IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

GINKO LLC, *Plaintiff*, v. APPLE INC., *Defendant*.	Case No.: 1:24-cv-01279 JURY TRIAL DEMANDED

DEFENDANT'S PRELIMINARY INVALIDITY CONTENTIONS

EX2002
IPR2025-01388
Patent Owner Ginko

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Exhibits

Exhibits A-01 – A-10	Invalidity claim charts for U.S. Patent No. 11,025,573

I. INTRODUCTION

A. Preliminary Statement

Pursuant to the Court's Scheduling Order (Dkt. 39), Defendant Apple Inc. ("Defendant" or "Apple") provides the following Preliminary Invalidity Contentions ("Invalidity Contentions") for U.S. Patent No. 11,025,573 (the "'573 Patent" or the "Asserted Patent"). Apple contends that each of the Asserted Claims is invalid under at least 35 U.S.C. §§ 101, 102, 103, and/or 112.

B. Asserted Patent and Claims

Ginko, LLC ("Ginko" or "Plaintiff') asserts the following claims ("the Asserted Claims") of the Asserted Patent against the Defendant in its Preliminary Infringement Contentions ("Infringement Contentions") served July 25, 2025:

Asserted Patent	Asserted Claims
'573 Patent	Claims 10, 11, 14

For the purposes of these contentions, Apple only addresses those claims specifically asserted by Ginko. Apple's exclusion from these Invalidity Contentions of any patent claims that Ginko has not asserted in its Infringement Contentions is not an admission that those unasserted patent claims are valid. Apple reserves the right to amend or supplement this disclosure as necessary in light of any changes or amendments made, for any reason, to Ginko's infringement theories, Infringement Contentions, or asserted claims.

C. General Reservations

These Invalidity Contentions are based on Defendant's current knowledge of the Asserted Patent and prior art, along with Defendant's understanding of Plaintiff's infringement allegations set forth in its Infringement Contentions. Defendant's investigation of the prior art is ongoing, and Defendant expressly reserves the right to supplement these Invalidity Contentions as the case

proceeds. For example, Plaintiff (or its counsel) or third parties may be in possession of prior art that Defendant may rely on.

As another example, this case is still at an early stage. Discovery has not yet begun, the Court has not issued its claim construction order or even begun the claim construction process, and Plaintiff has so far provided little information and minimal documents in discovery. Defendant's investigations and discovery into third-party sources of prior art are also underway but not complete. Defendant may seek third-party discovery related to the prior art, including documents and testimony related to the prior art. Defendant may also commission studies of certain system prior art identified herein. Discovery from these third parties and studies may reveal information that impacts the disclosures and contentions herein. Defendant also has not yet deposed the inventors of the Asserted Patent or their prosecution counsel, and discovery remains ongoing for these patents. Defendant reserves all rights to amend, modify, or supplement these contentions based on information learned through further investigation or discovery following the date of these Invalidity Contentions, in view of the Court's construction of the Asserted Claims, in response to any findings as to the priority date of the Asserted Claims, in reaction to positions that Plaintiff or expert witness(es) may take concerning claim construction, infringement, and/or invalidity issues, and for any other proper reason.

The references disclosed herein and discussed in the claim charts attached hereto may disclose the limitations of the Asserted Claims explicitly, implicitly, or inherently, or they may be relied upon to show the state of the art as of the relevant time. The claim charts cite particular teachings and disclosures of the prior art as applied to features of the Asserted Claims. However, persons having ordinary skill in the art generally may view an item of prior art in the context of other publications, literature, products, and/or understanding. Accordingly, the cited portions are

only examples, and Defendant reserves its right to rely on uncited portions of the prior art references and on other publications and expert testimony as aids in understanding and interpreting the cited portions, as providing context, thereto, and as additional evidence that the prior art discloses a claim limitation. Defendant further reserves the right to rely on uncited portions of the prior art references, other publications, and testimony to establish bases for combinations of certain cited references that render the claims obvious. Defendant further notes that where a figure is cited in a claim chart, the claim chart should be understood to incorporate the detailed description that discusses that figure or any reference number or element that appears in that figure and any claims that claim any element disclosed in that figure. Defendant further notes that where specific passages of the specification are cited in a claim chart, the claim chart should be understood to incorporate any figure that is discussed in those specific passages of the specification and any claims that claim any element discussed in those specific passages of the specification.

Defendant's obviousness contentions and combinations are provided in the alternative to their anticipation contentions and are not to be construed to imply that any prior art reference included in the combinations is not by itself anticipatory. Defendant may present obviousness contentions and combinations in addition and as an alternative to an assertion of anticipation.

Prior art not included in this disclosure, whether known or not known to Defendant, may become relevant. Defendant is currently unaware of the extent, if any, to which Plaintiff will contend that limitations of the Asserted Claims are not disclosed in the prior art identified by Defendant. To the extent that such an issue arises, Defendant reserves the right to identify additional teachings in the same references or in other references that anticipate or would have made the addition of the allegedly missing limitation obvious.

Nothing in these Invalidity Contentions is intended, nor should be construed, as a waiver of any claim construction argument or non-infringement position. Defendant's statements herein (including the accompanying claim charts) reflect Defendant's present understanding of the purported potential scope of the claims that Plaintiff appears to be advocating by way of its Infringement Contentions. They are not to be seen as any acquiescence to Plaintiff's interpretation of any claims. Defendant disagrees that any such claim scope is proper. Defendant reserves the right to supplement these contentions to address any supplemental infringement contentions. For purposes of these Invalidity Contentions, Defendant identifies prior art references and provides element-by-element claim charts based on the apparent constructions of the Asserted Claims advanced by Plaintiff in its Infringement Contentions. Nothing herein shall be interpreted as an admission that: (1) the Asserted Claims are infringed by any of Defendant's products, (2) any particular feature or aspect of any of the accused products practices any limitation of the Asserted Claims, (3) there is 35 U.S.C. § 112 support for any limitation of the Asserted Claims, or (4) any of Plaintiff's proposed or implied constructions are supportable or proper.

D. Deficiencies with Plaintiff's Infringement Contentions

The Court's Scheduling Order contemplates that these Invalidity Contentions would be prepared and served in response to Plaintiff's Infringement Contentions. However, Plaintiff's Infringement Contentions are deficient in numerous respects and fail to identify specifically where each element of each Asserted Claim is found within each accused product. Among other things, the Infringement Contentions lack requisite specificity, do not adequately explain Plaintiff's infringement theories for numerous claim limitations, do not adequately disclose the alleged factual bases for Plaintiff's infringement allegations, do not specify whether each element of each Asserted Claim is present literally or under the doctrine of equivalents, and present only boilerplate contentions for infringement of many of the claims. As one example, Ginko does not explain what

it alleges is the "first permission setting" or "first value" in Claim 10 in the accused products. As another example, for the limitation "in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact, the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and setting the potential contact as a contact of the user" in Claim 10, Ginko merely repeats the claim language, citing to a single screenshot with a footnote to an Apple webpage. To the extent that Plaintiff contends that a claim limitation is found within and met by a particular element of an accused product, Defendant alleges that the existence of that same element in the prior art is also sufficient to meet that same claim limitation.

Defendant's reservation of rights due to the deficiencies with Plaintiff's Infringement Contentions includes the right to search for and identify new or additional prior art and to provide invalidity contentions related to any such art, as well as to amend or supplement their invalidity theories and claim charts in response to any further amendment or supplementation by Plaintiff of its Infringement Contentions.

II. CLAIM CONSTRUCTION

Claim construction proceedings have not yet begun in this case. To the extent that these Invalidity Contentions rely on or otherwise embody particular constructions of terms or phrases in the Asserted Claims, Defendant is not proposing any such constructions as proper constructions of those terms or phrases at this time. The Court established separate deadlines for the parties' proposed claim constructions, and Defendant will disclose its proposed constructions accordingly. For purposes of these Invalidity Contentions, Defendant may adopt alternative claim construction positions. Portions of these Invalidity Contentions, including the claim charts attached as Exhibits, may be based on the underlying claim constructions and/or interpretations as understood from Plaintiff's Infringement Contentions, e.g., Plaintiff's incorrect contention that the Asserted Claims

would encompass sharing of information via peer-to-peer connections between two devices. Nothing stated herein shall be construed as an admission or a waiver of any construction of any claim term or as an admission that Defendant agrees with Plaintiff's apparent interpretation of the claims. Further, nothing stated herein shall be construed as a waiver of Defendant's right to challenge the Court's claim constructions on appeal on any basis. Defendant's Invalidity Contentions have, at least in part, relied upon Plaintiff's apparent claim construction positions implied by Plaintiff's Infringement Contentions. These Invalidity Contentions are not, and shall not be used as, evidence of Defendant's claim construction positions or contentions. Furthermore, nothing in these Invalidity Contentions shall be treated as an admission that any accused product, or any other product or service, meets any limitation of the Asserted Claims. References to the preamble of a claim in these Invalidity Contentions are not an admission that the preamble is or is not, in fact, a limitation of a claim. Defendant is presently unaware of Plaintiff's claim construction positions, including what terms Plaintiff believes should be construed and any proposed constructions thereof. Therefore, Defendant reserves the right to supplement these Invalidity Contentions in response to any claim construction positions taken by Plaintiff.

Throughout the attached Exhibits, Defendant provides examples of where references disclose subject matter recited in preambles, without regard to whether the preambles are properly considered to be limitations of the Asserted Claims. Defendant reserves the right to argue, at the appropriate stage of this case, that the preambles are or are not limitations.

Moreover, Defendant reserves the right to argue that certain claim elements of the Asserted Claims do not in fact limit the scope of the Asserted Claims.

III. ASSERTED PATENT

A. Priority Date of the Asserted Patent

The face of the '573 Patent states that it was filed on December 7, 2018, and is a continuation-in-part of Application No. 15/217,424, filed on July 22, 2016, now Patent No. 10,171,985 and purports to claim priority to Provisional Application No. 62/195,534, filed on July 22, 2015, and Provisional Application No. 62/234,246, filed on September 29, 2015.

In its Infringement Contentions, Plaintiff contends that the Asserted Patent is entitled to the priority date of July 22, 2015, but absent a priority determination by the United States Patent Office, there is no presumption that the Asserted Patent is entitled to such earlier application priority dates, and Plaintiff bears the burden of establishing such priority. *PowerOasis, Inc. v. T-Mobile USA, Inc.,* 522 F.3d 1299, 1305–06 (Fed. Cir. 2008) ("PowerOasis has conceded that unless the asserted claims are accorded an earlier filing date than the 2000 CIP Application, the MobileStar Network is § 102(b) prior art. Once T-Mobile established by clear and convincing evidence that the MobileStar Network was § 102(b) prior art to the asserted claims…, the burden was on PowerOasis to come forward with evidence to the contrary. The district court therefore correctly placed the burden on PowerOasis to come forward with evidence to prove entitlement to claim priority to an earlier filing date."). Defendant contends that the priority dates of the Asserted Patent is no earlier than December 7, 2018 for the Asserted Patent. To date, Plaintiff has presented no evidence showing entitlement to the priority date of July 22, 2015 to which they claim priority. Absent such evidence, Defendant denies that the Asserted Patent is entitled to the priority date Plaintiff alleges, and Defendant reserves the right to rebut any evidence of an earlier priority presented by Plaintiff.

B. State of the Art

Defendant sets forth a summary of its current understanding of the state of the art for general subject matter of the Asserted Patent as follows and in the Sections regarding the Disclosures of the Asserted Patent below. Defendant expressly reserves the right to rely on each of the prior art references discussed below or in its Exhibits with respect to each of the Asserted Claims for purposes of demonstrating the State of the Art for the Asserted Patent. *See* Exhibit A. Defendant also reserves the right to rely on the discussions of the state of the art and prior art for the Asserted Patent and related patents and their file histories in explaining the state of the art and the references' correspondence with the claims of the Asserted Patent. Defendant further expressly reserves the right to supplement its summary of the state of the art, including for example, by information from any of the authors or named inventors on any of the prior art references, by personnel familiar with systems based on any of the prior art, or by technical experts retained on behalf of any party.

1. Applicants' Admitted Prior Art

Statements made by the Applicants during prosecution of the Asserted Patent and statements and representations made by Plaintiff accusing the Defendant of infringing the Asserted Patent by implementing prior art technology constitute "Applicants' Admitted Prior Art" or "AAPA."

Statements made by the Applicants in the specification and/or during prosecution of the Asserted Patent and any related patents/applications, such as in the "Background of the Invention" section that describe the related art known to the Applicants, are admissions that can be relied upon for both anticipation and obviousness determinations, regardless of whether the admitted prior art would otherwise qualify as prior art under the statutory categories set forth in 35 U.S.C. § 102. *See* MPEP §§ 2129 and 608.01(c).

Defendant reserves the right to rely on Applicants' Admitted Prior Art to demonstrate the invalidity of the Asserted Claims.

2. Apparatuses For Sharing Contact Information Between Devices in a Network Were Known

The prior art discloses apparatuses for sharing contact information between devices in a network. For example, U.S. Patent No. 8,380,796 ("Robertson") is directed to a social networking system which allows a user to locate other users and establish contact relationships with other users. Robertson, Abstract. Robertson allows the user "to specify permissions separately for each individual other user in whose personal database the [] user has chosen to be included." Robertson at 7:55-58, 7:59-63, 8:17-20, 9:10-15. The user can specify what type of information is shared with the identified user, including which portions of personal data will appear in the personal address book of the identified user. Robertson at 7:59-63, 8:17-20. Once the user selects or de-selects the boxes corresponding to different personal information and selects the submit button 600-16, the permissions are transmitted to the server and saved. Robertson at 9:10-15.

As another example, U.S. Patent Publication No. 2010/0280904, Ahuja, is generally directed to a computer system for "proximity based social marketing" which can search a selected proximity range and broadcast messages to a specific category of users utilizing short-range or long-range wireless communication technologies. Ahuja, Abstract. Ahuja's system allows users to create, modify, and set permissions for user profiles. Ahuja, ¶43, ¶¶73-79. The system includes a public, business, private social, and custom profile, which allows the user to choose what data fields are included. Ahuja, ¶¶75-79. The user can set any of their profiles to Active, which is the default profile to display to users in the vicinity. Ahuja, ¶78. For every profile, the user can define which data fields are private, and which are public; public data fields are displayed to users in the

vicinity, and private data fields are only displayed after the user has accepted a friend request and established communication with the other user. Ahuja, ¶79.

Ahuja discloses that its operations can be performed by in two separate computing environments, namely, a peer-to-peer computing environment and a traditional server-client computing environment depending on the type of communication technology used. Ahuja, ¶45 ("Short and Long range wireless communication technologies, or any other communication network 512 are used to first search for the target audience in parallel with the XPath server and then establish communication between devices (peer-to-peer) or between the devices and the system (Database server, XPath Server 524, Social Networking site server 527) spread over in small or large radius").

The idea of sharing contact information between user devices had long been implemented using various communications technologies. For example, devices from 3Com Corporation such as the Palm III™ Organizer were capable of "Beaming" contact information from one device to another using wireless infrared (IR) technology:

> It should come as a surprise to some of you that there was a better way of dealing with this problem, and it was solved 17 years ago, with the introduction of the Palm III PDA.
>
> 
>
> The Palm III was the first of a series of hand-held devices made by Palm and its OEM licensees (yes, it had several, Google was not the first to do this with Android) that could "Beam" all of your relevant contact information to another Palm-compatible device as long as it had the required IR-beaming and receiving hardware.
>
> All you had to do was hold down the hardware contacts button, point it at another Palm unit, and within 3 seconds, they had all your information. It was a simple technology, and it worked pretty much flawlessly.

> Of course, this primarily only worked on Palms, but back then, Palm had something along the line of 90 percent market share in the PDA market. Windows CE also had PDAs, and there were apps that allowed those devices to receive data and beam to Palms. I don't recall exactly if Psion/Symbian had a similar way of dealing with the cross-OS beaming problem but I'm pretty sure it did. I know even the Apple Newton could do it.[1]

In 1998, 3Com explained that the Beaming feature for the Palm III™ Organizer could be used to share many types of information, but specifically could be used to share contact information:

Beaming information

Your Palm III organizer is equipped with an IR (infrared) port that you can use to beam information to another Palm Computing connected organizer that's close by and also has an IR port. The IR port is located at the top of the organizer, behind the small dark shield.

You can beam the following information between Palm Computing connected organizers:

- The record currently displayed in Date Book, Address Book, To Do List, or Memo Pad
- All records of the category currently displayed in Address Book, To Do List, or Memo Pad
- A special Address Book record that you designate as your business card, containing information you want to exchange with business contacts



[1] https://www.zdnet.com/article/why-i-want-my-palm-business-card-beaming-back/ (ZDNet, Oct. 18, 2013)

Tip: For best results, Palm III organizers should be between 10 centimeters (approximately 4 inches) and 1 meter (approximately 39 inches) apart, and the path between the two devices must be clear of obstacles. Beaming distance to other Palm Computing connected organizers may be different.

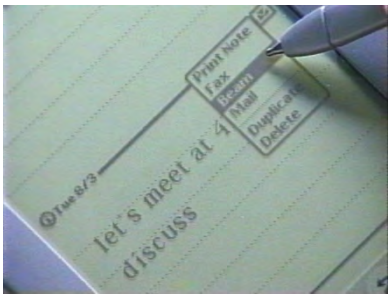
Tips on beaming information

- You can press the Address Book application button for about two seconds to beam your business card.

[2]

The Apple Newton similarly was capable of wirelessly sharing contact information with another Newton device:

It seems to happen all the time these days... You're expecting a really important message, but you can't guarantee you're going to be easy to reach. By just getting the Newton Messaging Card, you can get your message wherever you go.



You can share anything that's in your Newton with anyone else. Using Newton's built-in infrared networking capability, you can beam things to other people. It's pretty handy in meetings, to just be able to send someone something instantly – your business card, or the notes, or a calendar page. [...]

Your Newton can send electronic mail and faxes over fax-modem, print items on a printer, and beam information to another Newton. It can also receive email, software enhancements, and information beamed from another Newton. With a Newton Messaging Card, your Newton can even receive wireless messages, such as pages, and text or number messages.

To send a note, a name card or a calendar page, all you need to remember are the action button, and the Out Box. Go to the note, name card or calendar page that you want to send, tap the action button, and tap your choice. You can send it to a printer to make a paper copy, fax it, beam it to another Newton, or you can send it as email. Your Newton does not have to be physically connected to anything when you use the action button. The item simply gets stored in the Out Box until you're ready to send email or print, fax, or beam the item. When you're ready, go to the Out Box, and tap the item you want to send. [...]

[2] https://archive.org/details/basichandbookfor003com (Handbook for the Palm III™ Organizer, 3Com Corporation, 1998) at 133-34.

> As for beaming information, you don't need anything but two Newtons, because information is beamed through the infrared transmitter and receiver that is built into every Newton.[3]

After the smartphones replaced PDAs, applications such as Bump allowed for similar contact sharing functionality.

> Bump, from a small three-man development shop, uses the iPhone or iPod Touch's accelerometer, Internet connection, and location data to promote social connection, so it's a perfect example for the platform.
>
> Here's the idea behind Bump: you launch it, "bump" your device together with another, and they offer to trade contact information. That's what it appears to do, but not what it's actually doing.
>
> When you launch Bump, the app takes a few seconds to connect to the Internet. You choose the contact to send on Bump's settings screen, along with the fields you want to send: phone, email, address, photo, or the entire contact card.



> Then, bump the phone. Or wave it – it's really just detecting the accelerometer. The app alerts Bump's Internet server, which checks to see if another phone is being bumped or waved in the same location at the same time. If it finds a match, it pops up a permission screen on both phones telling you who you just bumped with and asking if you want to trade information. Say yes, and the two phones upload their contacts to Bump's servers in an encrypted format, downloading the other contact in exchange. The whole process takes between five and ten seconds.[4]

The Bump app for iPhone was launched in 2010. One of the founders described the functionality of Bump in an interview, noting that it could share contact info between two devices using data from the devices:

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[3] https://guidebookgallery.org/videos/welcometonewton (Video and transcript © 1994 Apple Computer, Inc.)

[4] https://www.pcmag.com/archive/review-bump-the-one-billionth-iphone-app-239620 (PC Magazine, April 24, 2009)

> One of the best new products I saw at SxSW 2010 is called Bump. The concept seems simple: bump your phone with someone else's phone to exchange contact information.
>
> The possibilities are endless; imagine connecting on Facebook, Twitter, Foursquare, Flickr, Delicious, and LinkedIn with just one bump! […]
>
> **Technically speaking, how exactly does Bump work?**
>
> When two phones bump, software on the phone sends up a variety of sensor data to an algorithm running on the Bump servers -- data like the location of the phone, the accelerometer readings, the IP address, etc. The algorithm looks at all the bumps coming in from around the world and figures out exactly which two phones felt the same physical bump in the real world.
>
> From there, Bump can simply route whatever information is to be sent from one phone to the other, or initiate any other type of interaction between the two phones.
>
> We built Bump to work on any mobile phone, currently we are iPhone and Android only, but we plan to expand to other platforms.[5]

IV. INVALIDITY UNDER 35 U.S.C. §§ 102 and 103

Defendant contends that each Asserted Claim is invalid at least under 35 U.S.C. § 102, including 102(a), 102(b), 102(e), 102(f), and 102(g), and/or under 35 U.S.C. § 103. Pursuant to the Scheduling Order, Defendant's contentions as to how each identified prior art reference either anticipates or renders obvious the Asserted Claims are described in detail in the following section and in the Exhibits.

Subject to Defendant's Introduction, Preliminary Statement, and other reservations listed herein, Defendant identifies the prior art patents, publications, and systems in the tables below and in the Exhibits, which anticipate and/or render obvious the Asserted Claims. Each prior art reference identified in the Exhibits expressly, implicitly, or inherently anticipates or renders

[5] https://www.zdnet.com/home-and-office/networking/eight-burning-questions-for-bump-co-founder-jake-mintz/ (ZDNet, March 26, 2010)

obvious one or more of the claims of the Asserted Patent, either alone or in combination with other prior art references (specifically, the references disclosed in the Exhibit, as explained in more detail below) or the knowledge of those of ordinary skill in the art at the time of the alleged invention. Additional anticipatory references and obviousness combinations are possible, and Defendant reserves the right to identify any such additional references or use any such additional combinations. In particular, Defendant is unaware of the extent, if any, to which Plaintiff will contend that the claim limitations are not met by the prior art identified by Defendant, or to which Plaintiff will contend that certain prior art references cannot or would not be combined. To the extent that an issue arises with any such limitation, elements, or combinations, Defendant reserves the right to identify other prior art references, disclosures, or combinations that would have made obvious the addition of the allegedly missing claim limitation.

Additionally, persons of ordinary skill in the art at the time of the alleged inventions generally read a prior art reference as a whole and in the context of other publications and literature. Numerous prior art references, including those identified herein and in the attached exhibits, reflect common knowledge and the state, scope, and content of the prior art before the priority date of the Asserted Claims of the Asserted Patent. Defendant may rely on uncited portions of the prior art references and on other publications and expert testimony to provide context and as aids to understanding and interpreting the portions that are cited. Defendant further notes that certain references, often only describe that which is new and do not describe those features and elements that are well-known to a person of ordinary skill in the art. For example, a literature reference may describe methods and devices for sharing contact information over a network without describing the elements that are needed to perform these methods. In such a case, Defendant intends to rely on one or more of the references set forth herein for the disclosure of such well-known elements,

and Defendant reserves the right to include expert testimony and other background references for such purposes.

Additionally, Defendant believes that certain non-parties and current or former employees thereof may have possession of relevant information and/or documents constituting prior art to the Asserted Patent. Defendant is continuing its investigation into these and other companies and its products. Defendant reserves the right to supplement these Invalidity Contentions to identify additional references, combinations, motivations to modify, or explanations for particular references based on any information and/or documents provided by the former employees and/or successors-in-interests of companies or individuals who may possess relevant information and/or documents constituting prior art to the Asserted Patent. The concepts disclosed and claimed in the Asserted Patent are not new, and had been disclosed, used, offered for sale, sold, and practiced by others prior to the claimed priority date of the patents. The prior art identified herein and in the Exhibits, individually or in combination, invalidates the Asserted Claims under 35 U.S.C. §§ 102 (a), (b), (e), (f), (g) and §103. Because fact discovery has not begun yet, Defendant expects it will gather additional information about the identified prior art, and other prior art, through third-party discovery or other discovery, and thus may amend and supplement these Invalidity Contentions, if necessary once they obtain that discovery and have meaningful and reasonable time to analyze it. As described in more detail below, claims of the Asserted Patent are also invalid under 35 U.S.C. §§ 101 and 112.

A. Identification of Prior Art

1. Prior Art Patents and Published Patent Applications

Defendant identifies the following prior art patents and published patent applications that anticipate and/or render obvious the Asserted Claims, and/or are background evidence of the state of the art.

Patent Number / Patent Publication	Country of Origin	Filing Date or Priority Date	Date of Issue/Publication
U.S. Patent No. 7,925,620 ("Yoon")	United States	August 6, 2007	April 12, 2011
U.S. Patent No. 8,380,796 ("Robertson")	United States	July 20, 2009	November 12, 2009
U.S. Patent No. 8,762,459 ("Roberts")	United States	September 16, 2008	March 18, 2010
U.S. Patent No. 8,875,219 ("Wilson")	United States	July 30, 2009	February 3, 2011
U.S. Patent No. 8,913,099 ("Wilson")	United States	May 2, 2012	November 7, 2013
U.S. Patent No. 9,064,339 ("Ziemann")	United States	April 12, 2012	January 3, 2013
U.S. Patent No. 9,066,237 ("Madala")	United States	November 5, 2013	May 7, 2015
U.S. Patent No. 9,526,121 ("Paczkowski")	United States	January 20, 2010	December 20, 2016
U.S. Patent No. 9,577,836 ("Leske")	United States	September 8, 2014	February 21, 2017
U.S. Patent No. 9,619,845 ("Chakraborty")	United States	December 17, 2012	June 19, 2014
U.S. Patent No. 9,978,070 ("Peterson")	United States	June 17, 2014	May 22, 2018
U.S. Patent No. 9,979,679 ("Virani")	United States	June 6, 2014	September 25, 2014
U.S. Patent No. 9,992,339 ("Truitt")	United States	August 7, 2017	December 14, 2017
U.S. Patent No. 10,146,777 ("Tseng")	United States	May 25, 2011	November 29, 2012
U.S. Patent No. 10,311,450 ("Bjelajac")	United States	July 31, 2014	June 4, 2019
U.S. Patent No. 10,334,397 ("Alharayeri")	United States	November 2, 2017	March 8, 2018
U.S. Patent No. 10,394,412 ("Torman")	United States	June 13, 2017	May 10, 2018
U.S. Patent No. 10,554,503 ("Casalaina")	United States	July 19, 2016	January 5, 2017
U.S. Patent No. 10,817,481 ("McCann")	United States	June 18, 2013	December 18, 2014
U.S. Patent No. 11,061,908 ("Kemp")	United States	November 8, 2018	March 14, 2019
U.S. Patent No. 11,341,166 ("Appleman")	United States	September 1, 2012	February 11, 2021

Patent Number / Patent Publication	Country of Origin	Filing Date or Priority Date	Date of Issue/Publication
U.S. Patent No. 11,461,809 ("Arroyo")	United States	August 1, 2014	February 4, 2016
U.S. Patent No. 12,066,986 ("Gradin")	United States	September 21, 2022	March 23, 2023
U.S. Pub. No. 2005/0281237 ("Heinonen")	United States	August 31, 2005	December 22, 2005
U.S. Pub. No. 2010/0280904 ("Ahuja")	United States	April 30, 2010	November 4, 2010
U.S. Pub. No. 2010/0330903 ("Chabrerie")	United States	November 30, 2006	December 30, 2010
U.S. Pub. No. 2011/011308 ("Ramnani")	United States	July 15, 2009	May 12, 2011
U.S. Pub. No. 2012/0015668 ("Mgrdechian")	United States	July 20, 2011	January 19, 2012
U.S. Pub. No. 2012/0329475 ("Ribaudo")	United States	March 30, 2012	December 27, 2012
U.S. Pub. No. 2013/0204937 ("Fernando")	United States	September 4, 2012	August 8, 2013
U.S. Pub. No. 2013/0276134 ("Meredith")	United States	April 13, 2012	October 17, 2013
U.S. Pub. No. 2013/0288691 ("Rothschild")	United States	March 14, 2013	October 31, 2013
U.S. Pub. No. 2014/0082074 ("Workman")	United States	August 15, 2013	March 20, 2014
U.S. Pub. No. 2014/0157138 ("Kuscher")	United States	November 30, 2012	June 5, 2014
U.S. Pub. No. 2014/0330900 ("Libin")	United States	October 23, 2012	November 6, 2014
U.S. Pub. No. 2015/0066582 ("Kimla")	United States	August 30, 2013	March 5, 2015
U.S. Pub. No. 2015/0081570 ("Gedela")	United States	September 12, 2014	March 19, 2015
U.S. Pub. No. 2015/0099550 ("Alharayeri II")	United States	December 15, 2014	April 9, 2015
U.S. Pub. No. 2016/0071152 ("Nicklin")	United States	November 16, 2015	March 10, 2016
U.S. Pub. No. 2017/0034176 ("Qi")	United States	October 13, 2016	February 2, 2017
U.S. Pub. No. 2017/0064759 ("Egendorf")	United States	December 2, 2015	June 12, 2017
U.S. Pub. No. 2017/0118165 ("Kumar")	United States	December 26, 2014	April 27, 2017

Patent Number / Patent Publication	Country of Origin	Filing Date or Priority Date	Date of Issue/Publication
U.S. Pub. No. 2017/0301042 ("Ryan")	United States	June 30, 2017	October 19, 2017
U.S. Pub. No. 2018/0110079 ("Raphael")	United States	December 19, 2017	April 19, 2018
U.S. Pub. No. 2018/0124549 ("Samuelsson")	United States	November 6, 2015	May 3, 2018
U.S. Pub. No. 2019/0327211 ("Wu")	United States	July 3, 2019	October 24, 2019
U.S. Pub. No. 2021/0173943 ("Coffing")	United States	February 18, 2021	June 10, 2021
EP 2618549 ("Hymel")	Europe	January 19, 2012	July 24, 2014

2. Prior Art Non-Patent Publications

Defendant identifies the following prior art non-patent publications that anticipate and/or render obvious the Asserted Claims, and/or are background evidence of the state of the art.

Title	Author/Publisher	Date of Publication
"Privacy-Preserving Applications on Smartphones"	Yan Huang, Peter Chapman, and David Evans, University of Virginia	6th USENIX Workshop on Hot Topics in Security (HotSec 2011), San Francisco, August 9, 2011.
"Benefits of Privacy-Enhancing Identity Management"	Simone Fischer-Hiibner and Hans Hedbom	Asia-Pacific Business Review Vol. IV, No.4, October - December 2008 pp. 3-13. ISSN: 0973-2470
"Privacy in Location aware Systems for Social Interaction"	Anton Gransaether, Thesis, Masters of Science in Computer Science, Norwegian University of Science and Technology	June 10, 2008[6]
"FindU: Privacy-Preserving Personal Profile Matching in Mobile Social Networks"	Ming Li, Ning Cao, Shucheng Yu, and Wenjing Lou, Dept. of ECE, Worcester Polytechnic Institute, Dept. of	IEEE INFOCOM 2011

[6] https://ntnuopen.ntnu.no/ntnu-xmlui/bitstream/handle/11250/250676/347634_FULLTEXT01.pdf?sequence=3&isAllowed=y

Title	Author/Publisher	Date of Publication
	CS, University of Arkansas at Little Rock	
"BlueFriend: Using Bluetooth Technology for Mobile Social Networking"	Patricia Tamarit, Carlos T. Calafate, Juan-Carlos Cano, Pietro Manzoni, Dept. of Computer Engineering Technical University of Valencia, Spain	Conference Paper, August 2009
"iZone: A Location-Based Mobile Social Networking System"	Rui Cheng, Zhuo Yang, Feng Xia, School of Software, Dalian University of Technology	3rd International Symposium on Parallel Architectures, Algorithms and Programming, 2010 IEEE

3. Prior Art Systems

Defendant identifies the following prior art systems that anticipate and/or render obvious the Asserted Claims. Such prior art systems are believed to have implemented methods of sharing contact information between devices on a network, and/or may also have had additional features relevant to the Asserted Claims.

System	Offer/Use Date	Manufacturer
about.me[7]	October 30, 2014	about.me
Bump[8]	May 2, 2011	Bump Technologies
Nokia Sensor[9]	2009	Nokia
Haystack[10]	2014	Haystack
SocialRadar[11]	2014	SocialRadar
BBM for Android[12]	2013	Blackberry

[7] https://web.archive.org/web/20150228183421mp_/http:/about.me/intro#expand; https://www.youtube.com/watch?v=FbKlOPO5MOg
[8] https://www.youtube.com/watch?app=desktop&v=mHVJYz7Z0Po; https://web.archive.org/web/20140103073702/http:/bu.mp/company/faq
[9] https://web.archive.org/web/20090430225612/http:/www.nokia-asia.com/A4416020
[10] https://www.youtube.com/watch?v=RLwx9prrPYk
[11] https://www.youtube.com/watch?v=FSgIBZKfyUw
[12] https://www.youtube.com/watch?v=3_VkiJsL9L4

System	Offer/Use Date	Manufacturer
Shake it![13]	2013	Line
NFriendConnector	2011	
LoKast	2010	NearVerse
Friendthem	2011	Friendthem
NearbyFriends	2014	Facebook
BlueFriend	2010	

Defendant reserves the right to rely on additional materials describing the identified systems and/or corroborating that they were known, used, or sold and/or the materials describing them were publicly available prior to the priority date of the Asserted Claims, including materials that may be produced in response to several third-party subpoenas and any systems described in the publications listed above. Defendant reserves the right to rely on analysis of these items or prior art systems containing these items. Defendant will serve subpoenas on companies believed to have information regarding these and related products and reserve the right to supplement these contentions based on the information so obtained if necessary.

B. Bases for Anticipation and/or Obviousness

Defendant contends that each Asserted Claim is invalid at least under 35 U.S.C. § 102, including subsections 102(a), 102(b), 102(e), 102(f), and 102(g), and/or under 35 U.S.C. § 103. Pursuant to the Scheduling Order, Defendant's contentions as to how each identified prior art reference either anticipates or renders obvious the Asserted Claims are attached as Exhibits. For each Asserted Patent, the Exhibits contain a separate chart for each anticipating and/or primary obviousness reference detailing where that reference teaches each limitation of the Asserted Claims. Defendant reserves the right to combine each anticipating and/or primary obviousness reference with (1) other anticipating and/or obviousness references, or (2) a combination thereof.

[13] https://www.youtube.com/watch?v=Hq9MPJL3OIw

Defendant also reserves the right to rely on other references disclosed or incorporated by reference in these Invalidity Contentions, in the Asserted Patent, any patents or applications related to the Asserted Patent, in the file history of the Asserted Patent or any related patents or applications, and in the attached Exhibits.

Defendant's claim charts may disclose multiple theories of invalidity in a single chart. Each chart directed to an anticipatory product/system may also describe that the product/system alone, in light of the knowledge and skill in the art, or in light of other one or more other prior art references, renders each Asserted Claim obvious.

Where Defendant cites to a particular figure in a prior art reference, the citation should be understood to encompass the caption and description of the figure as well as any text relating to the figure in addition to the figure itself. Conversely, where a cited portion of text refers to a figure, the citation should be understood to include the figure as well. Furthermore, while Defendant has generally identified at least one citation per limitation present in a reference or combination, every disclosure of the same or similar limitation in the same reference or combination is not necessarily identified. To focus the issues, Defendant cites particularly pertinent portions of identified references, even where a reference or combination may contain additional support for a particular claim element. Thus, Defendant may rely on uncited portions of the prior art references for additional support for a particular element. Defendant may rely upon other prior art identified in future supplements, corroborating references, documentation, source code, products, and testimony, including materials obtained through further investigation and third-party discovery of the prior art identified herein, that demonstrates the invalidating functionality identified in these Invalidity Contentions or that show the state of the art in the relevant time period (irrespective of whether such references themselves qualify as prior art to the Asserted Patent), and expert

testimony to provide context to or aid in understanding the cited portions of the identified prior art. Similarly, where there are multiple references relating to a single prior art product or system, Defendant may cite only to a single reference for a particular limitation, even though other references may also contain similar teachings. Thus, Defendant may rely on uncited references relating to a particular prior art document or system for additional support for a particular element. Any prior art disclosed as anticipating a limitation also renders that limitation obvious.

