008, 4:25-27; EX1003, ¶427, 650-651.

(ii) **14[a]**

Arnold illustrates (FIG. 15) “a flow diagram for the Sign-up.. Request routine.” Arnold explains that during sign-up, the system “temporarily stores the sign-up information in a file on the merchant-computer.” EX1008, 12:39-44; FIG. 15 (“Store Sign-Up Information”); EX1003, ¶¶652-655.



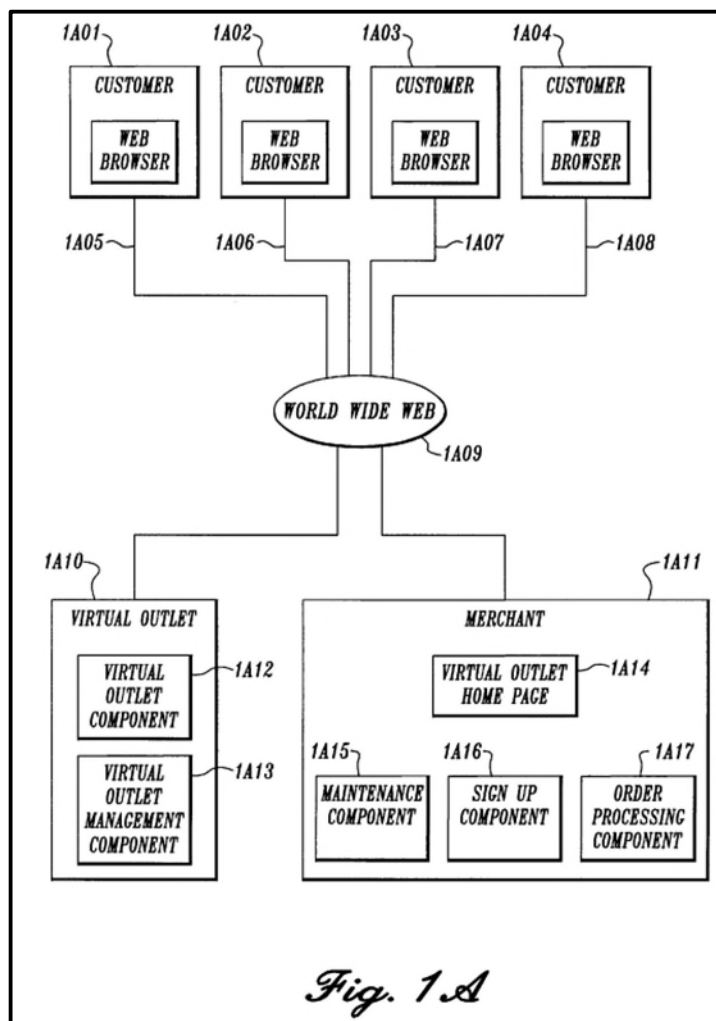
An entry of the database is shown in Figure 16:



Additionally, Arnold stores a record of the relationship between a merchant and VO in a database. EX1008, 7:54-60; EX1003, ¶¶656-657.

(iii) **14[b]**

Arnold illustrates (FIG. 1A) a block diagram of the “preferred system of networked computers.” EX1008, 6:65-66. The VO and Merchant-computer form a computer “*hardware system*.” EX1003, ¶658-661.

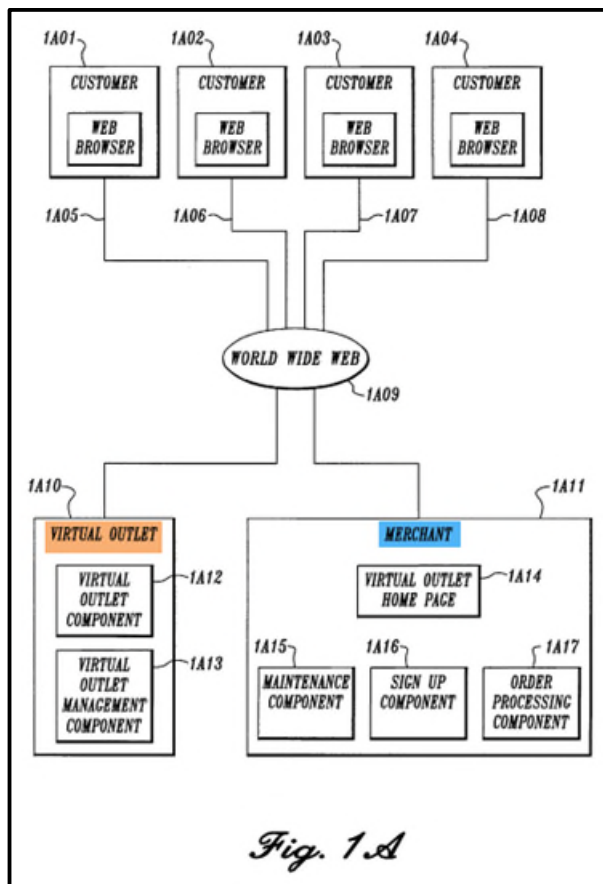


(iv) 1[a]/14[c]

The '316 Patent explains that “[w]eb assets can include,” among, “web objects,” and are generally “graphic images, including text and related...features, which can be displayed on a website.” EX1001, 7:40-50; EX1003, ¶¶429-430, 662-663.

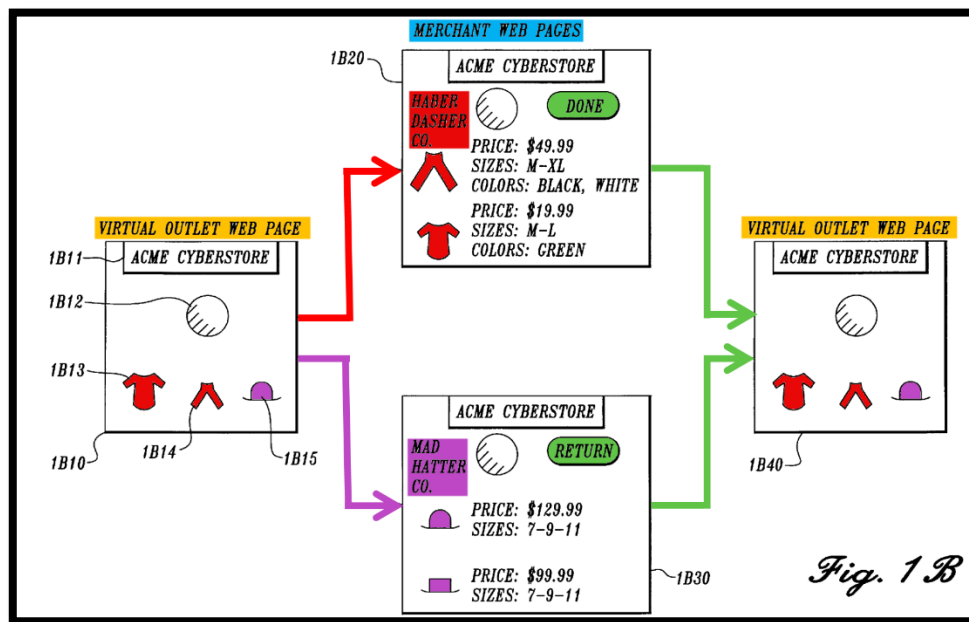
The **VO-computer** (“*first client device*”) in Arnold “includes a virtual outlet component 1A12 that provides webpages of the virtual outlet to customers via the [world wide web]” and a “virtual outlet management component 1A13” (VOMC)

that provides “a manager of the VO-computer access to and display of the maintenance and sign-up Webpages of merchants.” *Id.*



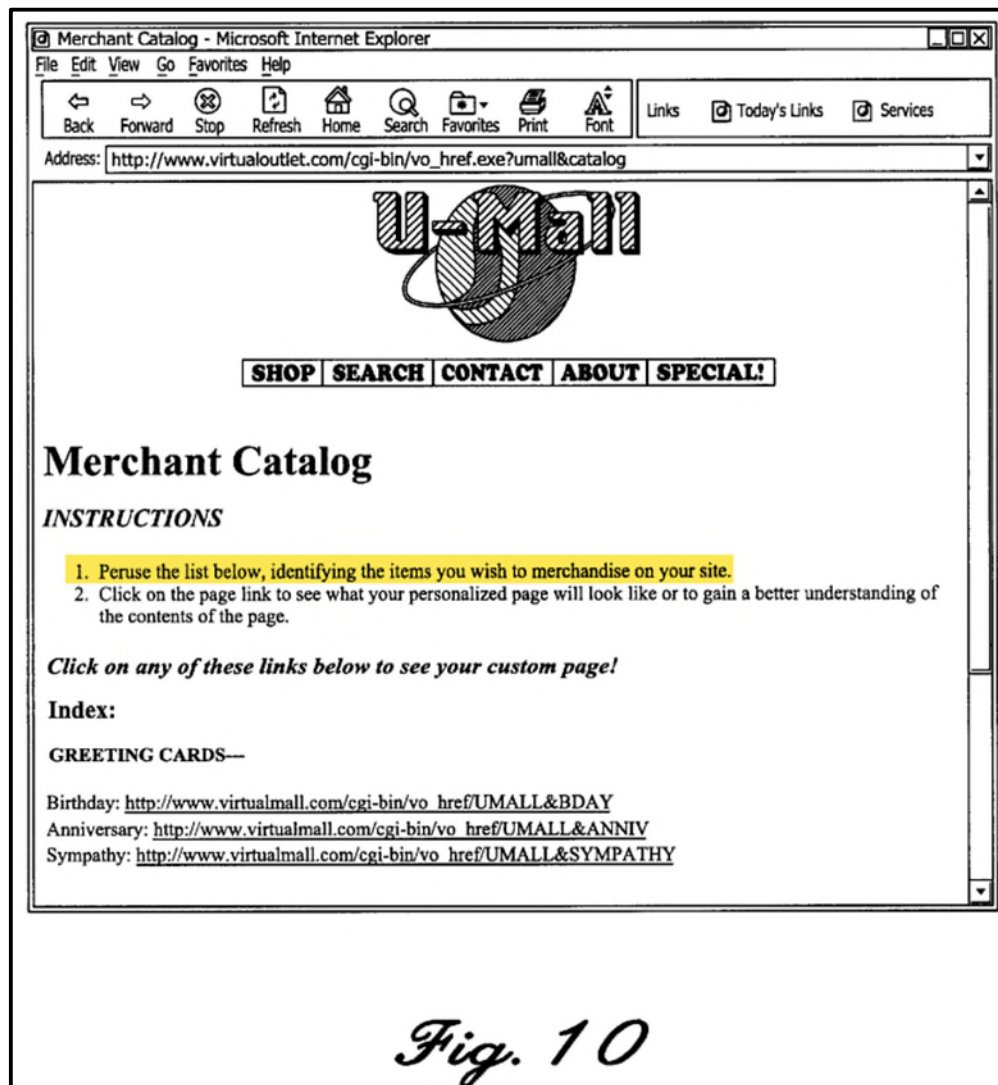
EX1008, FIG 1A.

The “webpage[] of the virtual outlet” (“*first web site*”) are provided by the VO component of the VO-computer. And a VO representative (“*first user*”) can “login” in the VOMC and MOMC and “conduct various maintenance transactions.” EX1003, ¶¶431-432, 662-663. Accordingly, the VO representative’s device is a “*first client device associated with a first user.*” EX1003, ¶433, 662-663.



EX1008, FIG. 1B

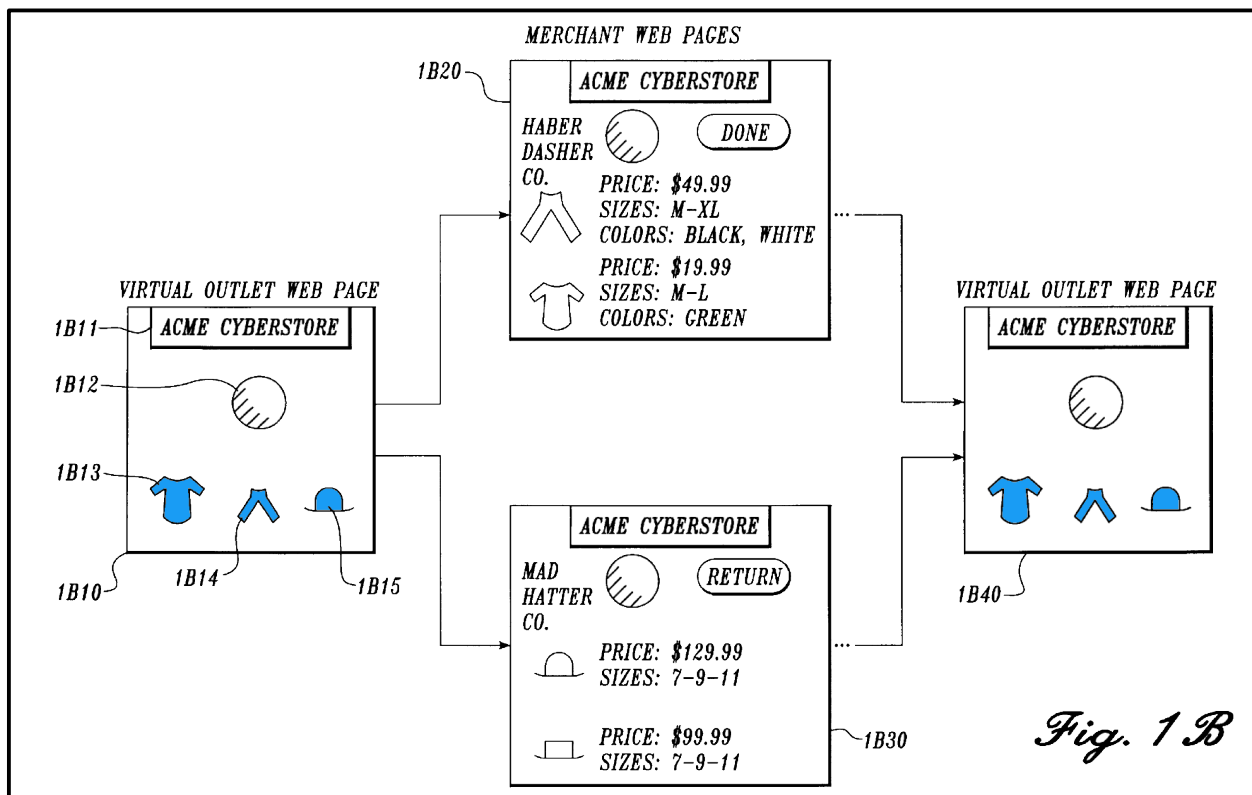
Arnold discloses “receiving... information indicating a selection of a web asset to be used in a first web site.” Arnold depicts “an example catalog Webpage.” This catalog webpage allows a VO representative to “incorporate items into the VO Webpages by including the URLs obtained from the merchant's catalog.” EX1008, 10:43-48. The “merchant[] catalog[] hot links” are “web assets” at least because they are “web objects.” EX1001, 7:40-47; EX1003, ¶434, 662-663. The items of the merchant catalog are depicted in Arnold as “text descriptions or images.” EX1008, 8:12-13; EX1003, ¶434, 662-663.