Additionally, persons of ordinary skill in the art at the time of the alleged inventions generally read a prior art reference as a whole and in the context of other publications and literature. Numerous prior art references, including those identified herein and in the attached Exhibits, reflect common knowledge and the state, scope, and content of the prior art before the priority date of the Asserted Claims of the Asserted Patent. Defendant may rely on uncited portions of the prior art references and on other publications and expert testimony to provide context and as aids to understanding and interpreting the portions that are cited.

To the extent that any claim limitation is not anticipated pursuant to 35 U.S.C. § 102, Defendant contends that any purported differences are such that the claimed subject matter as a whole would have been obvious to one skilled in the art at the time of the alleged inventions, in view of the state of the art and knowledge of those skilled in the art under 35 U.S.C. § 103. Each Asserted Claim would have been obvious in view of each reference cited in the attached Exhibits either alone or combined with the knowledge that was possessed by one of ordinary skill in the art. Additionally, each Asserted Claim would have been obvious to one of ordinary skill in the art in view of the combination of any one of the prior art references identified in the attached Exhibits with one or more of the other references identified or discussed in the same Exhibits.

In general, a claimed invention is invalid due to obviousness "if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art." 35 U.S.C. § 103; *Graham v. John Deere Co.*, 383 U.S. 1, 13-14 (1966). The ultimate determination of whether an invention is or is not obvious is a legal conclusion based on underlying factual inquiries including: "(1) the scope and content of the prior art; (2) the differences between the prior art and the claims; (3) the level of ordinary skill in the art at the time of invention; and (4) objective evidence of nonobviousness." *See, e.g.*, *Miles Labs., Inc. v. Shandon, Inc.*, 997 F.2d 870, 877 (Fed. Cir. 1993); *see Graham*, 383 U.S. at 17-18. The U.S. Supreme Court decision in *KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1739 (2007) reaffirmed Graham, but further held that a claimed invention can be obvious even if there is no explicit teaching, suggestion, or motivation for combining the prior art to produce that invention.

In particular, those of ordinary skill in the art at the time of the alleged inventions of the Asserted Patent would have been motivated to modify or combine the prior art references because, for example: (a) the references in general deal with the same or related subject matter; (b) one of ordinary skill in the art would have been motivated by the problem that the inventor was attempting to solve, or with other problems that would have been faced in reaching a solution, and would have looked to references that concerned similar issues or taught how to overcome the problems faced; (c) the combinations were obvious to try and would have operated in their known and expected way; (d) the combinations were within the technical skill and understanding of a person of ordinary skill in the art; (e) the combinations would have been motivated by the developments in technology; and (f) the combinations reflect various design choices that would have been known to one of ordinary skill in the art and within that person's technical capability to implement (i.e.,

technically feasible). The various motivations described above provide a basis for combining or modifying references, as detailed below, to render each of the Asserted Claims obvious. In addition, the Court can consider the inferences and creative steps a person of ordinary skill in the art would employ in making such combinations. *See KSR*, 127 S. Ct. at 1741 ("a court can take account of the inferences and creative steps that a person of ordinary skill in the art would employ").

If, and to the extent, Plaintiff challenges the correspondence of the references in the Exhibits with respect to particular limitations of the Asserted Claims of the Asserted Patent, Defendant reserves the right to supplement these Invalidity Contentions to identify additional combinations, motivations to modify, or explanations for particular references with additional particularity.

Moreover, Defendant reserves the right to rely on inventor admissions concerning the scope of the prior art relevant to the Asserted Patent found in, *inter alia*, the prosecution histories of the Asserted Patent or related patents and/or patent applications, any testimony or declarations of the named inventors concerning the Asserted Patent or related patents, and any papers or evidence submitted by Plaintiff in connection with this litigation, any other pending or future litigation brought by Plaintiff involving the Asserted Patent or related patents, or *inter partes review* proceedings involving the Asserted Patent or related patents. Defendant also may establish what was known to a person having ordinary skill in the art through treatises, published industry standards other publications, products, and/or testimony.

The accompanying claim charts set forth bases for anticipation and obviousness, including identifying where exemplary prior art references disclose, alone or in combination with other references, each element of each Asserted Claim on a limitation-by-limitation basis. Defendant's

claim charts are exemplary and are not intended to be exhaustive. Defendant notes that other combinations of the references cited herein may be relied upon for invalidity of any or all of the Asserted Claims. To the extent prior art evidence is cited for a particular claim feature, that evidence similarly applies to that same or similar feature that appears elsewhere in any other Asserted Claim, whether or not that evidence is repeated.

Each prior art reference identified in the Exhibits anticipates or renders obvious one or more of the claims of the Asserted Patent, either alone or in combination with other prior art references (specifically, the references disclosed in the Exhibits) or the knowledge of those of ordinary skill in the art at the time of the alleged invention, including at least the knowledge of reflected in the references identified in Part IV.A, above. Each of the prior art references included in the Exhibits can be combined with one or more other prior art reference in the Exhibits to render obvious one or more claims of the Asserted Patent, and the examples of combinations included in the attached charts are intended for emphasis only.

In addition to the foregoing prior art and grounds of anticipation and obviousness, all of the prior art cited and all grounds disclosed during the prosecution of the Asserted Patent, their family members, or foreign counterparts, either during initial prosecution or during subsequent post grant proceedings, and all arguments made by Patentee during such proceedings, are incorporated by reference herein. Any statements made by Plaintiff in any proceeding involving the Asserted Patent are fairly within the scope of Defendant's Invalidity Contentions and are incorporated by reference herein.

Defendant may rely on all past, present, co-pending, and future post-grant review proceedings involving the Asserted Patent (collectively, the "Post-Grant Proceedings"), and any statements made or to be made by Plaintiff in such proceedings. For the avoidance of doubt, and

without limitation, Defendant incorporates by reference all relevant statements made or to be made by Plaintiff (including analysis and explanations regarding obviousness, combinations, motivations to combine, etc.) in the Post-Grant Proceedings.

1. Disclosures for U.S. Patent No. 11,025,573

In the table below, Defendant identifies a non-exhaustive list of prior art references that, alone, or in combination, anticipate or render obvious the Asserted Claims of the '573 Patent.

References	Claims	Grounds	Exhibit
Robertson	10, 11, 14	§§ 102, 103	A-01
Ahuja	10, 11, 14	§§ 102, 103	A-02
Qi	10, 11, 14	§§ 102, 103	A-03
Bump	10, 11, 14	§§ 102, 103	A-04
Friendthem	10, 11, 14	§§ 102, 103	A-05
Nearby Friends	10, 11, 14	§§ 102, 103	A-06
LoKast	10, 11, 14	§§ 102, 103	A-07
NFriendConnector	10, 11, 14	§§ 102, 103	A-08
Blackberry Messenger	10, 11, 14	§§ 102, 103	A-09

Defendant reserves the right to rely on additional materials describing these activities and/or corroborating that they were conceived and/or reduced to practice and/or the materials describing them were publicly available prior to the priority date of the Asserted Claims, including materials that may be produced in response to several third-party subpoenas and any systems described in the publications listed above. Defendant reserves the right to rely on analysis of the above prior art systems. Defendant will serve subpoenas on companies believed to have information regarding these and related products and reserve the right to supplement these contentions based on the information so obtained if necessary. Additionally, Plaintiff may have materials regarding certain prior art systems in its possession from current or previous litigations.

C. Reasons to Combine and Obviousness of Claimed Invention

Under *KSR Int'l v. Teleflex Co.*, a motivation to combine prior art references is not necessarily required to show obviousness under 35 U.S.C. § 103. 550 U.S. 398 (2007).

Nonetheless, one of ordinary skill in the art at the time of the invention would have been motivated and had a reasonable expectation of success to make one or more combinations of the prior art references cited in the Exhibits because, for example, each would have been merely: (a) a combination of prior art elements according to known methods to yield predictable results; (b) a simple substitution of one known element for another to obtain predictable results; (c) a use of a known technique to improve similar devices in the same way; (d) application of a known technique to a known device ready for improvement to yield predictable results; (e) obvious to try; and/or (f) known work in one field of endeavor prompting variations of it for use in either the same field or a different one based on design incentives or other market forces since the variations are predictable to one of ordinary skill in the art.

The charts in the Exhibits apply the prior art to the Asserted Patent in detail and present specific anticipatory references or exemplary combinations of prior art references that render obvious every asserted claim. The charts also include some exemplary motivations one of ordinary skill would have had to combine certain exemplary references, or otherwise demonstrate that any differences between the scope of the claims and the prior art would have been obvious to a person having ordinary skill in the art. However, the same motivations apply equally to combinations of any or all references within each Exhibit.

For example, a person of ordinary skill in the art would have been motivated to combine any reference in the Exhibits with one or more of the other prior art references identified in the Exhibits, respectively, at least because the references share well-known and common objectives, subject matter, and approaches, including sharing information between devices on a network, and/or were developed during the same time period. Additionally, such combinations would have been within that person's skill at the time of invention and would amount to applying a known

technique to a known device ready for improvement to yield predictable results. The ability to share contact information between devices on a network claimed in the Asserted Patent was well known in the art and is reflected in the numerous references cited and analyzed in the Exhibits.

1. Exemplary combinations for U.S. Patent No. 11,025,573

The Asserted Patent relates to "a method for data sharing" between a user and a potential contact proximate to the user. '573 Patent, Abstract, 3:19-23. The method involves identifying a potential contact, receiving, from a user device of a user, a request for the user to become a contact of the potential contact, including a permission setting, and, in response to receiving an acceptance from the potential contact, setting the user and the potential contact as contacts of each other. '573 Patent at 1:33-52.

The user can create profiles and configure settings at the user device to control the method for data sharing. '573 Patent at 5:40-46. Within a profile, the user may designate some information as private, and some information as public. '573 Patent at 5:49-60, 6:35-41. A user profile, and information within a profile, that are designated as public are publicly viewable to other users. '573 Patent at 5:40-46. In addition to profile settings, the user can configure settings related to identifying potential contacts at the user device, in particular, the proximity range setting. '573 Patent at 6:17-21, 6:45-46.

The network server uses proximity range setting data, received from a user device, to identify potential contacts within a proximity range of the user device. '573 Patent at 6:17-21, 6:45-46. The detection of a potential contact is based at least on location data of the user device and the location of the device of the potential contact. '573 Patent at 8:21-33. The potential contacts are displayed on the user device, and the user selects a potential contact to send an exchange request to with a permission setting indicating the desired level of data sharing. '573 Patent at 6:51-57, 7:38-44. The user device then sends a request message containing the potential contact

selection and the permission setting to the server. '573 Patent at 7:44-49, 8:55-64. In response to receiving the request, the server delivers an invitation message to the device of the potential contact. '573 Patent at 7:44-49, 8:55-64.

The potential contact may accept the exchange request by selecting to share user data or entering into a chat conversation with the user. '573 Patent at 9:5-8. If the potential contact accepts the request, the device of the potential contact sends a response to the server, which then generates and delivers a response to the user device. '573 Patent at 8:67-9:02. The network server may designate the user and potential contact as contacts of each other, and may execute the appropriate data sharing by sending the designated information to the potential contact, and vice versa. '573 Patent at 9:17-31.

Similar to the Asserted Patent, the prior art references in the Exhibits relate, directly or indirectly, to sharing contact information between devices on a network. A person of ordinary skill in the art would have recognized that simply combining known technologies, *e.g.*, such as providing a subset of contact information to different people, would yield predictable results and would have been well within that person's skill at the claimed priority date of the Asserted Patent. A person of ordinary skill in the art would have also recognized that combining any of these references would simply be the substitution of one known element or technology or would apply a known technique to improve a known or similar device, in the same way and to yield a predictable result. Similarly, a person of ordinary skill in the art would have recognized that various aspects of the Asserted Claims were each also matters of mere design choice to persons of skill in the art.

Accordingly, it would have been within the skill of a person of ordinary skill in the art to modify each of the references in the Exhibits in view of the knowledge of a person of ordinary

skill in the art (including as reflected in the Exhibits) and/or in view of the other references in the Exhibits to obtain the alleged inventions claimed by the Asserted Patent, as shown in the following exemplary combinations. However, the specific combinations discussed below are merely exemplary, as the same considerations apply to making combinations of any of the identified prior art.

(i) Robertson

Robertson anticipates the asserted claims under at least 35 U.S.C. § 102. Robertson further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Apple's Invalidity Contentions. As reflected in Exhibit A-01 and throughout the Exhibits, it would have been within the skill of a person of ordinary skill in the art to modify the disclosures of Robertson to overcome any differences between Robertson and the claimed inventions of the Asserted Patent. As reflected in Exhibit A-01 and throughout the Exhibits, one of ordinary skill would also have had reason to combine Robertson with the other references identified in the Exhibits because each is directed to the same or similar field of endeavor and each teaches methods and/or systems to address the same or similar problem in the field, namely that of sharing contact information between two devices on a network.

For example, a person of ordinary skill in the art would have had reason to combine Robertson with each, any, or all of:

- Ahuja
- Qi
- Bump System
- Friendthem System
- Nearby Friends System
- LoKast System
- NFriendConnector System
- Blackberry Messenger System

in this case, as all were directed to methods of sharing contact information between two devices on a network; and a person of skill in the art, looking at how to improve such methods, would have looked to similar methods.

In all such instances a person of ordinary skill in the art would have the background knowledge reflected, for example, in the Exhibits.

Defendant expressly reserves the right to supplement or amend these combinations after receiving third-party discovery.

(ii) Ahuja

Ahuja anticipates the asserted claims under at least 35 U.S.C. § 102. Ahuja further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Apple's Invalidity Contentions. As reflected in Exhibit A-02 and throughout the Exhibits, it would have been within the skill of a person of ordinary skill in the art to modify the disclosures of Ahuja to overcome any differences between Ahuja and the claimed inventions of the Asserted Patent. As reflected in Exhibit A-02 and throughout the Exhibits, one of ordinary skill would also have had reason to combine Ahuja with the other references identified in the Exhibits because each is directed to the same or similar field of endeavor and each teaches methods and/or systems to address the same or similar problem in the field, namely that of sharing contact information between two devices on a network.

For example, a person of ordinary skill in the art would have had reason to combine Ahuja with each, any, or all of:

- Robertson
- Qi
- Bump System

- Friendthem System
- Nearby Friends System
- LoKast System
- NFriendConnector System
- Blackberry Messenger System

in this case, as all were directed to methods of sharing contact information between two devices on a network; and a person of skill in the art, looking at how to improve such methods, would have looked to similar methods.

In all such instances a person of ordinary skill in the art would have the background knowledge reflected, for example, in the Exhibits.

Defendant expressly reserves the right to supplement or amend these combinations after receiving third-party discovery.

(iii) Qi

Qi anticipates the asserted claims under at least 35 U.S.C. § 102. Qi further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Apple's Invalidity Contentions. As reflected in Exhibit A-03 and throughout the Exhibits, it would have been within the skill of a person of ordinary skill in the art to modify the disclosures of Qi to overcome any differences between Qi and the claimed inventions of the Asserted Patent. As reflected in Exhibit A-03 and throughout the Exhibits, one of ordinary skill would also have had reason to combine Qi with the other references identified in the Exhibits because each is directed to the same or similar field of endeavor and each teaches methods and/or systems to address the same or similar problem in the field, namely that of sharing contact information between two devices on a network.

For example, a person of ordinary skill in the art would have had reason to combine Qi with each, any, or all of:

- Robertson
- Ahuja
- Bump System
- Friendthem System
- Nearby Friends System
- LoKast System
- NFriendConnector System
- Blackberry Messenger System

in this case, as all were directed to methods of sharing contact information between two devices on a network; and a person of skill in the art, looking at how to improve such methods, would have looked to similar methods.

In all such instances a person of ordinary skill in the art would have the background knowledge reflected, for example, in the Exhibits.

Defendant expressly reserves the right to supplement or amend these combinations after receiving third-party discovery.

(iv) Bump System

The Bump System anticipates the asserted claims under at least 35 U.S.C. § 102. The Bump System further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Apple's Invalidity Contentions. As reflected in Exhibit A-04 and throughout the Exhibits, it would have been within the skill of a person of ordinary skill in the art to modify the disclosures of the Bump System to overcome any differences between the Bump System and the claimed inventions of the Asserted Patent. As reflected in Exhibit A-04 and throughout the Exhibits, one of ordinary skill would also have had reason to combine the Bump System with the other references identified in the Exhibits because each is directed to the same or similar field of endeavor and each teaches methods and/or systems to address the same or similar problem in the field, namely that of sharing contact information between two devices on a network.

For example, a person of ordinary skill in the art would have had reason to combine the Bump System with each, any, or all of:

- Robertson
- Ahuja
- Qi
- Friendthem System
- Nearby Friends System
- LoKast System
- NFriendConnector System
- Blackberry Messenger System

in this case, as all were directed to methods of sharing contact information between two devices on a network; and a person of skill in the art, looking at how to improve such methods, would have looked to similar methods.

In all such instances a person of ordinary skill in the art would have the background knowledge reflected, for example, in the Exhibits.

Defendant expressly reserves the right to supplement or amend these combinations after receiving third-party discovery.

(v) Friendthem System

The Friendthem System anticipates the asserted claims under at least 35 U.S.C. § 102. The Friendthem System further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Apple's Invalidity Contentions. As reflected in Exhibit A-05 and throughout the Exhibits, it would have been within the skill of a person of ordinary skill in the art to modify the disclosures of the Friendthem System to overcome any differences between the Friendthem System and the claimed inventions of the Asserted Patent. As reflected in Exhibit A-05 and throughout the Exhibits, one of ordinary skill would also have had reason to combine the Friendthem System with the other references identified in the Exhibits because each is directed to

the same or similar field of endeavor and each teaches methods and/or systems to address the same or similar problem in the field, namely that of sharing contact information between two devices on a network.

For example, a person of ordinary skill in the art would have had reason to combine the Friendthem System with each, any, or all of:

- Robertson
- Ahuja
- Qi
- Bump System
- Nearby Friends System
- LoKast System
- NFriendConnector System
- Blackberry Messenger System

in this case, as all were directed to methods of sharing contact information between two devices on a network; and a person of skill in the art, looking at how to improve such methods, would have looked to similar methods.

In all such instances a person of ordinary skill in the art would have the background knowledge reflected, for example, in the Exhibits.

(vi) Nearby Friends System

The Nearby Friends System anticipates the asserted claims under at least 35 U.S.C. § 102. The Nearby Friends System further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Apple's Invalidity Contentions. As reflected in Exhibit A-06 and throughout the Exhibits, it would have been within the skill of a person of ordinary skill in the art to modify the disclosures of the Nearby Friends System to overcome any differences between the Nearby Friends System and the claimed inventions of the Asserted Patent. As reflected in Exhibit A-06 and throughout the Exhibits, one of ordinary skill would also have had reason to combine the Nearby

Friends System with the other references identified in the Exhibits because each is directed to the same or similar field of endeavor and each teaches methods and/or systems to address the same or similar problem in the field, namely that of sharing contact information between two devices on a network.

For example, a person of ordinary skill in the art would have had reason to combine the Nearby Friends System with each, any, or all of:

- Robertson
- Ahuja
- Qi
- Bump System
- Friendthem System
- LoKast System
- NFriendConnector System
- Blackberry Messenger System

in this case, as all were directed to methods of sharing contact information between two devices on a network; and a person of skill in the art, looking at how to improve such methods, would have looked to similar methods.

In all such instances a person of ordinary skill in the art would have the background knowledge reflected, for example, in the Exhibits.

(vii) LoKast System

The LoKast System anticipates the asserted claims under at least 35 U.S.C. § 102. The LoKast System further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Apple's Invalidity Contentions. As reflected in Exhibit A-07 and throughout the Exhibits, it would have been within the skill of a person of ordinary skill in the art to modify the disclosures of the LoKast System to overcome any differences between the LoKast System and the claimed inventions of the Asserted Patent. As reflected in Exhibit A-07 and throughout the Exhibits, one

of ordinary skill would also have had reason to combine the LoKast System with the other references identified in the Exhibits because each is directed to the same or similar field of endeavor and each teaches methods and/or systems to address the same or similar problem in the field, namely that of sharing contact information between two devices on a network.

For example, a person of ordinary skill in the art would have had reason to combine the LoKast System with each, any, or all of:

- Robertson
- Ahuja
- Qi
- Bump System
- Friendthem System
- Nearby Friends System
- NFriendConnector System
- Blackberry Messenger System

in this case, as all were directed to methods of sharing contact information between two devices on a network; and a person of skill in the art, looking at how to improve such methods, would have looked to similar methods.

In all such instances a person of ordinary skill in the art would have the background knowledge reflected, for example, in the Exhibits.

(viii) NFriendConnector System

The NFriendConnector System anticipates the asserted claims under at least 35 U.S.C. § 102. The NFriendConnector System further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Apple's Invalidity Contentions. As reflected in Exhibit A-08 and throughout the Exhibits, it would have been within the skill of a person of ordinary skill in the art to modify the disclosures of the NFriendConnector System to overcome any differences between the NFriendConnector System and the claimed inventions of the Asserted Patent. As reflected in

Exhibit A-08 and throughout the Exhibits, one of ordinary skill would also have had reason to combine the NFriendConnector System with the other references identified in the Exhibits because each is directed to the same or similar field of endeavor and each teaches methods and/or systems to address the same or similar problem in the field, namely that of sharing contact information between two devices on a network.

For example, a person of ordinary skill in the art would have had reason to combine the NFriendConnector System with each, any, or all of:

- Robertson
- Ahuja
- Qi
- Bump System
- Friendthem System
- Nearby Friends System
- LoKast System
- Blackberry Messenger System

in this case, as all were directed to methods of sharing contact information between two devices on a network; and a person of skill in the art, looking at how to improve such methods, would have looked to similar methods.

In all such instances a person of ordinary skill in the art would have the background knowledge reflected, for example, in the Exhibits.

(ix) Blackberry Messenger System

The Blackberry Messenger System anticipates the asserted claims under at least 35 U.S.C. § 102. The Blackberry Messenger System further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Apple's Invalidity Contentions. As reflected in Exhibit A-09 and throughout the Exhibits, it would have been within the skill of a person of ordinary skill in the art to modify the disclosures of the Blackberry Messenger System to overcome any differences

between the Blackberry Messenger System and the claimed inventions of the Asserted Patent. As reflected in Exhibit A-09 and throughout the Exhibits, one of ordinary skill would also have had reason to combine the Blackberry Messenger System with the other references identified in the Exhibits because each is directed to the same or similar field of endeavor and each teaches methods and/or systems to address the same or similar problem in the field, namely that of sharing contact information between two devices on a network.

For example, a person of ordinary skill in the art would have had reason to combine the Blackberry Messenger System with each, any, or all of:

- Robertson
- Ahuja
- Qi
- Bump System
- Friendthem System
- Nearby Friends System
- LoKast System
- NFriendConnector System

in this case, as all were directed to methods of sharing contact information between two devices on a network; and a person of skill in the art, looking at how to improve such methods, would have looked to similar methods.

In all such instances a person of ordinary skill in the art would have the background knowledge reflected, for example, in the Exhibits.

Defendant expressly reserves the right to supplement or amend these combinations after receiving third-party discovery.

V. INVALIDITY UNDER 35 U.S.C. § 112

Various claims of the Asserted Patent are also invalid for indefiniteness, lack of enablement, and/or lack of written description under 35 U.S.C. § 112. Under § 112, a patent must provide sufficient description of the claimed invention to permit or enable a person of ordinary

skill in the art to make and use the claimed invention. The enablement requirement is satisfied only if one skilled in the art can practice the invention based on the teachings of the patent without undue experimentation. *See AK Steel Corp. v. Sollac & Ugine*, 344 F.3d 1234, 1244 (Fed. Cir. 2003). A patent must also sufficiently disclose the invention to reasonably convey to those skilled in the art that the inventor had possession of the claimed subject matter as of the filing date. *See Ariad Pharms., Inc. v. Eli Lilly & Co.*, 598 F.3d 1336, 1351 (Fed. Cir. 2010) (en banc).

Further, the Supreme Court has determined that 35 U.S.C. § 112 "require[s] that a patent's claims, viewed in light of the specification and prosecution history, inform those skilled in the art about the scope of the invention with reasonable certainty." *Nautilus, Inc., v. Biosig Instruments, Inc.*, 134 S. Ct 2120, 2129 (2014). Claims are also invalid as indefinite where they are means-plus-function claims and the specification fails to disclose any corresponding structure for performing the recited functions. *See, e.g.*, *Williamson v. Citrix Online, LLC*, 792 F.3d 1339, 1350-51 (Fed. Cir. 2015); *Blackboard, Inc. v. Desire2Learn, Inc.*, 574 F.3d 1371, 1383-85 (Fed. Cir. 2009).

A. Lack of Enablement and Written Description

Based on the information currently available, the Asserted Claims of the Asserted Patent are invalid for lack of enablement and/or written description under § 112, ¶ 1 due to at least the following terms and phrases:

- "a processor; and a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising: identifying …, receiving…, sending …, setting…" – '573 Patent, Claim 1

Furthermore, even to the extent individual claim limitations are sufficiently described, the claims are invalid for lack of written description because the particular combinations of claim limitations found in the Asserted Claims are not sufficiently described to "clearly allow persons of

ordinary skill in the art to recognize that the inventor invented what is claimed." *Ariad Pharm., Inc. v. Eli Lilly & Co.*, 598 F.3d 1336, 1351 (Fed. Cir. 2010) (en banc).

Each of the terms and phrases listed above fail to inform a person of ordinary skill in the art how to make and use the invention without undue experimentation. In particular, for each of the terms and phrases above, the specification fails to include any specific working example of how to achieve the claimed invention, and instead merely lists a desired outcome. Furthermore, each of the terms and phrases listed above are not fully described in the specifications thereof, such that the purported inventors failed to have possession of the claimed invention. The above terms and phrases are exemplary and any similar terms or phrases appearing elsewhere in the Asserted Claims of the Asserted Patent lack enablement and/or written description for the same reasons.

B. Failure to Particularly Point Out and Distinctly Claim the Subject Matter which the Inventor Regards as the Invention

Based on the information currently available, the Asserted Claims of the Asserted Patent fail to inform those skilled in the art about the scope of the invention with reasonable certainty under § 112, ¶ 2 due to, at least, the following terms and phrases:

- "the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user" – '573 Patent, Claim 10
- "setting the user as a contact of the potential contact, the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and setting the potential contact as a contact of the user" – '573 Patent, Claim 10

Each of the terms and phrases listed above renders the claims invalid as being indefinite because their meanings are unclear, such that when read in light of the specification and prosecution history, the claim term fails to inform those skilled in the art about the scope of the invention with reasonable certainty. In addition, many of the claim terms and phrases are part of

system claims that include method steps, and as held in *IPXL Holdings v. Amazon.com*, 430 F.3d 1377 (Fed. Cir. 2005), indefiniteness results for claims that claim activities of a user of an apparatus in an apparatus claim. *See also MasterMine Software, Inc. v. Microsoft Corp.*, 874 F.3d 1307 (Fed. Cir. 2017). The above terms and phrases are exemplary and any similar terms or phrases appearing elsewhere in the Asserted Claims of the Asserted Patent are indefinite for the same reasons.

VI. INVALIDITY UNDER 35 U.S.C. § 101

Various claims of the Asserted Patent are also invalid for lack of subject matter eligibility under 35 U.S.C. § 101. Whether an invention is eligible for patent protection under 35 U.S.C. § 101 is a "threshold test." *See Bilski v. Kappos*, 130 S. Ct. 3218, 3225 (2010). Under this "threshold test," the court "must first determine whether the claims at issue are directed to a patent-ineligible concept," such as an abstract idea, a law of nature, or a natural phenomenon. *Alice Corp. Pty. Ltd. v. CLS Bank Int'l*, 134 S. Ct. 2347, 2355 (2014). If so, the court must then "consider the elements of each claim both individually and "as an ordered combination" to determine whether the additional elements "transform the nature of the claim" into a patent-eligible application." *See id*. (quoting *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 132 S. Ct. 1289 (20120)).

In *Alice*, the Supreme Court set forth a two-part test to analyze patent eligibility: (1) determine whether the claims are directed to an abstract idea or other patent-ineligible concept, and (2) if so, determine whether the claim has an "inventive concept" sufficient to transform the claim to a patent-eligible concept. *Id*. at 2355. But "well-understood, routine, conventional activity" or technology, including general purpose computers and computer networks, do not provide an "inventive concept." *Id*. at 2357-59. "Thus, if a patent's recitation of a computer amounts to a mere instruction to implement an abstract idea on a computer, that addition cannot

impart patent eligibility." *Id*. at 2358; *see also Bancorp Servs., LLC v. Sun Life Assur. Co. of Canada (U.S.)*, 687 F.3d 1266 (Fed. Cir. 2012).

Specifically, the following Asserted Claims are directed to unpatentable subject matter:

- The asserted claims of the '573 Patent pertain to unpatentable subject matter as set forth in Exhibit A-10.

VII. ACCOMPANYING DOCUMENT PRODUCTION

Pursuant to the Scheduling Order and based on the Complaint and Defendant's investigation and understanding of Plaintiff's Infringement Contentions, Defendant is producing technical documentation sufficient to show the operation of any aspects or elements of the accused products identified in Plaintiff's Infringement Contentions. Defendant reserves the right to supplement these disclosures with additional documentation.

Defendant is also producing concurrently with these Invalidity Contentions, a single set of all prior art references identified in these Invalidity Contentions. These prior art references are cited herein and support the contentions presented. Accordingly, Defendant reserves the right to supplement its production as additional prior art references, documentation, and/or corroborating evidence concerning prior art documents, apparatuses, and methods are obtained during the course of discovery.

Dated: September 26, 2025

Respectfully Submitted,

/s/ Steve Wingard (with permission)
Steve Wingard

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Attorneys for Defendant Apple Inc.

CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2025 the foregoing document was served via e-mail upon all counsel of record in this case.

By: */s/Melissa Hotze*
Melissa Hotze

DEFENDANT APPLE INC'S INVALIDITY CONTENTIONS
Exhibit 1 – Invalidity Claim Chart for U.S. Patent No. 11,025,573

U.S. Patent No. 8,380,796 ("Robertson") was filed on July 20, 2009 and is prior art to the '573 Patent under at least 35 U.S.C. §§ 102(a)(1)-(2) (AIA). Based on Ginko, LLC ("Plaintiff's") infringement contentions, for at least the same reasons that Plaintiff alleges the accused products practice the claimed invention, the asserted claims of the '573 Patent are at least rendered obvious by Roberston.

Robertson anticipates the asserted claims under at least 35 U.S.C. § 102. Robertson further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Defendant's Invalidity Contentions. One of ordinary skill would have been motivated to combine these references because each is directed to the same or similar field of endeavor and each teaches methods and devices for sharing data between devices on a network.

The following claim chart demonstrates how Robertson discloses each element of the asserted claim elements. To the extent any limitation is not explicitly disclosed, each limitation is at least inherently disclosed or would have been obvious in view of Robertson in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions.

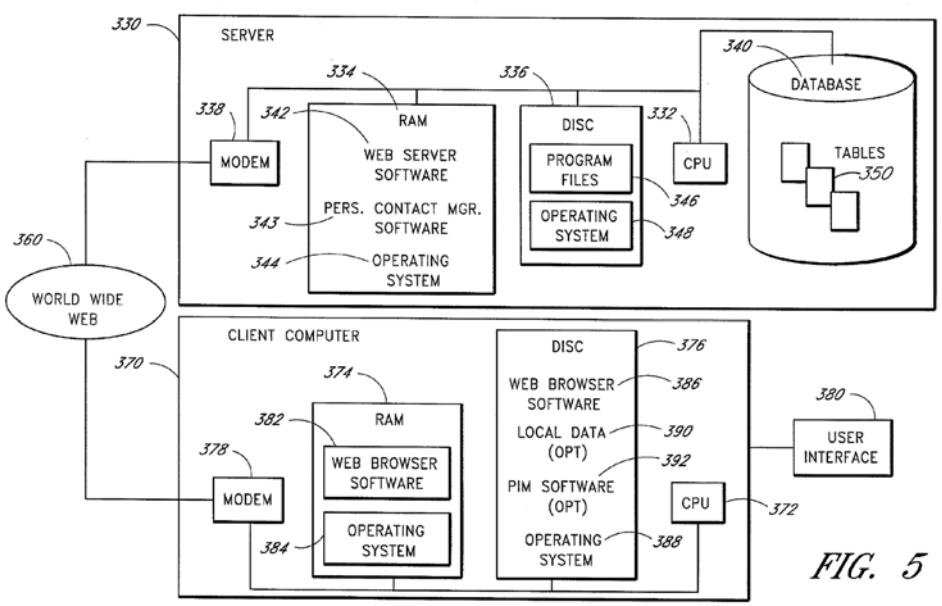
To the extent the preambles of the Asserted Claims are limiting, Defendant has identified disclosures of the prior art in the chart below relevant to the preambles. Defendant's citation to disclosures relevant to the preambles should not be interpreted as a concession that any preamble is limiting.

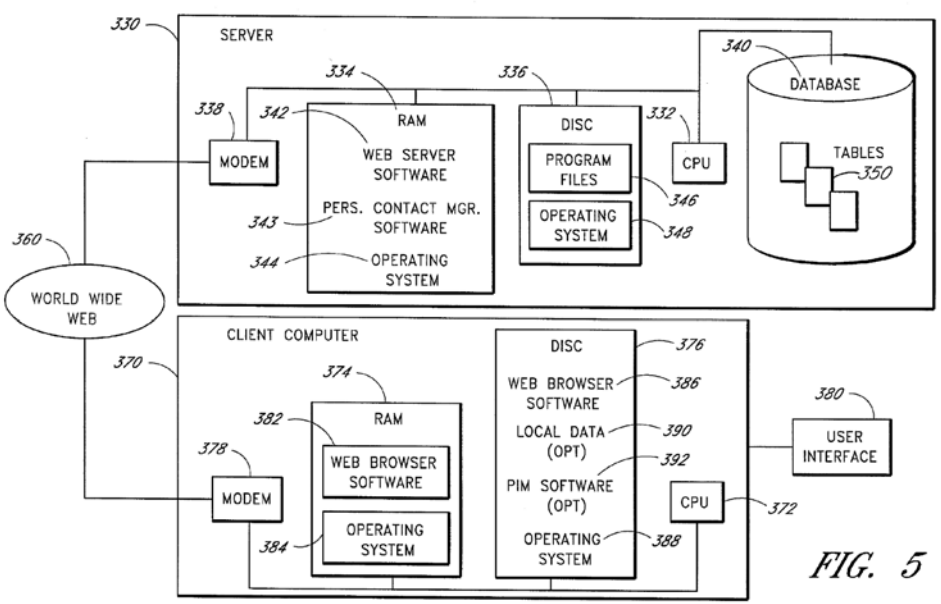
With respect to the obviousness of the asserted claims under 35 U.S.C. § 103, one or more of the principles enumerated by the United States Supreme Court in *KSR v. Teleflex*, 550 U.S. 398 (2007) apply, including: (a) combining various claimed elements known in the prior art according to known methods to yield a predictable result; and/or (b) making a simple substitution of one or more known elements for another to obtain a predictable result; and/or (c) using a known technique to improve a similar device or method in the same way; and/or (d) applying a known technique to a known device or method ready for improvement to yield a predictable result; and/or (e) choosing from a finite number of identified, predictable solutions with a reasonable expectation of success or, in other words, the solution was one which was "obvious to try"; and/or (f) a known work in one field of endeavor prompting variations of it for use either in the same field or a different field based on given design incentives or other market forces in which the variations were predictable to one of ordinary skill in the art; and/or (g) a teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill in the art to modify the prior art reference or to combine the teachings of various prior art references to arrive at the claimed invention. Each feature of each of the Asserted Claims was within the scope and content of the prior art, was no different from the disclosures of the prior art, and was within the level of ordinary skill in the art. It therefore would have been obvious to one of ordinary skill in the art to combine the disclosures of these references in accordance with the principles and rationales set forth above.

In compiling these contentions, Defendant has relied in part on Plaintiff's infringement contentions. In those contentions, Plaintiff appears to assign constructions to indefinite claim language, to pursue overly broad claim constructions in an effort to assert infringement where none exists, and to accuse products that do not infringe the claims.

Defendant's assertion that a particular limitation is disclosed by a prior art reference and/or is disclosed in a particular manner may be based in part on Plaintiff's apparent claim interpretations. In relying on Plaintiff's apparent claim interpretations, Defendant does not admit that Plaintiff's apparent claim interpretations are supportable or proper or that the claim limitations in question are definite or otherwise amenable to construction.