EX1008, FIG. 10.

The catalog allows that VO representative to “peruse the list below, identifying the items you wish to merchandise on your site.” When the VO representative makes an identification of an item to include in the VO webpage, the server system receives “*information indicating a selection of a web asset to be used in a first web site.*” EX1003, ¶435, 662-663.

“Webpages as seen by a customer of a VO” include assets, in the VO webpage such as “images 1B13, 1B14, and 1B15” (blue). EX1008, 7:30-44. These assets are examples of “web asset[s] to be used in the first web site” that are selected from the merchant catalog. EX1003, ¶436, 662-663.



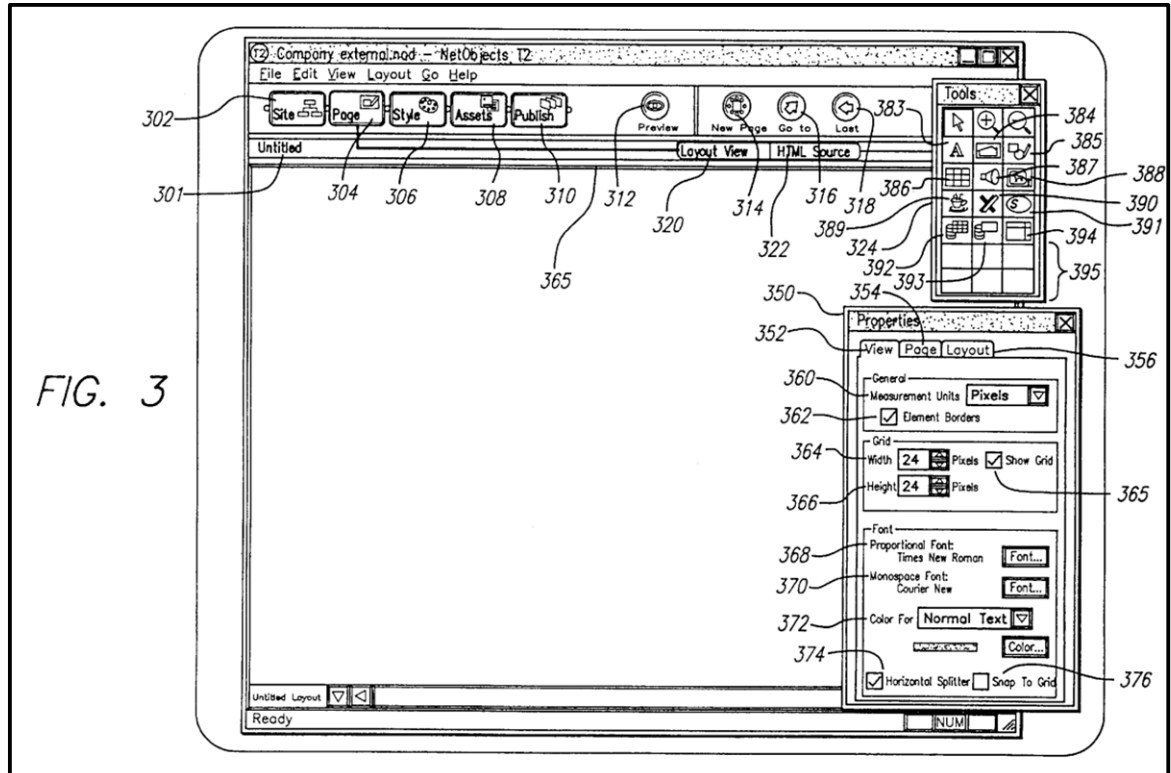
EX1008, FIG. 1B.

In Arnold/Arora, Arnold's reciprocal linking functionality is combined with Arora's WYSIWYG interface. §VI.B.3; EX1003, ¶437, 662-663.

Arora illustrates a “graphical user interface.” EX1003, ¶438, 662-663. Arora describes a “page draw editor [that] allows the user to design a [web]page just as it will appear when viewed with a browser.” Arora's page draw editor (FIG.3) allows

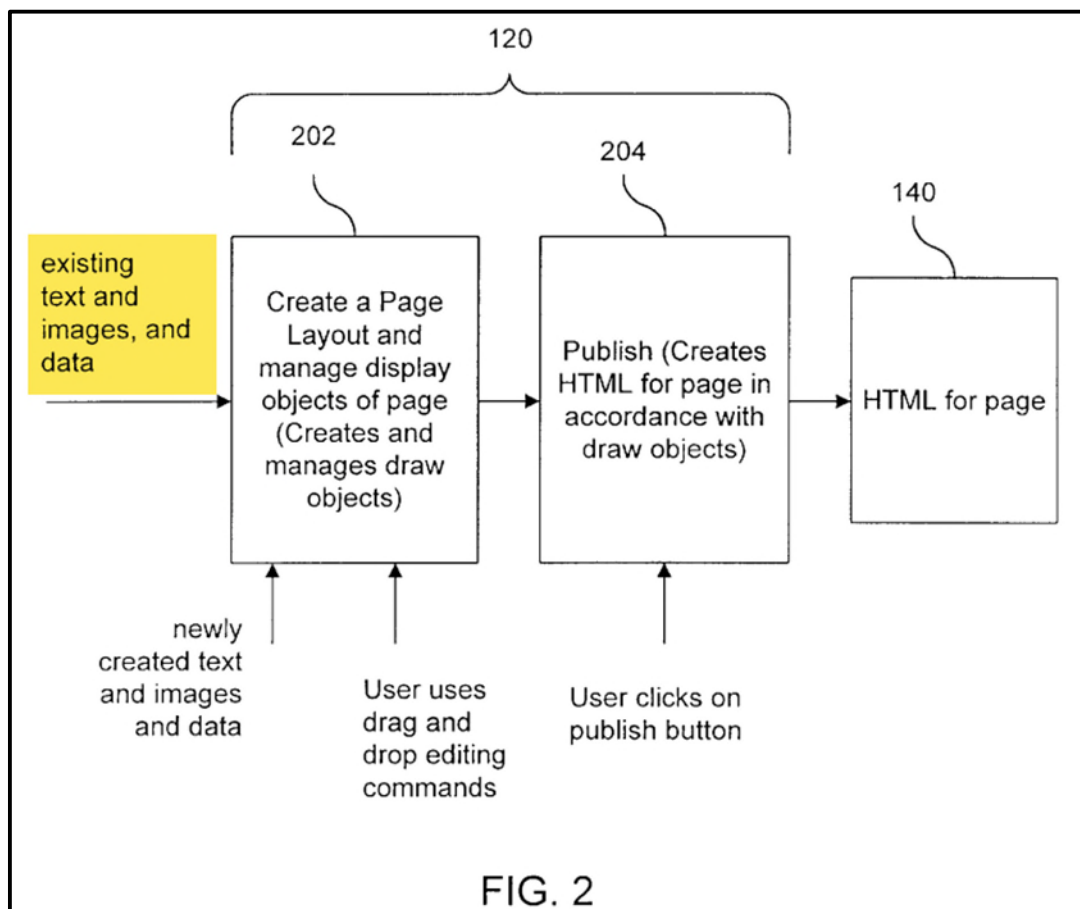
users to add and edit web assets such as “text graphics, and other display elements.”

EX1009, 5:57-63; EX1003, ¶¶438-439, 662-663.



EX1009, FIG. 3.

FIG. 2 illustrates “a block diagram showing input and output to page draw editor software” including inputting “existing text and images, and data” as “display objects of [the web] page.”



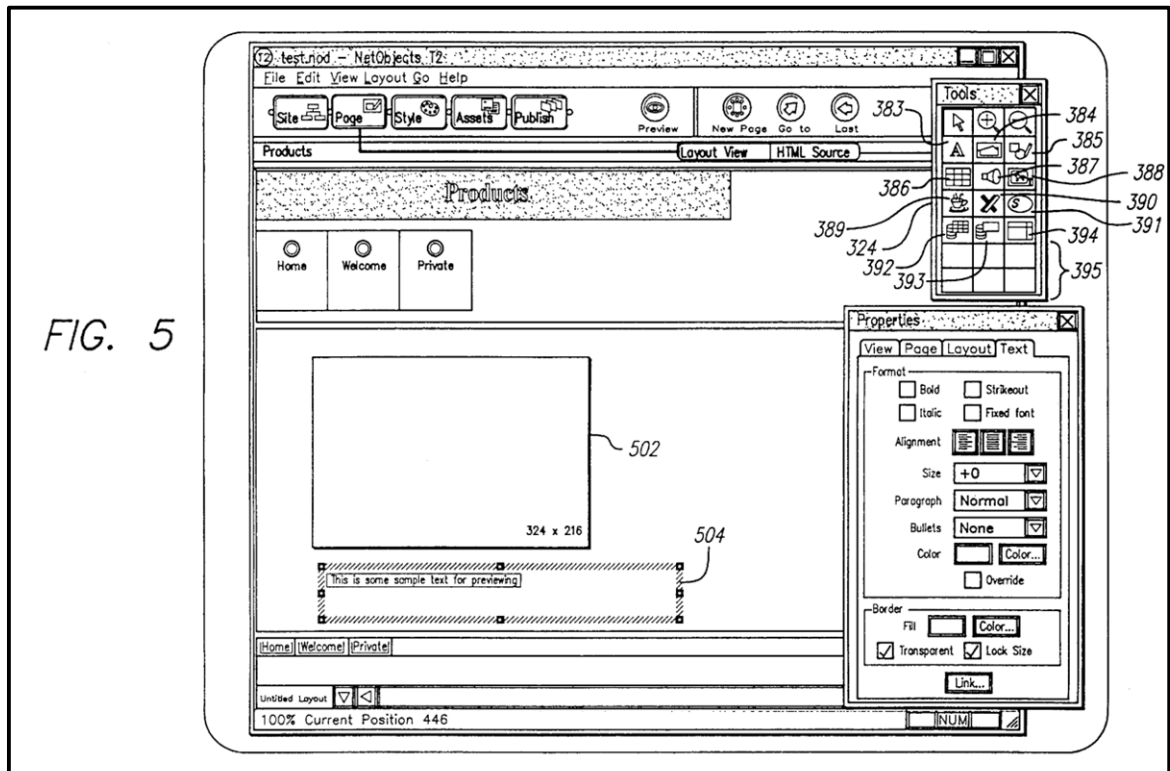
EX1009, FIG. 2.

In Arnold/Arora, a POSA would have implemented Arnold's merchant catalog to make "a selection of a web asset to be used in a first web site," (§VI.B.3), with the "graphical user interface" of Arora to design the VO webpage. A VO representative selection of web objects from the merchant catalog of Arnold would be edited using Arora's GUI. EX1003, ¶440, 662-663. Because Arora is implemented within the Arnold's server system, the server system "receive[s]" the "selection." §VI.B.3; EX1003, 440-441, 662-663.

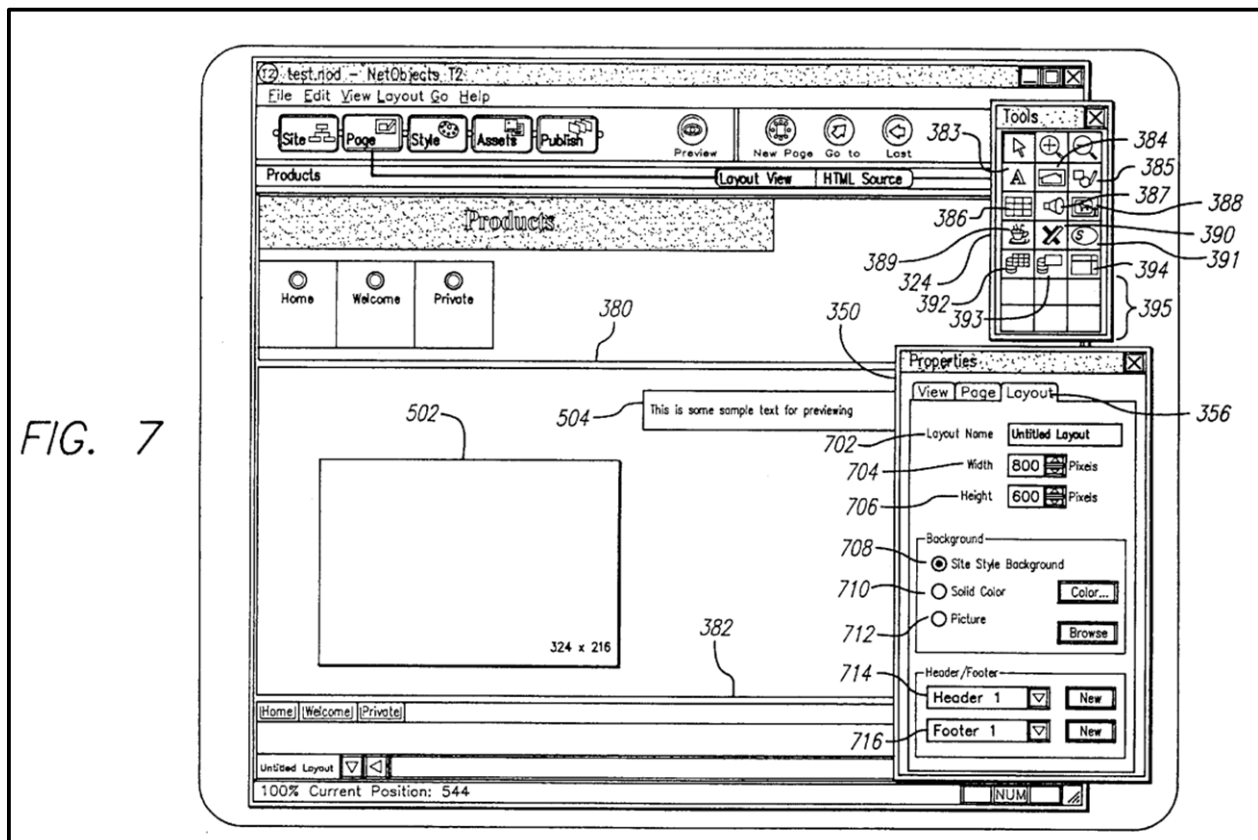
(v) **1[b]/14[d]**

Arnold discloses multiple types of “web assets” including “hot links,” “text descriptions or images.” §VI.B.5(iv); EX1003,¶¶442-443, 664-665. Asset images 1B13, 1B14, and 1B15 are examples of “web assets.”

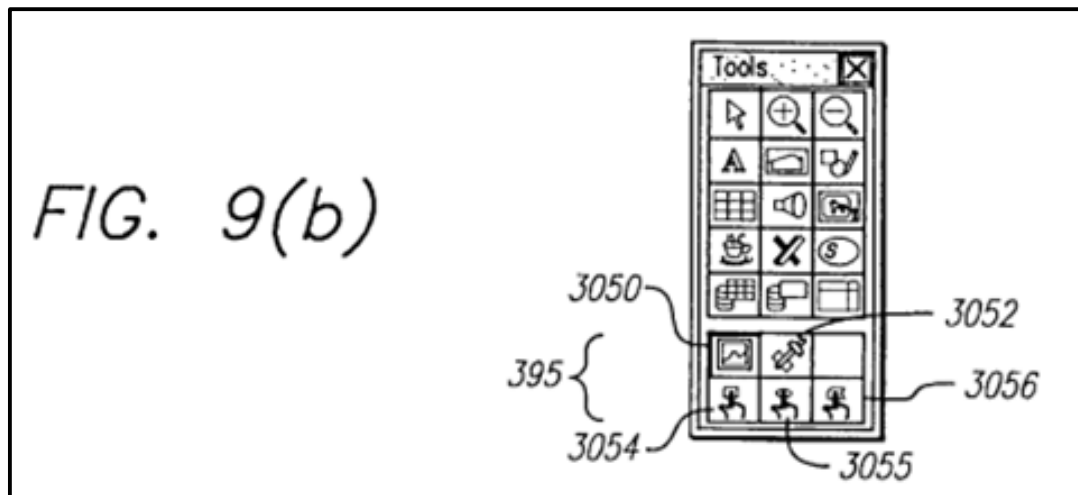
The “*graphical user interface*” of Arora has an “*editing screen*.” EX1003,¶¶445, 664-665. In FIG. 5, Arora illustrates the page draw editor where a user can drag and drop “image 502 and some text 504 into the layout.” The “Properties” window in Arora then allows the user to edit assets on page. EX1009, 6:42-60, 8:52-59, 10:13-30; EX1003,¶¶444-445, 664-665. The “Properties window allows the user to enter a name of an existing image and [edit] various properties of the image” such as by making the image transparent using Tool 3052 to “click on a color of the image that he wants to be transparent.” EX1009, 10:13-30. The editor will then “generate” a “new image with a transparent color” (“*generate an edited web asset*”). Accordingly, when the user uses Tool 3052 to “click on a color” an “*instruction to modify the web asset*” is created.



EX1009, FIG. 5.



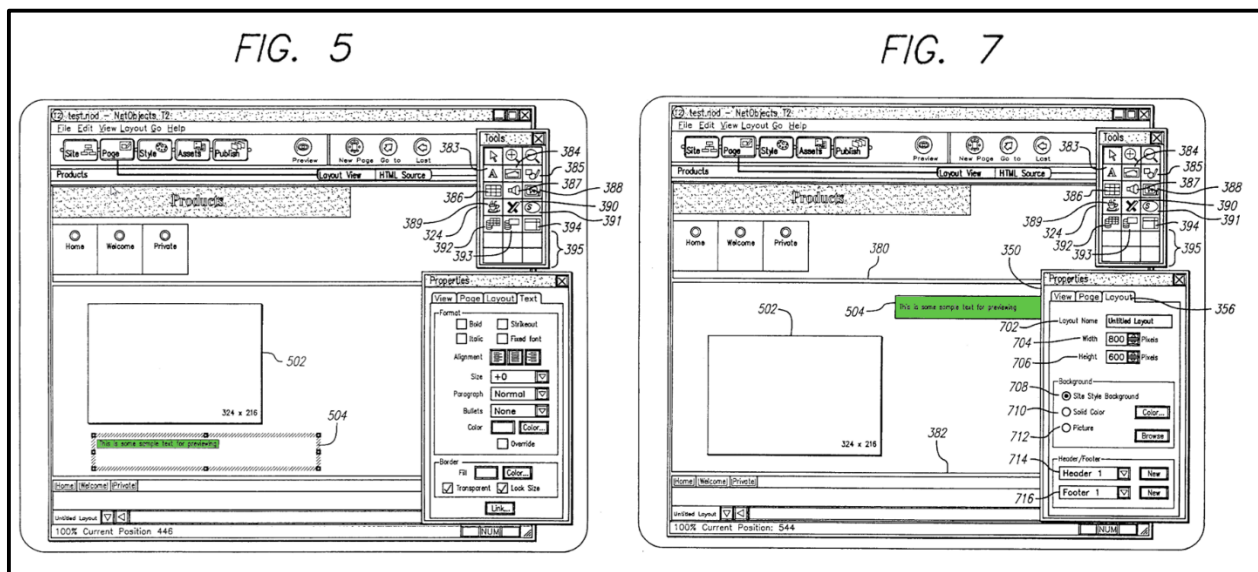
EX1009, FIG. 7.



EX1009, FIG. 9B.

Likewise, when the user “drag[s] and drop[s] an image 502 and some text 504 into the layout” a new web assert is generated. Arora explains that Fig. 5 shows

“FIG. 4 after the user has dragged and dropped an image 502 and some text 504 into the layout.” EX1009, 3:12-13. Fig. 7 “shows the display of FIG. 5 after the user has dragged and dropped the text to a different location on the page.” EX1009, 3:15-17. Arora explains that after the user drags and drops (“an instruction”) the o “draw object associated with text 504 is **changed** to reflect this movement” (EX1009, 8:49-51) (“generate an edited web asset”), as shown below in **Green**:



EX1009, Figs. 5 and 7.

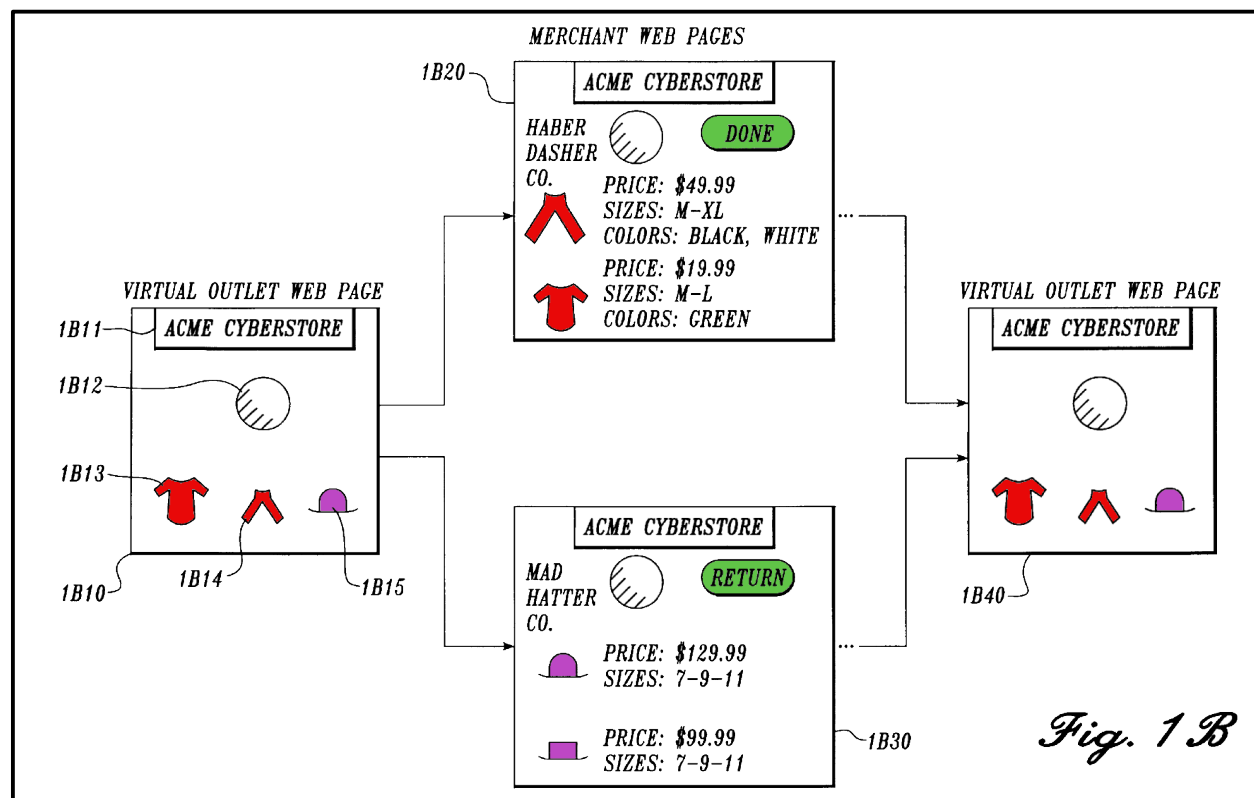
A POSA would have implemented Arora's graphical user interface whereby the VO representative's selection of web objects from the merchant catalog—such as asset images 1B13, 1B14, and 1B15—would be edited using the interface of Arora. §VI.B.5(iv); EX1003, ¶¶446-447, 664-665. Accordingly, in the combination the server system “receives” the “instruction.” EX1003, ¶448, 664-665.

(vi) 1[c]/14[e]

In the combination, the VO representative selects web objects from the merchant catalog to edit with Arora. §VI.B.5(iv); EX1003,¶¶449-455, 666-667. Arora explains that the editor will “generate” a “new image with a transparent color” based on a user selection. EX1009, 10:27-29. Likewise, Arora explains that after the user drags and drops the object “draw object associated with text 504 is changed to reflect this movement.” EX1009, 8:49-50. Accordingly, Arnold/Arora generates an “*edited web asset*” “*based upon the instruction.*” EX1003,¶455, 666-667.

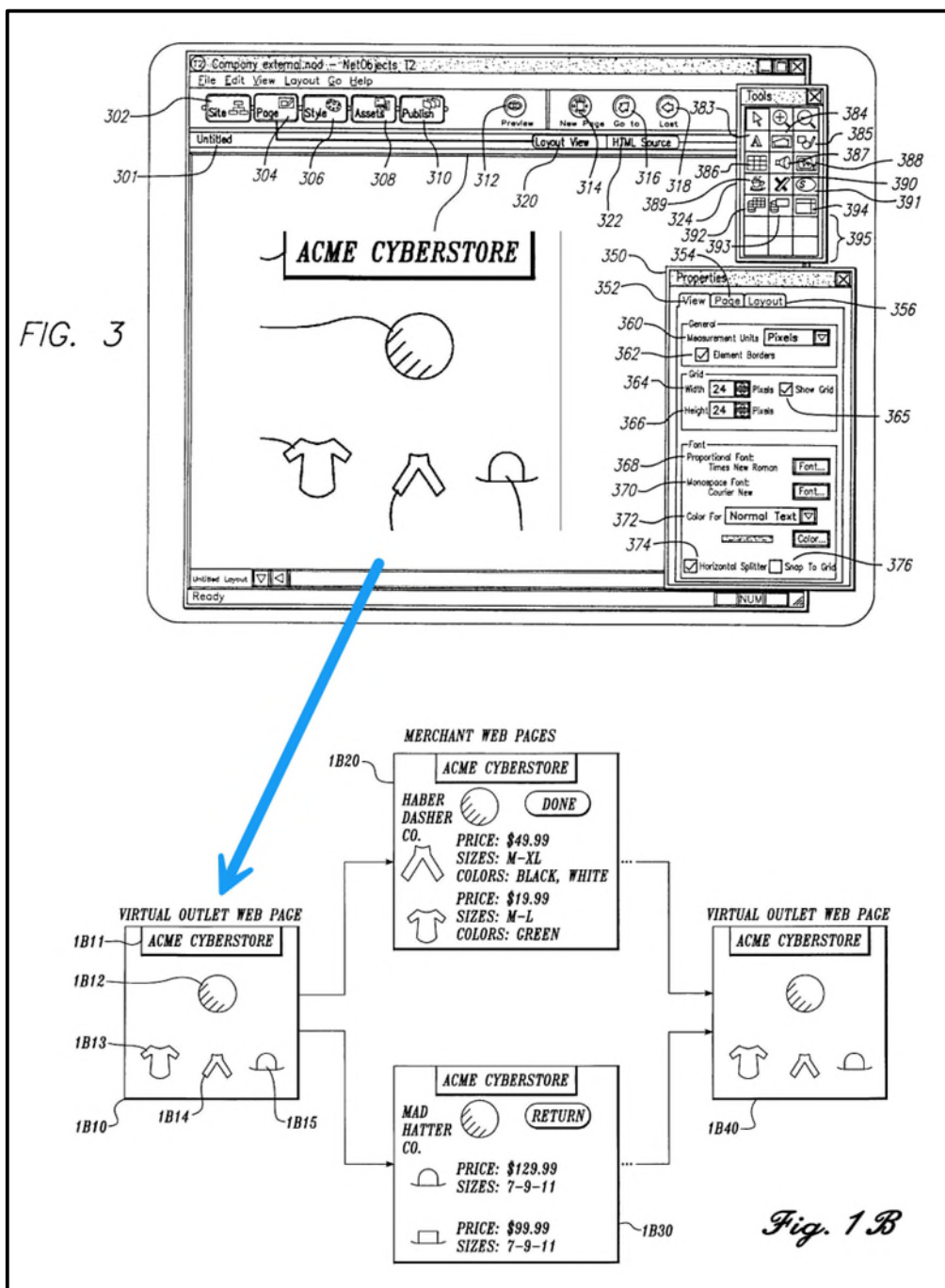
(vii) 1[d]/14[f]

Arnold explains VO representative’s device (“*to the first client device*”) can access a catalog of “[i]tems for sale” that “are described and listed along with URLs” that link “to the merchant site.” The merchant site is created by a Merchant, who is “*one or more other users of the server system.*” EX1003,¶¶456-460, 668-669. For example, the VO representative may access the merchant catalog and select **shirts and pants** from HaberDasher and **hats** from MadHatter to sell on the VO website. EX1003,¶460, 668-669. EX1008, 8:45-66 (“the VOMC may provide the representative **with a list of options from which to select a merchant.**”) Each item is associated with a product URL leading to the merchant site—e.g., “http://WWW.HaberDasher.com/?AcmeCyberstore&AcmeCyberstore.com/home page&hat.” EX1008, 7:46-47.