Defendant has endeavored to provide as much detail as possible in these contentions and, in doing so, has exceeded the level of detail required. The inclusion of specific details in some areas is not a concession that such details are required or that the omission of similar details in other areas is a defect. The citations to portions of any reference in this chart are exemplary only. Defendant will rely on the entirety of the references cited in its charts to show that the asserted claims are invalid.

Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
10[pre]	A system for data sharing between devices in a network, comprising:	To the extent the preamble is limiting, Robertson discloses a system for data sharing between devices in a network, as illustrated, for example, in Figure 5.  *FIG. 5* Robertson, Fig. 5. The specification describes that "[a]s represented in FIG. 5, the preferred embodiment follows a standard Internet architecture, in which client computers 370 and a server computer 330 are connected via the World Wide Web 360 and modems 338, 378 or other communications channels." *Id.* at 3:62-65. Roberston discloses that "[t]he present invention relates generally to multi-user computer systems, such as contact management systems, that provide services for users to locate and share personal information with other users." Robertson at 1:19-22. Robertson further discloses "[a] networked computer system provides various services for assisting users in locating, and establishing contact relationships with, other users." *Id*. at 2:56-58.

Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
		To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[a]	a processor; and	Robertson discloses a CPU (CPU 332) as illustrated in Figure 5 below.  FIG. 5

Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
		Robertson, Fig. 5. The specification discloses that "[i]n the conventional manner, both the server 330 and the clients 370 include respective storage devices, such as hard disks 336 and 376 and operate under the control of operating systems 344, 384 executed in RAM 334, 374 by the CPUs 332, 372." *Id.* at 4:16-19 To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[b]	a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising:	Robertson discloses a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations, for example, the RAM and hard discs in Figure 5.

Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")

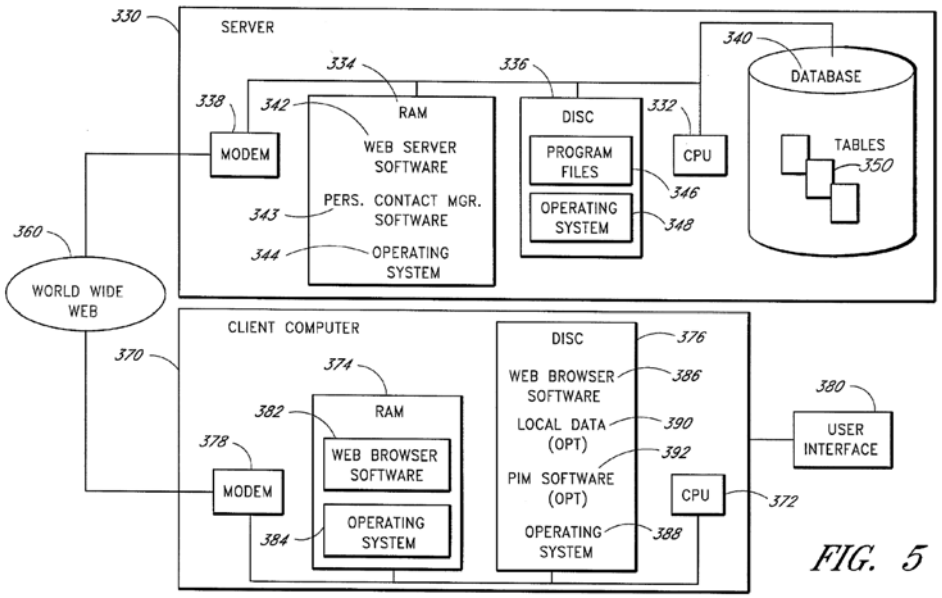
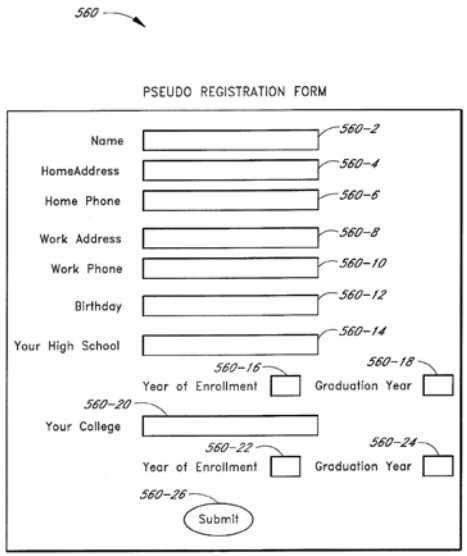


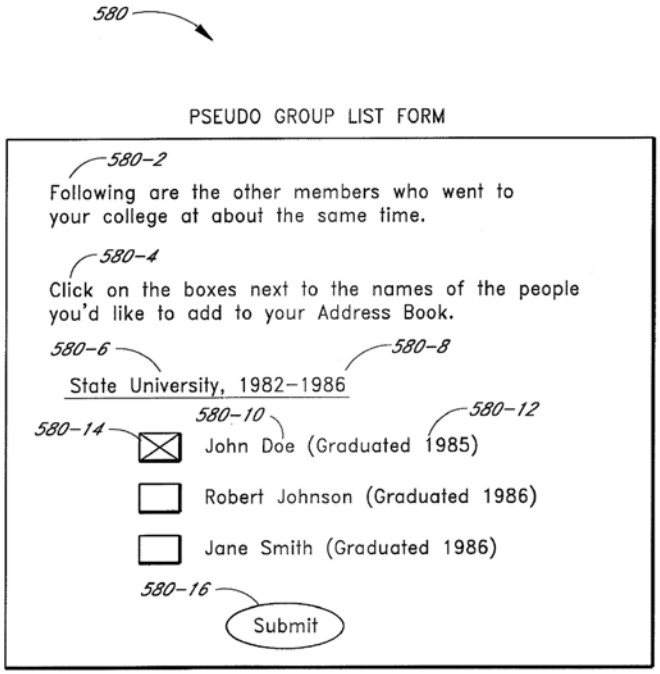
FIG. 5

Robertson, Fig. 5. The specification discloses that "[i]n the conventional manner, both the server 330 and the clients 370 include respective storage devices, such as hard disks 336 and 376 and operate under the control of operating systems 344, 384 executed in RAM 334, 374 by the CPUs 332, 372. The server storage device 336 stores program files 346 and the operating system 348." *Id.* at 4:16-20.

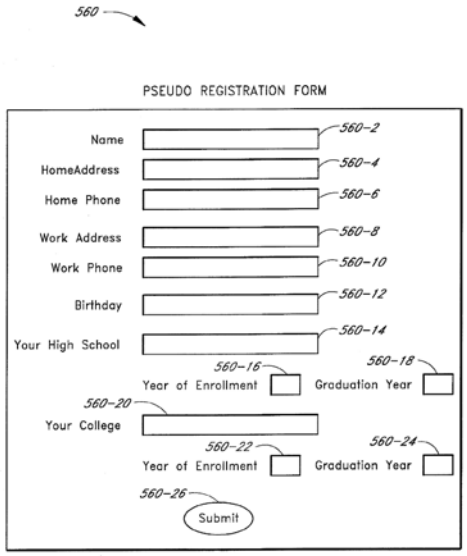
To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at

Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
		the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[c]	identifying, for a user associated with a user device, a potential contact,	Robertson discloses for a user associated with a user device a potential contact. For example, Robertson discloses "[a] networked computer system provides various services for assisting users in locating, and establishing contact relationships with, other users." Robertson at 2:56-58. Figure 7, below, "represents a pseudo graphical user interface in which a user enters information in specific data fields to create a personal data record." *Id.* at 3:23-25.  *FIG. 7* Robertson, Fig. 7. The specification discloses that "a pseudo GUI 560 is shown that allows members to enter information about themselves in order to create a personal data record. Users can enter

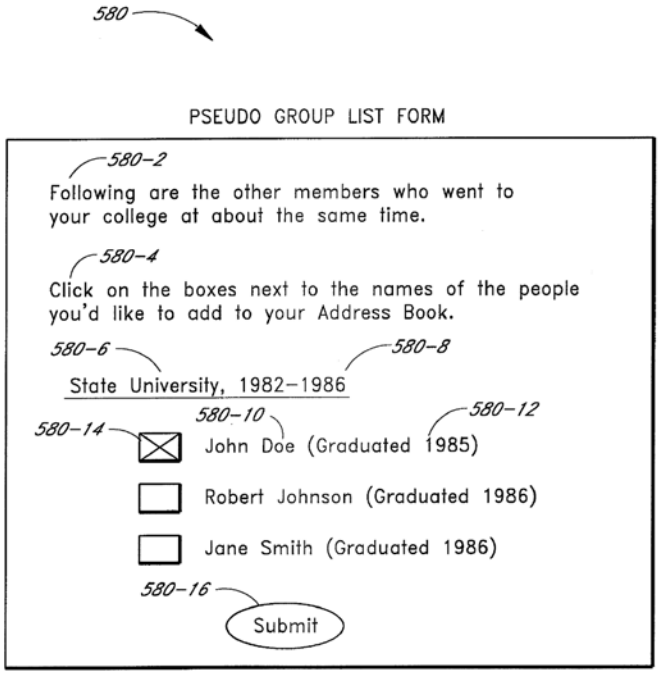
Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
		information in this GUI in various data fields. In the preferred embodiment, these fields include: Name 560-2, Home Address 560-4, Home Phone 560-6, Work Address 560-8, Work Phone 560-10, Birthday 560-12, High School 560-14, Year of High School Enrollment 560-16, High School Graduation Year 560-18, College 560-20, Year of College Enrollment 560-22, and College Graduation Year 560-24." Robertson at 6:25-34. The specification further discloses that "[o]nce the user of the client computer 370 (FIG. 5) enters information in each data field in the GUI 560 shown in FIG. 7, he clicks the Submit button 560-26 (or performs some equivalent action) and the information entered is transferred via the computer communications network 360 (FIG. 5) to the server computer 330, where the server personal contact manager software 343 stores the information in the appropriate tables 350 of a database 340." Robertson at 6:53-60. Figure 8 then discloses a "pseudo GUI … that allows that allows a first user to select other users they wish to add to their personal address book. The list of contacts is created based on the group affiliation information the first user enters in the data fields College 560-20, Year of College Enrollment 560-22, and College Year of Graduation 560-24 in the Pseudo Registration GUI 560 shown in FIG. 7." Robertson at 6:61-67.

Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
		 *FIG. 8* Roberston, Fig. 8. With respect to Figure 8, the specification discloses that "a text description 580-2 at the top of the GUI explains to the first user that other members have been found who had the same affiliation as the first user during the same period of time as the first user." Roberston at 7:3-7. "If a second user whose personal information is stored in the tables 350 of the database 340 on the server computer 330 has specified the same group affiliation as that specified by the first user in the College 560-20 data field, and that second user has specified a date range for that affiliation that intersects with the date range specified by the first user in the Year of College Enrollment 560-22 and College Graduation Year 560-24 data fields, the Name 580-10 of the second user and the ending date 580-12 of the second user's affiliation with that group are displayed." *Id*. at 7:11-20.

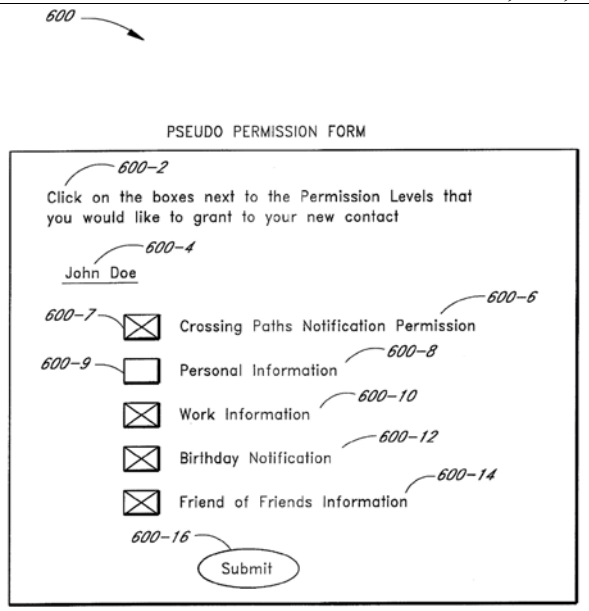
Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
		To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[d]	the user being associated with user data, and	*See* limitation 10(c). Robertson discloses the user being associated with user data. For example, as discussed above, in Figure 7, "a pseudo GUI 560 is shown that allows members to enter information about themselves in order to create a personal data record. Users can enter information in this GUI in various data fields." Robertson at 6:25-28.

Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
		 *FIG. 7* Robertson, Fig. 7. The specification further discloses that "[o]nce the user of the client computer 370 (FIG. 5) enters information in each data field in the GUI 560 shown in FIG. 7, he clicks the Submit button 560-26 (or performs some equivalent action) and the information entered is transferred via the computer communications network 360 (FIG. 5) to the server computer 330, where the server personal contact manager software 343 stores the information in the appropriate tables 350 of a database 340." Robertson at 6:53-60. To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share

Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
		common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[e]	the potential contact being associated with contact data;	Robertson discloses the potential contact being associated with contact data. For example, in Figure 7, "a pseudo GUI 560 is shown that allows members to enter information about themselves in order to create a personal data record. Users can enter information in this GUI in various data fields." Robertson at 6:25-28. The specification further discloses that "[o]nce the user of the client computer 370 (FIG. 5) enters information in each data field in the GUI 560 shown in FIG. 7, he clicks the Submit button 560-26 (or performs some equivalent action) and the information entered is transferred via the computer communications network 360 (FIG. 5) to the server computer 330, where the server personal contact manager software 343 stores the information in the appropriate tables 350 of a database 340." Robertson at 6:53-60; see also id. at 7:11-14 ("[i]f a second user whose personal information is stored in the tables 350 of the database 340 on the server computer 330 has specified the same group affiliation as that specified by the first user in the College 560-20 data field"). To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[f]	receiving, from the user device of the user, a request for the user to become a contact with the potential contact,	Robertson discloses receiving from the user device of the user a request for the user to become a contact with the potential contact. For example, Figure 8 discloses a "pseudo GUI … that allows that allows a first user to select other users they wish to add to their personal address book." Robertson at 6:61-63.

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		 *FIG. 8* Robertson, Fig. 8. As illustrated in Figure 8, "[i]f the first user wishes to add a second user to his personal address book, the first user clicks the checkbox 580-14 to the left of the Name 580-10 (e.g., "John Doe") for that second user. Once the first user has finished specifying the users he wants to add to his address book, he clicks the Submit button 580-16, and the information entered is transferred via the computer communications network 360 to the server computer 330 where it is stored in the appropriate tables 350 of the database 340." *Id*. at 7:24-32; *see also id.* at 11:40-43("If the first user wishes to add contact information to his personal address book for any of the second users listed 650-16, the first user can do so in a GUI similar to the group list form pseudo GUI 580 shown in FIG. 8.")

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		To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[g]	the request comprising a first permission setting, and	Robertson discloses the request comprising a first permission setting. For example, Figure 9 "represents a pseudo graphical user interface for specifying what type of data fields from a first user's personal data record to which the first user wishes to grant a specific second user access." Roberston at 3:29-32.

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		 *FIG. 9* Roberston, Fig. 9. Roberston further discloses that "[u]nlike the prior art, which does not allow the first user to specify data field permissions for individual other users, the disclosed system allows the first user to specify permissions separately for each individual other user in whose personal database the first user has chosen to be included." *Id.* at 7:53-58. Robertson discloses with respect to Figure 9, "a pseudo GUI 600 is shown allowing a first user to specify which types of data fields from the first user's personal data record to grant a specific second user permission to view." Id. at 7:42-45. The specification also discloses different levels of permissions. For example, "[i]n the preferred embodiment of the present invention, the levels of permission are as follows: Crossing Paths Notification Permission 600-6, Personal Information 600-8, Work Information 600-10, Birthday Notification 600-12, and Friends of Friends Information 600-14. However,

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		the present invention is not limited to the levels of permission shown in the preferred embodiment. The present invention is flexible to allow permission categories to be modified as needed." Roberston at 8:10-17; *see also id.* at 8:23-24 ("If member A links to member B, member A can grant any of the permissions discussed below to member B."). To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[h]	the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user;	See limitation 10[g]. Robertson discloses the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user. For example, Robertson discloses "a pseudo GUI 600 is shown allowing a first user to specify which types of data fields from the first user's personal data record to grant a specific second user permission to view." Roberston at 7:42-45; *see also id.* at 8:23-24 ("If member A links to member B, member A can grant any of the permissions discussed below to member B."); see also 7:27-32 ("Once the first user has finished specifying the data field permissions for the second user 600-4, he clicks the Submit button 600-16 and the information entered is transferred via the computer communications network 360 to the server computer 330 where it is stored in the appropriate tables 350 of the database 340"), 7:53-58, 5:53-58, Figs. 9 and 10. To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior

Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
		art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[i]	sending, based on the request, a communication to the potential contact to initiate a data exchange; and	Robertson discloses sending, based on the request, a communication to the potential contact to initiate a data exchange. For example, Roberston discloses that "[i]f a first user specifies a second user whom the first user would like to add to his personal address book, as explained in the description of FIG. 8, the second user will receive notification (issued by the contact manager program 343—FIG. 5) that the first user has 'linked' to him." Roberston at 7:45-49. Roberson further discloses "[w]hen member A first links to member B, member B is notified on the Web site and in an e-mail." *Id.* at 8:23-33; *see also id.* at 7:50-53 ("If the second user chooses to return the link to the first user, the system will display the pseudo GUI 600 shown in FIG. 9 with the name of the first user 600-5, allowing the second user to set data field permissions for the first user.") To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[j]	in response to receiving an acceptance of the	Robertson discloses in response to receiving an acceptance of the communication setting the user as a contact of the potential contact. For example, Roberston discloses that "[i]f the second user chooses to return the link to the first user, the system will display the pseudo GUI 600 shown in FIG. 9 with the name of the first user 600-5, allowing the second user to set data

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	communication: setting the user as a contact of the potential contact,	field permissions for the first user." Roberston at 7:50-53; *see also id.,* claim 1 ("receiving a request from the first user to establish a contact relationship with a second user selected by the first user, said request generated using the service interface"; 8:34-36 ("If member B elects not to grant any permissions to member A, member A will not appear in member B's Virtual Address Book."); 8:37-40 ("If member B elects not to grant any permissions to member A, member A will not appear in member B's Virtual Address Book."). To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[k]	the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and	See limitation 10[g]. Robertson discloses the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value. For example, Roberston discloses that "[i]f member B grants any permissions to member A, a listing in member B's Virtual Address Book will be created for member A, and the listing will contain whatever information member A has given permission for member B to see." Roberston at 8:37-40. To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share

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		common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[l]	setting the potential contact as a contact of the user.	See limitations 10[j], 10[k]. Robertson discloses setting the potential contact as a contact of the user. For example, Roberston discloses that "[i]f member B grants any permissions to member A, a listing in member B's Virtual Address Book will be created for member A, and the listing will contain whatever information member A has given permission for member B to see." Roberston at 8:37-40; *see also id.* at 8:46-50 ("If member B grants Work Information 600-10 permission to member A, member B's work address and phone number (if available) will appear in member A's Virtual Address Book and member A will be informed when member B changes the relevant information in his/her own listing."); 9:26-29 ("Each first user's personal address book contains information about each second user who has given the first user permission to view information in the second user's personal data record 636."). To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[pre]	The system of claim 10, wherein identifying the potential contact comprises:	*See* claim 10. Roberston discloses the system of claim 10 for identifying the potential contact.

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		To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[a]	receiving, from the potential contact, a first location; and	Roberston discloses receiving from the potential contact a first location. For example, Roberston discloses that "[t]he Friends of Friends system allows a first member to search for the names of contacts of their contacts who live in the same city as the first member or are affiliated with a group with which the first member is also affiliated."). Roberston at 14:7-11; *see also id.* at 18:8-36. To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[b]	identifying the potential contact in a case that a second location of the user device matches the first location.	See limitation 11[a]. Roberston discloses identifying the potential contact in a case that a second location of the user device matches the first location.

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		To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[pre]	The system of claim 10,	*See* claim 10. To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[a]	wherein receiving, from the user device of the user, the request for the user to become a contact with the potential contact, comprises:	*See* limitation 10[f]. Roberston discloses receiving, from the user device of the user, the request for the user to become a contact with the potential contact. To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior

Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
		art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[b]	receiving a first location that is associated with the request; and	Roberston discloses receiving a first location that is associated with the request. For example, Roberston discloses that "[t]he Friends of Friends system allows a first member to search for the names of contacts of their contacts who live in the same city as the first member or are affiliated with a group with which the first member is also affiliated."). Roberston at 14:7-11; *see also id.* at 18:8-36. To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[c]	wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises:	See limitation 10[i]. Roberston discloses sending, based on the request, the communication to the potential contact to initiate the data exchange. To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A

Nos.	Asserted '107 Patent	U.S. Patent No. 8,380,796 ("Robertson")
		person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[d]	subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact.	*See* limitation 11[b]. Roberston discloses subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact. To the extent Robertson does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Roberston in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Robertson with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

U.S. Patent Application No. 2010/0280904 ("Ahuja") was filed on April 30, 2010 and published on November 4, 2010. Ahuja is prior art to the '573 Patent under at least 35 U.S.C. §§ 102(a)(1)-(2) (AIA). Based on Ginko, LLC ("Plaintiff's") infringement contentions, for at least the same reasons that Plaintiff alleges the accused products practice the claimed invention, the asserted claims of the '573 Patent are at least rendered obvious by Ahuja.

Ahuja anticipates the asserted claims under at least 35 U.S.C. § 102. Ahuja further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Defendant's Invalidity Contentions. One of ordinary skill would have been motivated to combine these references because each is directed to the same or similar field of endeavor and each teaches methods and devices for sharing data between devices on a network.

The following claim chart demonstrates how Ahuja discloses each element of the asserted claim elements. To the extent any limitation is not explicitly disclosed, each limitation is at least inherently disclosed or would have been obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions.

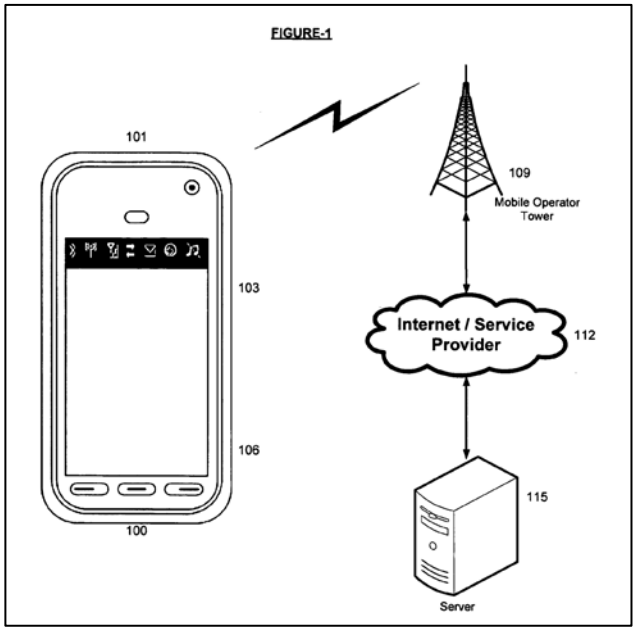
To the extent the preambles of the Asserted Claims are limiting, Defendant has identified disclosures of the prior art in the chart below relevant to the preambles. Defendant's citation to disclosures relevant to the preambles should not be interpreted as a concession that any preamble is limiting.

With respect to the obviousness of the asserted claims under 35 U.S.C. § 103, one or more of the principles enumerated by the United States Supreme Court in *KSR v. Teleflex*, 550 U.S. 398 (2007) apply, including: (a) combining various claimed elements known in the prior art according to known methods to yield a predictable result; and/or (b) making a simple substitution of one or more known elements for another to obtain a predictable result; and/or (c) using a known technique to improve a similar device or method in the same way; and/or (d) applying a known technique to a known device or method ready for improvement to yield a predictable result; and/or (e) choosing from a finite number of identified, predictable solutions with a reasonable expectation of success or, in other words, the solution was one which was "obvious to try"; and/or (f) a known work in one field of endeavor prompting variations of it for use either in the same field or a different field based on given design incentives or other market forces in which the variations were predictable to one of ordinary skill in the art; and/or (g) a teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill in the art to modify the prior art reference or to combine the teachings of various prior art references to arrive at the claimed invention. Each feature of each of the Asserted Claims was within the scope and content of the prior art, was no different from the disclosures of the prior art, and was within the level of ordinary skill in the art. It therefore would have been obvious to one of ordinary skill in the art to combine the disclosures of these references in accordance with the principles and rationales set forth above.

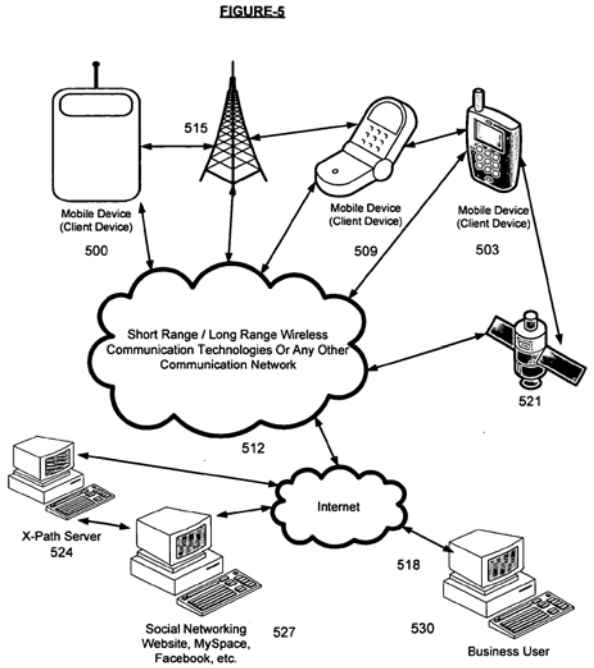
In compiling these contentions, Defendant has relied in part on Plaintiff's infringement contentions. In those contentions, Plaintiff appears to assign constructions to indefinite claim language, to pursue overly broad claim constructions in an effort to assert infringement where none exists, and to accuse products that do not infringe the claims.

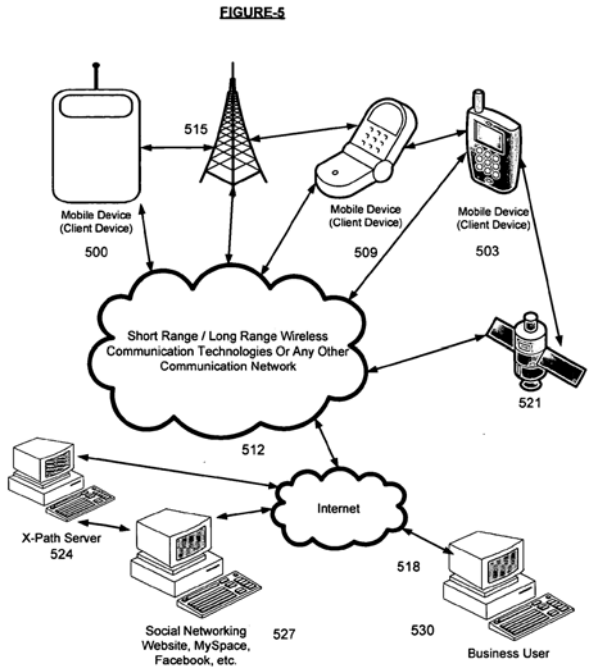
Defendant's assertion that a particular limitation is disclosed by a prior art reference and/or is disclosed in a particular manner may be based in part on Plaintiff's apparent claim interpretations. In relying on Plaintiff's apparent claim interpretations, Defendant does not admit that Plaintiff's apparent claim interpretations are supportable or proper or that the claim limitations in question are definite or otherwise amenable to construction.

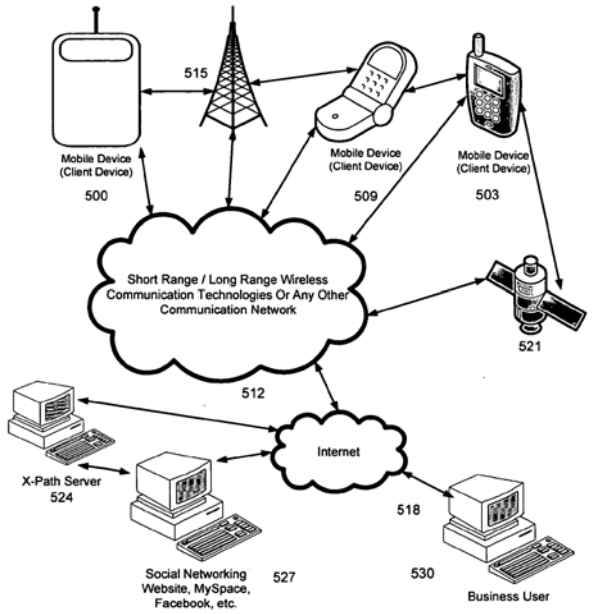
Defendant has endeavored to provide as much detail as possible in these contentions and, in doing so, has exceeded the level of detail required. The inclusion of specific details in some areas is not a concession that such details are required or that the omission of similar details in other areas is a defect. The citations to portions of any reference in this chart are exemplary only. Defendant will rely on the entirety of the references cited in its charts to show that the asserted claims are invalid.

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja")
10[pre]	A system for data sharing between devices in a network, comprising:	To the extent the preamble is limiting, Ahuja discloses a system for data sharing between devices in a network. For example, Ahuja discloses that "[t]he present invention relates to a system or a wireless electronic handheld communication device equipped with various wireless communication technologies that include, Bluetooth, Wi-Fi, GPS, NFC, TransferJet, 3G, 4G, etc and more particularly is directed towards the device's Social marketing, Social networking, broadcasting, and receiving data capability." Ahuja, ¶2. One example of that system is illustrated in Figure 1. As Ahuja discloses "FIG. 1 displays a wireless communication system between a wireless handheld device, mobile phone handset 100, the mobile operator tower 109, Internet cloud 112 and a web server 115." Ahuja, ¶40.  Ahuja, Fig. 1.

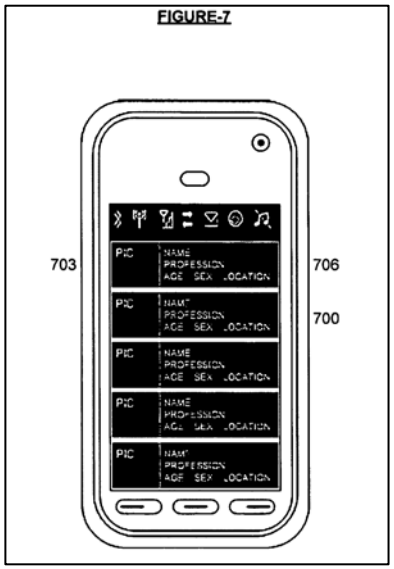
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja")
		Another example is illustrated in Figure 5. As Ahuja discloses, "FIG. 5 explains the working environment for the said system and illustrates various essential communication technologies to perform a range of functionalities in the system. A user can install the X-path software on a mobile device 500, 503, or 509 or have an independent X-path device. The devices may have a host of inbuilt short range communication technologies such as, WiFi, Bluetooth, WiMax, RF, infrared or NFC and Long Range communication technologies Such as, Wifi, 3G, 4G, GPRS, LTE, Wimax, etc. 512." Ahuja, ¶44. Ahuja further discloses "Short and Long range wireless communication technologies, or any other communication network 512 are used to first search for the target audience in parallel with the XPath server and then establish communication between devices (peer-to-peer) or between the devices and the system (Database server, XPath Server 524, Social Networking site server 527) spread over in small or large radius." Id., ¶45.

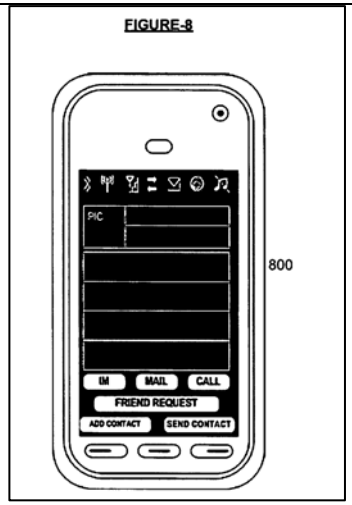
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja")
		 Ahuja, Fig. 5. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the

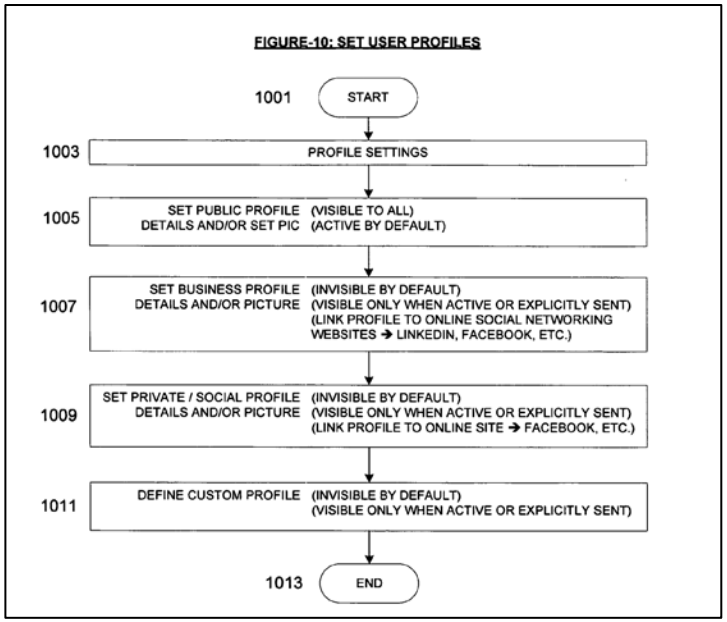
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja")
		time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[a]	a processor; and	Ahuja discloses a processor as illustrated in Figure 5 below, for example, "X-path server 524."  Ahuja, Fig. 5. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common

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		subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[b]	a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising:	Ahuja discloses a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations, for example, the memory of X-path server in Figure 5. Ahuja further discloses that "[t]he server 115 may provide content that may be shown on display 103 or may be able to transfer an executable code to handset 100, which the handset 100 may execute to perform specific operations or may execute specific functions on behalf of the handset." Ahuja, Fig. 40. FIGURE-5 

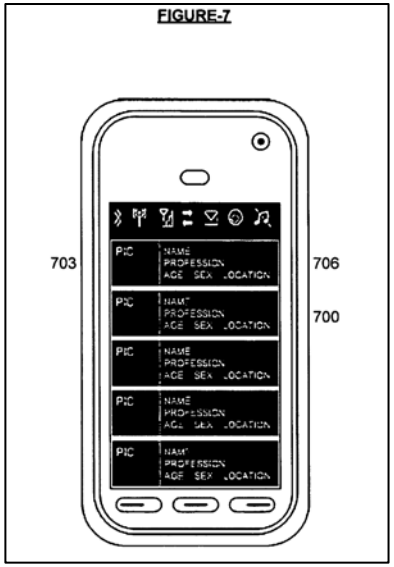
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja")
		Ahuja, Fig. 5. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[c]	identifying, for a user associated with a user device, a potential contact,	Ahuja discloses for a user associated with a user device a potential contact. For example, Ahuja discloses identifying a first user associated with a mobile phone a second user. Specifically, Ahuja discloses "[t]he device then sends all this information to the X-Path server, which in turn performs the user filtering and searches for all matching users in the selected radius based on the profile information of all the users stored on the server and also based on the current location of the users based on GPS data, it then forwards the broadcast message to all the matched users." Ahuja, ¶63. Ahuja further discloses "Short and Long range wireless communication technologies, or any other communication network 512 are used to first search for the target audience in parallel with the XPath server and then establish communication between devices (peer-to-peer) or between the devices and the system (Database server, XPath Server 524, Social Networking site server 527) spread over in small or large radius." Ahuja, ¶45. Ahuja also discloses "[t]he device then sends all this information to the X-Path server, which in turn performs the user filtering and searches for all matching users in the selected radius based on the profile information of all the users stored on the server and also based on the current location of the users based on GPS data, it then forwards the broadcast message to all the matched users." Ahuja, ¶63. "The server 115 may provide content that may be shown on

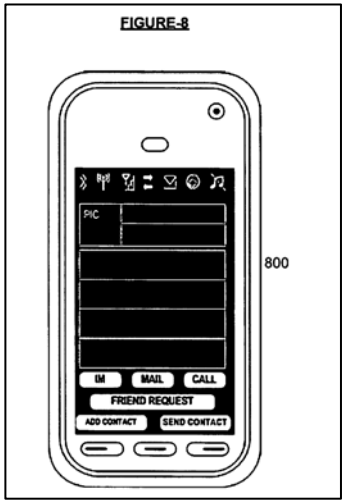
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja")
		display 103 or may be able to transfer an executable code to handset 100, which the handset 100 may execute to perform specific operations or may execute specific functions on behalf of the handset." Ahuja, ¶40. As Ahuja discloses, "FIG. 7 is the GUI representation 700 of the various users found based on the scan performed by the user. The results display the profile picture 703 and other mandatory details 706 that include, name, profession, status message, age, sex, and location." Ahuja, ¶52.  Ahuja, Fig. 7. As Ahuja discloses, "FIG. 8 is the GUI representation of a detailed public profile 800. The profile displays a profile picture and data fields of the active profile. The user is presented with various options to communicate with the displayed profile user that include but not limited to IM's, emails, phone call, send friend request, add to contact, send contact information, send profile info, and others." Ahuja, ¶53.