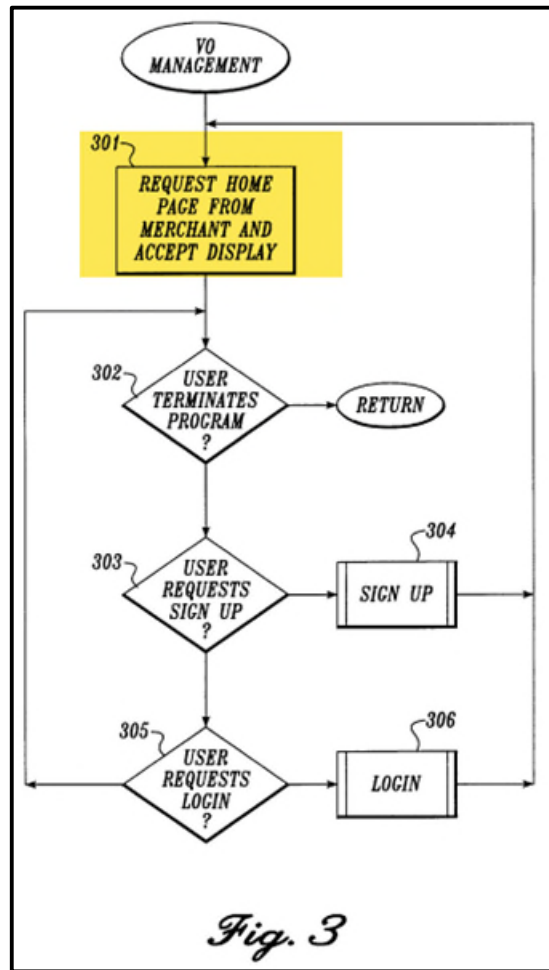


EX1008, FIG. 1B.

Therefore, each of the items in the catalog are “*identifiers respectively associated with one or more previously-created websites.*” In particular, the merchant site is “*previously-created*” because it exists prior to the VO representative selecting an item from the merchant catalog. EX1003, ¶¶461-463, 668-669. Moreover, in the combination the identifiers are “*displayed by the graphical user interface*” for at least two reasons. First, the web assets, including their URLs would be edited using Arora’s WYSIWYG editor, and therefore would be displayed in that editor:



Second, Arnold explains that VO representative would have selected a merchant through a “display.” EX1003,¶464, 668-669. Accordingly, the one or more identifiers are “forwarded” to the “first client device.” EX1003,¶465, 668-669.



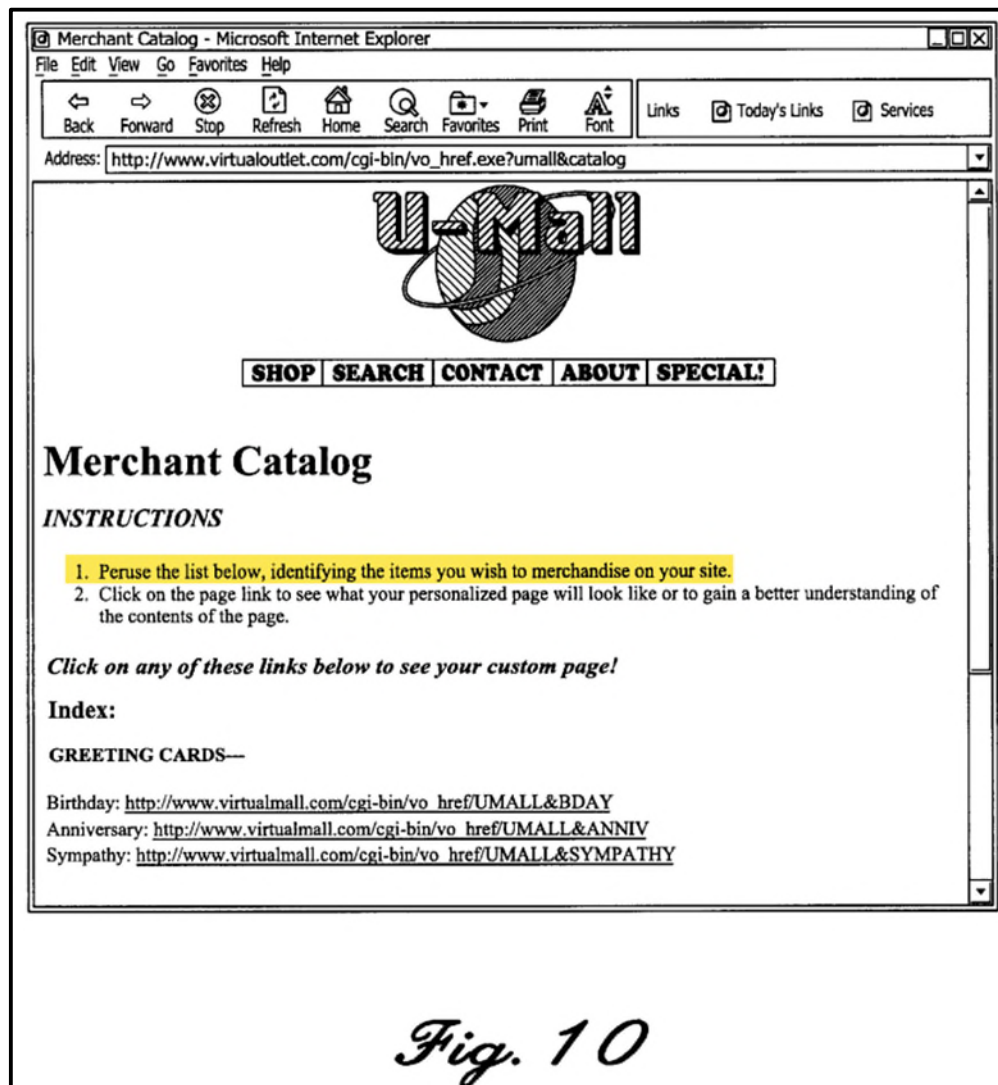
EX1008, FIG. 3.

(viii) 1[e]/14[g]

When “the [VO] representative indicates with which merchant the VO wishes to interact” they are selecting the merchant’s website (“a selection of a second website...”) using “the graphical user interface” displayed on the “first client device.” EX1003, ¶¶466-469, 670-671. Arnold explains that the VOMC detects the VO representative’s selection and calls the “Sign-up routine” which “displays the sign-up webpage.” EX1008, 8:64-66, 9:5-10.

“[W]hen the representative has completed inputting information to the sign-up Web page and indicates that it should be returned to the merchant, Sign-up returns **the collected information to the merchant-computer via the Internet.**” EX1008, 9:21-45. Therefore, the “server system” “receives” a “*first identification indicating a selection of a second website...*” in the form of the sign-up information provided by the VO representative. EX1003, ¶¶470-472, 670-671.

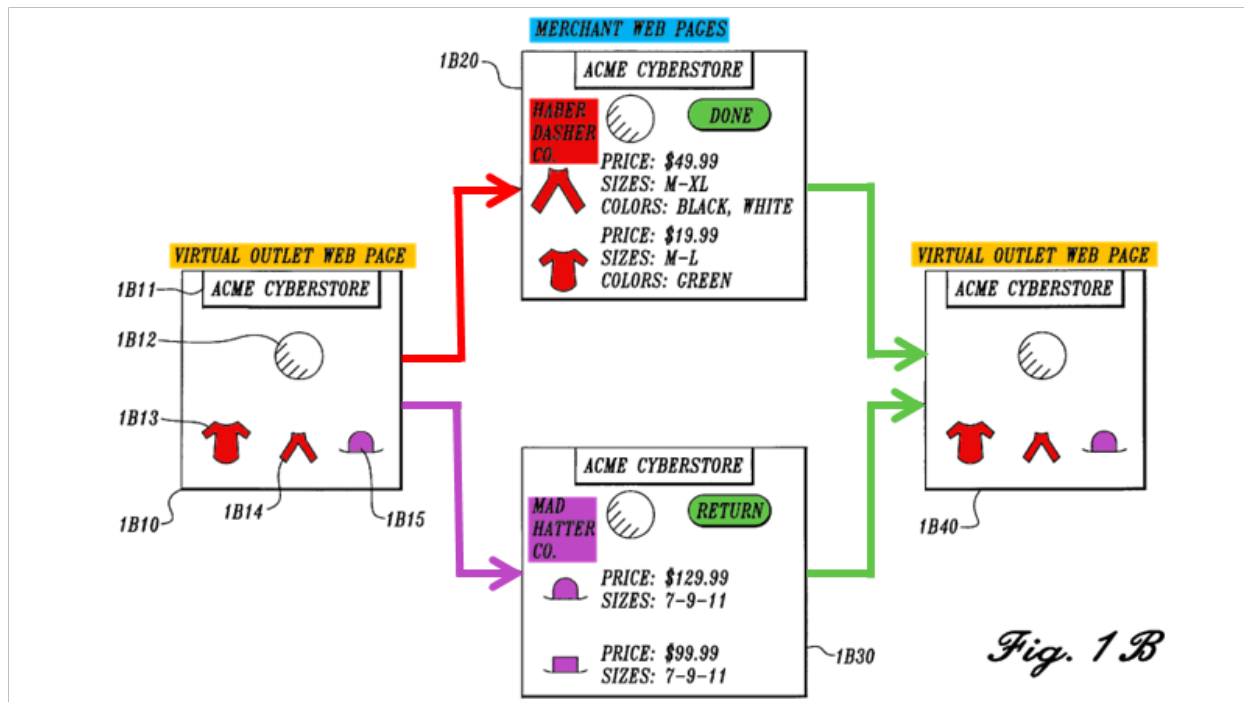
The “*first indication*” is also “*to create a first hyperlink from the first web site to the second web site.*” Selecting a merchant is necessary prior to selecting a product from a merchant’s catalog. EX1003, ¶¶472-476, 670-671; EX1008, 6:26-32 (“Once the relationship has been established, a representative of the VO can...browse the merchant's catalog to select items.”) Arnold explains that VO representative may “incorporate items into the VO Webpages by including the URLs obtained from the merchant's catalog as hot links in the VO Webpages.” EX1008, 10:43-48.



EX1008, FIG. 10.

Arnold explains that “[t]he VO Webpage may show a graphical image of various products, ... Each image has a URL associated with it that is a hot link to a Webpage provided by the Website of the merchant of the product.” EX1008, 5:40-46. Arnold illustrates (FIG. 1B) the **VO Webpage** linking to various **Merchant Webpages**, **HaberDasher Co.** and **MadHatter Co.** EX1003, ¶477-478, 670-671. The sign-up process described above, is used to create the VO/Merchant relationship

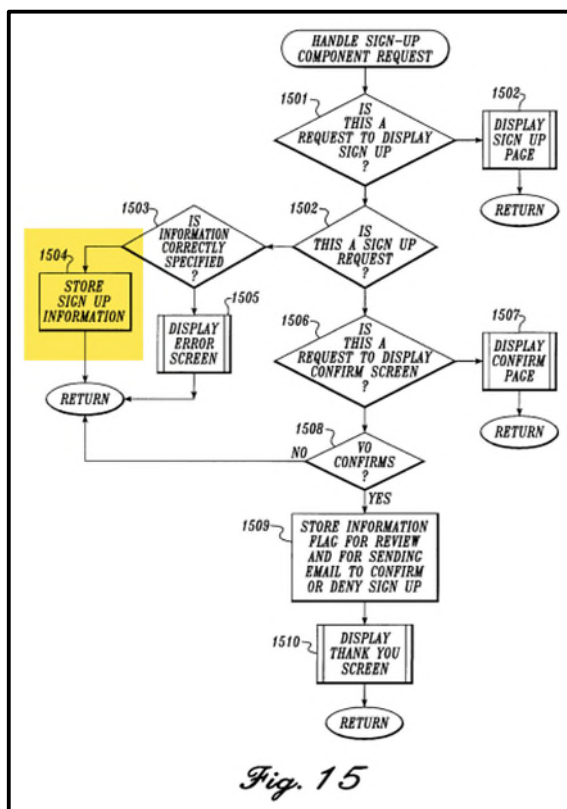
and incorporate “hot links” to the merchant site, within the VO website (i.e., “a first hyperlink from the first web site to the second web site.”). EX1003, ¶¶478-479, 670-671.



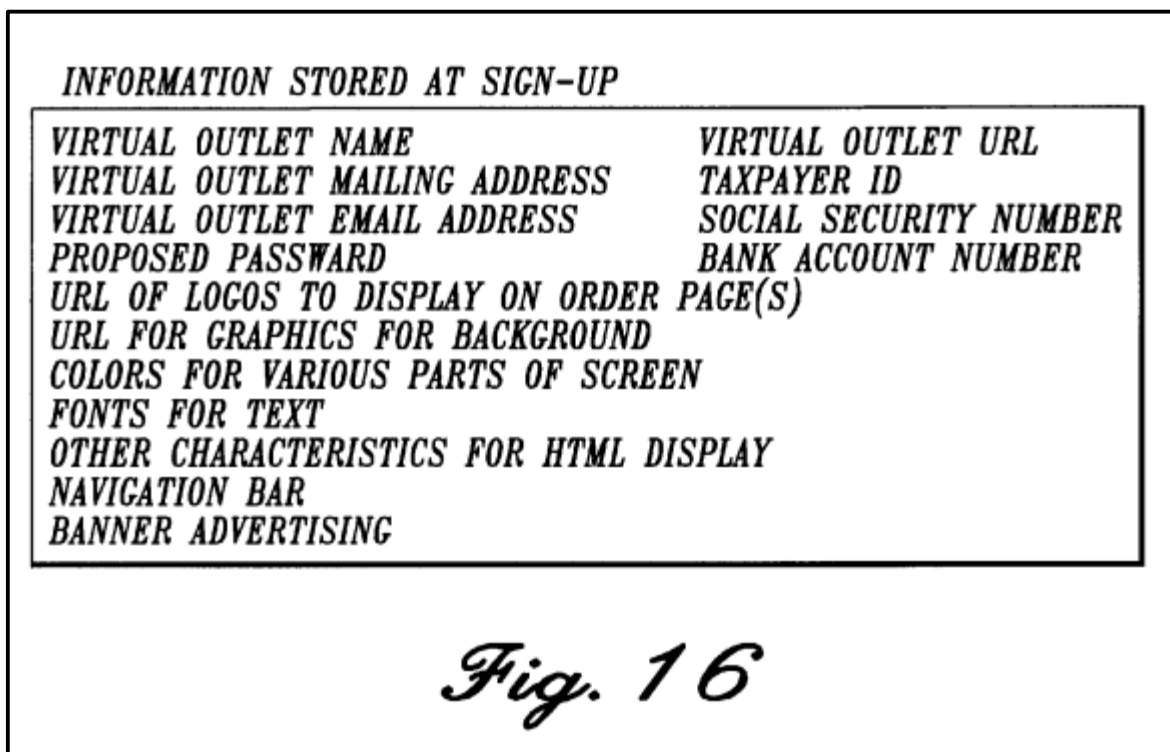
EX1008, FIG. 1B.

(ix) 1[f]/14[h]

Arnold illustrates (FIG. 15) “a flow diagram for the Sign-up.. Request routine.” The Sign-up.. Request routine “temporarily **stores the sign-up information** in a file on the merchant-computer in step 1504 and returns.” EX1008, 12:39-44, 13:2-5 (“In step 1509, sign-up-- Request permanently stores the sign-up information on the merchant-computer.”)



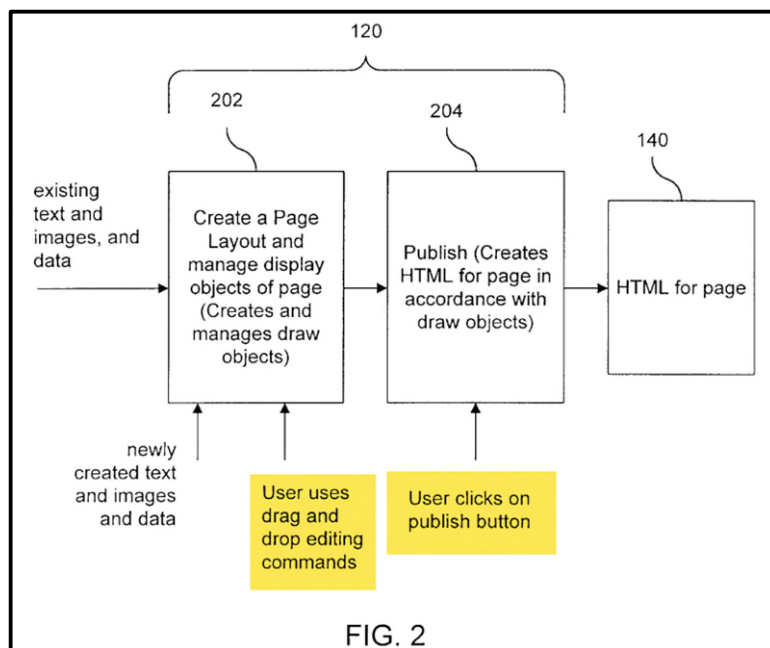
A POSA would have understood that because the merchant system “Store[s] Sign-Up Information,” the “server system” is “storing... first information indicating that the first identification was received.” EX1003, ¶¶480-487, 672-673. Moreover, the first information is “stored” in a “computer database system of the server system.” Fig. 16 depicts a database entry of the “information stored at sign-up.” EX1003, ¶¶485-488, 672-673.



Additionally, Arnold gives an example of a relationship between merchant HaberDasher Company and VO AcmeCyberstore, in which the relationship is stored in a “database.” EX1008, 7:54-60.

(x) 1[g]/14[i]

In Arora, after a page layout is edited, the user “clicks on the publish button” which publishes the page and “creates HTML” for the pages “in accordance with draw objects.” EX1003, ¶¶489-493, 674-675.



EX1009, FIG. 2.

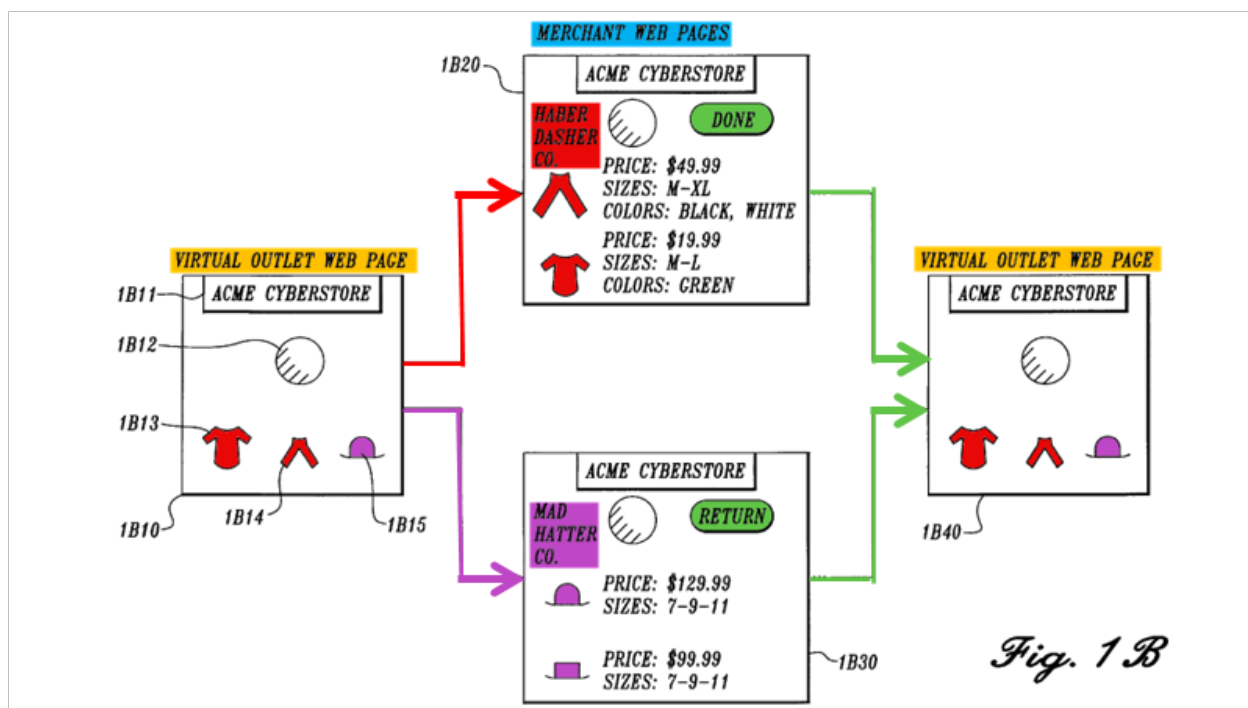
Accordingly, after creating the “*edited web asset*” Arora modifies the VO webpage (“*first website*”) and publishes HTML that includes and displays the “*edited web asset*.” EX1003, ¶493-495, 674-675; §VI.B.5(vi).

(xi) **1[h]/14[j]**

Arnold explains that once the “*first information*” is stored in the database, a representative of the merchant-computer will review it and decide whether to “extend to the VO a VO relationship;” subsequently the merchant will notify the VO and “will activate the account.” EX1008, 13:5-10; §VI.B.5(ix); EX1003, ¶495-499, 676-677.

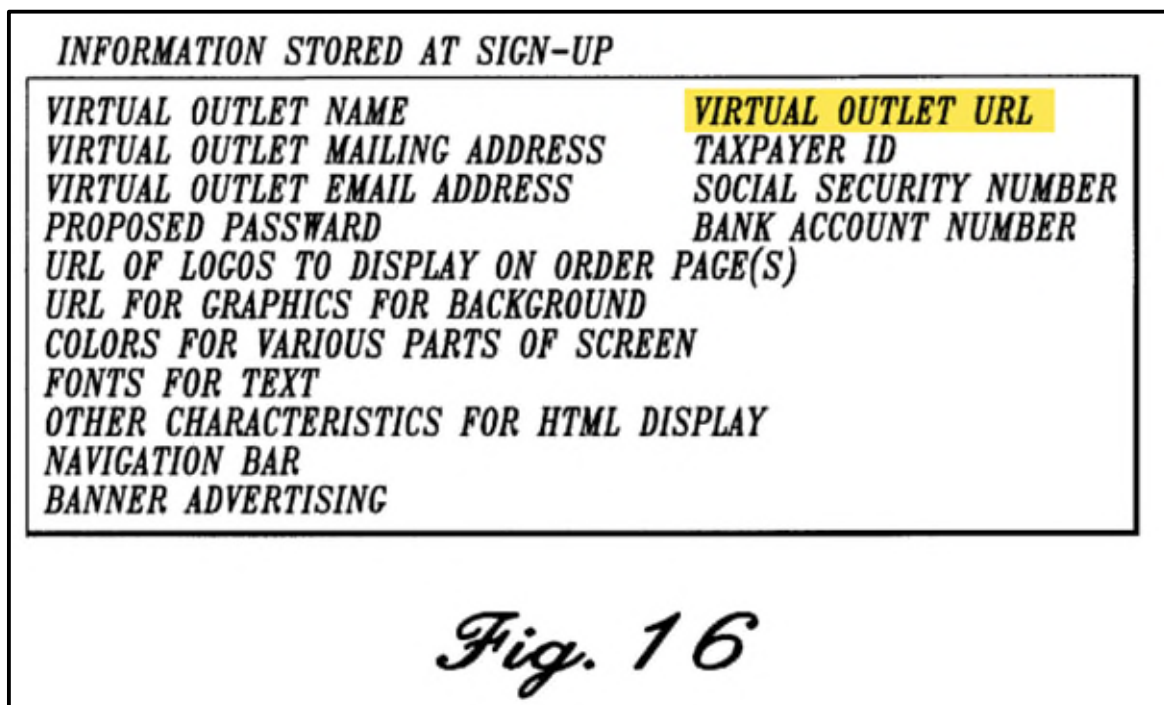
Once the VO has an account they can select items to offer on the VO website (“*the first website*.”) §VI.B.5(iv). Each of the items will be associated with image—

for example “images 1B13, 1B14, and 1B15”—and “[e]ach image has a URL associated with it that is a hot link to a Webpage provided by the Website of the merchant of the product.” EX1008, 5:40-46, 7:30-31. As shown below, these images and hyperlinks are included in the “*first website*.” Therefore, based on the “*first information indicating...*” the “*first website*” is modified to include “*the first hyperlink*” (**red** or **purple**).



In particular, the VO receives access to the Catalog—Browser function “based upon” the “*first information indicating...*” (i.e., sign-up information) being stored on the merchant-computer. And the catalog allows a VO representative to “incorporate items into the VO Webpages.” EX1008, 10:43-48.

Referring to FIG. 1B, Arnold explains that “URL[s] (i.e., hotlink) [are] associated with each product.” For example, shirt image 1B13 is associated with “http://WWW.**HaberDasher.com**?**AcmeCyberstore**&**AcmeCyberstore.com/homepage**&hat.” EX1008, 7:44-48 (annotated). Arnold explains that in the URL “**HaberDasher.com**” identifies the merchant that sells the shirt, “**AcmeCyberstore**” identifies the VO, and “**AcmeCyberstore.com/homepage**” identifies the Webpage to return to after the sale is complete.” Thus, the “hotlink” includes the VO webpage—**AcmeCyberstore**—and the merchant, **HaberDasher**. When items are selected from the merchant catalog, a new URL is created. EX1003, ¶¶500-505, 676-677. The sign-up information (“*information indicating...*”) includes the “virtual outlet URL.” The hotlink, which contains the “virtual outlet URL,” is thus also created “*based upon the first information indicting that the first identification was received.*” EX1003, ¶¶506-507, 676-677.



EX1008, FIG. 16.

(xii) 1[i]/14[k]

Arnold explains that “[w]hen the merchant-computer for the HaberDasher Company receives this [hot link] URL” it “dynamically creates a Webpage... in accordance with the layout and associates the return URL with an icon on the Webpage.... When the customer has completed the purchase, the customer can select the **return icon** to return to the Webpage 1B40 for the **AcmeCyberstore VO**.”

EX1008, 7:62-8:6.