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		 Ahuja, Fig. 8. Ahuja further discloses "[a]s a user locates another active user in the scan result, the device presents the user with a public profile and limited options to send IM's and send a Friend Request to communicate with the displayed user. As the user 1 sends a friend request to User 2, the device alerts user 2 in form of a ringer or a vibration and displays a pending friend request notification on the screen. If User 2 accepts the friend request, both users are added in each other's friend's list." Ahuja, ¶60. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the

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		time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[d]	the user being associated with user data, and	*See* limitation 10(c). Ahuja discloses the user being associated with user data, for example, user profiles. Ahuja discloses that "User Profiles are an integral operational part of the system." Ahuja, ¶74. Ahuja further discloses that "FIG. 10 is an illustrative flow chart describing steps involved to set various user profiles in the system. In this illustration, the user is assigned the authority to alter system defined profiles or create new ones. A profile can be altered or created by using the User Profile Settings function." Ahuja, ¶73.  Ahuja, Fig. 10; *see also id.*, ¶¶75-77.

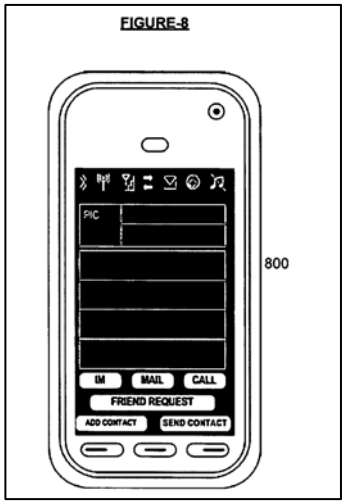
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja")
		Ahuja discloses that "[a] copy of all users' profile and contact information is stored on the XPath web server." Ahuja, ¶9. Furthermore, "Profile Setting 421 enables the user to configure various user profiles that include Social, business, public, or private profiles." Ahuja, ¶43. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[e]	the potential contact being associated with contact data;	Ahuja discloses the potential contact being associated with contact data. For example, Ahuja discloses that the second user is associated with personal contact information. Ahuja discloses that "[o]nce User 2 accepts the Add to Contact request, the device exchanges personal contact information, Home phone numbers, Cell phone numbers, Office Phone Numbers, Office address, Home address, and other personal information to be added to the address books." Ahuja, ¶61. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the

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		time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[f]	receiving, from the user device of the user, a request for the user to become a contact with the potential contact,	*See* limitation 10(c). Ahuja discloses receiving from the user device of the user a request for the user to become a contact with the potential contact. For example, Ahuja discloses receiving from the mobile phone of the first user, a request for the first user to become a contact with the second user. As Ahuja discloses, "FIG. 7 is the GUI representation 700 of the various users found based on the scan performed by the user. The results display the profile picture 703 and other mandatory details 706 that include, name, profession, status message, age, sex, and location." Ahuja, ¶52.  Ahuja, Fig. 7. Ahuja further discloses "[t]he server 115 may provide content that may be shown on display 103 or may be able to transfer an executable code to handset 100, which the handset 100 may execute to perform specific operations or may execute specific functions on

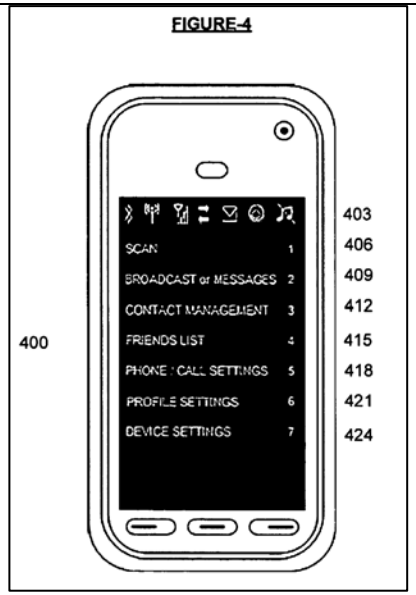
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja")
		behalf of the handset." Ahuja, ¶40. Ahuja further discloses "Short and Long range wireless communication technologies, or any other communication network 512 are used to first search for the target audience in parallel with the XPath server and then establish communication between devices (peer-to-peer) or between the devices and the system (Database server, XPath Server 524, Social Networking site server 527) spread over in small or large radius." Ahuja, ¶45; see also id., ¶¶47-48, ¶51. Ahuja then discloses that "FIG. 8 is the GUI representation of a detailed public profile 800. The profile displays a profile picture and data fields of the active profile. The user is presented with various options to communicate with the displayed profile user that include but not limited to IM's, emails, phone call, send friend request, add to contact, send contact information, send profile info, and others." Ahuja, ¶53.  Ahuja, Fig. 8. Ahuja further discloses "[a]s a user locates another active user in the scan result, the device presents the user with a public profile and limited options to send IM's and send a Friend

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		Request to communicate with the displayed user. As the user 1 sends a friend request to User 2, the device alerts user 2 in form of a ringer or a vibration and displays a pending friend request notification on the screen. If User 2 accepts the friend request, both users are added in each other's friend's list." Ahuja, ¶60. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[g]	the request comprising a first permission setting, and	Ahuja discloses the request comprising a first permission setting. For example, Ahuja discloses a communication request comprises the ability to view private data fields. Ahuja discloses "[a]s a user locates another active user in the scan result, the device presents the user with a public profile and limited options to send IM's and send a Friend Request to communicate with the displayed user." Ahuja, ¶60. Furthermore, Ahuja discloses "Profile Setting 421 enables the user to configure various user profiles that include Social, business, public, or private profiles." Ahuja, ¶43. Ahuja also discloses "[e]very user can create their own profile from scratch by selecting or defining the profile data fields to be listed or displayed, within this profile each selected profile data field can be set to Public or Private." Ahuja, ¶79. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common

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		subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[h]	the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user;	See limitation 10[g]. Ahuja discloses the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user. For example, Ahuja discloses the ability to view private data being a first value indication the ability to view private data fields indicating that the private data fields of the first user be shared with a permitted user, the second user. For example, Ahuja discloses "[i]f set to active, only the Public data fields are displayed to other users and only after the user has accepted the friend request and established communication with the other user is the private data fields displayed." Ahuja, ¶79. Ahua further discloses that "[i]f User 2 accepts the friend request, both users are added in each other's friend's list" and "[t]he two users can exchange their respective public or private or an active profile data fields." Ahuja, ¶60. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[i]	sending, based on the request, a communication to the potential contact to	Ahuja discloses sending, based on the request, a communication to the potential contact to initiate a data exchange. For example, Ahuja discloses sending based on the communication request a friend request notification to the second user to initiate an exchange of information.

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	initiate a data exchange; and	For example, Ahuja discloses that "FIG. 8 is the GUI representation of a detailed public profile 800. The profile displays a profile picture and data fields of the active profile. The user is presented with various options to communicate with the displayed profile user that include but not limited to IM's, emails, phone call, send friend request, add to contact, send contact information, send profile info, and others." Ahuja, ¶53.  Ahuja, Fig. 8. "As the user 1 sends a friend request to User 2, the device alerts user 2 in form of a ringer or a vibration and displays a pending friend request notification on the screen." Ahuja, ¶60. Ahua further discloses that "[i]f User 2 accepts the friend request, both users are added in each other's friend's list" and "[t]he two users can exchange their respective public or private or an active profile data fields." *Id; see also id.,* ¶45. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior

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		art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[j]	in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact,	Ahuja discloses in response to receiving an acceptance of the communication setting the user as a contact of the potential contact. For example, Ahuja discloses in response to receiving from the second user an acceptance of the communication setting the first user as a friend of the second user. For example, Ahuja discloses that "FIG. 4 represents an illustration for the Graphical User Interface (GUI) of the device 100. … Using the contact management feature a user can exchange contact information with other users using one or more of the communication technologies built in the system. Friends List 415 enables the user to manage friends from various networking sites, send and accept friend requests, add friends to contacts, and synchronize the friends list on the device with the friends list on networking sites." Ahuja, ¶43.

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		 Ahuja, Fig. 4; *see also id*., ¶¶40, 45, 121. Ahua further discloses that "[i]f User 2 accepts the friend request, both users are added in each other's friend's list" and "[t]he two users can exchange their respective public or private or an active profile data fields." Ahuja, ¶60. Ahua also discloses that "[t]his device enables this feature between the two users already added as friends. As User 1 sends an Add to Contact request to User 2, the device notifies user 2 in the way of a ring or vibrating alert. Once User 2 accepts the Add to Contact request, the device exchanges personal contact information, Home phone numbers, Cell phone numbers, Office Phone Numbers, Office address, Home address, and other personal information to be added to the address books." Ahuja, ¶61. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the

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		general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[k]	the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and	See limitation 10[g]. Ahuja discloses that the subset of the user data is viewable to the potential contact in a case that the first permission setting being the first value. For example, Ahuja discloses that the private data fields are viewable to the second user where the ability to view the private data fields has been set to provide the second user the ability to view the data. For example, Ahuja discloses that "[i]f User 2 accepts the friend request, both users are added in each other's friend's list" and "[t]he two users can exchange their respective public or private or an active profile data fields." Ahuja, ¶60. Ahuja also discloses that "[t]his device enables this feature between the two users already added as friends. As User 1 sends an Add to Contact request to User 2, the device notifies user 2 in the way of a ring or vibrating alert. Once User 2 accepts the Add to Contact request, the device exchanges personal contact information, Home phone numbers, Cell phone numbers, Office Phone Numbers, Office address, Home address, and other personal information to be added to the address books." Ahuja, ¶61. Ahuja further discloses that "[e]very user can create their own profile from scratch by selecting or defining the profile data fields to be listed or displayed, within this profile each selected profile data field can be set to Public or Private. If set to active, only the Public data fields are displayed to other users and only after the user has accepted the friend request and established communication with the other user is the private data fields displayed." Ahuja, ¶79.

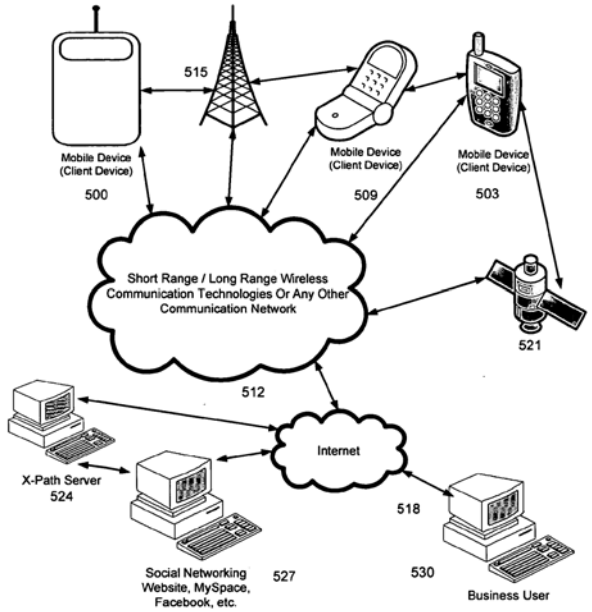
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja")
		To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[l]	setting the potential contact as a contact of the user.	See limitations 10[j], 10[k]. Ahuja discloses setting the potential contact as a contact of the user. For example, Ahuja discloses in response to receiving the from the second user an acceptance of the friend request notification setting the second user as a contact of the first user. For example, Ahuja discloses that "[i]f User 2 accepts the friend request, both users are added in each other's friend's list" and "[t]he two users can exchange their respective public or private or an active profile data fields." Ahuja, ¶60; *see also id*., ¶45. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

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11[pre]	The system of claim 10, wherein identifying the potential contact comprises:	*See* claim 10. Ajua discloses the system of claim 10 for identifying the potential contact. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[a]	receiving, from the potential contact, a first location; and	Ahuja discloses receiving from the potential contact a first location. For example, Ahuja discloses that the x-path server receives from the second user a first location. For example, Ahuja discloses that "[t]he X-path server actively maintains a real-time database of all the users, their current location and their historical locations (places they have visited in the past)." Ahuja, ¶100. Ahuja further discloses that "[i]n FIG. 26, as user 1 visits a location or a venue (Point of Interest) 2603, the device's inbuilt GPS system tags the users current location, stores its details including date and time stamp and uploads it to the X-path server 2605…" Ahuja, ¶102. Ahuja also discloses that "the device enables the user to perform the pro-active user search by specifying a distinct search criterion." Ahuja, ¶84. This can include "keywords" including "current location." Ahuja, ¶86 "Depending on the search radius, the device automatically selects the appropriate wireless communication technology; scans the available users in the defined geographical location and displays search results 5021." Ahuja, ¶50; *see also id*., ¶¶45, 102, 63.

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		To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[b]	identifying the potential contact in a case that a second location of the user device matches the first location.	See limitation 11[a]. Ahuja discloses identifying the potential contact in a case that a second location of the user device matches the first location. For example, Ahuja discloses identifying a second user where the second location of the mobile device of the first user matches the first location. For example, Ahuja discloses that "the device enables the user to perform the pro-active user search by specifying a distinct search criterion." Ahuja, ¶84. This can include "keywords" including "current location." Ahuja, ¶86. Ahuja further discloses that "[i]n FIG. 26, as user 1 visits a location or a venue (Point of Interest) 2603, the device's inbuilt GPS system tags the users current location, stores its details including date and time stamp and uploads it to the X-path server 2605…" Ahuja, ¶102. Ahuja also discloses "[t]he device then sends all this information to the X-Path server, which in turn performs the user filtering and searches for all matching users in the selected radius based on the profile information of all the users stored on the server and also based on the current location of the users based on GPS data, it then forwards the broadcast message to all the matched users." Ahuja, ¶63; *see also id.,* ¶¶63, 84-88. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art

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		references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[pre]	The system of claim 10,	*See* claim 10. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[a]	wherein receiving, from the user device of the user, the request for the user to become a contact with the potential contact, comprises:	*See* limitation 10[f]. Ahuja discloses receiving, from the user device of the user, the request for the user to become a contact with the potential contact. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share

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		common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[b]	receiving a first location that is associated with the request; and	*See* limitation 10[c]. Ahuja discloses receiving a first location that is associated with the request. For example, Ahuja discloses that the x-path server can scan for potential users that are within a certain distance from the first user or For example, Ahuja discloses "[t]he device then sends all this information to the X-Path server, which in turn performs the user filtering and searches for all matching users in the selected radius based on the profile information of all the users stored on the server and also based on the current location of the users based on GPS data, it then forwards the broadcast message to all the matched users." Ahuja, ¶63. Ahuja discloses with respect to Figure 5, "Scan for users in Close Physical Proximity (Around Me): In FIG. 5, the device utilizes Bluetooth, WiFi, GPS, RF, Infrared and or any other satellite positioning service tool, with or without assistance from the X-Path server to first locate and then communicate with other devices 500, 503, or 512 in close physical proximity of the user. This search method is useful for locating users in close physical proximity Such as in a bar, club, coffee shop, airplane, train, Subway, restaurant, and others." Ahuja, ¶47. Ahuja further discloses that "the device employs cell triangulation and/or/in conjunction with GPS 521 or AGPS alongside a data access method which could be any short-range or long-range wireless communication technology (Wifi, 3G etc), or a satellite positioning technology, with or without assistance from the X-Path server to first locate and then communicate with users in this proximity range. This search method is extremely useful to locate users in the vicinity, and thinly populated areas. Additionally, a user can locate other users that belong to a specific category using this scan feature. combination of various communication technologies with/without utilizing GPS can be used to perform this type of

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		search. In Cell triangulation, the mobile handset's carrier network is employed to search and locate the user. In addition, the user profiles can be retrieved from the X-path server 524 on the carrier network or on the Internet, which is synced with the profile and settings on the user handheld device 100 (FIG. 1)." Ahuja, ¶48; *see also id*., ¶51. FIGURE-5  Ahuja, Fig. 5. For example, Ahuja discloses that "the device enables the user to perform the pro-active user search by specifying a distinct search criterion." Ahuja, ¶84. This can include "keywords" including "current location." Ahuja, ¶86.

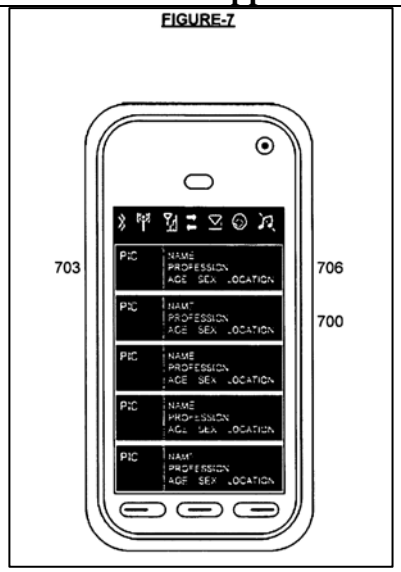
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		To the extent Ahujsa does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[c]	wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises:	See limitation 10[i]. Ahuja discloses sending, based on the request, the communication to the potential contact to initiate the data exchange. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[d]	subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second	*See* limitations 10[c], 11[b]. Ahuja discloses subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact. For example, Ahuja discloses that potential contacts are identified based on their locational information so communication is

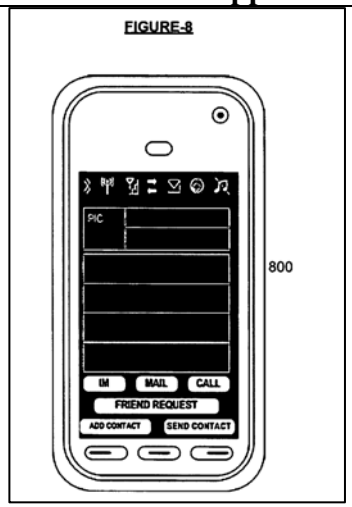
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	location associated with the potential contact.	predicated on their location matching that of the first user. Ahuja also discloses that communications to potential users is conditioned on the second user's current or historical location matching the current or historical location specified in the search. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

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10[pre]	A system for data sharing between devices in a network, comprising:	In its infringement contentions, Ginko appears to be reading the Asserted Claims on peer-to-peer technology. Apple disagrees that this is a plausible interpretation of the Asserted Patent. Nonetheless, Ahuja also discloses peer-to-peer embodiments. To the extent the preamble is limiting, Ahuja discloses a system for data sharing between devices in a network. For example, Ahuja discloses that "[t]he present invention relates to a system or a wireless electronic handheld communication device equipped with various wireless communication technologies that include, Bluetooth, Wi-Fi, GPS, NFC, TransferJet, 3G, 4G, etc and more particularly is directed towards the device's Social marketing, Social networking, broadcasting, and receiving data capability." Ahuja, ¶2. Ahuja further discloses "Short and Long range wireless communication technologies, or any other communication network 512 are used to first search for the target audience in parallel with the XPath server and then establish communication between devices (peer-to-peer) or between the devices and the system (Database server, XPath Server 524, Social Networking site server 527) spread over in small or large radius." Id., ¶45. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[a]	a processor; and	Ahuja discloses a processor as illustrated in Figure 5 below, for example, DSP 200 in handset 101. For example, Ahuja discloses, with respect to Fig. 1 and 2, that the "digital signal processor (DSP) 200 of the handset 100 acts as central processing unit that controls its various

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		components in accordance with embedded software or firmware stored in the memory 203." Ahuja, ¶41. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[b]	a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising:	Ahuja discloses a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations, for example, the memory 204 of the first user device and the memory 204 of the second user device. For example, Ahuja discloses, with respect to Fig. 1 and 2, that the "digital signal processor (DSP) 200 of the handset 100 acts as central processing unit that controls its various components in accordance with embedded software or firmware stored in the memory 203." Ahuja, ¶41. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the

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		time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[c]	identifying, for a user associated with a user device, a potential contact,	Ahuja discloses for a user associated with a user device a potential contact. For example, Ahuja discloses identifying a first user associated with a first user device, a second user. For example, Ahuja discloses with respect to Figure 5, "Scan for users in Close Physical Proximity (Around Me): In FIG. 5, the device utilizes Bluetooth, WiFi, GPS, RF, Infrared and or any other satellite positioning service tool, with or without assistance from the X-Path server to first locate and then communicate with other devices 500, 503, or 512 in close physical proximity of the user. This search method is useful for locating users in close physical proximity Such as in a bar, club, coffee shop, airplane, train, Subway, restaurant, and others." Ahuja, ¶47. Ahuja also discloses that "[d]epending on the search radius, the device automatically selects the appropriate wireless communication technology; scans the available users in the defined geographical location and displays search results 5021. The displayed search result enables the user to select required profiles for further communication." Ahuja, ¶50. As Ahuja discloses, "FIG. 7 is the GUI representation 700 of the various users found based on the scan performed by the user. The results display the profile picture 703 and other mandatory details 706 that include, name, profession, status message, age, sex, and location." Ahuja, ¶52.

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		 Ahuja, Fig. 7. As Ahuja discloses, "FIG. 8 is the GUI representation of a detailed public profile 800. The profile displays a profile picture and data fields of the active profile. The user is presented with various options to communicate with the displayed profile user that include but not limited to IM's, emails, phone call, send friend request, add to contact, send contact information, send profile info, and others." Ahuja, ¶53.

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		 Ahuja, Fig. 8. Ahuja further discloses "[a]s a user locates another active user in the scan result, the device presents the user with a public profile and limited options to send IM's and send a Friend Request to communicate with the displayed user. As the user 1 sends a friend request to User 2, the device alerts user 2 in form of a ringer or a vibration and displays a pending friend request notification on the screen. If User 2 accepts the friend request, both users are added in each other's friend's list." Ahuja, ¶60. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the

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		time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[d]	the user being associated with user data, and	*See* limitation 10(d) above. For the same reasons as discussed above with respect to the X-path server-based approach, Ahuja discloses the user being associated with user data, for example, user profiles. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[e]	the potential contact being associated with contact data;	*See* limitation 10(e) above For the same reasons as discussed above with respect to the X-path server-based approach, Ahuja discloses the potential contact being associated with contact data. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

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10[f]	receiving, from the user device of the user, a request for the user to become a contact with the potential contact,	*See* limitation 10(c) (peer-to-peer embodiments). Ahuja discloses receiving from the user device of the user a request for the user to become a contact with the potential contact. For example, Ahuja discloses receiving from the first user device of the first a request for the first user to become a contact with the second user. For example, Ahuja discloses with respect to Figure 5, "Scan for users in Close Physical Proximity (Around Me): In FIG. 5, the device utilizes Bluetooth, WiFi, GPS, RF, Infrared and or any other satellite positioning service tool, with or without assistance from the X-Path server to first locate and then communicate with other devices 500, 503, or 512 in close physical proximity of the user. This search method is useful for locating users in close physical proximity Such as in a bar, club, coffee shop, airplane, train, Subway, restaurant, and others." Ahuja, ¶47. Ahuja also discloses that "the device employs cell triangulation and/ or/in conjunction with GPS 521 or AGPS alongside a data access method which could be any short-range or long-range wireless communication technology (Wifi, 3G etc), or a satellite positioning technology, with or without assistance from the X-Path server to first locate and then communicate with users in this proximity range." Ahuja, ¶48. Ahuja also discloses that "[d]epending on the search radius, the device automatically selects the appropriate wireless communication technology; scans the available users in the defined geographical location and displays search results 5021. The displayed search result enables the user to select required profiles for further communication." Ahuja, ¶50. Ahuja further discloses "[a]s a user locates another active user in the scan result, the device presents the user with a public profile and limited options to send IM's and send a Friend Request to communicate with the displayed user. As the user 1 sends a friend request to User 2, the device alerts user 2 in form of a ringer or a vibration and displays a pending friend request notification on the screen. If User 2 accepts the friend request, both users are added in each other's friend's list." Ahuja, ¶60.

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		Ahuja further discloses "[a]s User 1 sends an Add to Contact request to User 2, the device notifies user 2 in the way of a ring or vibrating alert. Once User 2 accepts the Add to Contact request, the device exchanges personal contact information, Home phone numbers, Cell phone numbers, Office Phone Numbers, Office address, Home address, and other personal information to be added to the address books." Ahuja, ¶61. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[g]	the request comprising a first permission setting, and	See limitation 10[g] above. For the same reasons as discussed above with respect to the X-path server-based approach, Ahuja discloses the request comprising a first permission setting. For example, Ahuja discloses a communication request comprises the ability to view private data fields. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

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10[h]	the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user;	See limitation 10[h] above. For the same reasons as discussed above with respect to the X-path server-based approach, Ahuja discloses the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user. For example, Ahuja discloses the ability to view private data being a first value indication the ability to view private data fields indicating that the private data fields of the first user be shared with a permitted user, the second user. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[i]	sending, based on the request, a communication to the potential contact to initiate a data exchange; and	Ahuja discloses sending, based on the request, a communication to the potential contact to initiate a data exchange. For example, Ahuja discloses sending based on the communication request a friend request notification to the second user to initiate an exchange of information. For example, Ahuja discloses that if "As a user locates another active user in the scan result, the device presents the user with a public profile and limited options to send IM's and send a Friend Request to communicate with the displayed user. As the user 1 sends a friend request to User 2, the device alerts user 2 in form of a ringer or a vibration and displays a pending friend request notification on the screen." Ahuja, ¶60. Ahua further discloses that "[i]f User 2 accepts the friend request, both users are added in each other's friend's list" and "[t]he two users can exchange their respective public or private or an active profile data fields." *Id; see also id.,* ¶51.

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		To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[j]	in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact,	Ahuja discloses in response to receiving an acceptance of the communication setting the user as a contact of the potential contact. For example, Ahuja discloses in response to receiving from the second user an acceptance of the "friend request" notification setting the first user as a friend of the second user. For example, Ahuja discloses that "the user syncs the contacts and friends list with various social networking websites. This feature basically helps the user to establish and maintain contact with other users he/she has met in the real world by adding them as "friends' by sending them a friend request on the popular Social networking websites via the emails addresses gathered from the user profile information." Ahuja, ¶97. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

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10[k]	the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and	See limitation 10[k] above. For the same reasons as discussed above with respect to the X-path server-based approach, Ahuja discloses that the subset of the user data is viewable to the potential contact in a case that the first permission setting being the first value. For example, Ahuja discloses that the private data fields are viewable to the second user where the ability to view the private data fields has been set to provide the second user the ability to view the data. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[l]	setting the potential contact as a contact of the user.	Ahuja discloses setting the potential contact as a contact of the user. For example, Ahuja discloses that once the second user accepts the first user's friend request, the first user device sets the second user as a contact of the first user by adding the second user to the friend list of the first user. Ahua further discloses that "[i]f User 2 accepts the friend request, both users are added in each other's friend's list" and "[t]he two users can exchange their respective public or private or an active profile data fields." Ahuja, ¶60. For example, Ahuja discloses that "the user syncs the contacts and friends list with various social networking websites. This feature basically helps the user to establish and maintain contact with other users he/she has met in the real world by adding them as "friends' by sending them a friend request on the popular Social networking websites via the emails addresses gathered from the user profile information." Ahuja, ¶97.

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		To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[pre]	The system of claim 10, wherein identifying the potential contact comprises:	*See* claim 10 (peer-to-peer embodiments). Ahuja discloses the system of claim 10 for identifying the potential contact. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[a]	receiving, from the potential contact, a first location; and	Ahuja discloses receiving from the potential contact a first location. For example, Ahuja discloses receiving from the second user a first location. For example, Ahuja discloses that "the device enables the user to perform the pro-active user search by specifying a distinct search criterion." Ahuja, ¶84. This can include "keywords"

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		including "current location." Ahuja, ¶86. Ahuja further discloses that "[a]s a user that matches the specified criteria, the device alerts the user 1411 and displays public or private profile data of the search results in a graphical manner and also various communication options to initiate a conversation 1413." Ahuja, ¶88. "Depending on the search radius, the device automatically selects the appropriate wireless communication technology; scans the available users in the defined geographical location and displays search results 5021." Ahuja, ¶50; *see also id*., ¶45. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[b]	identifying the potential contact in a case that a second location of the user device matches the first location.	See limitation 10[c] (peer-to-peer embodiment) Ahuja discloses identifying the potential contact in a case that a second location of the user device matches the first location. For example, Ahuja discloses identifying a second user where the second location of the mobile device of the first user matches the first location. For example, Ahuja discloses that "the device enables the user to perform the pro-active user search by specifying a distinct search criterion." Ahuja, ¶84. This can include "keywords" including "current location." Ahuja, ¶86. Ahuja further discloses that "[a]s a user that matches the specified criteria, the device alerts the user 1411 and displays public or private profile data of the search results in a graphical manner and also various communication options to initiate a conversation 1413." Ahuja, ¶88.

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja") – Peer-to-Peer Embodiments
		Furthermore, Ahuja discloses that "[t]he device permits every user to define their own scan radius (Within 20 meters to XXX miles)." Ahuja, ¶49. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[pre]	The system of claim 10,	*See* claim 10 (peer-to-peer embodiment). To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[a]	wherein receiving, from the user device of the user, the request for the user to become a contact with the potential contact, comprises:	*See* limitation 10[f] (peer-to-peer embodiment). Ahuja discloses receiving, from the user device of the user, the request for the user to become a contact with the potential contact.

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja") – Peer-to-Peer Embodiments
		To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[b]	receiving a first location that is associated with the request; and	*See* limitation 10[c] (peer-to-peer embodiment). Ahuja discloses receiving a first location that is associated with the request. For example, Ahuja discloses that its potential contacts can be selective about incoming friend requests by setting their own scan criteria to control the incoming requests by defining scan criteria. For example, Ahuja discloses that "the device enables the user to be selective about any incoming friend requests from other users. For instance, in a music conference, the user intends to receive messages, friends request and/or communication only from other musicians. The device enables every user to define incoming request scan criteria from the Scan Settings option." Ahuja, ¶93. Ahuja also discloses that "the device enables the user to perform the pro-active user search by specifying a distinct search criterion." Ahuja, ¶84. This can include "keywords" including "current location." Ahuja, ¶86. To the extent Ahujsa does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja") – Peer-to-Peer Embodiments
		art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[c]	wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises:	See limitation 10[i] (peer-to-peer embodiment). Ahuja discloses sending, based on the request, the communication to the potential contact to initiate the data exchange. To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[d]	subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact.	*See* limitations 10[c], 11[b] (peer-to-peer embodiment). Ahuja discloses subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact. For example, Ahuja discloses that he first user devices identifies potential contacts based on their locational information, and the communication sent from the first user device to the potential contact is conditioned on the second user's location matching the location of the first user (i.e., being with the predefined radial location). To the extent Ahuja does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Ahuja in combination with the

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2010/0280904 ("Ahuja") – Peer-to-Peer Embodiments
		general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Ahuja with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

U.S. Patent Application No. 2005/0281237 ("Qi") was filed on January 6, 2015 and published on February 2, 2017. Qi is prior art to the '573 Patent under at least 35 U.S.C. §§ 102(a)(1)-(2) (AIA). Based on Ginko, LLC ("Plaintiff's") infringement contentions, for at least the same reasons that Plaintiff alleges the accused products practice the claimed invention, the asserted claims of the '573 Patent are at least rendered obvious by Qi.

Qi anticipates the asserted claims under at least 35 U.S.C. § 102. Qi further renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Defendant's Invalidity Contentions. One of ordinary skill would have been motivated to combine these references because each is directed to the same or similar field of endeavor and each teaches methods and devices for sharing data between devices on a network.

The following claim chart demonstrates how Qi discloses each element of the asserted claim elements. To the extent any limitation is not explicitly disclosed, each limitation is at least inherently disclosed or would have been obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions.

To the extent the preambles of the Asserted Claims are limiting, Defendant has identified disclosures of the prior art in the chart below relevant to the preambles. Defendant's citation to disclosures relevant to the preambles should not be interpreted as a concession that any preamble is limiting.

With respect to the obviousness of the asserted claims under 35 U.S.C. § 103, one or more of the principles enumerated by the United States Supreme Court in *KSR v. Teleflex*, 550 U.S. 398 (2007) apply, including: (a) combining various claimed elements known in the prior art according to known methods to yield a predictable result; and/or (b) making a simple substitution of one or more known elements for another to obtain a predictable result; and/or (c) using a known technique to improve a similar device or method in the same way; and/or (d) applying a known technique to a known device or method ready for improvement to yield a predictable result; and/or (e) choosing from a finite number of identified, predictable solutions with a reasonable expectation of success or, in other words, the solution was one which was "obvious to try"; and/or (f) a known work in one field of endeavor prompting variations of it for use either in the same field or a different field based on given design incentives or other market forces in which the variations were predictable to one of ordinary skill in the art; and/or (g) a teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill in the art to modify the prior art reference or to combine the teachings of various prior art references to arrive at the claimed invention. Each feature of each of the Asserted Claims was within the scope and content of the prior art, was no different from the disclosures of the prior art, and was within the level of ordinary skill in the art. It therefore would have been obvious to one of ordinary skill in the art to combine the disclosures of these references in accordance with the principles and rationales set forth above.

In compiling these contentions, Defendant has relied in part on Plaintiff's infringement contentions. In those contentions, Plaintiff appears to assign constructions to indefinite claim language, to pursue overly broad claim constructions in an effort to assert infringement where none exists, and to accuse products that do not infringe the claims.

Defendant's assertion that a particular limitation is disclosed by a prior art reference and/or is disclosed in a particular manner may be based in part on Plaintiff's apparent claim interpretations. In relying on Plaintiff's apparent claim interpretations, Defendant does not admit that Plaintiff's apparent claim interpretations are supportable or proper or that the claim limitations in question are definite or otherwise amenable to construction.

Defendant has endeavored to provide as much detail as possible in these contentions and, in doing so, has exceeded the level of detail required. The inclusion of specific details in some areas is not a concession that such details are required or that the omission of similar details in other areas is a defect. The citations to portions of any reference in this chart are exemplary only. Defendant will rely on the entirety of the references cited in its charts to show that the asserted claims are invalid.

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
10[pre]	A system for data sharing between devices in a network, comprising:	To the extent the preamble is limiting, Qi discloses a system for data sharing between devices in a network. For example, Qi discloses that "[i]n accordance with some implementations of the disclosed technology, a method of configuring privacy settings for a social network application is disclosed. The method is performed at a first user device (e.g., client device 104, FIGS. 1 and 3). The method includes: receiving a relationship establishment instruction from a first user of the first user device, the relationship establishment instruction being associated with a first relationship establishment mode used by the first user for establishing a relationship between the first user and a second user in a first social network; in accordance with the first relationship establishment mode, selecting a respective privacy setting for use by the first user with respect to the second user from a plurality of privacy settings each corresponding to one or more respective relationship establishment modes; executing the relationship establishment instruction to establish the relationship between the first user and the second user in the first social network; and after executing the relationship establishment instruction resulting in establishing the relationship between the first user and second user, granting a permission for social network interactions between the first user and the second user in accordance with the respective privacy setting." Qi, ¶4; *see also* abstract. One example of that system is illustrated in Figure 1. As Qi discloses "FIG. 1 is a block diagram of a server-client environment in accordance with some embodiments." Qi, ¶8.

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")

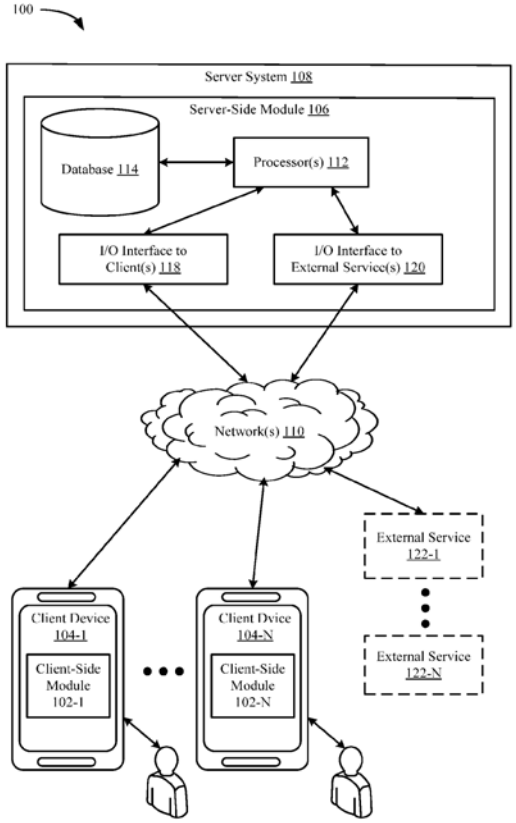


Figure 1

Qi, Fig. 1.

This is further illustrated in Figure 2. As Qi discloses, "FIG. 2 is a block diagram illustrating a server system 108 in accordance with some embodiments. Server system 108, typically, includes one or more processing units (CPUs) 112, one or more network interfaces 204 (e.g.,

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		including I/O interface to one or more clients 118 and I/O interface to one or more external services 120), memory 206, and one or more communication buses 208 for interconnecting these components (sometimes called a chipset). *Id.,* ¶37.

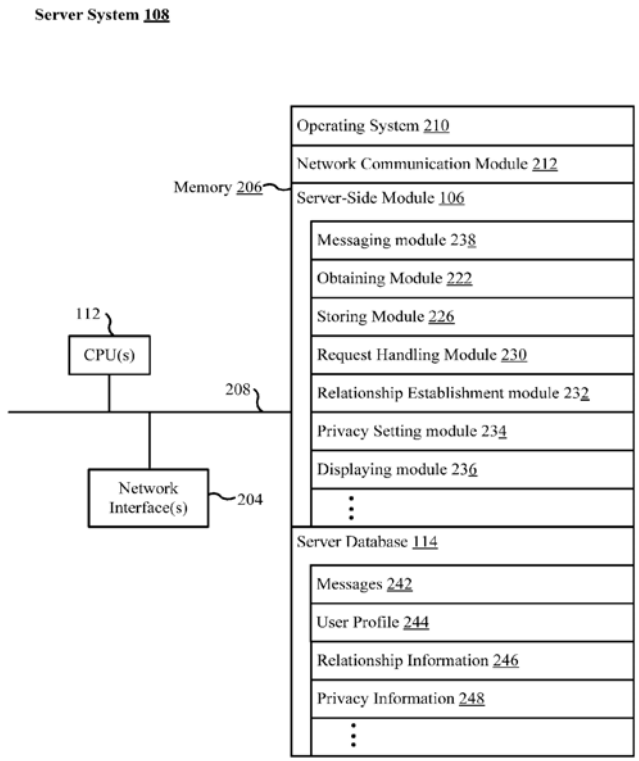
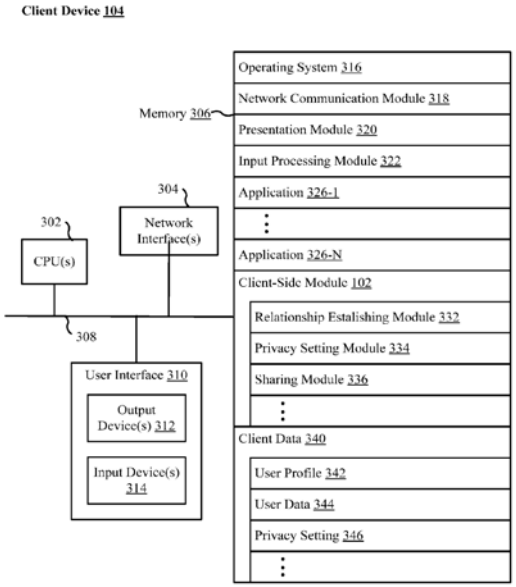
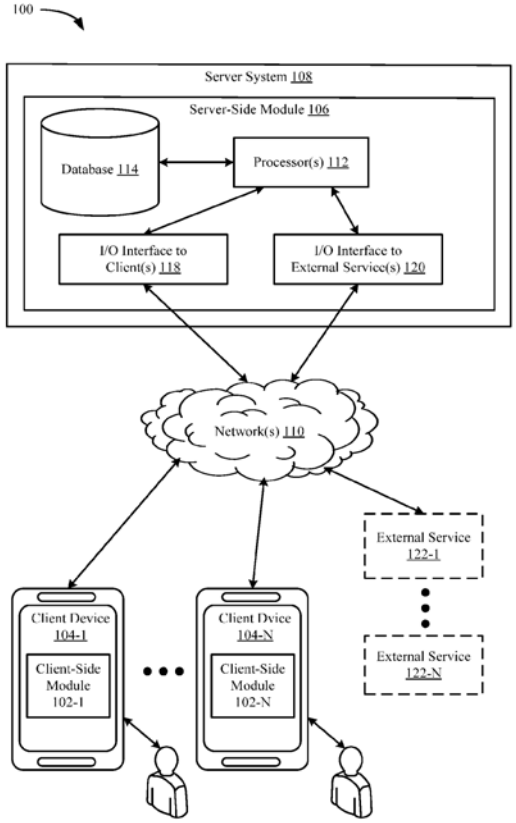


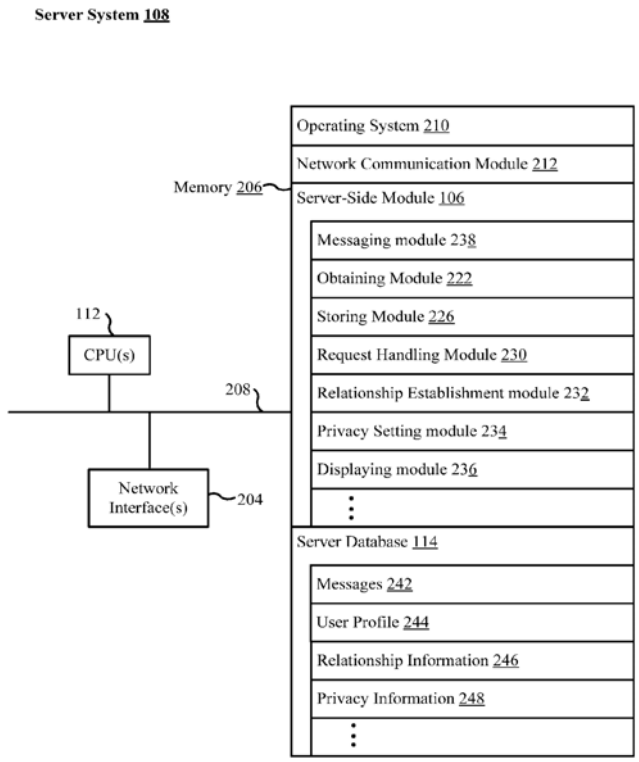
Figure 2

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		Qi, Fig. 2. This is further illustrated in Figure 3. As Qi discloses, "FIG. 3 is a block diagram illustrating a representative client device 104 associated with a user in accordance with some embodiments. Client device 104, typically, includes one or more processing units (CPUs) 302, one or more network interfaces 304, memory 306, and one or more communication buses 308 for interconnecting these components (sometimes called a chipset). Client device 104 also includes a user interface 310. User interface 310 includes one or more output devices 312 that enable presentation of media content, including one or more speakers and/or one or more visual displays. User interface 310 also includes one or more input devices 314, including user interface components that facilitate user input such as a keyboard, a mouse, a voice-command input unit or microphone, a touch screen display, a touch-sensitive input pad, a camera, a gesture capturing camera, or other input buttons or controls. Furthermore, some client devices 104 use a microphone and voice recognition or a camera and gesture recognition to supplement or replace the keyboard."

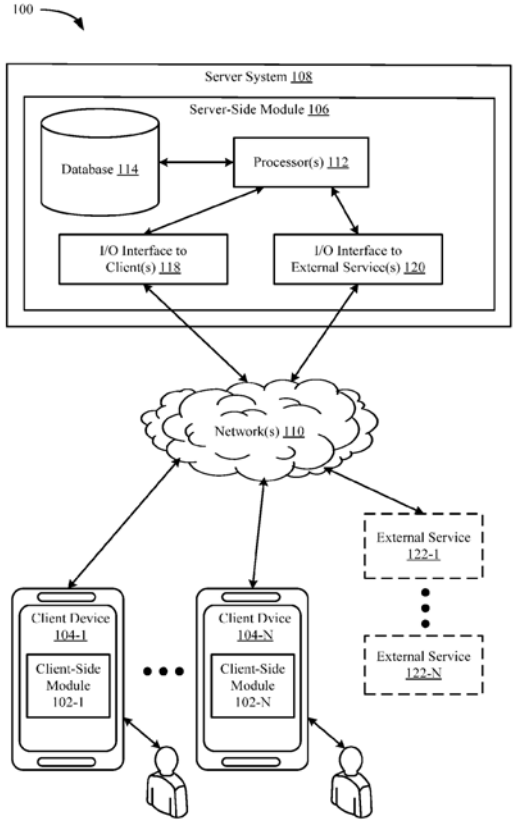
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		 **Figure 3** Qi, Fig. 3. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network.

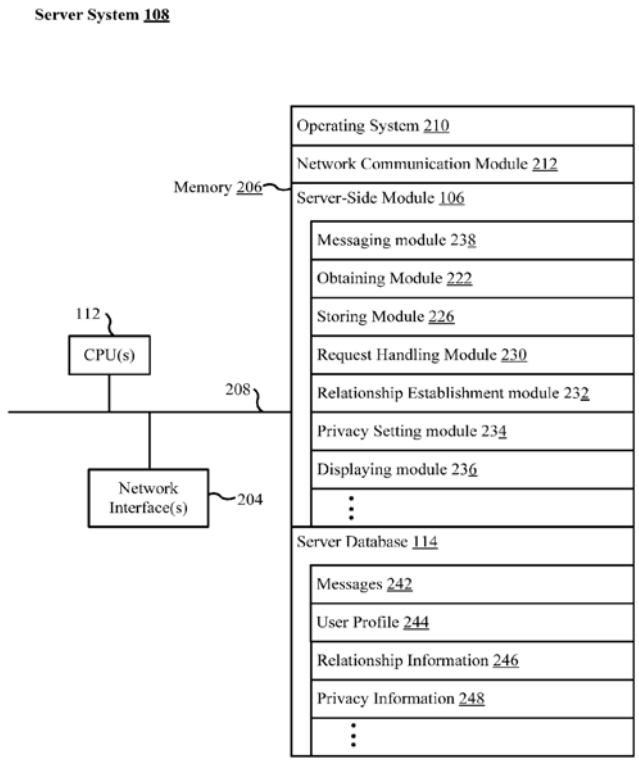
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[a]	a processor; and	Qi discloses a processor. For example, "server-side module 106 includes one or more processors 112, one or more databases 114, an I/O interface to one or more clients 118, and an I/O interface to one or more external services 120. I/O interface to one or more clients 118 facilitates the processing of input and output associated with the client devices for server-side module 106. One or more processors 112 obtain instant messages from a plurality of users, process the instant messages, process location information of a client device, and share location information of the client device to client-side modules 102 of one or more client devices." Qi, ¶32.

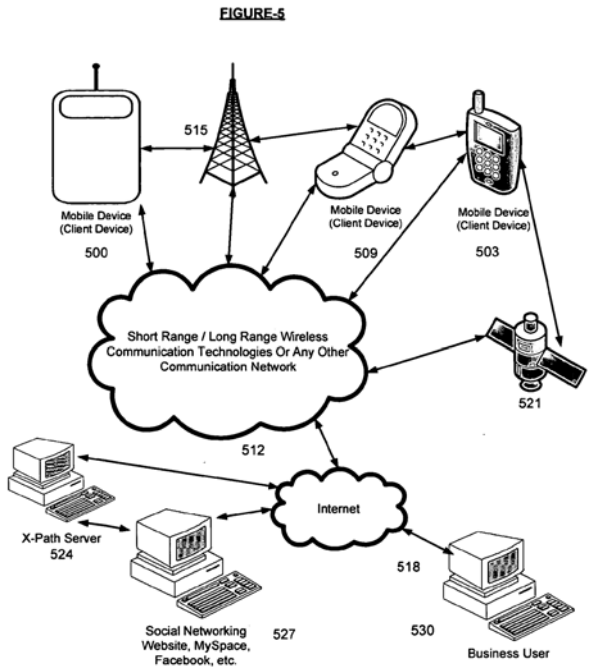
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		 **Figure 1** Qi, Fig. 1. This is further illustrated in Figure 2. As Qi discloses, "FIG. 2 is a block diagram illustrating a server system 108 in accordance with some embodiments. Server system 108, typically, includes one or more processing units (CPUs) 112, one or more network interfaces 204 (e.g.,

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		including I/O interface to one or more clients 118 and I/O interface to one or more external services 120), memory 206, and one or more communication buses 208 for interconnecting these components (sometimes called a chipset). *Id.,* ¶37.  **Figure 2** Qi, Fig. 2.

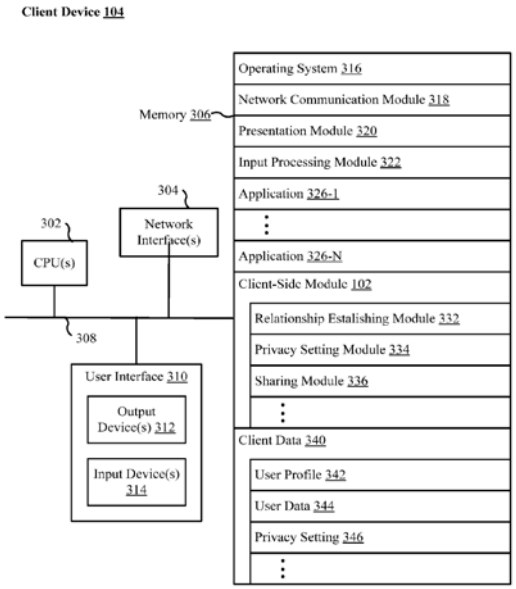
Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[b]	a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising:	Qi discloses a memory, the memory comprising computer-executable instructions that, when executed by the processor. For example, "server-side module 106 includes one or more processors 112, one or more databases 114, an I/O interface to one or more clients 118, and an I/O interface to one or more external services 120. I/O interface to one or more clients 118 facilitates the processing of input and output associated with the client devices for server-side module 106. One or more processors 112 obtain instant messages from a plurality of users, process the instant messages, process location information of a client device, and share location information of the client device to client-side modules 102 of one or more client devices." Qi, ¶32.

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		 **Figure 1** Qi, Fig. 1. This is further illustrated in Figure 2. As Qi discloses, "FIG. 2 is a block diagram illustrating a server system 108 in accordance with some embodiments. Server system 108, typically, includes one or more processing units (CPUs) 112, one or more network interfaces 204 (e.g.,

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		including I/O interface to one or more clients 118 and I/O interface to one or more external services 120), memory 206, and one or more communication buses 208 for interconnecting these components (sometimes called a chipset). *Id.,* ¶37.  **Figure 2** Qi, Fig. 2.

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		 Qi, Fig. 5. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[c]	identifying, for a user associated with a user device, a potential contact,	Qi discloses for a user associated with a user device a potential contact. For example, Qi discloses identifying a first user associated with a user device a second user, i.e., target account. For example, Qi discloses "[i]accordance with some embodiments, in a step S1101, the first user device receives a relationship establishment instruction from a first user of the first user device, the relationship establishment instruction being associated with a first relationship establishment mode used by the first user for establishing a relationship between the first user and a second user in a first social network. In some embodiments, the first user device is associated with the current account while the second user device is associated with the target account discussed above." Qi, ¶175. Qi also discloses "[i]n accordance with some embodiments, the relationship establishment instruction includes an instruction for accepting an invitation from the second user to establish the relationship between the first user and the second user. In some embodiments, the relationship establishment instruction includes an instruction for sending an invitation to the second user to establish the relationship between the first user and the second user and waiting for an acceptance from the second user." Qi, ¶176. The user device is further illustrated in Figure 3. As Qi discloses, "FIG. 3 is a block diagram illustrating a representative client device 104 associated with a user in accordance with some embodiments. Client device 104, typically, includes one or more processing units (CPUs) 302, one or more network interfaces 304, memory 306, and one or more communication buses 308 for interconnecting these components (sometimes called a chipset). Client device 104 also includes a user interface 310. User interface 310 includes one or more output devices 312 that enable presentation of media content, including one or more speakers and/or one or more visual displays. User interface 310 also includes one or more input devices 314, including user interface components that facilitate user input such as a keyboard, a mouse, a voice-command input unit or microphone, a touch screen display, a touch-sensitive input pad, a camera, a gesture capturing camera, or other input buttons or controls. Furthermore, some client devices

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		104 use a microphone and voice recognition or a camera and gesture recognition to supplement or replace the keyboard."  **Figure 3** Qi, Fig. 3. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[d]	the user being associated with user data, and	*See* limitation 10(c). Qi discloses the user being associated with user data, for example, user profiles. For example, Qi discloses that "user profile 342 storing a user profile associated with the user of client device 104 including a user/account name or handle, login credentials for privacy setting, payment data (e.g., linked credit card information, app credit or gift card balance, billing address, shipping address, etc.), custom parameters (e.g., age, location, hobbies, etc.) for the user, social network contacts, groups of contacts to which the user belongs, and identified trends and/or likes/ dislikes of the user." Qi, ¶67. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[e]	the potential contact being associated with contact data;	Qi discloses the potential contact being associated with contact data. For example, Qi discloses that the second user is associated with personal contact information.

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		For example, Qi discloses that "user profile 342 storing a user profile associated with the user of client device 104 including a user/account name or handle, login credentials for privacy setting, payment data (e.g., linked credit card information, app credit or gift card balance, billing address, shipping address, etc.), custom parameters (e.g., age, location, hobbies, etc.) for the user, social network contacts, groups of contacts to which the user belongs, and identified trends and/or likes/ dislikes of the user." Qi, ¶67; *see also id.,* ¶175 ("In some embodiments, the first user device is associated with the current account while the second user device is associated with the target account discussed above."). To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[f]	receiving, from the user device of the user, a request for the user to become a contact with the potential contact,	*See* limitation 10(c). Qi discloses receiving from the user device of the user a request for the user to become a contact with the potential contact. For example, Qi discloses receiving from the device of the first user, a request for the first user to become a contact with the second user. For example, Qi discloses that "FIG. 11 is a flowchart of a method of configuring privacy settings for a social network application in accordance with some embodiments. In some embodiments, the method is performed at a first user device of having one or more processors and memory for storing one or more programs to be executed by the one or more processors." Qi, ¶174.

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")

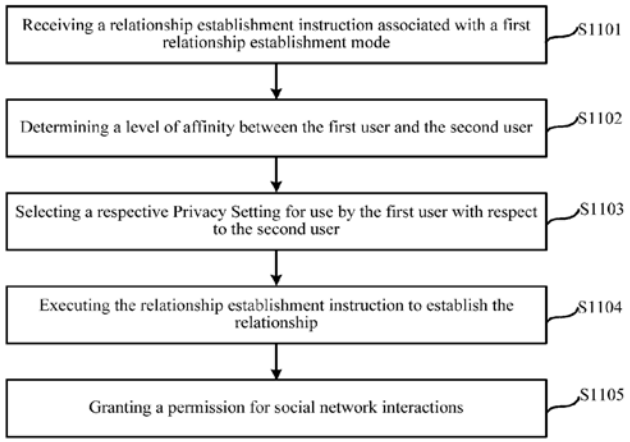


FIG. 11

Qi, Fig. 11.

For example Qi discloses, "[i]n accordance with some embodiments, in a step S1101, the first user device receives a relationship establishment instruction from a first user of the first user device, the relationship establishment instruction being associated with a first relationship establishment mode used by the first user for establishing a relationship between the first user and a second user in a first social network." Qi, ¶175

Qi also discloses "[i]n some embodiments, identifying the second user based on registered contact information of the second user available to a server of the first social network platform, e.g., contact information search, includes that the first user device sends the contact information to the server, including name, address, telephone number, account in a second social network platform, address, and so on. The contact information can be stored in the first user device and is thus obtained by the first user device automatically. Then the server can

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		obtain that information from the first user device and recommend the second user to the first user as a potential social network contact. Alternatively, the first user may enter the contact information and search for the user who matches such contact information." Qi, ¶180 Qi also discloses "[i] some embodiments, a proximity search includes steps of the first user selecting a button of 'finding persons nearby.' Then a few users within certain proximity will appear in the interface. The first user may choose one of the a few users to send a message or send a relationship establishment invitation." Qi, ¶178. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[g]	the request comprising a first permission setting, and	Qi discloses the request comprising a first permission setting. For example, Qi discloses a communication request comprises a privacy setting. For example, Qi discloses "[i]n accordance with some embodiments, in a step S1103, in accordance with the level of affinity, the first user device selects a privacy setting corresponding to the level of affinity from the plurality of privacy settings as the respective privacy setting for use by the first user with respect to the second user in the first social network." Qi, ¶186. Qi also discloses that "[i]n accordance with some embodiments, the first user device has predetermined corresponding relationships among affinity level, privacy settings and relationship establishment modes. For example, the first user device may include a table below:

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")

Establishment Mode	Affinity	Sharing setting
Proximity Search	Far	No sharing
Existing Contact (with no group information)	Middle	Sharing part of content
Existing Contact (family or close contact)	Close	Sharing all content
Existing Contact (Colleague, Classmate or Social contact)	Middle	Sharing part of content
Existing Contact (Acquaintance or Strangers)	Far	No sharing
Contact Information Search	Far	No sharing
Contact Recommendation	Middle	Sharing part of content
Barcode Scanning	Far	No sharing
Name card scanning	Middle	Sharing part of content

Qi, ¶188.

Qi further discloses that "[i]n some embodiments, the privacy settings can be a hierarchy with increasing access privileges (as shown in the table), different combinations of privileges, or both. For example, while colleagues and social contacts are in the same level of affinities, the content being shared can be different. The user may specify that profession related content is shared to colleagues but not social contacts, while religious content is shared to social contacts but not colleagues. And when the first user posts content in the social network, he can specify the category of the content so that the server can selectively determine which content is displayed to which contacts. Therefore, colleagues and social contacts have different combinations of privileges. Meanwhile, family and close contacts are in a closer affinity level and can see all content being shared by the first user." Qi, ¶191.

To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[h]	the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user;	See limitation 10[g]. Qi discloses the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user. For example, Qi discloses the ability to view private data being a first value indicating the ability to view a certain subset of content of the first user be shared with a permitted user, the second user. For example, Qi discloses "[i]n accordance with some embodiments, in a step S1103, in accordance with the level of affinity, the first user device selects a privacy setting corresponding to the level of affinity from the plurality of privacy settings as the respective privacy setting for use by the first user with respect to the second user in the first social network." Qi, ¶186. Qi also discloses that "[i]n accordance with some embodiments, the first user device has predetermined corresponding relationships among affinity level, privacy settings and relationship establishment modes. For example, the first user device may include a table below:

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")

Establishment Mode	Affinity	Sharing setting
Proximity Search	Far	No sharing
Existing Contact (with no group information)	Middle	Sharing part of content
Existing Contact (family or close contact)	Close	Sharing all content
Existing Contact (Colleague, Classmate or Social contact)	Middle	Sharing part of content
Existing Contact (Acquaintance or Strangers)	Far	No sharing
Contact Information Search	Far	No sharing
Contact Recommendation	Middle	Sharing part of content
Barcode Scanning	Far	No sharing
Name card scanning	Middle	Sharing part of content

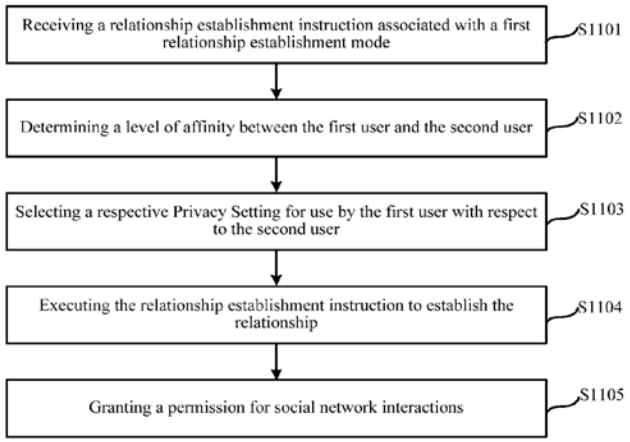
Qi, ¶188.

Qi further discloses that "[i]n some embodiments, the privacy settings can be a hierarchy with increasing access privileges (as shown in the table), different combinations of privileges, or both. For example, while colleagues and social contacts are in the same level of affinities, the content being shared can be different. The user may specify that profession related content is shared to colleagues but not social contacts, while religious content is shared to social contacts but not colleagues. And when the first user posts content in the social network, he can specify the category of the content so that the server can selectively determine which content is displayed to which contacts. Therefore, colleagues and social contacts have different combinations of privileges. Meanwhile, family and close contacts are in a closer affinity level and can see all content being shared by the first user." Qi, ¶191.

To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[i]	sending, based on the request, a communication to the potential contact to initiate a data exchange; and	Qi discloses sending, based on the request, a communication to the potential contact to initiate a data exchange. For example, Qi discloses sending based on the communication request a relationship establishment invitation to the second user to initiate an exchange of information. For example, Qi discloses that "[i]n accordance with some embodiments, the relationship establishment instruction includes an instruction for accepting an invitation from the second user to establish the relationship between the first user and the second user. In some embodiments, the relationship establishment instruction includes an instruction for sending an invitation to the second user to establish the relationship between the first user and the second user and waiting for an acceptance from the second user." Qi, ¶176. Qi also discloses "[i] some embodiments, a proximity search includes steps of the first user selecting a button of 'finding persons nearby.' Then a few users within certain proximity will appear in the interface. The first user may choose one of the a few users to send a message or send a relationship establishment invitation." Qi, ¶178. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[j]	in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact,	Qi discloses in response to receiving an acceptance of the communication setting the user as a contact of the potential contact. For example, Qi discloses in response to receiving from the second user an acceptance of the communication setting the first user as a contact of the second user. For example, Qi discloses "[i]n accordance with some embodiments, the relationship establishment instruction includes an instruction for accepting an invitation from the second user to establish the relationship between the first user and the second user. In some embodiments, the relationship establishment instruction includes an instruction for sending an invitation to the second user to establish the relationship between the first user and the second user and waiting for an acceptance from the second user." Qi, ¶176. For example, Qi discloses that "In some embodiments, accepting a recommendation from a mutual contact of the first and second users includes a contact sending the contact information of the second user to the first user. The contact information may show up as an icon to the first user in a chat window. When the first user clicks it, the first user device automatically sends an invitation to the second user. The second user can accept the invitation by either accepting an invitation from the first user or by clicking the recommendation icon as well." Qi, ¶181. For example, Qi discloses that "FIG. 11 is a flowchart of a method of configuring privacy settings for a social network application in accordance with some embodiments. In some embodiments, the method is performed at a first user device of having one or more processors and memory for storing one or more programs to be executed by the one or more processors." Qi, ¶174.

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		 **FIG. 11** Qi, Fig. 11. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
10[k]	the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and	See limitation 10[g]. Qi discloses that the subset of the user data is viewable to the potential contact in a case that the first permission setting being the first value. For example, Qi discloses that certain content is viewable to the second user where the ability to view the content has been set to provide the second user the ability to view the data. For example, Qi discloses "[i]n accordance with some embodiments, in a step S1103, in accordance with the level of affinity, the first user device selects a privacy setting corresponding to the level of affinity from the plurality of privacy settings as the respective privacy setting for use by the first user with respect to the second user in the first social network." Qi, ¶186. Qi also discloses that "[i]n accordance with some embodiments, the first user device has predetermined corresponding relationships among affinity level, privacy settings and relationship establishment modes. For example, the first user device may include a table below:

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")

Establishment Mode	Affinity	Sharing setting
Proximity Search	Far	No sharing
Existing Contact (with no group information)	Middle	Sharing part of content
Existing Contact (family or close contact)	Close	Sharing all content
Existing Contact (Colleague, Classmate or Social contact)	Middle	Sharing part of content
Existing Contact (Acquaintance or Strangers)	Far	No sharing
Contact Information Search	Far	No sharing
Contact Recommendation	Middle	Sharing part of content
Barcode Scanning	Far	No sharing
Name card scanning	Middle	Sharing part of content

Qi, ¶188.

Qi further discloses that "[i]n some embodiments, the privacy settings can be a hierarchy with increasing access privileges (as shown in the table), different combinations of privileges, or both. For example, while colleagues and social contacts are in the same level of affinities, the content being shared can be different. The user may specify that profession related content is shared to colleagues but not social contacts, while religious content is shared to social contacts but not colleagues. And when the first user posts content in the social network, he can specify the category of the content so that the server can selectively determine which content is displayed to which contacts. Therefore, colleagues and social contacts have different combinations of privileges. Meanwhile, family and close contacts are in a closer affinity level and can see all content being shared by the first user." Qi, ¶191.

To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[l]	setting the potential contact as a contact of the user.	See limitations 10[j], 10[k]. Qi discloses setting the potential contact as a contact of the user. For example, Qi discloses in response to receiving the from the second user an acceptance of the invitation, setting the second user as a contact of the first user. For example, Qi discloses "[i]n accordance with some embodiments, the relationship establishment instruction includes an instruction for accepting an invitation from the second user to establish the relationship between the first user and the second user. In some embodiments, the relationship establishment instruction includes an instruction for sending an invitation to the second user to establish the relationship between the first user and the second user and waiting for an acceptance from the second user." Qi, ¶176. For example, Qi discloses that "In some embodiments, accepting a recommendation from a mutual contact of the first and second users includes a contact sending the contact information of the second user to the first user. The contact information may show up as an icon to the first user in a chat window. When the first user clicks it, the first user device automatically sends an invitation to the second user. The second user can accept the invitation by either accepting an invitation from the first user or by clicking the recommendation icon as well." Qi, ¶181. For example, Qi discloses that "FIG. 11 is a flowchart of a method of configuring privacy settings for a social network application in accordance with some embodiments. In some embodiments, the method is performed at a first user device of having one or more processors

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		and memory for storing one or more programs to be executed by the one or more processors." Qi, ¶174. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[pre]	The system of claim 10, wherein identifying the potential contact comprises:	*See* claim 10. Qi discloses the system of claim 10 for identifying the potential contact. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[a]	receiving, from the potential contact, a first location; and	Qi discloses receiving from the potential contact a first location. For example, Qi discloses receiving from the second user a first location.

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		For example, Qi discloses "server-side module 106, which provides serverside data processing for the social networking platform (e.g., location information processing and sharing, instant messaging, and social networking services)." Qi, ¶41. Qi also discloses "[o]ne or more processors 112 obtain instant messages from a plurality of users, process the instant messages, process location information of a client device, and share location information of the client device to clientside modules 102 of one or more client devices. The database 114 stores various information, including but not limited to, map information, service categories, service provider names, and the corresponding locations." Qi, ¶32. Qi further discloses "user profiles 244 storing user profiles for the plurality of users, wherein a respective user profile for a user may include a user/account name or handle, login credentials to the social networking platform, location information of the user, payment data (e.g., linked credit card information, app credit or gift card balance, billing address, shipping address, etc.), custom parameters (e.g., age, location, hobbies, etc.) for the user, social network contacts, groups of contacts to which the user belongs, information and content shared on sharing platforms and identified trends and/or likes/dislikes of the user." Qi, ¶51. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[b]	identifying the potential contact in a case that a second location of the user	See limitation 11[a].

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	device matches the first location.	Qi discloses identifying the potential contact in a case that a second location of the user device matches the first location. For example, Qi discloses identifying a second user where the second location of the device of the first user matches the first location. For example, Qi discloses that "[i]n some embodiments, identifying the second user based on registered contact information of the second user available to a server of the first social network platform, e.g., contact information search, includes that the first user device sends the contact information to the server, including name, address, telephone number, account in a second social network platform, address, and so on. The contact information can be stored in the first user device and is thus obtained by the first user device automatically. Then the server can obtain that information from the first user device and recommend the second user to the first user as a potential social network contact. Alternatively, the first user may enter the contact information and search for the user who matches such contact information." Qi, ¶180. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[pre]	The system of claim 10,	*See* claim 10. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary

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		skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[a]	wherein receiving, from the user device of the user, the request for the user to become a contact with the potential contact, comprises:	*See* limitation 10[f]. Qi discloses receiving, from the user device of the user, the request for the user to become a contact with the potential contact. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[b]	receiving a first location that is associated with the request; and	*See* limitation 10[c] and 11[a]. Qi discloses receiving a first location that is associated with the request. For example, Qi discloses receiving a first location that is associated with the first user. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter

Nos.	Asserted '107 Patent	U.S. Patent Application No. 2017/0034176 ("Qi")
		and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[c]	wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises:	See limitation 10[i]. Qi discloses sending, based on the request, the communication to the potential contact to initiate the data exchange. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[d]	subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact.	*See* limitations 10[c], 11[b]. Qi discloses subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact. To the extent Qi does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of Qi in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine Qi with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network.

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		Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

DEFENDANT APPLE INC'S INVALIDITY CONTENTIONS
Exhibit 4 – Invalidity Claim Chart for U.S. Patent No. 11,025,573

Based on: Bump System

As described by at least the following exemplary documents:

1. https://web.archive.org/web/20140103073702/http://bu.mp/company/faq **("Bump - Frequently Asked Questions" (January 3, 2014) ("FAQ")**
2. https://www.youtube.com/watch?v=niJguU7r-bs **("Bump from Bump Technologies – Here's How You Bump," Jul 15, 2010) ("Video")**
3. https://www.youtube.com/watch?v=mHVJYz7Z0Po **("Send data with a Bump!," May 1, 2011) ("Video 2")**

The Bump System qualifies as prior art to the '573 Patent under at least 35 U.S.C. §§ 102(a)(1) (AIA). The Bump System was available by at least March 2009. Based on Ginko, LLC ("Plaintiff's") infringement contentions, for at least the same reasons that Plaintiff alleges the accused products practice the claimed invention, the asserted claims of the '573 Patent are at least rendered obvious by the Bump System.

The Bump System renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Defendant's Invalidity Contentions. One of ordinary skill would have been motivated to combine these references because each is directed to the same or similar field of endeavor and each teaches methods and devices for sharing data between devices on a network.

The following claim chart demonstrates how the Bump System discloses each element of the asserted claim elements. To the extent any limitation is not explicitly disclosed, each limitation is at least inherently disclosed or would have been obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions.

To the extent the preambles of the Asserted Claims are limiting, Defendant has identified disclosures of the prior art in the chart below relevant to the preambles. Defendant's citation to disclosures relevant to the preambles should not be interpreted as a concession that any preamble is limiting.

With respect to the obviousness of the asserted claims under 35 U.S.C. § 103, one or more of the principles enumerated by the United States Supreme Court in *KSR v. Teleflex*, 550 U.S. 398 (2007) apply, including: (a) combining various claimed elements known in the prior art according to known methods to yield a predictable result; and/or (b) making a simple substitution of one or more known elements for another to obtain a predictable result; and/or (c) using a known technique to improve a similar device or method in the

same way; and/or (d) applying a known technique to a known device or method ready for improvement to yield a predictable result; and/or (e) choosing from a finite number of identified, predictable solutions with a reasonable expectation of success or, in other words, the solution was one which was "obvious to try"; and/or (f) a known work in one field of endeavor prompting variations of it for use either in the same field or a different field based on given design incentives or other market forces in which the variations were predictable to one of ordinary skill in the art; and/or (g) a teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill in the art to modify the prior art reference or to combine the teachings of various prior art references to arrive at the claimed invention. Each feature of each of the Asserted Claims was within the scope and content of the prior art, was no different from the disclosures of the prior art, and was within the level of ordinary skill in the art. It therefore would have been obvious to one of ordinary skill in the art to combine the disclosures of these references in accordance with the principles and rationales set forth above.

In compiling these contentions, Defendant has relied in part on Plaintiff's infringement contentions. In those contentions, Plaintiff appears to assign constructions to indefinite claim language, to pursue overly broad claim constructions in an effort to assert infringement where none exists, and to accuse products that do not infringe the claims.