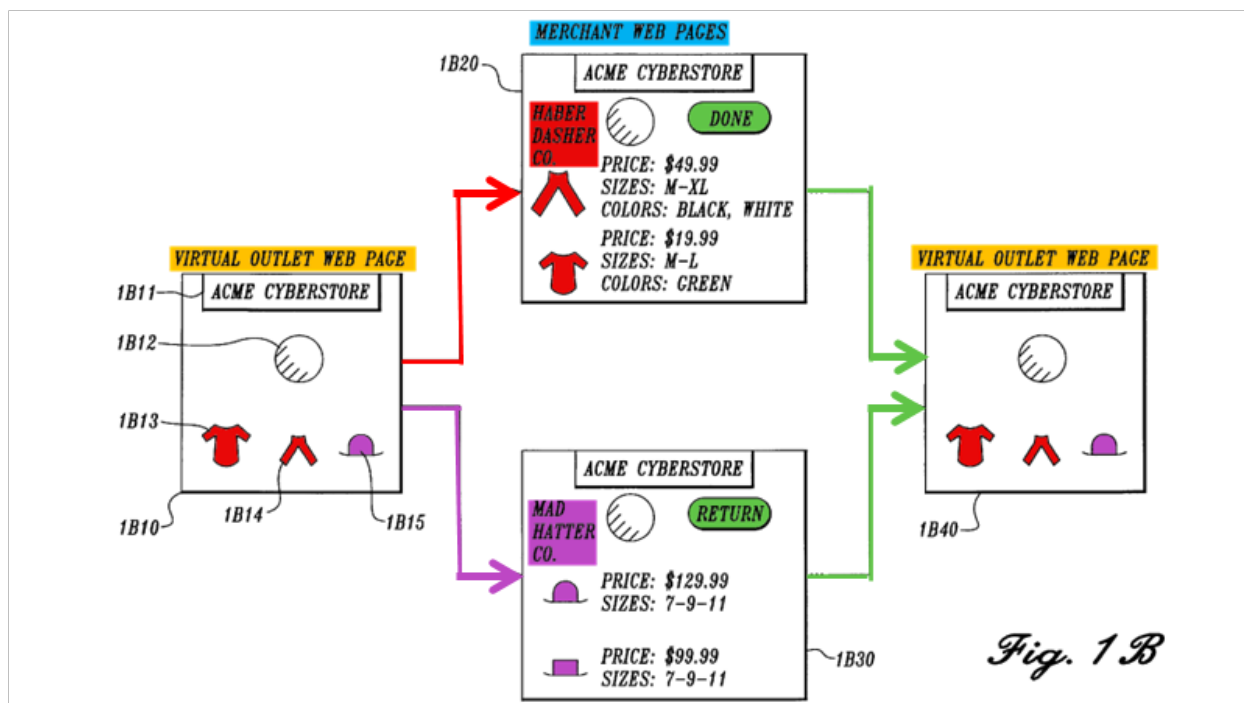


Fig. 1B

EX1008, FIG 1B.

Thus, the “merchant-computer modifies the merchant Webpage” to include a “return link.” §VI.B.5(viii); EX1008, 4:20-21; EX1003, ¶¶508-513, 678-679. Arnold explains that the “hotlink” includes a portion (“AcmeCyberstore.com/homepage”) that “identifies the Webpage to return to after the sale is complete.” EX1008, 7:50-52. “If a return Webpage is not identified, the merchant can use a default return Webpage for that virtual outlet.” EX1008, 8:52-54. Thus, where “a return Webpage” is not identified the return link is created “based upon the first information indicating...” because the default return webpage is included in the “first information indicating...” The modified merchant webpage is displayed at the customer computer to allow the customer to return to the “first

website.” EX1008, 4:25-27; EX1003, ¶¶512-515, 678-679. Accordingly, the return icon includes a “*reciprocal second hyperlink to the first web site.*”

Additionally, since the VO must be signed up and approved by the merchant before a VO relationship is established, the dynamically created Webpages are created “*based upon the first information indicating...*” EX1003, ¶¶515, 678-679; §VI.B.5(xi).

(xiii) **1[j]/14[l]**

The “*first website*” includes “*the edited web asset and the first hyperlink from the first web site to the second web site.*” §VI.B.5(x) (edited web asset); §VI.B.5(xi) (first hyperlink). The “*server system*” is also configured to “*serve*” the first website. §VI.B.5(i). For example, Arnold explains that “[i]n step 203, “the virtual outlet component sends to the customer's computer the requested VO Webpage or requested resource, such as a graphics file... The HTML file defining a VO Webpage may contain hot links to merchant order Webpages. Each hot link identifies a merchant order Webpage and the VO, and optionally a return VO Webpage.” EX1008, 8:25-36. Therefore, “*computer data associated with the first website*” is served to the customer computer, as shown in Fig. 1B. EX1008, 7:30-31; EX1003, ¶¶516-524, 680-681.

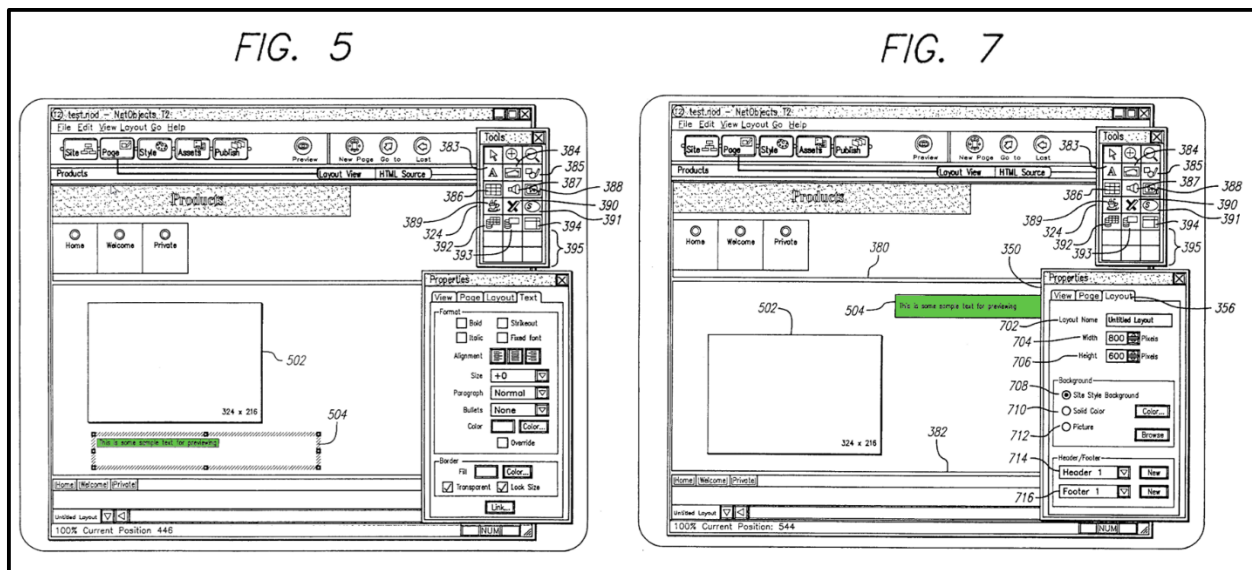
(xiv) 1[k]/14[m]

The server system of Arnold includes the VO-computer and merchant-computer. EX1008, FIG 1A; §VI.B.5(i); EX1003, ¶¶526, 682-683. The VO webpage is the “*first web site*,” and the merchant webpage is the “*second web site*.” §§VI.B.5(iv), VI.B.5(viii); EX1003, ¶¶527-528, 682-683. Arnold explains that VO-computer 1A10 “provides the Webpages of the virtual outlet to customers via the WWW.” EX1008, 6:65-7:9. The merchant-computer 1A11 “provides the merchant Webpage to the customer computer.” EX1008, 5:52-53. Accordingly, “*the server system is configured to host the first web site and the second website*.” EX1003, ¶¶525-532, 682-683.

(xv) 1[l]/14[n]

The “*graphical user interface*” of Arora includes a page draw editor (“*editing screen*.”) EX1003, ¶¶532-536, 684-685; §VI.B.5(iv). The page draw editor allows a user to drag and drop “image 502 and some text 504 into the layout.” EX1009, 8:21-23. Arora explains that after the user drags and drops the object (“*web asset*”) (**green**, left) the “draw object associated with text 504 is **changed** to reflect this movement” (“*the edited web asset*”) (**green**, right). Arora is a WYSIWYG editor where “most browsers []display a page that has substantially the same layout, proportionality, coloring, and spacing as the layout of the page displayed by the page draw editor software.” EX1009, 2:20-35; EX1003, ¶¶536-538, 684-685. Therefore,

a POSA would have understood that the “*editing screen*” displays both the “*web asset*” and the “*edited web asset.*” *Id.*



EX1009 FIGs.5, 7.

(xvi) **1[m]/14[o]**

FIG. 7 of Arora shows the GUI of Arora “after the user has dragged and dropped the text to a different location on the page.” FIG. 7 has design options and controls and is visually similar to the Website design plate 210 (“*primary display screen*”) described in the ’316 patent. EX1001, 7:15-17, FIG. 2; EX1003, ¶¶541-544, 684-685. Moreover, the combination discloses displaying the “*edited web asset*” (**Green right**, above) in the WYSIWYG editor of Arora. §VI.B.3; EX1003, ¶543, 686-687.

6. Claim 2/15(i) **2[a]/15[a]**

If “the merchant” (“*second user associated with a second web site*”) decides to establish a VO relationship with the “*first user*” they send “a confirmation back to the prospective VO.” EX1008, 6:18-26; 11:45-48; EX1003, ¶¶545-560, 688-689. Because the merchant must establish a relationship before a reciprocal arrangement can be established, the confirmation is “*second information indicating that a second identification to create the second hyperlink from the second website to the first website.*” EX1003, ¶550, 688-689.

The sign-up component allows a VO to supply information to the merchant that the merchant uses to evaluate whether to enter into a VO retail relationship with the VO.” EX1008, 11:44-57. The Merchant has “counterpart procedures,” therefore, the “*second information indicating...*” is also “*store[d], within the computer database system.*” EX1003, ¶¶551-553, 688-689.

(ii) **2[b]/15[b]**

The VO representative’s selection of a merchant from the GUI, results in “*first information indicating...*” §VI.B.5(iv); EX1003, ¶¶554-557, 690-691. The confirmation from the merchant to establish a relationship with a virtual outlet is “*second information indicating...*” §VI.B.5(xii)VI.B.5(iv); EX1003, ¶558, 690-691.

Arnold explains that to establish a reciprocal relationship, a “prospective VO first establishes the relationship through a sign-up procedure.... [then] if the merchant decides to establish the relationship, the merchant-computer sends a confirmation back to the prospective VO.” EX1008, 6:17-26. The relationship between the VO webpage and the merchant webpage could not occur without both the VO representative’s selection of a merchant as well as the merchant’s confirmation. EX1003, ¶¶559-561, 690-691. Once both sides of the sign-up is complete, the merchant webpage (“*second web site*”) is modified to include a return icon back to the VO website—i.e., a “*reciprocal second hyperlink to the first web site*.” EX1003, ¶¶559-561, 690-691; §VI.B.5(viii).

7. Claims 3/16

Arnold explains that “the [VO] representative indicates with which merchant the VO wishes to interact”—i.e., “*an entry associated with the first identification*.” EX1008, 8:55-58.

Arora illustrates creating links to other websites using an “*entry field*.” EX1003, ¶¶567, 692-693; EX1009, FIG. 32. In the combination, the VO representative selection would be entered into the “*graphical user interface*” of Arora. EX1003, ¶¶562-568, 692-693.

8. Claims 4/17(i) 4[a]/17[a]

Arnold's merchant sites are a “*previously-created website*[].” §VI.B.5(vii); EX1003, ¶¶571, 694-695. Arnold explains that the VOMC may provide the [VO] representative [] a list of options from which to select a merchant”—i.e., “*one or more identifiers respectively associated with one or more previously-created websites.*” EX1008, 8:55-58; EX1003, ¶¶572, 694-695; §VI.B.5(vii);.

In the combination, a selection checkbox would be implemented using the “form tools” of Arora. “The Forms tool has six secondary tools 395, shown in FIG. 9(c): button 1950, checkbox 1952, radio button 1953, single line text 1954, multi-line text 1955, and list box 1956 (also called a ‘pull-down menu’).” EX1009, 12:23-26. Arora teaches that “if, for example, the user selects button 1950 and clicks in the display window for the page, a button display element is added to the page.” EX1009, 12:29-31. A POSA would have found it obvious to include a checkbox indicating whether the VO had already signed up with, or approached, a given merchant next to the “list of options.” EX1003, ¶¶574, 694-695. Therefore, in the combination, “*a graphical widget*” would be displayed/presented next to each “*of the one or more identifiers.*” Implementing Arora's “form tools” in this manner would be straightforward to a POSA as it involves standard graphic elements used in a known configuration. EX1003, ¶¶569-576, 694-695.

(ii) 4[b]/17[b]

The “list of options” that the VO representative uses to “select a merchant” would be presented with the “checkboxes” and “form tools” of Arora. Thus, when the VO representative selects a merchant in the combination the “*graphical widget is configured to receive a user-initiated selection.*” §VI.B.5(viii); EX1003,¶¶577-580, 696-697.

(iii) 4[c]/17[c]

The merchant webpage is the “*second web site.*” §VI.B.5(viii); EX1003,¶582, 698-699. Therefore, in the combination the “*selection of the second website*” is done using the “checkboxes” and “form tools” of Arora. *Id.*; EX1003,¶¶581-584, 698-699.

9. Claims 5/18

Using the VOMC, the VO representative “the representative indicates with which merchant the VO wishes to interact.” EX1008, 8:55-58; §§VI.B.5(i), VI.B.5(vii); EX1003,¶¶589, 670-671. The VOMC “may also provide the [VO] representative with a list of options from which to select a merchant.” *Id.* A POSA would have understood that the “list of options” provided by the VOMC are “*one or more suggested linking locations for the first website*”—i.e., each item on the list is a potential merchant. EX1003,¶¶590, 670-671.

Arnold explains that “*one or more previously-created websites*” may be identified by the system based on “information [that] may be requested from the representative.” EX1008, 8:55-56. The VOMC includes an “input means” (“*graphical user interface*”) for the representative to “establish a relationship.” *Id.* Therefore, the identification is done “*based upon a receipt, by the server system, of a request generated by the graphical user interface.*” EX1003, ¶¶585-592, 700-701.

10. Claims 6/19

(i) **6[a]/19[a]**

A POSA would have understood that the VOMC “input means” (“*graphical user interface*”) includes “*at least one information collection field of the graphical user interface.*” §VI.B.9; EX1003, ¶¶593-598, 702-703; EX1008, 8:55-58. First, “*information collection field[s]*” were ubiquitous and common in the art. Second, other inputs in Arnold use “*information collection field[s]*,” for example, FIGs. 5 and 6 (below). Third, Arora illustrates using an “*information collection field[s]*.” EX1009, FIG. 32. For all the foregoing reasons, it also would have been obvious to collect the user information using an “*information collection field.*”

Virtual Outlet Signup Example - Microsoft Internet Explorer

File Edit View Go Favorites Help

Back Forward Stop Refresh Home Search Favorites Print Font Links Today's Links Services

Address: <http://www.virtualoutlet.com/signup.htm>

Virtual Outlet Signup Form

The purpose of this page is for you, the Webmaster, to submit a request to become a Virtual Outlet.

To start, let's establish who you are.

Your organization name:

This is the full name of your organization as you would like other Web users to see it (this is the "user friendly" representation of your organization name.) Example: "IBM" (not "International Business Machines, Inc.")

Organization:

Your organization's address:

This is the address where we will be sending your commission checks.

Official Org Name:

Org's Tax ID:

Address:

Address2:

City: State/Province:

Zip code:

Your "handle":

This "handle" will be used to identify you to us, and will be used within the URL's query strings that you use to connect to us. Don not use spaces or strange characters. Alphanumerics only! Example: "MAYBERRY"

Handle:

Your handle password:

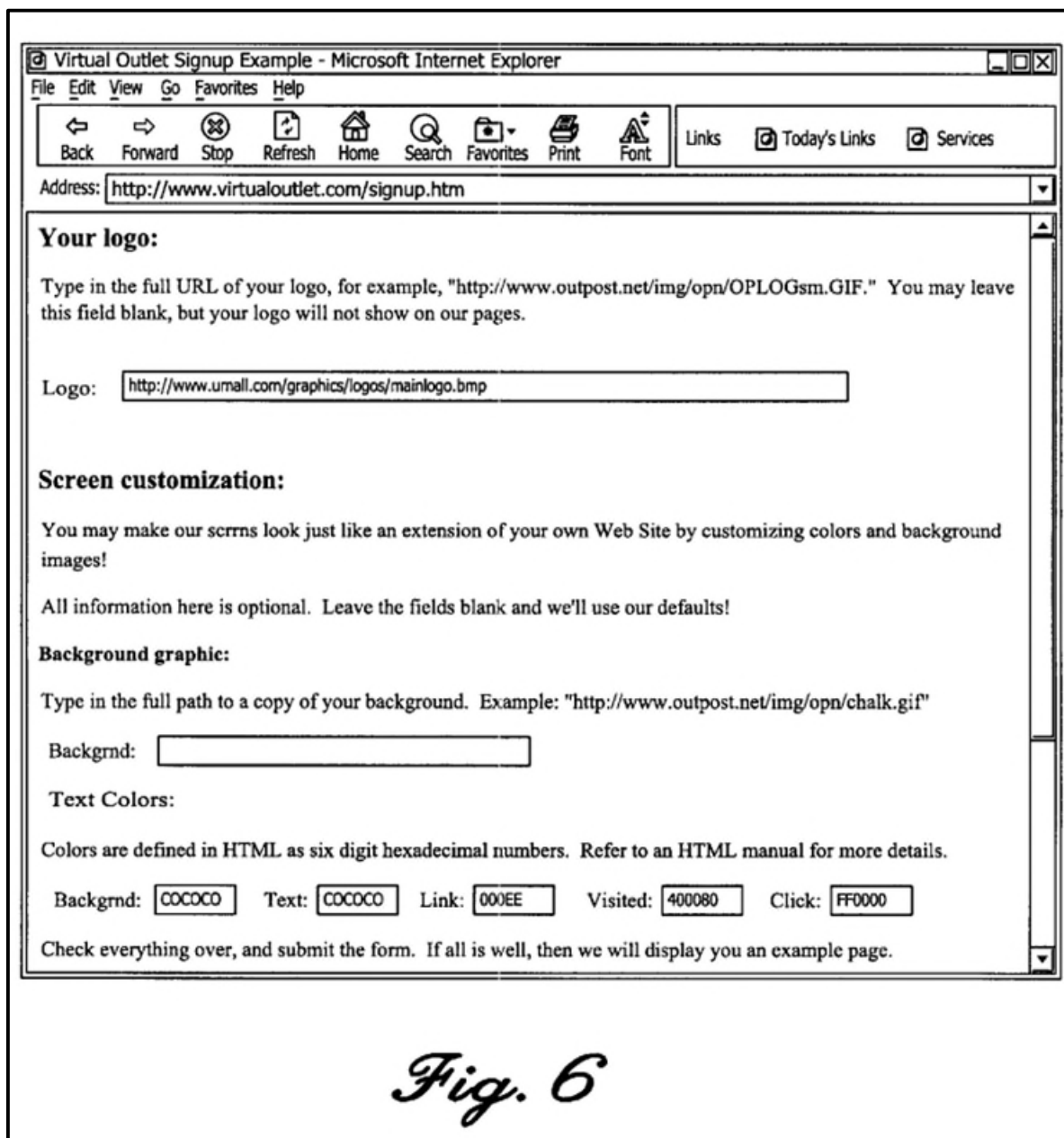
Type in a password. This password will allow you (and only you) to access your account.

Password:

Retype Password:

Fig. 5

EX1008, FIG. 5.



EX1008, FIG. 6.

(ii) 6[b]/19[b]

Arnold explains that VOMC will “provide the [VO] representative with a list of options from which to select a merchant” and includes an “input means” used to “information [that] may be requested from the representative.” EX1008, 8:55-56.

A POSA would have understood that it would be common-sense for the system to “select” the “one or more the previously-created websites” based on the “user information supplied.” EX1003, ¶¶599-609, 704-705; §III; EX1015, 1:60-66, 2:1-3, 3:27-30. Indeed, it was well-known that sites generate more marketing traffic when their content closely aligns. As explained in the background section of Horstman, it is beneficial on a page with a discussion of bicycling to include links to a “list of bike shops.” EX1015, 1:5-57. Therefore, a POSA would know that using the information provided by the VO would facilitate better VO relationship and, accordingly, would be motivated to generate “a list of options from which to select a merchant[s]” based on the information provided by the system to the VO representative. Indeed, Arnold shows (Fig. 1B) matching a VO (AcmeCyberStore) with two clothing related merchants (HaberDasher and MadHatter). Arnold also shows matching other VOs and merchants based on business interest—such as a mailing service (Femail) with a stationary merchant. EX1008, 6:13-34.

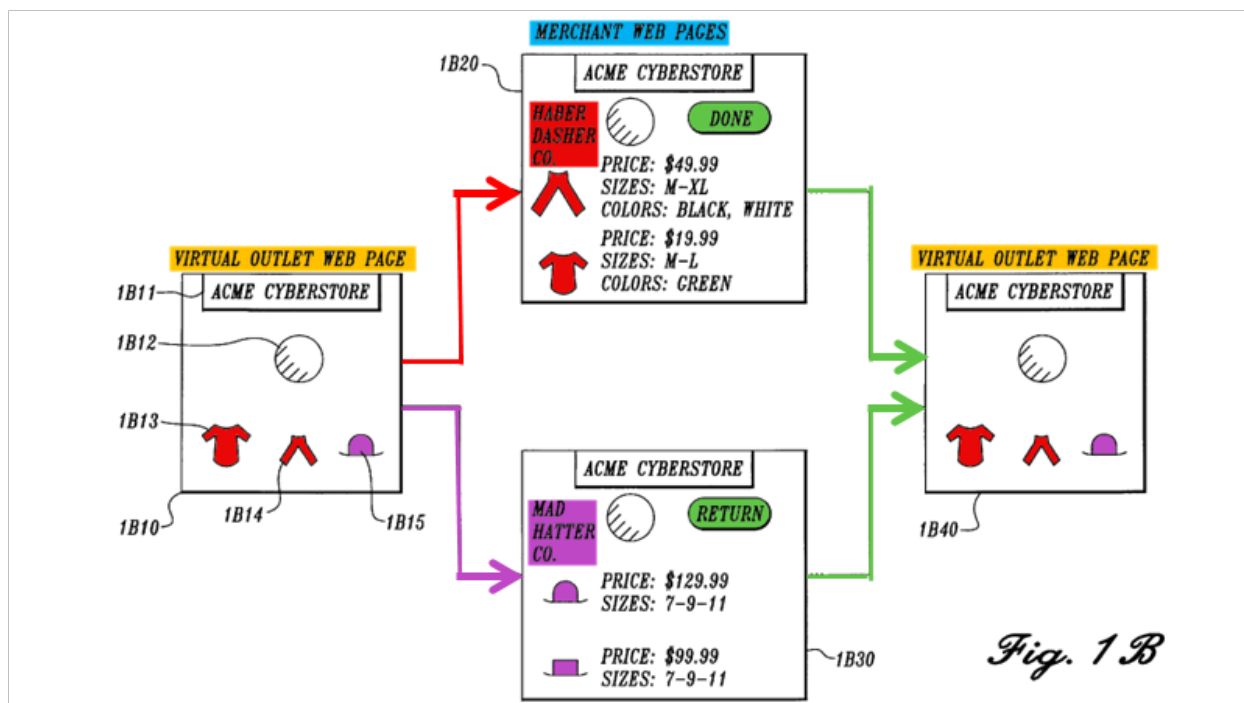


Fig. 1B

Thus, it would have been obvious to “select” and “suggest” the “one or more the previously-created websites” based on the “user information supplied.”

11. Claims 7/20

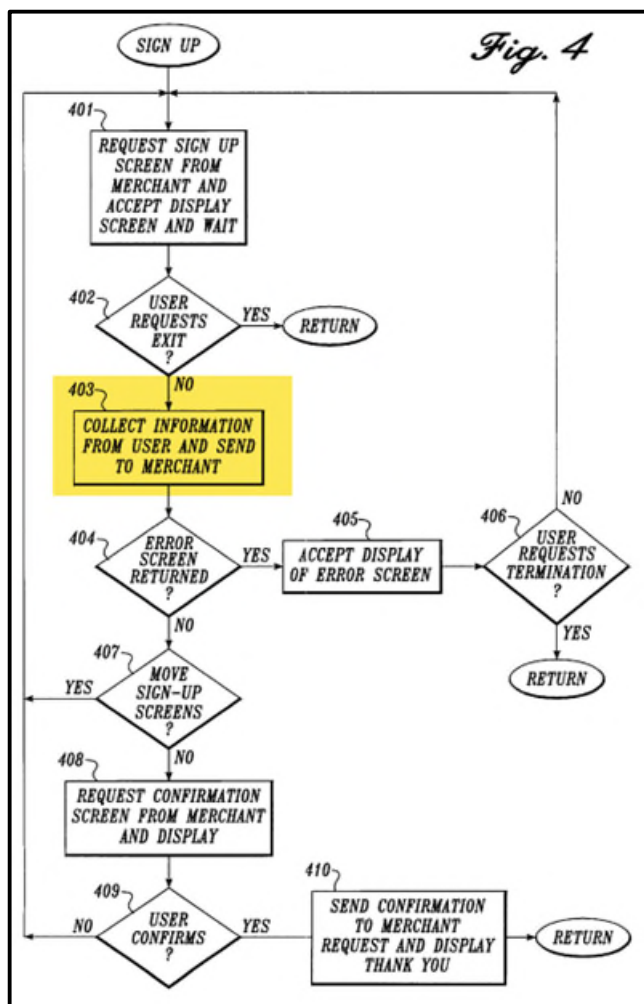
Fig. 5 displays “an example sign-up Webpage” used as part of creating a new VO relationship. EX1008, 4:44. A POSA would have been motivated to use the information provided by the “first user” in Fig. 5 to “select one or more the previously-created websites.” §VI.B.10; EX1003, ¶¶610-616, 706-707. Fig. 5 collects at least “name” and “email” of the “first user.” A POSA also would have been motivated to collect the user’s “business” to better match VOs and merchants. Collecting business information would allow Arnold to match VOs based on business interest, as discussed above.

12. Claims 9/22

Arnold “provides a sign-up mechanism that allows a virtual outlet ("VO") owner to sign-up to offer a merchant's products for sale through the VO.” EX1008, 5:26-29, 8:45-51. The MOMC allows the “representative of the merchant-computer” to review sign-up requests and “decides to extend to the VO a VO relationship.” EX1008, 13:5-7. A POSA would have understood that both of these systems requiring logging in with a password (EX1003, ¶¶617-622, 708-709) and that the “*first*” and “*second user[s]*” are, therefore, “*registered users of the server system.*”

13. Claims 10/23

Arnold depicts (FIG. 4), “a flow diagram for the Sign-up routine” for the VO. EX1008, 4:42. At step 403, Arnold describes collecting User information of the VO.



EX1008, FIG. 4.

Arnold displays (FIG. 5) an “example sign-up Webpage[]” which collects information from the VO such as “organization” and “official Org. name” in a GUI. EX1008, 4:44, EX1003, ¶¶623-629, 710-711. FIG. 16 lists information collected during VO sign-up procedure.

14. Claims 11/24

Arnold explains “[t]he VO may incorporate items into the VO **Webpages** by including the URLs obtained from the merchant's catalog as hot links in the VO

Webpages” (plural). EX1008, 10:47-50. The VO website “*includes a plurality of web pages including a first web page.*” §VI.B.5(iv); EX1003, ¶¶630-634, 712-713.