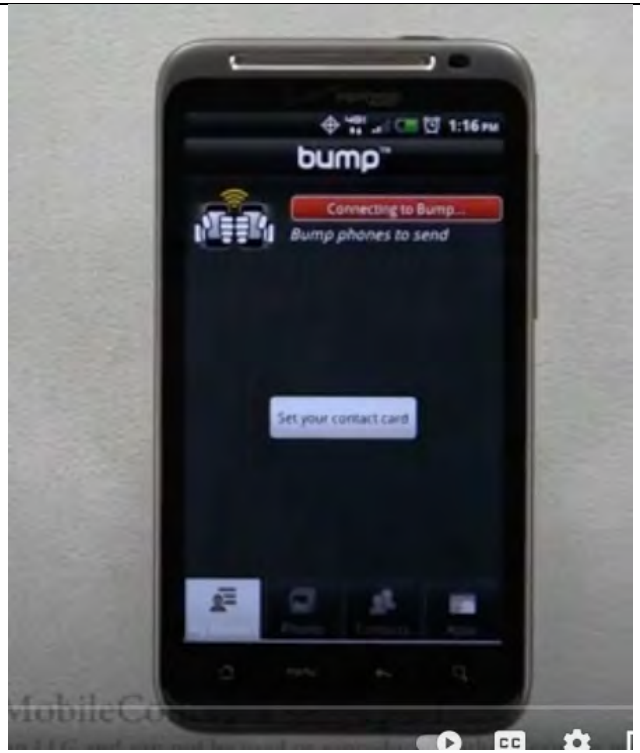
Defendant's assertion that a particular limitation is disclosed by a prior art reference and/or is disclosed in a particular manner may be based in part on Plaintiff's apparent claim interpretations. In relying on Plaintiff's apparent claim interpretations, Defendant does not admit that Plaintiff's apparent claim interpretations are supportable or proper or that the claim limitations in question are definite or otherwise amenable to construction.

Defendant has endeavored to provide as much detail as possible in these contentions and, in doing so, has exceeded the level of detail required. The inclusion of specific details in some areas is not a concession that such details are required or that the omission of similar details in other areas is a defect. The citations to portions of any reference in this chart are exemplary only. Defendant will rely on the entirety of the references cited in its charts to show that the asserted claims are invalid.

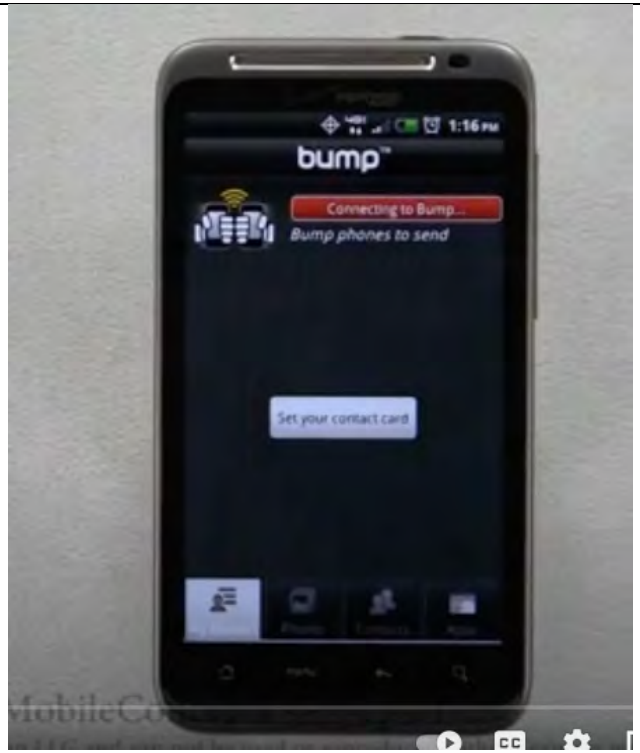
Nos.	Asserted '107 Patent	Bump System
10[pre]	A system for data sharing between devices in a network, comprising:	To the extent the preamble is limiting, the Bump System discloses a system for data sharing between devices in a network, for example, contact information between mobile devices. **Q. How does Bump work?** There are two parts to Bump: the app running on your device and a smart matching algorithm running on our servers in the cloud. The app on your phone uses the phone's sensors to literally "feel" the bump, and it sends that info up to the cloud. The matching algorithm listens to the bumps from phones around the world and pairs up phones that felt the same bump. Then we just route information between the two phones in each pair. FAQ at 1. **Q. Is Bump just for sharing my own contact information?** No way! While Bump is an efficient way to do this, it's not limited to only sharing contact information. Bump enables to you share photos and chat with people you have bumped. It's a social tool that helps you share and keep in touch with friends. FAQ at 2. **Q. How do I bump?** It's simple! Just open Bump, hold your phone, and gently bump hands with the other person. You should feel your phone vibrating when you bump, and then you'll see the other person's name and photo appear on your phone. If you don't feel the vibration when you bump, you likely aren't bumping hard enough. If you are knocking your friend's phone out of her hand, you are bumping too hard… FAQ at 2. **Q. Does Bump require that Bluetooth be activated also?** Nope! Bump doesn't use Bluetooth to work at all; all you need is an internet connection. FAQ at 2.

Nos.	Asserted '107 Patent	Bump System
		 Video at :01 (Here's how you bump. Open up the app. Choose contacts, photos, social networks, or calendar invites. Select the information you want to share and bump. Confirm and the information is exchanged within seconds.")

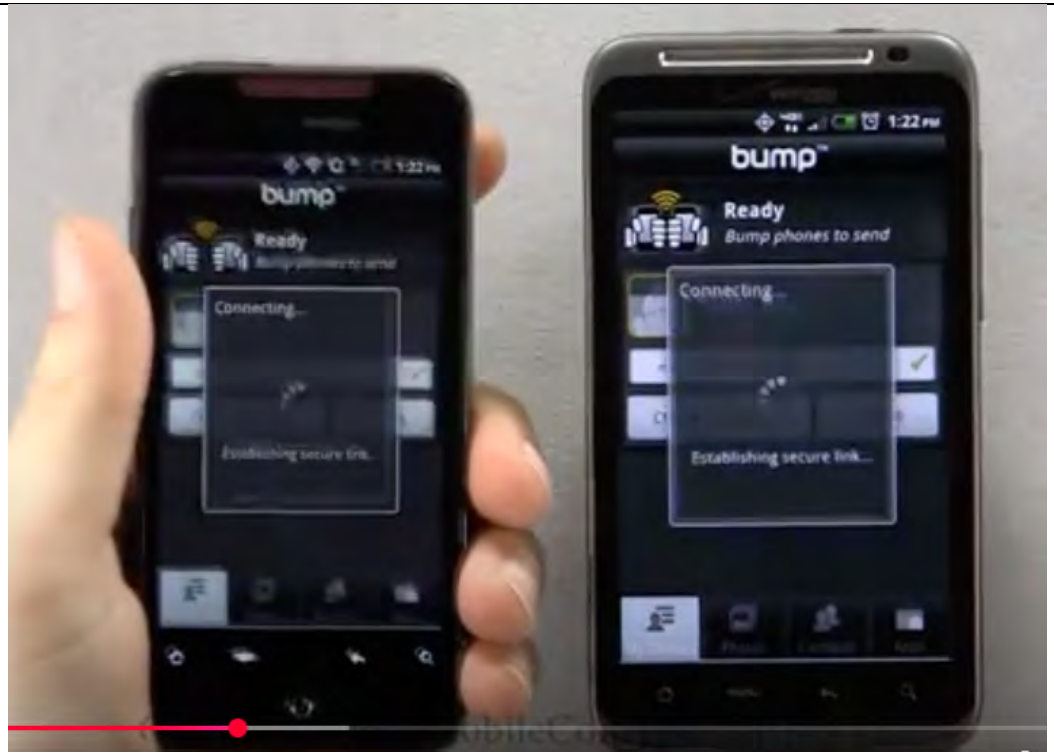
Nos.	Asserted '107 Patent	Bump System
		 Video 2 at :06 ("Bump is an application that easily shares contacts pictures and applications by creating a secure connection with other bump users by bumping the two devices together.") To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[a]	a processor; and	The Bump System discloses a processor, for example, on the Bump server.

Nos.	Asserted '107 Patent	Bump System
		 Video 2 at :20 ("will automatically connect to the Bump server") **Q. How does Bump work?** There are two parts to Bump: the app running on your device and a smart matching algorithm running on our servers in the cloud. The app on your phone uses the phone's sensors to literally "feel" the bump, and it sends that info up to the cloud. The matching algorithm listens to the bumps from phones around the world and pairs up phones that felt the same bump. Then we just route information between the two phones in each pair. FAQ at 1.

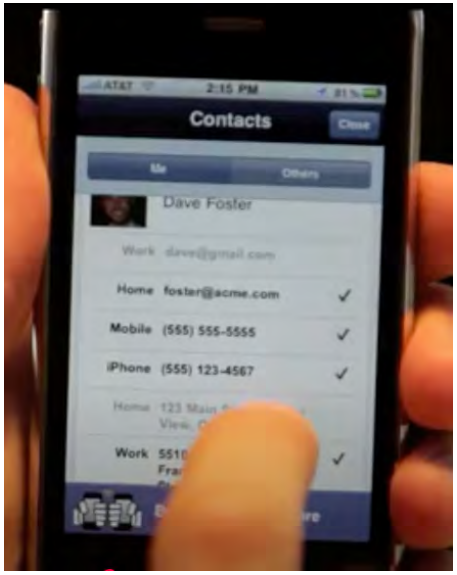
Nos.	Asserted '107 Patent	Bump System
		To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[b]	a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising:	*See* limitation 10[a]. The Bump System discloses a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations, for example, on the Bump server.

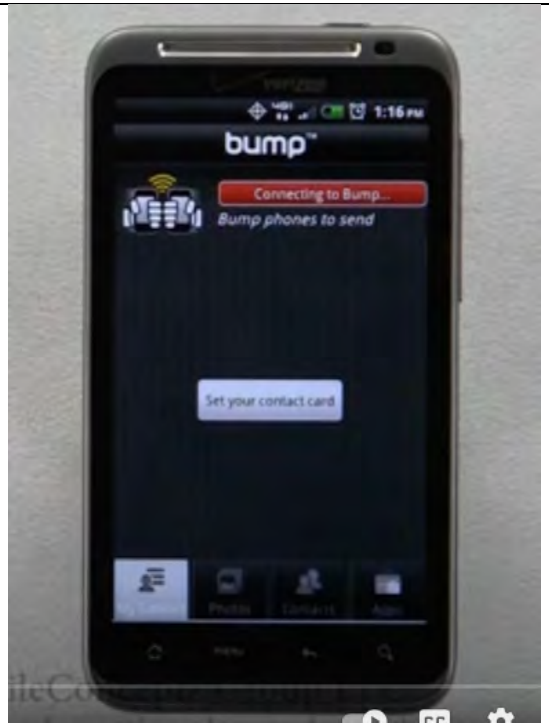
Nos.	Asserted '107 Patent	Bump System
		 Video 2 at :20 ("will automatically connect to the Bump server") **Q. How does Bump work?** There are two parts to Bump: the app running on your device and a smart matching algorithm running on our servers in the cloud. The app on your phone uses the phone's sensors to literally "feel" the bump, and it sends that info up to the cloud. The matching algorithm listens to the bumps from phones around the world and pairs up phones that felt the same bump. Then we just route information between the two phones in each pair. FAQ at 1.

Nos.	Asserted '107 Patent	Bump System
		To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[c]	identifying, for a user associated with a user device, a potential contact,	The Bump System discloses identifying for a user associated with a user device a potential contact, e.g., identifying, for a Bump user, e.g., Jerry Doe, associated with a mobile phone, another Bump user, e.g., John Doe. **Q. How do I bump?** It's simple! Just open Bump, hold your phone, and gently bump hands with the other person. You should feel your phone vibrating when you bump, and then you'll see the other person's name and photo appear on your phone. If you don't feel the vibration when you bump, you likely aren't bumping hard enough. If you are knocking your friend's phone out of her hand, you are bumping too hard… FAQ at 2.

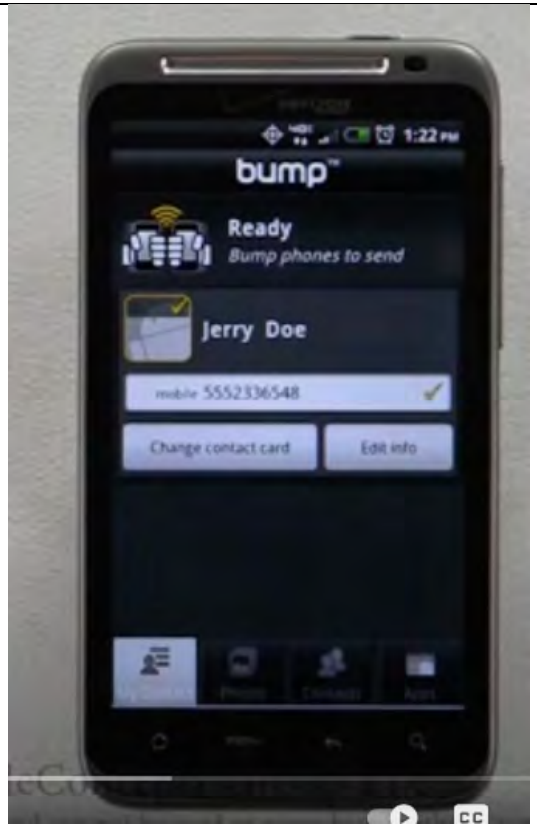
Nos.	Asserted '107 Patent	Bump System
		 Video 2 at 1:27 ("To initiate a connection with another device bump the two devices together and bump will establish a secure link.")

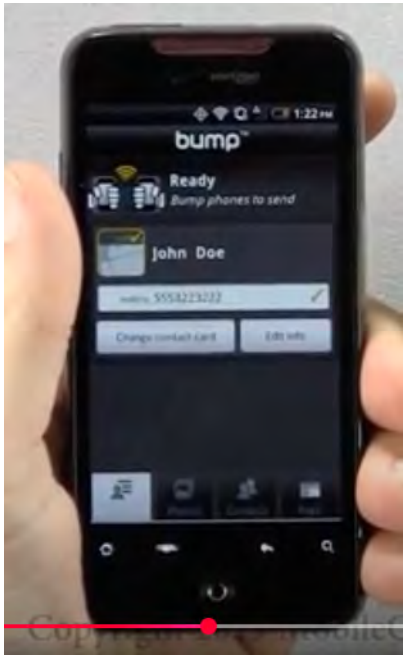
Nos.	Asserted '107 Patent	Bump System
		 Video at 1:37 (Jerry Doe and John Doe). To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such

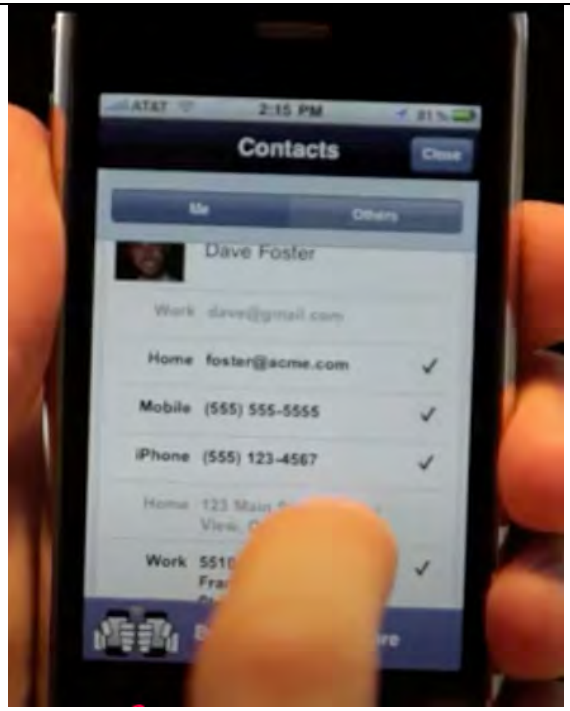
Nos.	Asserted '107 Patent	Bump System
		combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[d]	the user being associated with user data, and	*See* limitation 10(c). The Bump System discloses the user being associated with user data, for example, phone number, email address, home address, etc. 

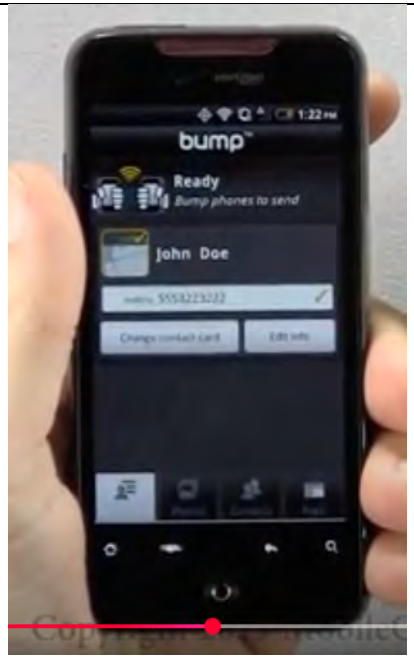
Nos.	Asserted '107 Patent	Bump System
		 Video 2 at :26 ("The first thing you will want to do is set your contact card. A contact card allows for easy sharing of your contact information with other bump users.")

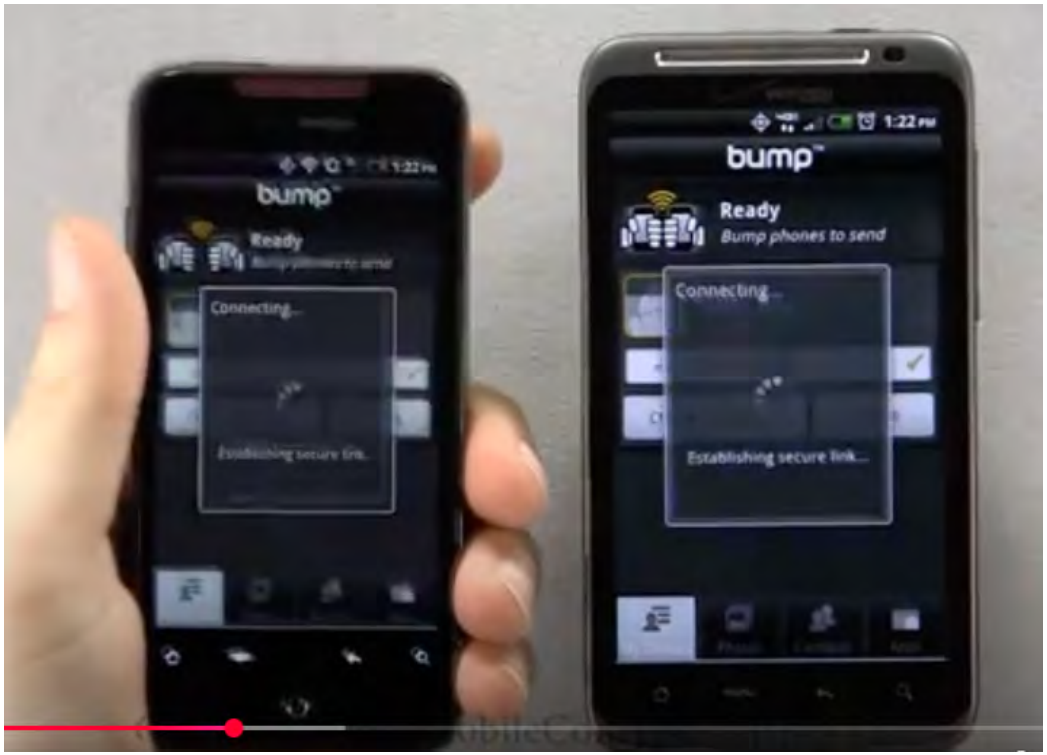
Nos.	Asserted '107 Patent	Bump System
		 Video 2 at :52 ("Tap create a new contact card and this will launch the contact card editor. The editor contains the same entry Fields as any normal contact you would save to your device. Enter the information you want the contact card to contain and press save. … Once your contact card is set the active card will display on the my contact screen. Now you're ready to start sharing.")

Nos.	Asserted '107 Patent	Bump System
		 Video 2 at 1:25. To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and

Nos.	Asserted '107 Patent	Bump System
		approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[e]	the potential contact being associated with contact data;	*See* limitation 10[d] The Bump System discloses the potential contact being associated with contact data, for example, contact information for the other Bump user, e.g., John Doe.  Video 2 at 1:55.

Nos.	Asserted '107 Patent	Bump System
		 Video at :01 (Here's how you bump. Open up the app. Choose contacts, photos, social networks, or calendar invites. Select the information you want to share and bump. Confirm and the information is exchanged within seconds.")

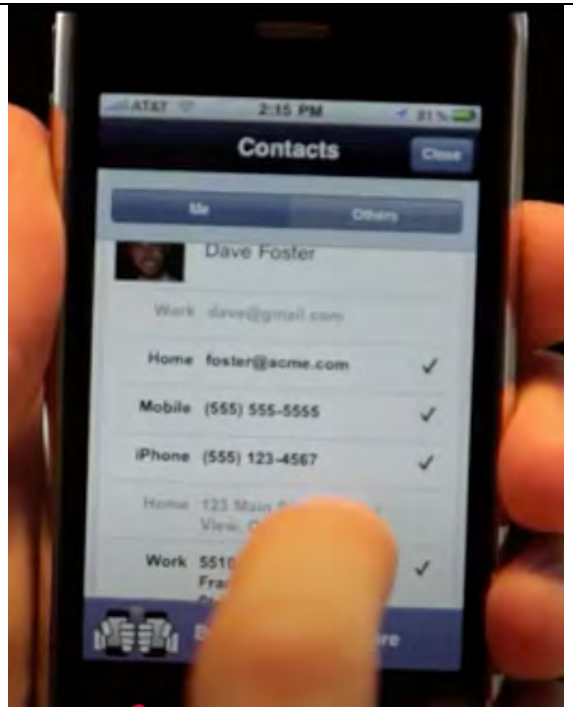
Nos.	Asserted '107 Patent	Bump System
		 Video 2 at 1:55. To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	Bump System
10[f]	receiving, from the user device of the user, a request for the user to become a contact with the potential contact,	The Bump System discloses receiving from the user device of the user a request for the user to become a contact with the potential contact, for example, receiving from the mobile of the user, e.g., Jerry Doe, a request for the user to become a contact with the potential contact, e.g., John Doe.  Video 2 at 1:27 ("To initiate a connection with another device bump the two devices together and bump will establish a secure link.")

Nos.	Asserted '107 Patent	Bump System
		 Video 2 at 1:38 ("Once the link is created tap on the accept button to accept or the cancel button to reject the connection once the connection is accepted the transfer will immediately begin press okay to confirm the data received now when I access my contact list the contact for John Doe has automatically been added.") To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the

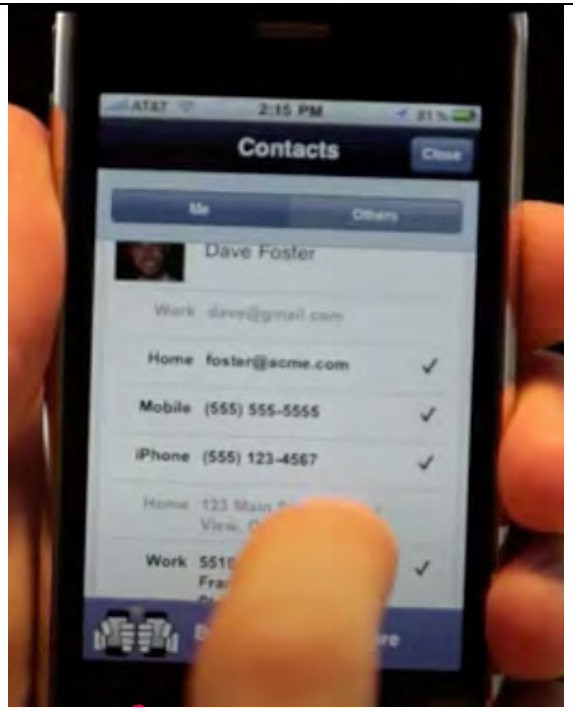
Nos.	Asserted '107 Patent	Bump System
		art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[g]	the request comprising a first permission setting, and	*See* limitation 10[d] The Bump System discloses the request comprising a first permission setting, for example, information the information the user chooses to share, friends in common, etc. **Q. How does Bump use the information in my phone's Contacts (Address Book)?** A big part of Bump is sending and receiving contact information, so Bump obviously accesses contacts you choose to bump to someone and also adds contacts you receive to the Contacts app on your phone. Also, each time you bump with someone new, the app uses the contacts in your phone's Contacts / Address Book to show you what friends you both have in common. You may opt out of this feature in the app's Settings. FAQ. **Q. Is Bump just for sharing my own contact information?** No way! While Bump is an efficient way to do this, it's not limited to only sharing contact information. Bump enables to you share photos and chat with people you have bumped. It's a social tool that helps you share and keep in touch with friends. FAQ.

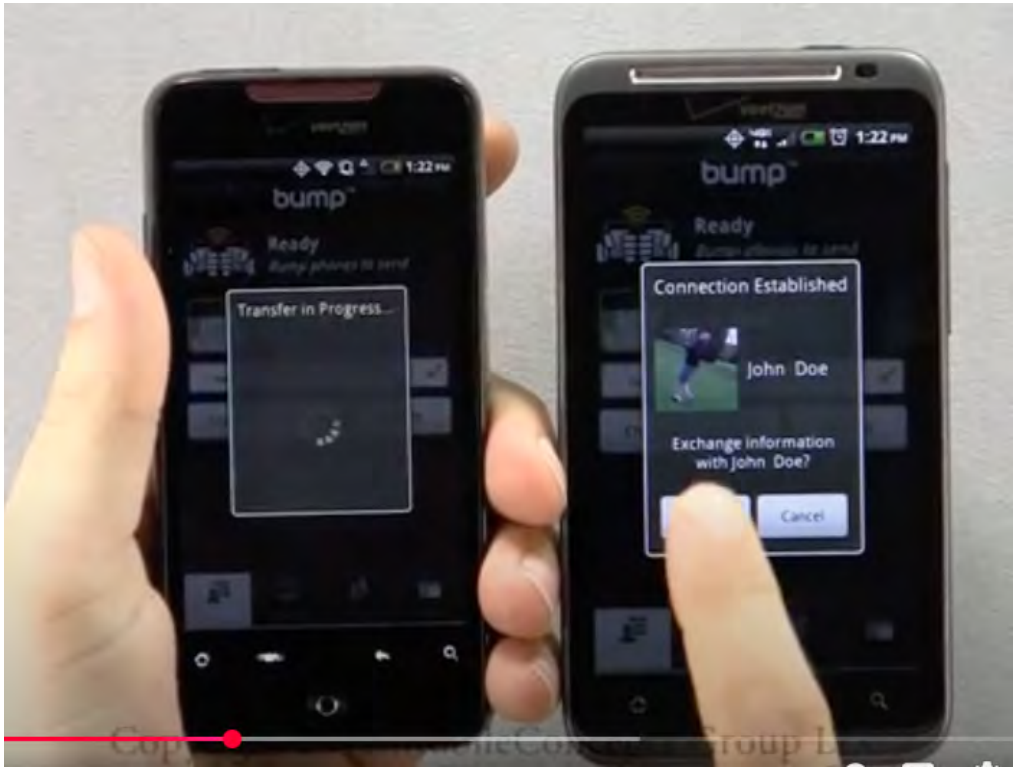
Nos.	Asserted '107 Patent	Bump System
		 Video 2 at 1:38 ("Once the link is created tap on the accept button to accept or the cancel button to reject the connection once the connection is accepted the transfer will immediately begin press okay to confirm the data received now when I access my contact list the contact for John Doe has automatically been added.")

Nos.	Asserted '107 Patent	Bump System
		 Video at :09 ("Select the information you want to share and bump.") To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

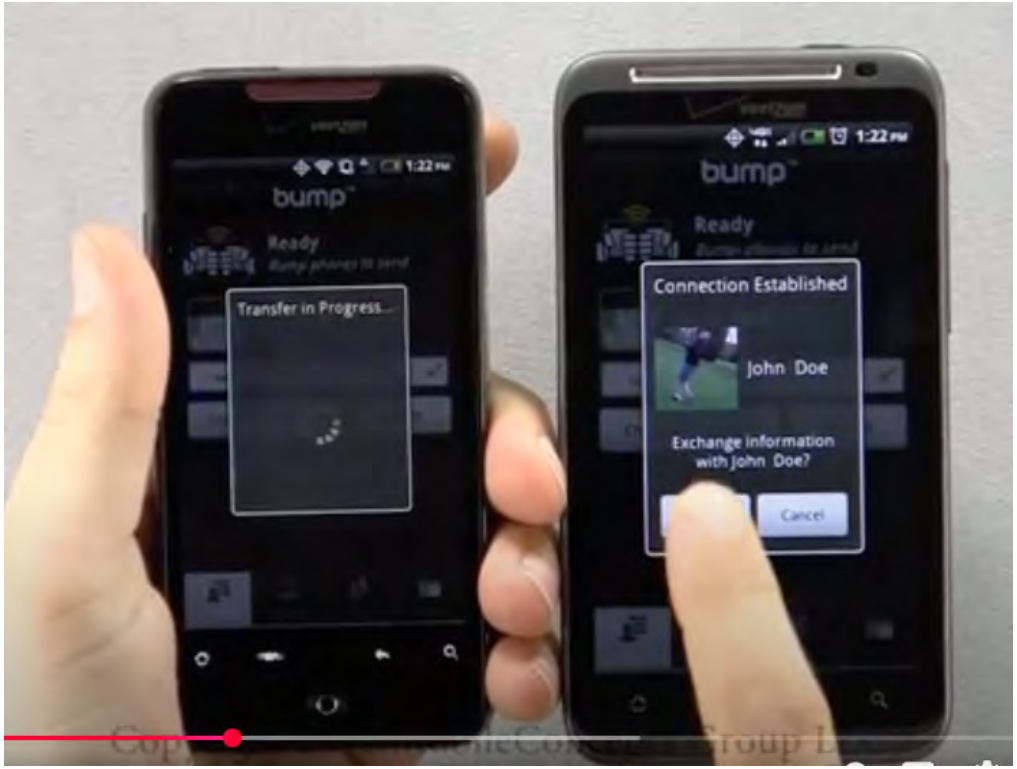
Nos.	Asserted '107 Patent	Bump System
10[h]	the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user;	*See* limitation 10[g]. The Bump System discloses the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user, for example, what information the user chooses to share, friends in common, etc. **Q. How does Bump use the information in my phone's Contacts (Address Book)?** A big part of Bump is sending and receiving contact information, so Bump obviously accesses contacts you choose to bump to someone and also adds contacts you receive to the Contacts app on your phone. Also, each time you bump with someone new, the app uses the contacts in your phone's Contacts / Address Book to show you what friends you both have in common. You may opt out of this feature in the app's Settings. FAQ. **Q. Is Bump just for sharing my own contact information?** No way! While Bump is an efficient way to do this, it's not limited to only sharing contact information. Bump enables to you share photos and chat with people you have bumped. It's a social tool that helps you share and keep in touch with friends. FAQ.

Nos.	Asserted '107 Patent	Bump System
		 Video 2 at 1:38 ("Once the link is created tap on the accept button to accept or the cancel button to reject the connection once the connection is accepted the transfer will immediately begin press okay to confirm the data received now when I access my contact list the contact for John Doe has automatically been added.")

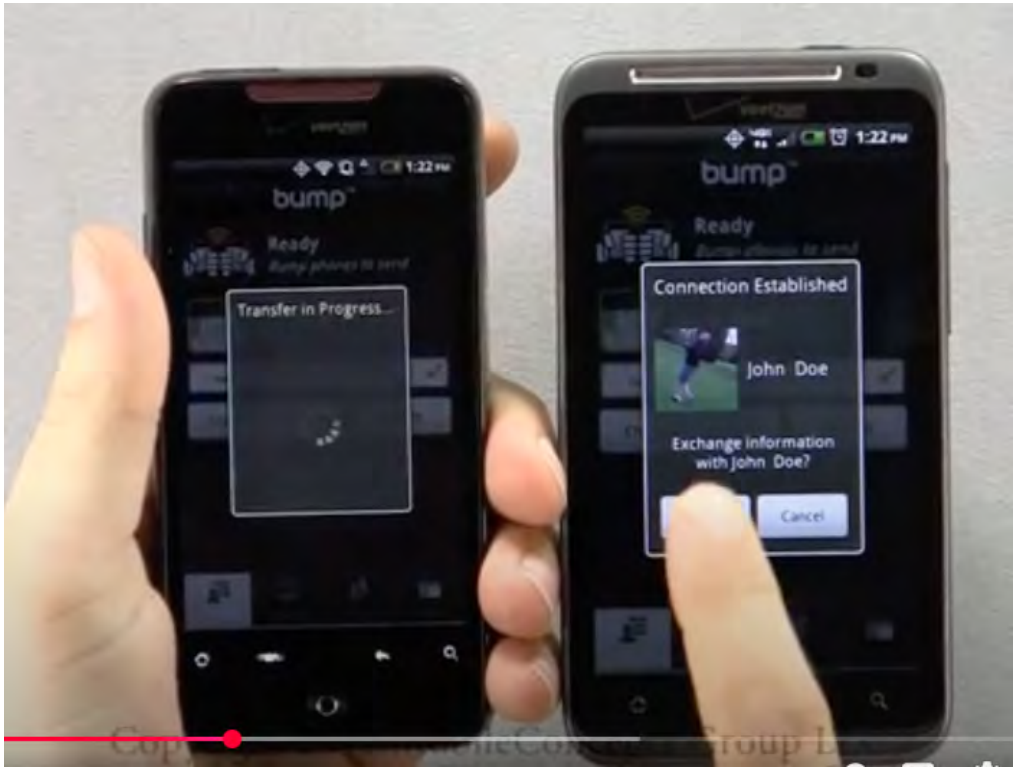
Nos.	Asserted '107 Patent	Bump System
		 Video at :09 ("Select the information you want to share and bump.") To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	Bump System
10[i]	sending, based on the request, a communication to the potential contact to initiate a data exchange; and	The Bump System discloses sending, based on the request, a communication to the potential contact to initiate a data exchange, for example, confirming the contact.  Video 2 at 1:38 ("Once the link is created tap on the accept button to accept or the cancel button to reject the connection once the connection is accepted the transfer will immediately begin press okay to confirm the data received now when I access my contact list the contact for John Doe has automatically been added.")

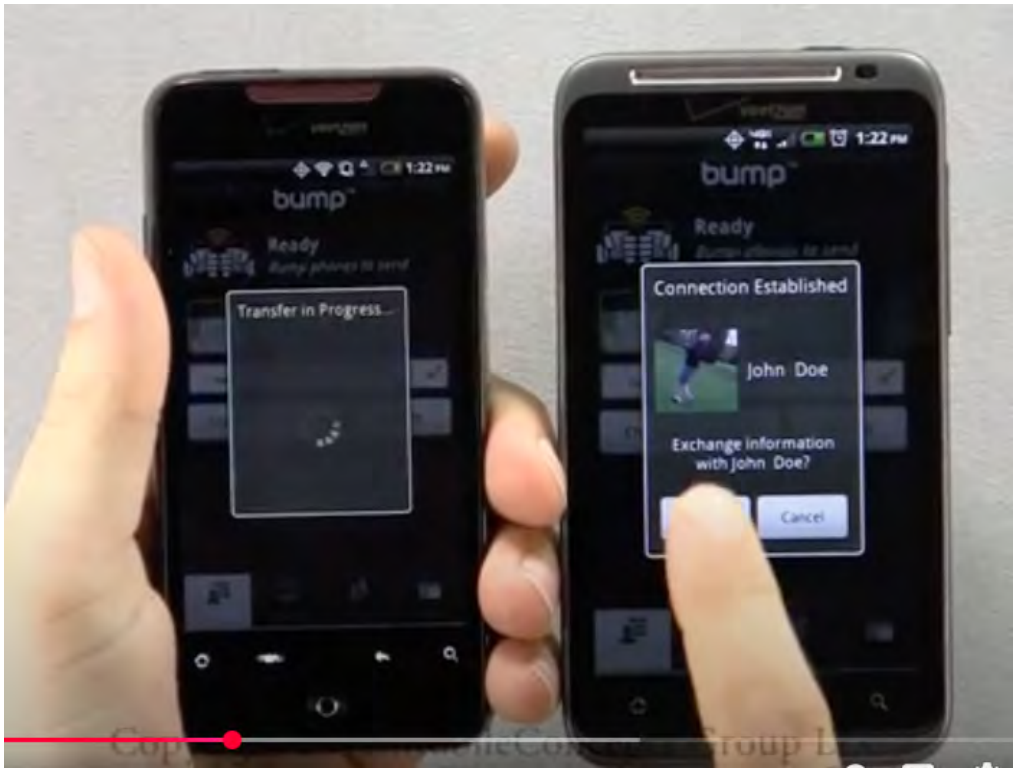
Nos.	Asserted '107 Patent	Bump System
		 Video at :14 ("Confirm and the information is exchanged within seconds.") To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	Bump System
10[j]	in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact,	The Bump System discloses in response to receiving an acceptance of the communication setting the user as a contact of the potential contact, for example, becoming a contact with the another Bump user.  Video 2 at 1:38 ("Once the link is created tap on the accept button to accept or the cancel button to reject the connection once the connection is accepted the transfer will immediately begin press okay to confirm the data received now when I access my contact list the contact for John Doe has automatically been added.")