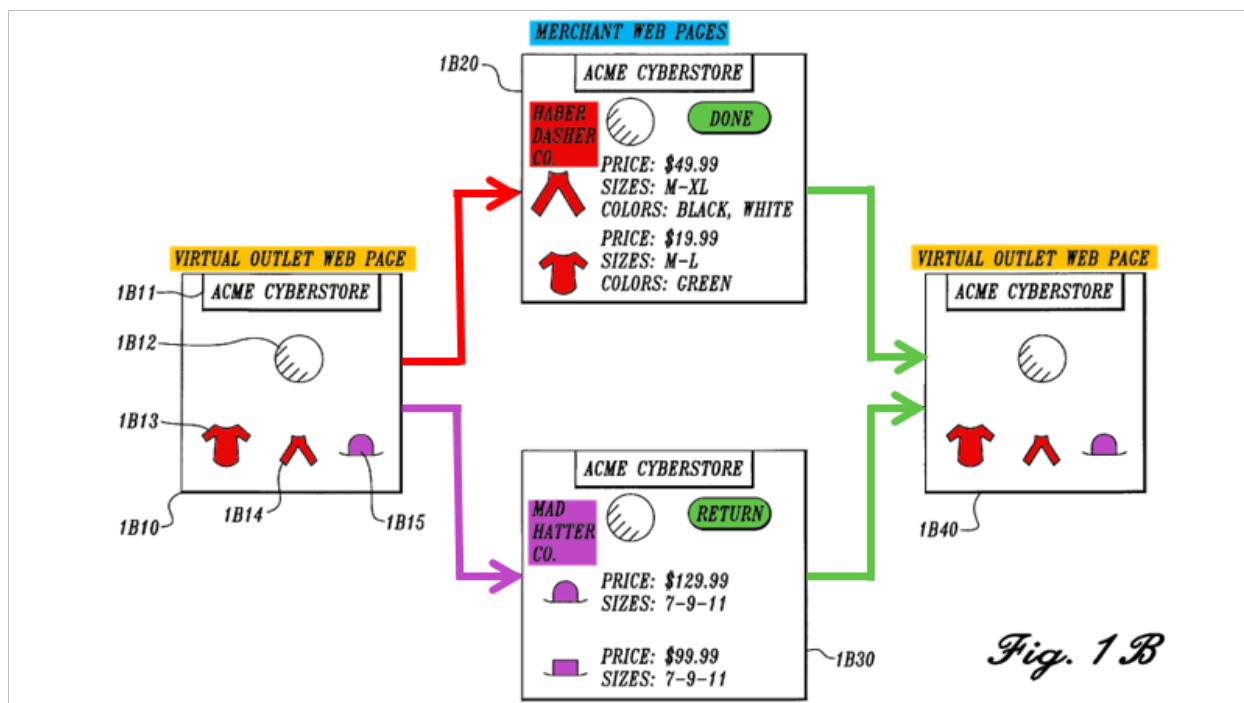
15. Claims 12/25

Arnold depicts (FIG. 1A) “customer computers 1A01-1A04.” EX1008, 6:65-7:7. A customer’s device is a “*third client device.*” EX1003, ¶¶638-639. Arnold explains that the VO-computer 1A10 “provides the Webpages of the virtual outlet to customers via the WWW”—i.e., the server system serves the “*first website*” “*in response to a web page request from a third client device.*” EX1008, 6:65-7:9; §VI.B.5(iv); EX1003, ¶¶635-640, 714-715.

16. Claims 13/26

(i) **13[a]/26[a]**

A “*reciprocal link site*” is a space within a webpage (within a website) for displaying reciprocal links to other websites. §V.A. A POSA would have understood that images 1B13, 1B14, and 1B15, are “*reciprocal link site[s]*” because they are a space in the “*first website*” for displaying the “*first hyperlink.*” EX1008, 7:30-8:6; EX1003, ¶¶641-644, 716-717.



EX1008, Fig. 1B

(ii) 13[b]/26[b]

A POSA would have understood that the **reciprocal link sites** (above) are “a reciprocal link site” because they are a space in the “second website” for displaying “the second hyperlink.” §VI.B.5(xii); EX1003, ¶¶645-649, 718-719; EX1008, 7:30-8:6.

C. Ground 3: Arnold/Arora/Ahlberg Renders Claims 8, 23 Obvious

1. Ahlberg and Motivation to Combine with Arnold/Arora

Ahlberg was published in the Journal of the Association for Computing Machinery on June 1, 1992, and is prior art under at least §102(b). EX1003, ¶¶720-722.

Ahlberg describes “dynamic queries” that provid[e] a graphical visualization of [a] database and search results.” EX1043, 1. Ahlberg describes an “FG interface”, that filters database items based on a user’s typed search query. EX1001, 3:16-25, EX1043, 1, 3; EX1003, ¶723.

Ahlberg is analogous to the ’316 Patent, Arnold, and Arora. §VI.B.4. Both Ahlberg and the ’316 Patent are all in the same field of endeavor – *i.e.*, using graphical interfaces/widgets to view and manipulate data. See EX1001, 3:16-25, EX1043, 1, EX1003, ¶¶724-725.

A POSA would have been motivated to combine Ahlberg with Arnold (and Arora) because Arnold describes storing information in a database (EX1008, 4:64-65, Fig. 16), and later “provid[ing]” that information to a VO representative. § B.10, EX1003, ¶727. Ahlberg describes an interface such as a graphical widget that could be used to retrieve information stored in databases. EX1043, 1, EX1003, ¶726-727. In the combination, the stored information would have been graphically represented by the widget described by Ahlberg. EX1003, ¶727. Based on Ahlberg’s “dynamic queries” approach, the list of merchants could be filtered (*i.e.*, searched) by typing in criteria that the user was seeking. EX1003, ¶728.

Select a Merchant from the list of options

Search:

<u>Merchant</u>	<u>Approach</u>
Slippery Socks Supplier	☐

A POSA would have recognized the benefits of using Ahlberg's “dynamic queries” within Arnold/Arora at least because such a configuration would make it easier for VO representatives to sort through and select relevant merchants to connect to. EX1003,¶729. The combination also would have facilitated the visual design elements of Arora. The combination is merely a combination of old elements (i.e. searching for and visually representing data stored in a database) and yields a predictable result. EX1003,¶730.

2. Claims 8/21

(i) **8[a]/21[a]**

The “*previously-created websites associated with the one or more identifiers*” includes registered merchant web pages. §VI.B.5(vii).

Arnold explains that the “[VO] representative indicates with which merchant the VO wishes to interact.” EX1008, 8:55-58.

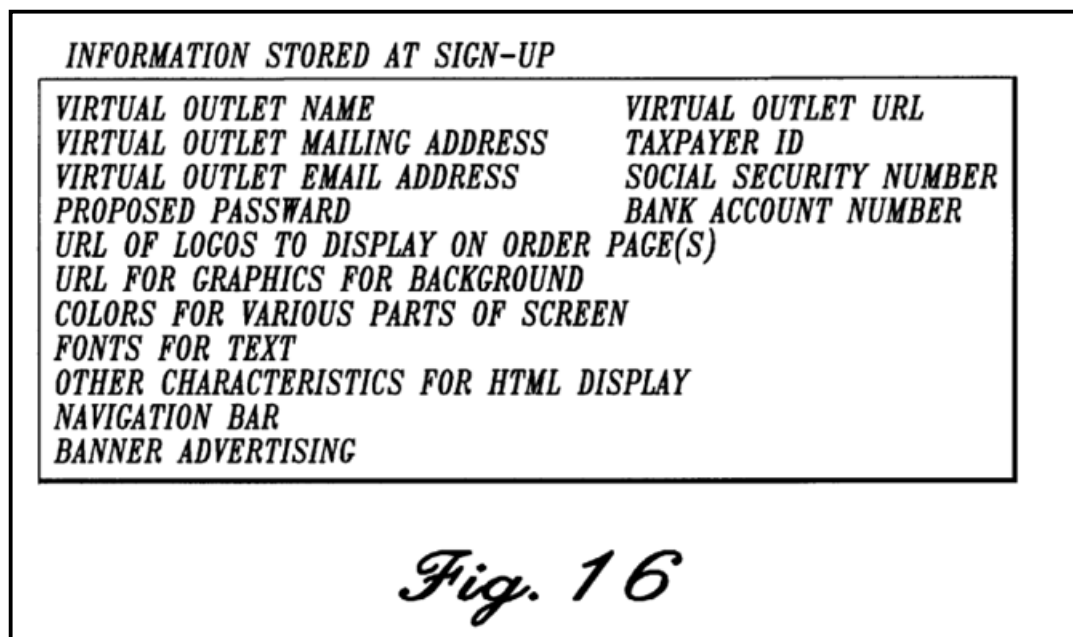
In Arnold/Arora/Ahlberg, if a VO representative wants to search for a merchant selling socks, the interface (widget) would query the database of merchants and list relevant merchants based on the VO representative’s query. EX1003, ¶¶731-734, 743-745.

Select a Merchant from the list of options

Search: Sock

<u>Merchant</u>	<u>Approach</u>
Slippery Socks Supplier	☐

Querying any of the merchant information stored by Arnold (Fig. 16) would populate the search interface. §VI.B.10(ii) (stored information in Arnold is “*previously-supplied by other users*” during sign-up); EX1003, ¶¶735-736, 743-744.



EX1008, Fig. 16.

(ii) **8[b]/21[b]**

A POSA would have understood that a VO representative would “search” for a merchant to “indicate[] with which merchant the VO wishes to interact.” EX1003, ¶¶737-740, 745-746. Ahlberg describes a search interface or widget that queries a database.

To extent that Patent Owner argues that Ahlberg does not describe a “search engine,” the ’316 Patent explains that “search engines are currently well known in the art.” EX1001, 15:37-41, 8:42-44, EX1003, ¶741, 745-746. Thus, “search engines” are applicant admitted prior art (AAPA).

VII. SECONDARY CONSIDERATIONS

Petitioner is unaware of any secondary considerations evidence bearing any nexus to the claims. If DiStefano introduces alleged evidence of secondary considerations, “weak secondary considerations generally do not overcome a strong prima facie case of obviousness.” *Genentech, Inc. v. Sandoz Inc.*, 55 F.4th 1368, 1378 (Fed. Cir. 2022). EX1003, ¶¶747-49.

VIII. DISCRETIONARY DENIAL IS NOT WARRANTED

Director Stewart’s March 2025 memo sets out a separate “bifurcated” briefing process for discretionary denial issues. Petitioner is not required to “pre-but” discretionary denial issues in the Petition. April 17, 2025, USPTO Boardside Chat.

IX. MANDATORY NOTICES

A. Grounds for Standing (37 C.F.R. §42.104(a))

Petitioner certifies it is not barred or estopped from requesting *inter partes* review of the ’316 patent. Neither Petitioner, nor any privy, has filed a civil action challenging the validity of the ’316 patent. 35 U.S.C. §315(a). Petitioner therefore certifies this patent is available for *inter partes* review.

B. Real Parties-in-Interest (§42.8(b)(1)):

Petitioner TikTok Inc. and Bytedance Ltd, Bytedance Pte. Ltd., Bytedance Inc., TikTok Ltd., and Heliophilia Pte. Ltd. are the real party-in-interest.

C. Related Matters (§42.8(b)(2)):

Petitioner identifies the following related matters:

- *DiStefano Website Innovations, LLC v. Bytedance Ltd. et al.*, Case no. 2:24-cv-00874-RWS-RSP (E.D. Tex. Oct. 29, 2024)
- *DiStefano Website Innovations, LLC v. Bytedance Ltd. et al.*, Case no. 1:24-cv-00763-RP (W.D. Tex. Jul 08, 2024)
- *LinkedIn Corporation v. DiStefano Patent Trust III, LLC*, IPR2019-00419 (PTAB Dec. 14, 2018)
- *DiStefano Patent Trust III v. LinkedIn Corporation*, Case no. 19-1210 (CAFC Nov. 16, 2018).
- *DiStefano Patent Trust III, LLC v. LinkedIn Corporation*, Case no. 1-17-cv-01798 (DDE Dec. 14, 2017).
- *DiStefano Patent Trust III, LLC v. Foursquare Labs, Inc.* Case no. 1-17-cv-00255 (DDE Mar. 10, 2017).
- *DiStefano Patent Trust III, LLC v. Trip Advisor, Inc.* Case no. 1-17-cv-00256 (DDE Mar. 10, 2017).
- *DiStefano Patent Trust III, LLC v. Yelp! Inc.* Case no. 1-17-cv-00257 (DDE Mar. 10, 2017)

D. Counsel, Service, and Fee Information (§42.8(b)(3)):

Pursuant to 37 C.F.R. §42.8(b)(3) and 37 C.F.R. §42.10(a), Petitioner appoints:

<u>Lead Counsel</u>	Yar Chaikovsky (Reg. No. 39,625) White & Case LLP 3000 El Camino Real
---------------------	---

	2 Palo Alto Square Suite 900 Palo Alto, CA 94306 yar.chaikovsky@whitecase.com Telephone: (650) 213-0320
<u>Backup Counsel</u>	Bruce Yen <i>pro hac vice</i> motion to be submitted White & Case LLP 3000 El Camino Real 2 Palo Alto Square Suite 900 Palo Alto, CA 94306 bruce.yen@whitecase.com Telephone: (650) 213-0334 Ethan Plail <i>pro hac vice</i> motion to be submitted White & Case LLP 701 Thirteenth Street, NW Washington, DC 20005-3807 ethan.plail@whitecase.com Telephone: (202) 626-3586
<u>Service Information</u>	W&CDiStefano-TikTok@whitecase.com White & Case LLP 701 Thirteenth Street, NW Washington, DC 20005-3807

Pursuant to 37 C.F.R. §42.10(b), a power of attorney is being filed with this designation of counsel.

E. Fee for *Inter Partes* Review (§42.15(a))

The U.S. Patent & Trademark Office is authorized to charge the fee specific by 37 C.F.R. §42.15(a), and any other required fees, to Deposit Account No. 50-3672.

X. CONCLUSION

Claims 1-26 of the '316 Patent should be held unpatentable.

Dated: May 30, 2025

Respectfully Submitted,
/s/Yar Chaikovsky
Yar Chaikovsky
Reg. No. 39,625
White & Case LLP
3000 El Camino Real
2 Palo Alto Square Suite 900
Palo Alto, CA 94306
yar.chaikovsky@whitecase.com
Telephone: (650) 213-0320
Attorney for TikTok Inc.

CERTIFICATE OF COMPLIANCE

I hereby certify that this brief complies with the type-volume limitations of 37 C.F.R. §42.24, because it contains 13,574 words as calculated by Microsoft Word's word-count feature. This total excludes the cover page, signature block, and the parts of the Petition exempted by 37 C.F.R. §42.24(a)(1).

Dated: May 30, 2025

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/s/Yar Chaikovsky
Yar Chaikovsky
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White & Case LLP
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2 Palo Alto Square Suite 900
Palo Alto, CA 94306
yar.chaikovsky@whitecase.com
Telephone: (650) 213-0320
Attorney for TikTok Inc.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §42.6(e), I hereby certify that on this 30th day of May, 2025, I caused to be served a true and correct copy of the foregoing and any accompanying exhibits by Express Mail on the following counsel:

CUENOT, FORSYTHE & KIM
5425 Park Central Court
Suite 111
Naples, FL 34109

DISTEFANO WEBSITE INNOVATIONS,
112 East Oak Street
Suite L1
Palestine, TX 75801

Robert P. Hart
ADDYHART LLC
401 N Michigan Ave,
Suite 1200-1
Chicago, IL 60611

Dated: May 30, 2025

Respectfully Submitted,

/s/Yar R. Chaikovsky

Yar R. Chaikovsky

Reg. No. 39,625

White & Case LLP

3000 El Camino Real

2 Palo Alto Square Suite 900

Palo Alto, CA 94306-2109

yar.chaikovsky@whitecase.com

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