Nos.	Asserted '107 Patent	Bump System
		 Video at :14 ("Confirm and the information is exchanged within seconds.") To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

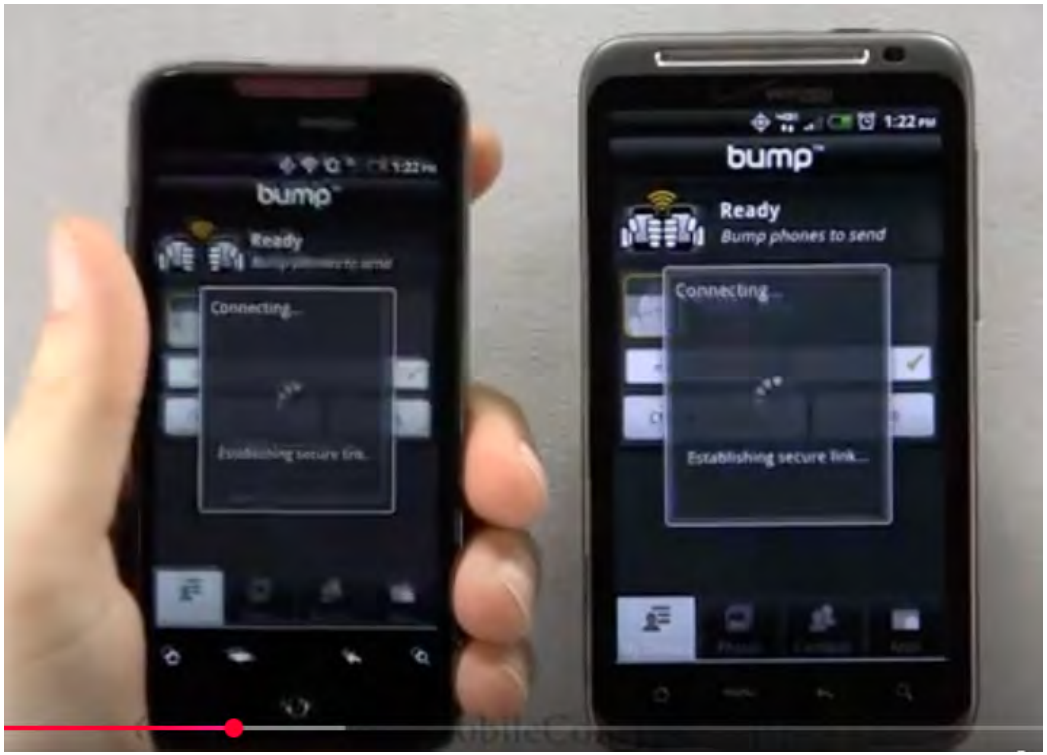
Nos.	Asserted '107 Patent	Bump System
10[k]	the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and	*See* limitation 10[g]. The Bump System discloses the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value, for example, the information shared by the user.  Video 2 at 1:38 ("Once the link is created tap on the accept button to accept or the cancel button to reject the connection once the connection is accepted the transfer will immediately begin press okay to

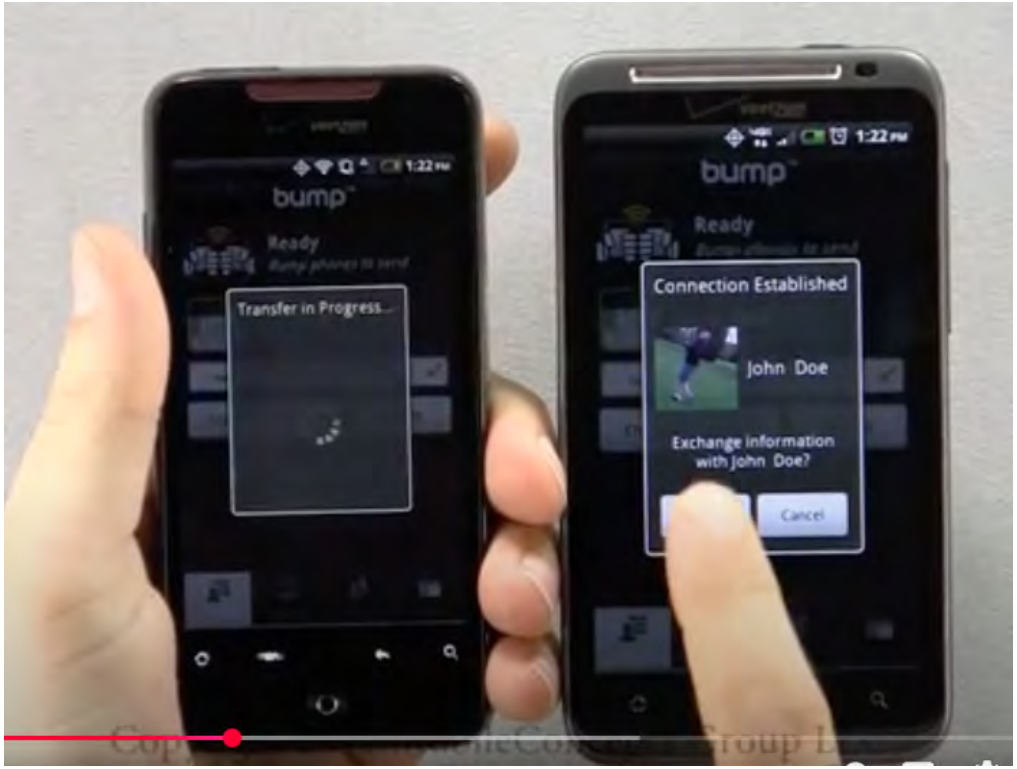
Nos.	Asserted '107 Patent	Bump System
		confirm the data received now when I access my contact list the contact for John Doe has automatically been added.")  Video at :01 (Here's how you bump. Open up the app. Choose contacts, photos, social networks, or calendar invites. Select the information you want to share and bump. Confirm and the information is exchanged within seconds.") To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the

Nos.	Asserted '107 Patent	Bump System
		art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[l]	setting the potential contact as a contact of the user.	*See* limitations 10[j], 10[k]. The Bump System discloses setting the potential contact as a contact of the user, for example, adding the other Bump user as a contact. 

Nos.	Asserted '107 Patent	Bump System
		Video 2 at 1:38 ("Once the link is created tap on the accept button to accept or the cancel button to reject the connection once the connection is accepted the transfer will immediately begin press okay to confirm the data received now when I access my contact list the contact for John Doe has automatically been added.")  Video at :01 (Here's how you bump. Open up the app. Choose contacts, photos, social networks, or calendar invites. Select the information you want to share and bump. Confirm and the information is exchanged within seconds.")

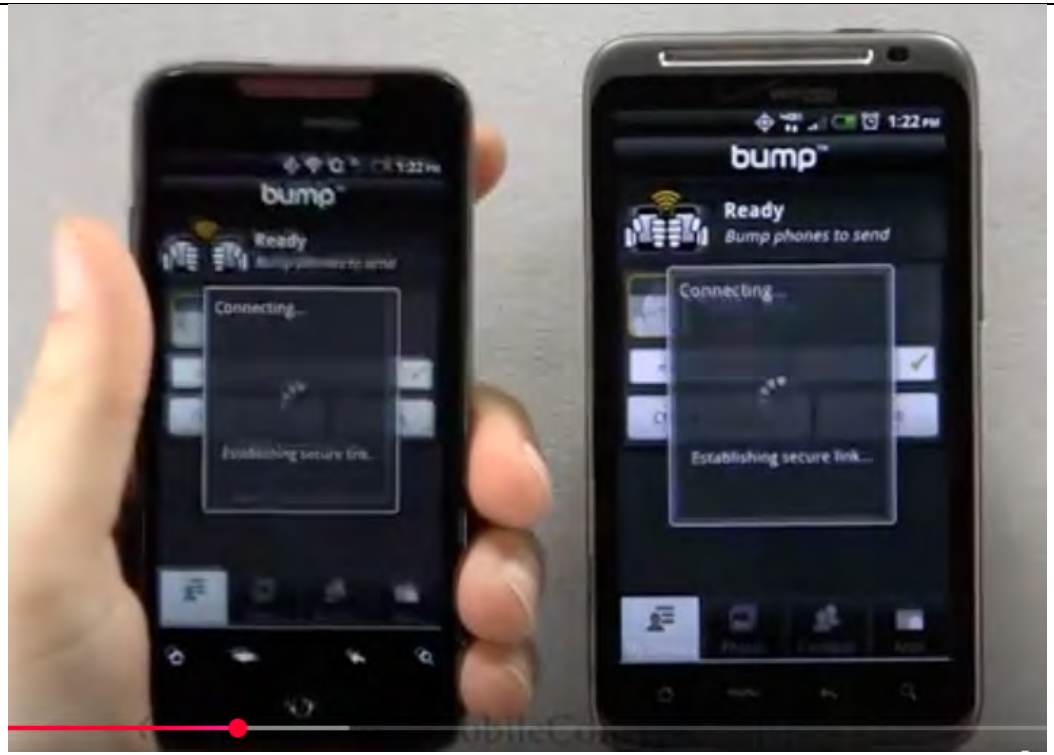
Nos.	Asserted '107 Patent	Bump System
		To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[pre]	The system of claim 10, wherein identifying the potential contact comprises:	*See* claim 10. The Bump System discloses the system of claim 10 for identifying the potential contact, for example, identifying another Bump user. To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[a]	receiving, from the potential contact, a first location; and	The Bump System discloses receiving from the potential contact a first location, for example, the location of the other Bump user.

Nos.	Asserted '107 Patent	Bump System
		Q. Why does Bump want to use my location? We now have tens of millions of users worldwide. We use location information as one of the ways to limit the number of other phones we have to check in order to determine the correct match. Basically, if you are in San Francisco, we use that information so that we don't have to compare your bump with bumps coming in from Japan, Europe, New York, etc. For this reason, we require that location services be turned on and that users authorize the use of their location information. If you do not authorize use of location information, Bump won't work properly. FAQ at 1. 

Nos.	Asserted '107 Patent	Bump System
		Video 2 at 1:27 ("To initiate a connection with another device bump the two devices together and bump will establish a secure link.")  Video 2 at 1:38 ("Once the link is created tap on the accept button to accept or the cancel button to reject the connection once the connection is accepted the transfer will immediately begin press okay to confirm the data received now when I access my contact list the contact for John Doe has automatically been added.")

Nos.	Asserted '107 Patent	Bump System
		 Video at :01 (Here's how you bump. Open up the app. Choose contacts, photos, social networks, or calendar invites. Select the information you want to share and bump. Confirm and the information is exchanged within seconds.") To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the

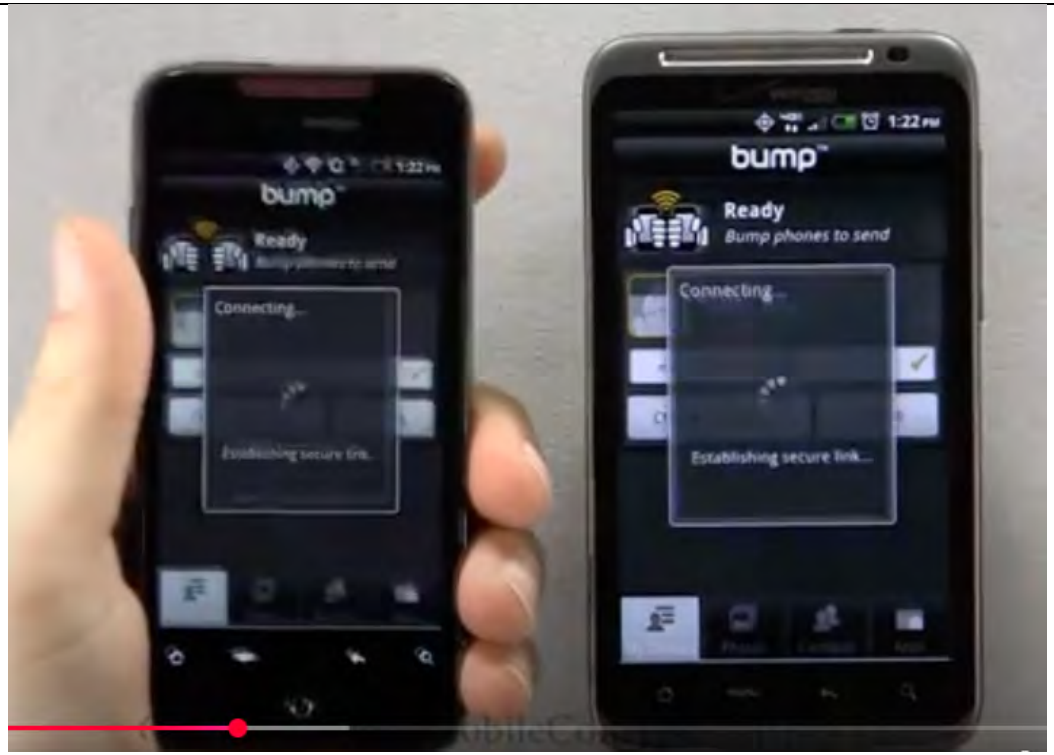
Nos.	Asserted '107 Patent	Bump System
		invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[b]	identifying the potential contact in a case that a second location of the user device matches the first location.	*See* limitation 11[a]. The Bump System discloses identifying the potential contact in a case that a second location of the user device matches the first location, for example, when the users bump phones. **Q. Why does Bump want to use my location?** We now have tens of millions of users worldwide. We use location information as one of the ways to limit the number of other phones we have to check in order to determine the correct match. Basically, if you are in San Francisco, we use that information so that we don't have to compare your bump with bumps coming in from Japan, Europe, New York, etc. For this reason, we require that location services be turned on and that users authorize the use of their location information. If you do not authorize use of location information, Bump won't work properly. FAQ at 1.

Nos.	Asserted '107 Patent	Bump System
		 Video 2 at 1:27 ("To initiate a connection with another device bump the two devices together and bump will establish a secure link.")

Nos.	Asserted '107 Patent	Bump System
		 Video 2 at 1:38 ("Once the link is created tap on the accept button to accept or the cancel button to reject the connection once the connection is accepted the transfer will immediately begin press okay to confirm the data received now when I access my contact list the contact for John Doe has automatically been added.")

Nos.	Asserted '107 Patent	Bump System
		 Video at :01 (Here's how you bump. Open up the app. Choose contacts, photos, social networks, or calendar invites. Select the information you want to share and bump. Confirm and the information is exchanged within seconds.") To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the

Nos.	Asserted '107 Patent	Bump System
		invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[pre]	The system of claim 10,	*See* claim 10. To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[a]	wherein receiving, from the user device of the user, the request for the user to become a contact with the potential contact, comprises:	*See* limitation 10[f]. The Bump System discloses receiving, from the user device of the user, the request for the user to become a contact with the potential contact, for example, when the users bump their phones together. **Q. Why does Bump want to use my location?** We now have tens of millions of users worldwide. We use location information as one of the ways to limit the number of other phones we have to check in order to determine the correct match. Basically, if you are in San Francisco, we use that information so that we don't have to compare your bump with bumps coming in from Japan, Europe, New York, etc. For this reason, we require that location services be turned on and that users authorize the use of their location information. If you do not authorize use of location information, Bump won't work properly. FAQ at 1.

Nos.	Asserted '107 Patent	Bump System
		 Video 2 at 1:27 ("To initiate a connection with another device bump the two devices together and bump will establish a secure link.")

Nos.	Asserted '107 Patent	Bump System
		 Video 2 at 1:38 ("Once the link is created tap on the accept button to accept or the cancel button to reject the connection once the connection is accepted the transfer will immediately begin press okay to confirm the data received now when I access my contact list the contact for John Doe has automatically been added.")

Nos.	Asserted '107 Patent	Bump System
		 Video at :01 (Here's how you bump. Open up the app. Choose contacts, photos, social networks, or calendar invites. Select the information you want to share and bump. Confirm and the information is exchanged within seconds.") To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the

Nos.	Asserted '107 Patent	Bump System
		invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[b]	receiving a first location that is associated with the request; and	*See* limitation 14[a] The Bump System discloses receiving a first location that is associated with the request, for example, the location of the first Bump user. To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[c]	wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises:	*See* limitation 14[a]. The Bump System discloses sending, based on the request, the communication to the potential contact to initiate the data exchange, for example, the opportunity to accept or reject the contact information. To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	Bump System
14[d]	subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact.	*See* limitation 14[a]. The Bump System discloses subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact, for example, being next to one another to bump phones. To the extent the Bump System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Bump System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Bump System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

DEFENDANT APPLE INC'S INVALIDITY CONTENTIONS
Exhibit 5 – Invalidity Claim Chart for U.S. Patent No. 11,025,573

Based on: Friendthem System

As described by at least the following exemplary documents:

1. https://mashable.com/archive/friendthem-iphone **("iPhone App Turns People You Meet in Person " (Christina Warren, June 17, 2011) ("Warren")**
2. https://vimeo.com/24831131 **("Friendthem," June 8, 2011) ("Video")**

The Friendthem System qualifies as prior art to the '573 Patent under at least 35 U.S.C. §§ 102(a)(1) (AIA). The Friendthem System was available by at least June 17, 2011. Based on Ginko, LLC ("Plaintiff's") infringement contentions, for at least the same reasons that Plaintiff alleges the accused products practice the claimed invention, the asserted claims of the '573 Patent are at least rendered obvious by Friendthem.

The Friendthem System renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Defendant's Invalidity Contentions. One of ordinary skill would have been motivated to combine these references because each is directed to the same or similar field of endeavor and each teaches methods and devices for sharing data between devices on a network.

The following claim chart demonstrates how the Friendthem System discloses each element of the asserted claim elements. To the extent any limitation is not explicitly disclosed, each limitation is at least inherently disclosed or would have been obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions.

To the extent the preambles of the Asserted Claims are limiting, Defendant has identified disclosures of the prior art in the chart below relevant to the preambles. Defendant's citation to disclosures relevant to the preambles should not be interpreted as a concession that any preamble is limiting.

With respect to the obviousness of the asserted claims under 35 U.S.C. § 103, one or more of the principles enumerated by the United States Supreme Court in *KSR v. Teleflex*, 550 U.S. 398 (2007) apply, including: (a) combining various claimed elements known in the prior art according to known methods to yield a predictable result; and/or (b) making a simple substitution of one or more known elements for another to obtain a predictable result; and/or (c) using a known technique to improve a similar device or method in the same way; and/or (d) applying a known technique to a known device or method ready for improvement to yield a predictable result; and/or (e) choosing from a finite number of identified, predictable solutions with a reasonable expectation of success or, in other words,

the solution was one which was "obvious to try"; and/or (f) a known work in one field of endeavor prompting variations of it for use either in the same field or a different field based on given design incentives or other market forces in which the variations were predictable to one of ordinary skill in the art; and/or (g) a teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill in the art to modify the prior art reference or to combine the teachings of various prior art references to arrive at the claimed invention. Each feature of each of the Asserted Claims was within the scope and content of the prior art, was no different from the disclosures of the prior art, and was within the level of ordinary skill in the art. It therefore would have been obvious to one of ordinary skill in the art to combine the disclosures of these references in accordance with the principles and rationales set forth above.

In compiling these contentions, Defendant has relied in part on Plaintiff's infringement contentions. In those contentions, Plaintiff appears to assign constructions to indefinite claim language, to pursue overly broad claim constructions in an effort to assert infringement where none exists, and to accuse products that do not infringe the claims.

Defendant's assertion that a particular limitation is disclosed by a prior art reference and/or is disclosed in a particular manner may be based in part on Plaintiff's apparent claim interpretations. In relying on Plaintiff's apparent claim interpretations, Defendant does not admit that Plaintiff's apparent claim interpretations are supportable or proper or that the claim limitations in question are definite or otherwise amenable to construction.

Defendant has endeavored to provide as much detail as possible in these contentions and, in doing so, has exceeded the level of detail required. The inclusion of specific details in some areas is not a concession that such details are required or that the omission of similar details in other areas is a defect. The citations to portions of any reference in this chart are exemplary only. Defendant will rely on the entirety of the references cited in its charts to show that the asserted claims are invalid.

Nos.	Asserted '107 Patent	Friendthem System
10[pre]	A system for data sharing between devices in a network, comprising:	To the extent the preamble is limiting, the Friendthem System discloses a system for data sharing between devices in a network. > The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. > So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. > Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1. > The app doesn't require any sign-up -- simply login using Facebook and then choose what information you want to make visible. For users that don't want to be listed in certain areas -- like at the office or on vacation -- Friendthem lets users create geo-fences, or areas where they will be hidden from the app. > Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1.

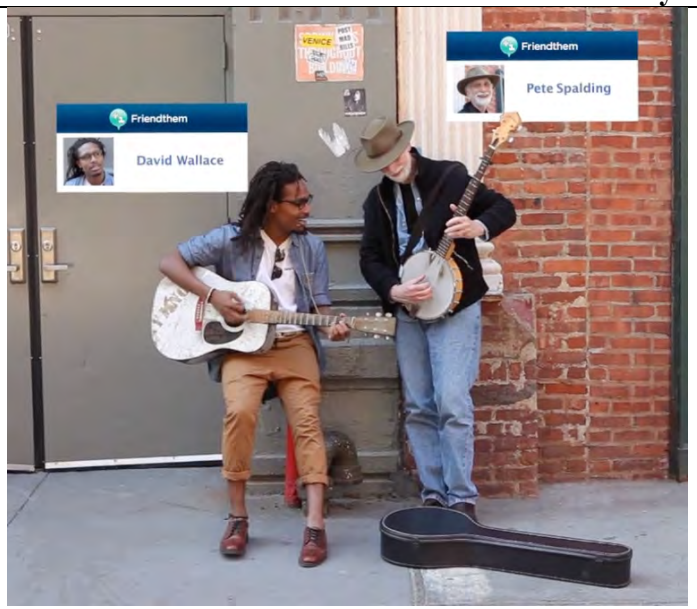
Nos.	Asserted '107 Patent	Friendthem System
		Sending a friend request in the app takes place using the standard Facebook mobile API. Users still have to send a message and confirm the request, so accidentally sending friend requests shouldn't be a problem. Warren at 1.  Video.

Nos.	Asserted '107 Patent	Friendthem System
		To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[a]	a processor; and	The Friendthem System discloses a processor, for example, on a phone. > The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. > So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. > Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1.

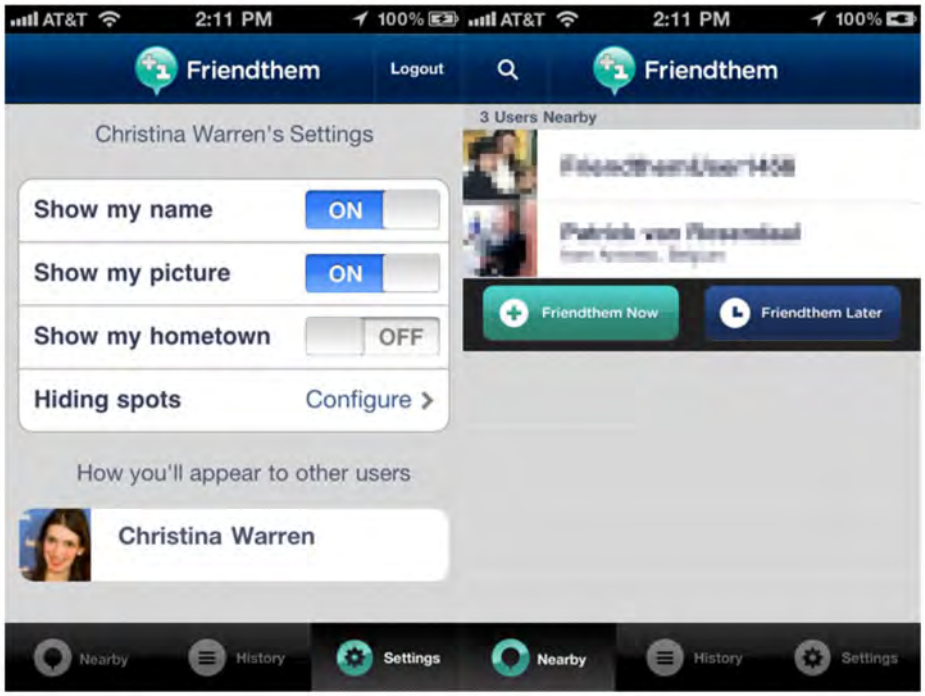
Nos.	Asserted '107 Patent	Friendthem System
		The app doesn't require any sign-up -- simply login using Facebook and then choose what information you want to make visible. For users that don't want to be listed in certain areas -- like at the office or on vacation -- Friendthem lets users create geo-fences, or areas where they will be hidden from the app. Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1. 

Nos.	Asserted '107 Patent	Friendthem System
		Video. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[b]	a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising:	See limitation 10[a]. The Friendthem System discloses a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations, for example, on a phone. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	Friendthem System
10[c]	identifying, for a user associated with a user device, a potential contact,	The Friendthem System discloses identifying for a user associated with a user device a potential contact, e.g., nearby Facebook users. > The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. > So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. > Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1. > Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1.

Nos.	Asserted '107 Patent	Friendthem System
		 Video. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[d]	the user being associated with user data, and	*See* limitation 10(c).

Nos.	Asserted '107 Patent	Friendthem System
		The Friendthem System discloses the user being associated with user data, for example, name, photo, hometown, etc. > The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. > So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. > Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1. > The app doesn't require any sign-up -- simply login using Facebook and then choose what information you want to make visible. For users that don't want to be listed in certain areas -- like at the office or on vacation -- Friendthem lets users create geo-fences, or areas where they will be hidden from the app. > Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1.

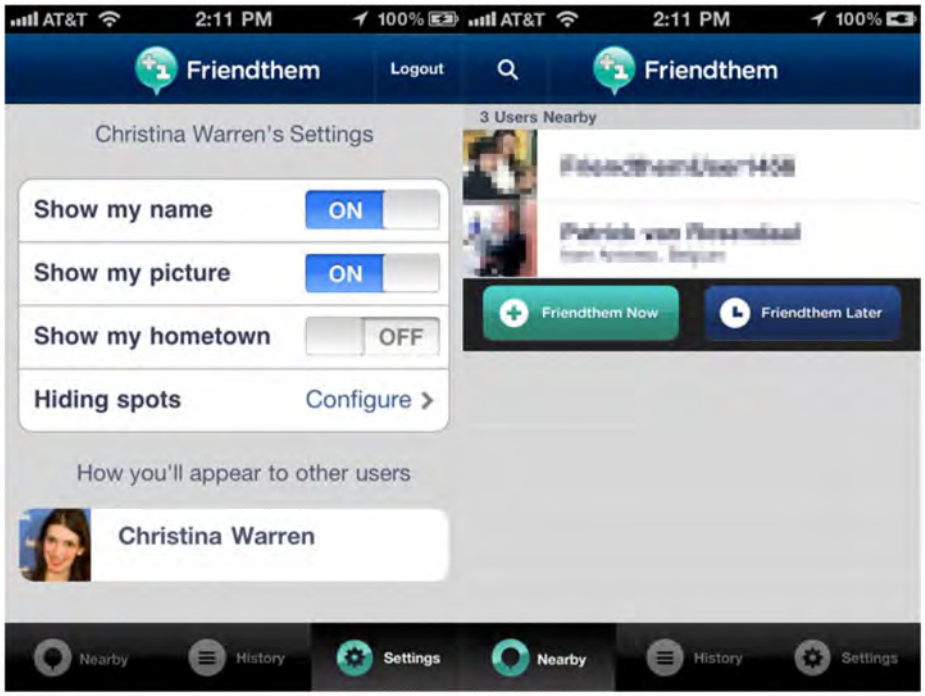
Nos.	Asserted '107 Patent	Friendthem System
		 Credit: Warren. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would

Nos.	Asserted '107 Patent	Friendthem System
		amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[e]	the potential contact being associated with contact data;	The Friendthem System discloses the potential contact being associated with contact data, for example, proximity information. > The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. > So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. > Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1. > The app doesn't require any sign-up -- simply login using Facebook and then choose what information you want to make visible. For users that don't want to be listed in certain areas -- like at the office or on vacation -- Friendthem lets users create geo-fences, or areas where they will be hidden from the app. > Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1.

Nos.	Asserted '107 Patent	Friendthem System
		To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[f]	receiving, from the user device of the user, a request for the user to become a contact with the potential contact,	The Friendthem System discloses receiving from the user device of the user a request for the user to become a contact with the potential contact, e.g., an option by the potential contact to initiate a friend request with the user. > The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. > So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. > Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1.

Nos.	Asserted '107 Patent	Friendthem System
		The app doesn't require any sign-up -- simply login using Facebook and then choose what information you want to make visible. For users that don't want to be listed in certain areas -- like at the office or on vacation -- Friendthem lets users create geo-fences, or areas where they will be hidden from the app. Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[g]	the request comprising a first permission setting, and	The Friendthem System discloses the request comprising a first permission setting, for example, information the user makes visible. The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1.

Nos.	Asserted '107 Patent	Friendthem System
		So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1. The app doesn't require any sign-up -- simply login using Facebook and then choose what information you want to make visible. For users that don't want to be listed in certain areas -- like at the office or on vacation -- Friendthem lets users create geo-fences, or areas where they will be hidden from the app. Warrant at 1. Sending a friend request in the app takes place using the standard Facebook mobile API. Users still have to send a message and confirm the request, so accidentally sending friend requests shouldn't be a problem. Warrant at 1.

Nos.	Asserted '107 Patent	Friendthem System
		 Credit: Warren. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would

Nos.	Asserted '107 Patent	Friendthem System
		amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[h]	the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user;	*See* limitation 10[g]. The Friendthem System discloses the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user, for example, what information the user makes visible. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[i]	sending, based on the request, a communication to the potential contact to initiate a data exchange; and	The Friendthem System discloses sending, based on the request, a communication to the potential contact to initiate a data exchange, for example, confirming the friend request. The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1.

Nos.	Asserted '107 Patent	Friendthem System
		So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1. The app doesn't require any sign-up -- simply login using Facebook and then choose what information you want to make visible. For users that don't want to be listed in certain areas -- like at the office or on vacation -- Friendthem lets users create geo-fences, or areas where they will be hidden from the app. Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1. Sending a friend request in the app takes place using the standard Facebook mobile API. Users still have to send a message and confirm the request, so accidentally sending friend requests shouldn't be a problem. Warrant at 1. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's

Nos.	Asserted '107 Patent	Friendthem System
		Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[j]	in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact,	The Friendthem System discloses in response to receiving an acceptance of the communication setting the user as a contact of the potential contact, for example, becoming friends on Facebook. The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1.

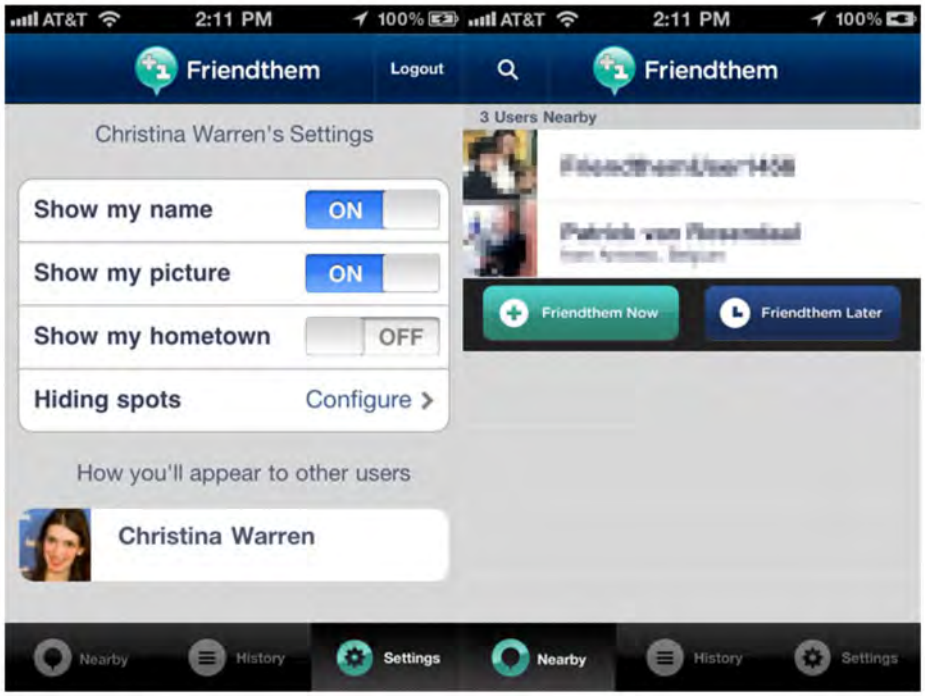
Nos.	Asserted '107 Patent	Friendthem System
		The app doesn't require any sign-up -- simply login using Facebook and then choose what information you want to make visible. For users that don't want to be listed in certain areas -- like at the office or on vacation -- Friendthem lets users create geo-fences, or areas where they will be hidden from the app. Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1. Sending a friend request in the app takes place using the standard Facebook mobile API. Users still have to send a message and confirm the request, so accidentally sending friend requests shouldn't be a problem. Warrant at 1. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[k]	the subset of the user data being viewable to the	*See* limitation 10[g].

Nos.	Asserted '107 Patent	Friendthem System
	potential contact in a case that the first permission setting being the first value; and	The Friendthem System discloses the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value, for example, the information shared with others for other Facebook users. > The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. > So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. > Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1. > The app doesn't require any sign-up -- simply login using Facebook and then choose what information you want to make visible. For users that don't want to be listed in certain areas -- like at the office or on vacation -- Friendthem lets users create geo-fences, or areas where they will be hidden from the app. > Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1.

Nos.	Asserted '107 Patent	Friendthem System
		> Sending a friend request in the app takes place using the standard Facebook mobile API. Users still have to send a message and confirm the request, so accidentally sending friend requests shouldn't be a problem. Warrant at 1. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[l]	setting the potential contact as a contact of the user.	*See* limitations 10[j], 10[k]. The Friendthem System discloses setting the potential contact as a contact of the user, for example, become friends on Facebook. > The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. > Sending a friend request in the app takes place using the standard Facebook mobile API. Users still have to send a message and confirm the request, so accidentally sending friend requests shouldn't be a problem.

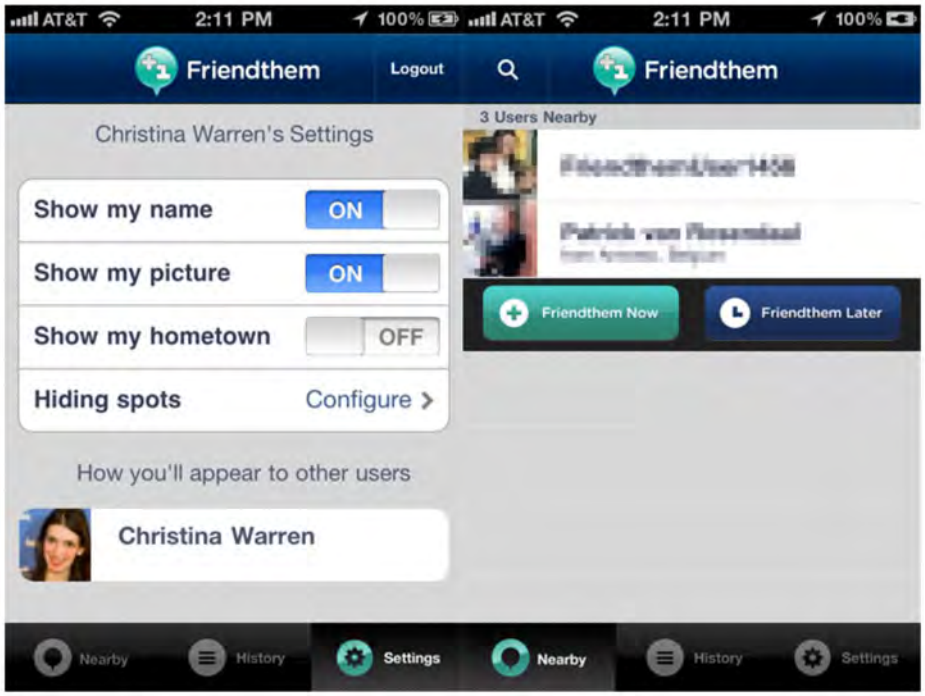
Nos.	Asserted '107 Patent	Friendthem System
		Warrant at 1. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[pre]	The system of claim 10, wherein identifying the potential contact comprises:	*See* claim 10. The Friendthem System discloses the system of claim 10 for identifying the potential contact, for example, another Facebook user. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	Friendthem System
11[a]	receiving, from the potential contact, a first location; and	The Friendthem System discloses receiving from the potential contact a first location, for example, nearby Facebook users. > The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. > So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. > Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1. > Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1.

Nos.	Asserted '107 Patent	Friendthem System
		 Credit: Warren. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention

Nos.	Asserted '107 Patent	Friendthem System
		and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[b]	identifying the potential contact in a case that a second location of the user device matches the first location.	*See* limitation 11[a]. The Friendthem System discloses identifying the potential contact in a case that a second location of the user device matches the first location, for example, where the user is in the same area as another Facebook user. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[pre]	The system of claim 10,	*See* claim 10. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would

Nos.	Asserted '107 Patent	Friendthem System
		amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[a]	wherein receiving, from the user device of the user, the request for the user to become a contact with the potential contact, comprises:	*See* limitation 10[f]. The Friendthem System discloses receiving, from the user device of the user, the request for the user to become a contact with the potential contact, for example, providing the information the user wants to share with other Facebook users. > The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. > So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. > Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1. > Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1.

Nos.	Asserted '107 Patent	Friendthem System
		 Credit: Warren. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention

Nos.	Asserted '107 Patent	Friendthem System
		and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[b]	receiving a first location that is associated with the request; and	The Friendthem System discloses receiving a first location that is associated with the request, for example, the location of the user. > The startup, Friendthem, has just released its free iPhone app [iTunes Link] that is designed to let people see the Facebook users around them and then send a friend request immediately, or file the request away for later. Warren at 1. > So people who want to connect on Facebook can use Friendthem as kind of a hybrid meeting place. You get to control what information about yourself is shared with others. You choose whether your name or photo is displayed. You can decide to show off your hometown, or not. > Other users that have Friendthem installed and are close by can then see you in the app, and choose to initiate a friend request now or later. Warrant at 1. > Friendthem is different from apps like Hashable or Bump because the focus is on building relationships within Facebook. If you share any mutual friends with someone nearby, Friendthem will let you know. Warrant at 1.

Nos.	Asserted '107 Patent	Friendthem System
		To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[c]	wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises:	*See* limitation 10[i]. The Friendthem System discloses sending, based on the request, the communication to the potential contact to initiate the data exchange, for example, providing the shared information with another Facebook user. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[d]	subsequent to receiving the request from the user,	*See* limitation 11[b].

Nos.	Asserted '107 Patent	Friendthem System
	sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact.	The Friendthem System discloses subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact, for example, sharing information with other nearby Facebook users. To the extent the Friendthem System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Friendthem System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Friendthem System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

DEFENDANT APPLE INC'S INVALIDITY CONTENTIONS
Exhibit 6 – Invalidity Claim Chart for U.S. Patent No. 11,025,573

Based on: Facebook Nearby Friends System

As described by at least the following exemplary documents:

1. https://techcru nch.com/2014/04/17/facebook-nearby-friends/ **("Facebook Launches 'Nearby Friends' with Opt-in Real-Time Location Sharing to Help You Meet Up" (Josh Constine, April 17, 2014) ("Constine"))**
2. https://connections.oasisnet.org/facebook-launches-nearby-friends-feature/ **("Facebook Launches Nearby Friends Feature" (Ken Charvoz, August 18, 2014) ("Charvoz")**
3. https://www.youtube.com/watch?v=lo56OVpiO40 **("How to Turn Nearby Friends feature on or off Facebook app,"** May 8, 2015) ("Video")

The Facebook Nearby Friends System qualifies as prior art to the '573 Patent under at least 35 U.S.C. §§ 102(a)(1) (AIA). The Facebook Nearby Friends System was available by at least April 17, 2014. Based on Ginko, LLC ("Plaintiff's") infringement contentions, for at least the same reasons that Plaintiff alleges the accused products practice the claimed invention, the asserted claims of the '573 Patent are at least rendered obvious by Facebook Nearby Friends.

The Facebook Nearby Friends System renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Defendant's Invalidity Contentions. One of ordinary skill would have been motivated to combine these references because each is directed to the same or similar field of endeavor and each teaches methods and devices for sharing data between devices on a network.

The following claim chart demonstrates how the Facebook Nearby Friends System discloses each element of the asserted claim elements. To the extent any limitation is not explicitly disclosed, each limitation is at least inherently disclosed or would have been obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions.

To the extent the preambles of the Asserted Claims are limiting, Defendant has identified disclosures of the prior art in the chart below relevant to the preambles. Defendant's citation to disclosures relevant to the preambles should not be interpreted as a concession that any preamble is limiting.

With respect to the obviousness of the asserted claims under 35 U.S.C. § 103, one or more of the principles enumerated by the United States Supreme Court in *KSR v. Teleflex*, 550 U.S. 398 (2007) apply, including: (a) combining various claimed elements known in the prior art according to known methods to yield a predictable result; and/or (b) making a simple substitution of one or more known

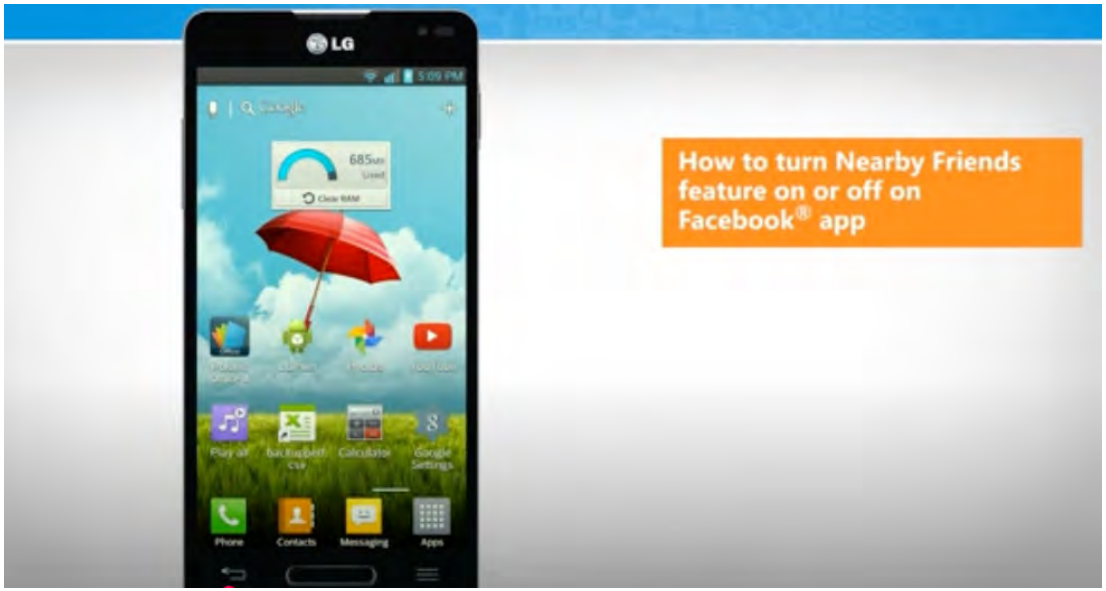
elements for another to obtain a predictable result; and/or (c) using a known technique to improve a similar device or method in the same way; and/or (d) applying a known technique to a known device or method ready for improvement to yield a predictable result; and/or (e) choosing from a finite number of identified, predictable solutions with a reasonable expectation of success or, in other words, the solution was one which was "obvious to try"; and/or (f) a known work in one field of endeavor prompting variations of it for use either in the same field or a different field based on given design incentives or other market forces in which the variations were predictable to one of ordinary skill in the art; and/or (g) a teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill in the art to modify the prior art reference or to combine the teachings of various prior art references to arrive at the claimed invention. Each feature of each of the Asserted Claims was within the scope and content of the prior art, was no different from the disclosures of the prior art, and was within the level of ordinary skill in the art. It therefore would have been obvious to one of ordinary skill in the art to combine the disclosures of these references in accordance with the principles and rationales set forth above.

In compiling these contentions, Defendant has relied in part on Plaintiff's infringement contentions. In those contentions, Plaintiff appears to assign constructions to indefinite claim language, to pursue overly broad claim constructions in an effort to assert infringement where none exists, and to accuse products that do not infringe the claims.

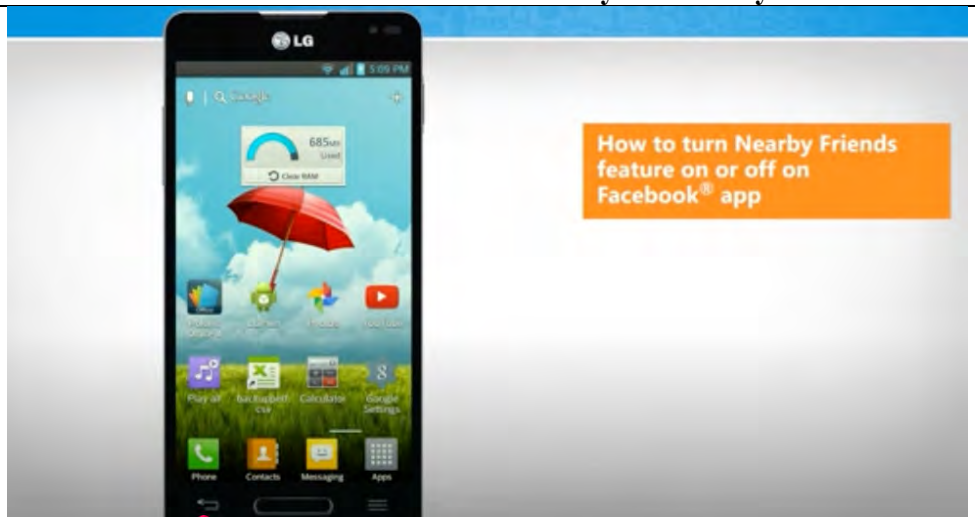
Defendant's assertion that a particular limitation is disclosed by a prior art reference and/or is disclosed in a particular manner may be based in part on Plaintiff's apparent claim interpretations. In relying on Plaintiff's apparent claim interpretations, Defendant does not admit that Plaintiff's apparent claim interpretations are supportable or proper or that the claim limitations in question are definite or otherwise amenable to construction.

Defendant has endeavored to provide as much detail as possible in these contentions and, in doing so, has exceeded the level of detail required. The inclusion of specific details in some areas is not a concession that such details are required or that the omission of similar details in other areas is a defect. The citations to portions of any reference in this chart are exemplary only. Defendant will rely on the entirety of the references cited in its charts to show that the asserted claims are invalid.

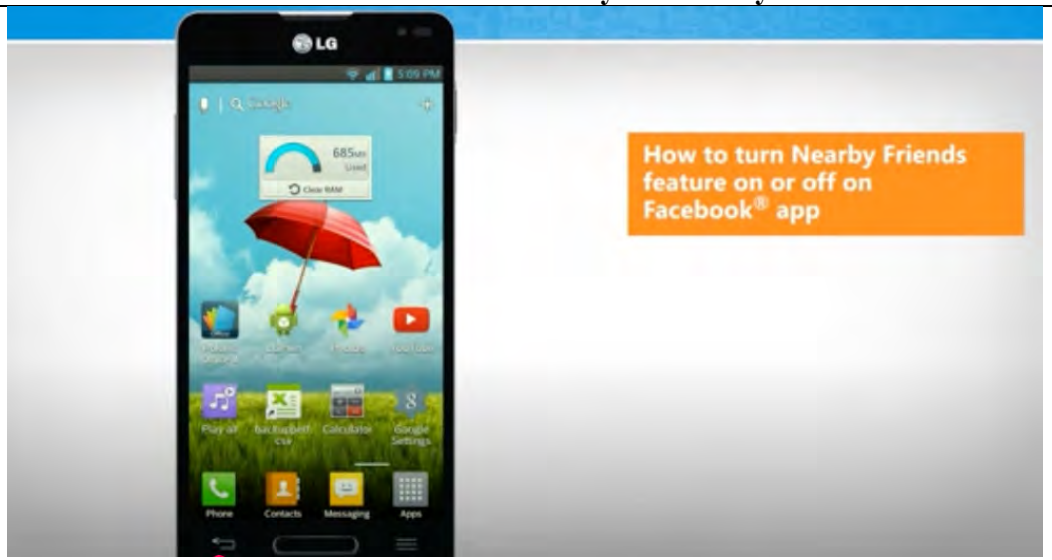
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
10[pre]	A system for data sharing between devices in a network, comprising:	To the extent the preamble is limiting, the Facebook Nearby Friends System discloses a system for data sharing between devices in a network. Today Facebook begins rolling out a new opt-in feature called Nearby Friends. It lets friends see approximately how far away you are from them, and you can share your exact, on-going location with them for a limited time. While it's sure to stir privacy concerns, Nearby Friends could get people spending more time with friends in the real-world instead of online as it hits iOS and Android in the US in the coming weeks. Constine at 2. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood. Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		 Video. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[a]	a processor; and	The Facebook Nearby Friends System discloses a processor, for example, on a phone.

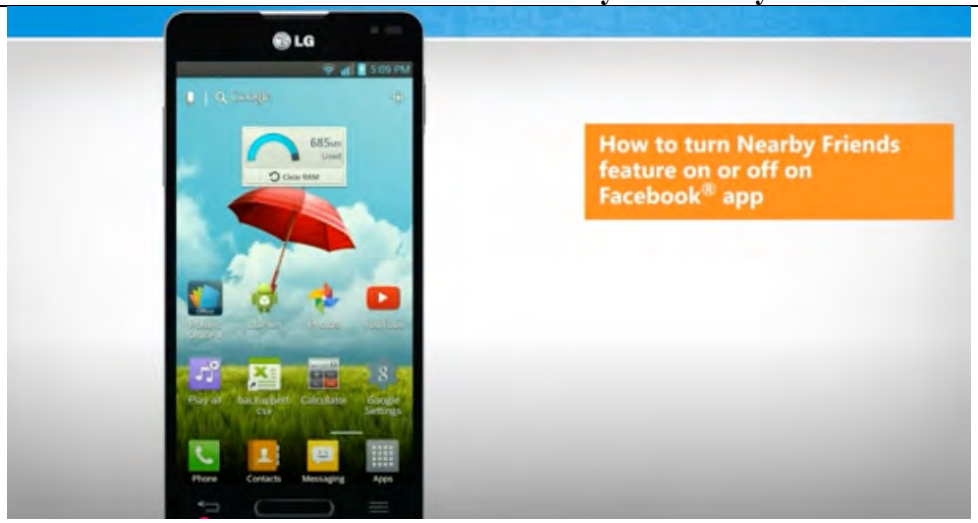
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Today Facebook begins rolling out a new opt-in feature called Nearby Friends. It lets friends see approximately how far away you are from them, and you can share your exact, on-going location with them for a limited time. While it's sure to stir privacy concerns, Nearby Friends could get people spending more time with friends in the real-world instead of online as it hits iOS and Android in the US in the coming weeks. Constine at 2. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood. Constine at 3. Facebook's latest mobile app update for Android and IOS includes Nearby Friends, a new feature that will notify you when your Facebook friends are nearby. The feature is off by default and both your and any friends that you would see have to opt-in before using it. Once your mobile app is updated, you'll be asked if you want to turn it on. Give it a spin, you can turn it off at any time within the app. To access the app functions tap **More** then tap **Nearby Friends**. Tap **Settings** to turn the function on/off, and select who can see you. You can choose to let Friends, Friends except acquaintances, Close Friends, Family, or anyone in your current area see you. While you are in Settings, go over to **Account Settings > Notifications > Mobile Push** and set your preferences for notifications when Facebook finds a friend in your vicinity. Charvoz at 1.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		 Video. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[b]	a memory, the memory comprising computer-executable instructions that, when executed by the	The Facebook Nearby Friends System discloses a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations, for example, on a phone.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
	processor, perform operations comprising:	Today Facebook begins rolling out a new opt-in feature called Nearby Friends. It lets friends see approximately how far away you are from them, and you can share your exact, on-going location with them for a limited time. While it's sure to stir privacy concerns, Nearby Friends could get people spending more time with friends in the real-world instead of online as it hits iOS and Android in the US in the coming weeks. Constine at 2. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood. Constine at 3. Facebook's latest mobile app update for Android and IOS includes Nearby Friends, a new feature that will notify you when your Facebook friends are nearby. The feature is off by default and both your and any friends that you would see have to opt-in before using it. Once your mobile app is updated, you'll be asked if you want to turn it on. Give it a spin, you can turn it off at any time within the app. To access the app functions tap **More** then tap **Nearby Friends**. Tap **Settings** to turn the function on/off, and select who can see you. You can choose to let Friends, Friends except acquaintances, Close Friends, Family, or anyone in your current area see you. While you are in Settings, go over to **Account Settings > Notifications > Mobile Push** and set your preferences for notifications when Facebook finds a friend in your vicinity. Charvoz at 1.

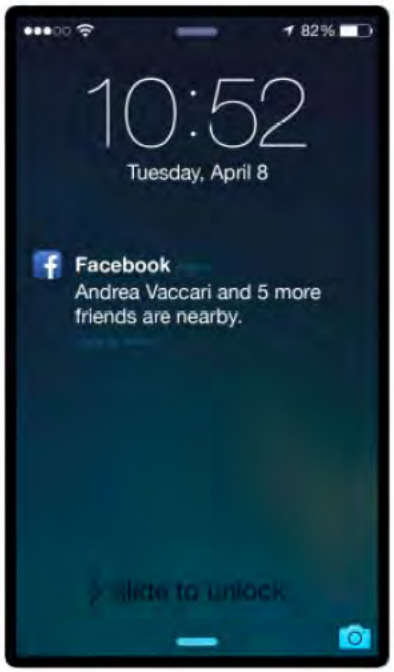
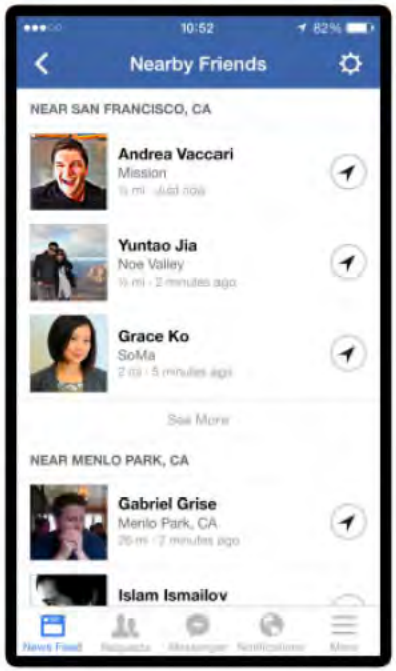
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		 Video. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[c]	identifying, for a user associated with a user device, a potential contact,	The Facebook Nearby Friends System discloses identifying for a user associated with a user device a potential contact, e.g., a list of nearby friends.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Nearby Friends was built by the Glancee location sharing app team led by Andrea Vaccari that Facebook acquired in 2012. It adds a list of nearby friends to Facebook's iOS and Android apps. It will also send notifications if you come within a short distance of a friend, and if someone shares their precise location with you you'll see it on a map. Constine at 2. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood. Constine at 3.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		 Video. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[d]	the user being associated with user data, and	*See* limitation 10(c).

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		The Facebook Nearby Friends System discloses the user being associated with user data, e.g., location information. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood. Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[e]	the potential contact being associated with contact data;	The Facebook Nearby Friends System discloses the potential contact being associated with contact data, for example, proximity information. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood. Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		  Constine at 2. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[f]	receiving, from the user device of the user, a request for the user to become a contact with the potential contact,	The Facebook Nearby Friends System discloses receiving from the user device of the user a request for the user to become a contact with the potential contact, e.g., requesting proximity information from anyone who also has opted into Nearby friends. Nearby Friends was built by the Glancee location sharing app team led by Andrea Vaccari that Facebook acquired in 2012. It adds a list of nearby friends to Facebook's iOS and Android apps. It will also send notifications if you come within a short distance of a friend, and if someone shares their precise location with you you'll see it on a map. Constine at 2. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4. **Is It Privacy Safe?** For being a feature that constantly shares your proximity to friends or your exact location, Facebook tried to make it respect our privacy. It's opt-in, so no one will find it themselves sharing their coordinates without purposefully turning it on. You can turn it off any time with a few taps. You can set who sees your proximity, they have to be sharing their proximity with you to see yours, you have to explicitly share exact location, and unless you set it to share indefinitely, your exact location will disappear within a day. Constine at 7. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices

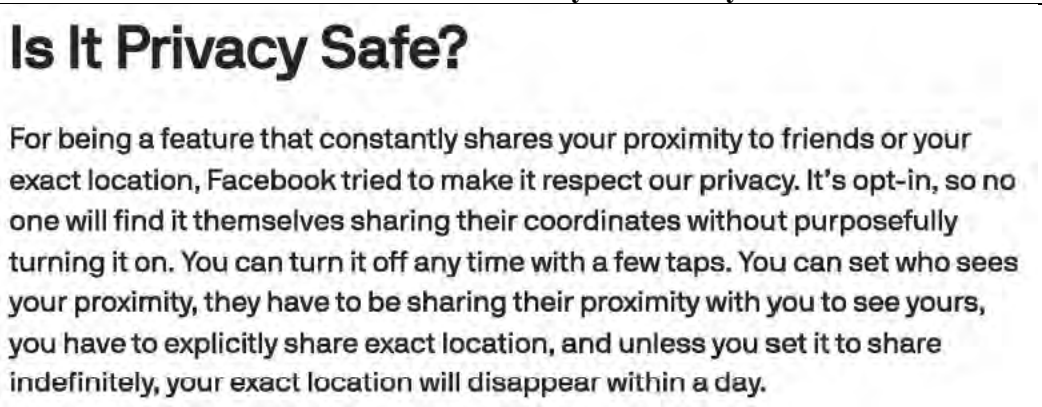
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[g]	the request comprising a first permission setting, and	The Facebook Nearby Friends System discloses the request comprising a first permission setting, e.g., opting into turning Neary Friends on and selecting who to share proximity with. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. Constine at 3. **Is It Privacy Safe?** For being a feature that constantly shares your proximity to friends or your exact location, Facebook tried to make it respect our privacy. It's opt-in, so no one will find it themselves sharing their coordinates without purposefully turning it on. You can turn it off any time with a few taps. You can set who sees your proximity, they have to be sharing their proximity with you to see yours, you have to explicitly share exact location, and unless you set it to share indefinitely, your exact location will disappear within a day. Constine at 7. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[h]	the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user;	*See* limitation 10[g]. The Facebook Nearby Friends System discloses the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user, for example, who you want to share your proximity with. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. Constine at 3. **Is It Privacy Safe?** For being a feature that constantly shares your proximity to friends or your exact location, Facebook tried to make it respect our privacy. It's opt-in, so no one will find it themselves sharing their coordinates without purposefully turning it on. You can turn it off any time with a few taps. You can set who sees your proximity, they have to be sharing their proximity with you to see yours, you have to explicitly share exact location, and unless you set it to share indefinitely, your exact location will disappear within a day. Constine at 7.

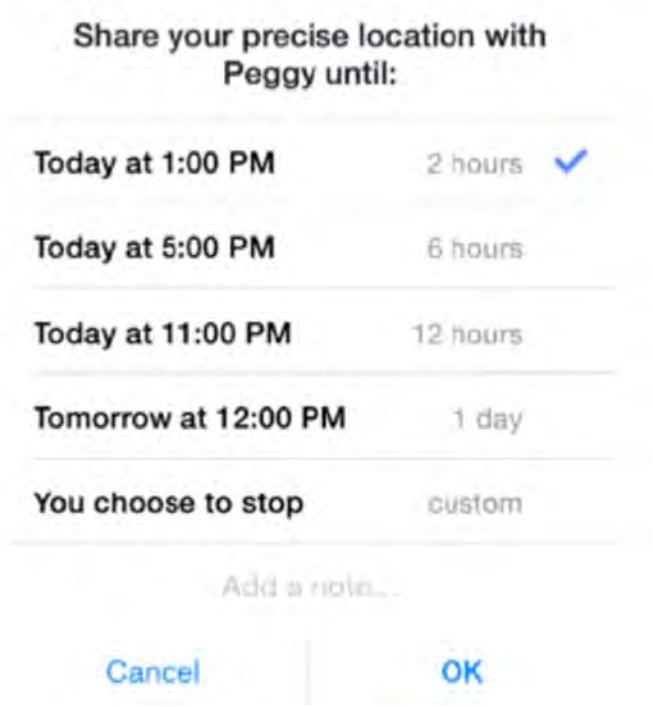
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[i]	sending, based on the request, a communication to the potential contact to initiate a data exchange; and	The Facebook Nearby Friends System discloses sending, based on the request, a communication to the potential contact to initiate a data exchange, for example, the user's location information. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[j]	in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact,	The Facebook Nearby Friends System discloses in response to receiving an acceptance of the communication setting the user as a contact of the potential contact, for example, identifying those who the user is sharing their location with.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Today Facebook begins rolling out a new opt-in feature called Nearby Friends. It lets friends see approximately how far away you are from them, and you can share your exact, on-going location with them for a limited time. While it's sure to stir privacy concerns, Nearby Friends could get people spending more time with friends in the real-world instead of online as it hits iOS and Android in the US in the coming weeks. Constine at 2. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood. Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4.

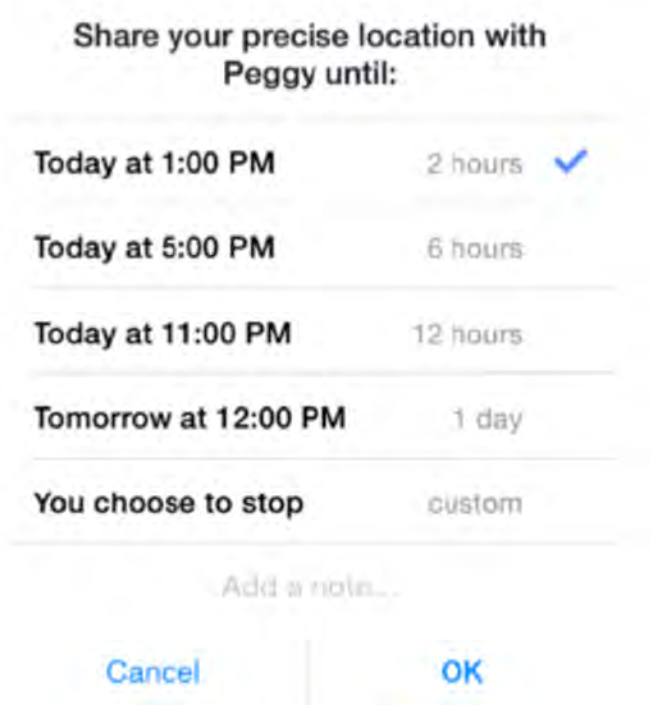
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		 Constine at 7. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[k]	the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and	*See* limitation 10[g]. The Facebook Nearby Friends System discloses the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value, for example, the proximity of the user is available to a friend.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Nearby Friends was built by the Glancee location sharing app team led by Andrea Vaccari that Facebook acquired in 2012. It adds a list of nearby friends to Facebook's iOS and Android apps. It will also send notifications if you come within a short distance of a friend, and if someone shares their precise location with you you'll see it on a map. Constine at 2. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. Constine at 3. **Is It Privacy Safe?** For being a feature that constantly shares your proximity to friends or your exact location, Facebook tried to make it respect our privacy. It's opt-in, so no one will find it themselves sharing their coordinates without purposefully turning it on. You can turn it off any time with a few taps. You can set who sees your proximity, they have to be sharing their proximity with you to see yours, you have to explicitly share exact location, and unless you set it to share indefinitely, your exact location will disappear within a day. Constine at 7.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		 Charvoz at 1. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[l]	setting the potential contact as a contact of the user.	*See* limitations 10[j], 10[k]. The Facebook Nearby Friends System discloses setting the potential contact as a contact of the user, for example, the friend also using Nearby Friends. Nearby Friends was built by the Glancee location sharing app team led by Andrea Vaccari that Facebook acquired in 2012. It adds a list of nearby friends to Facebook's iOS and Android apps. It will also send notifications if you come within a short distance of a friend, and if someone shares their precise location with you you'll see it on a map. Constine at 2. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. Constine at 3.

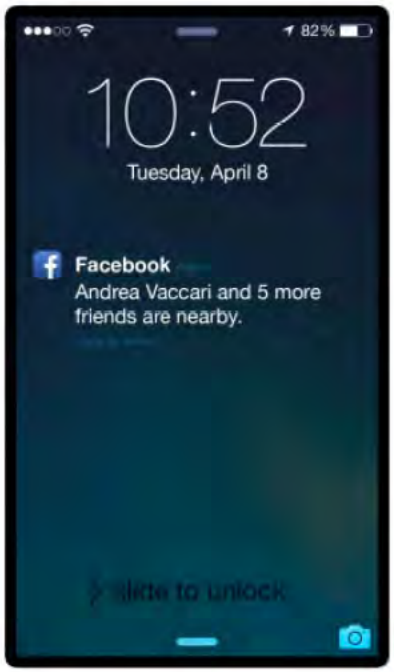
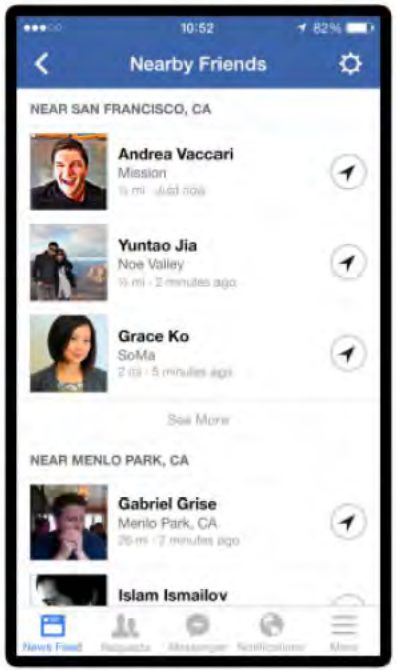
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Is It Privacy Safe? For being a feature that constantly shares your proximity to friends or your exact location, Facebook tried to make it respect our privacy. It's opt-in, so no one will find it themselves sharing their coordinates without purposefully turning it on. You can turn it off any time with a few taps. You can set who sees your proximity, they have to be sharing their proximity with you to see yours, you have to explicitly share exact location, and unless you set it to share indefinitely, your exact location will disappear within a day. Constine at 7.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		 Charvoz at 1. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[pre]	The system of claim 10, wherein identifying the potential contact comprises:	*See* claim 10. The Facebook Nearby Friends System discloses the system of claim 10 for identifying the potential contact, for example, a friend. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood. Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4.

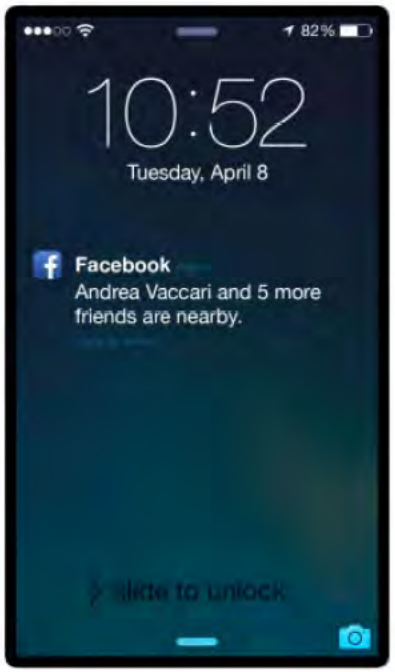
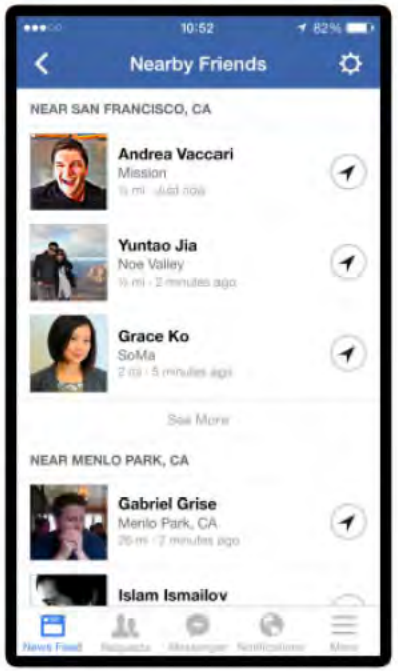
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[a]	receiving, from the potential contact, a first location; and	The Facebook Nearby Friends System discloses receiving from the potential contact a first location, for example, the location of the friend. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		  Constine at 2. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these

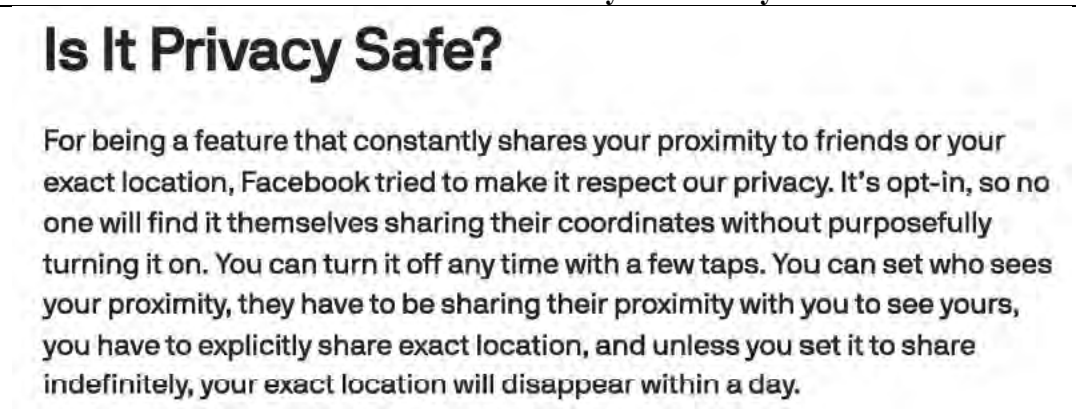
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[b]	identifying the potential contact in a case that a second location of the user device matches the first location.	*See* limitation 11[a]. The Facebook Nearby Friends System discloses identifying the potential contact in a case that a second location of the user device matches the first location, for example, where the user is in the same area as the friend. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood. Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view.

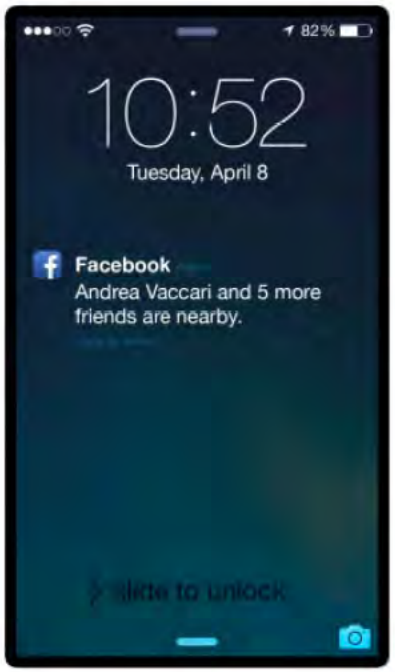
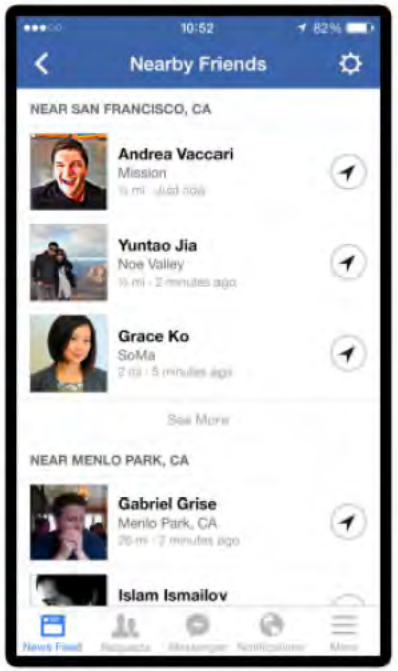
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Constine at 3-4. **Is It Privacy Safe?** For being a feature that constantly shares your proximity to friends or your exact location, Facebook tried to make it respect our privacy. It's opt-in, so no one will find it themselves sharing their coordinates without purposefully turning it on. You can turn it off any time with a few taps. You can set who sees your proximity, they have to be sharing their proximity with you to see yours, you have to explicitly share exact location, and unless you set it to share indefinitely, your exact location will disappear within a day. Constine at 7.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		  Constine at 2. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[pre]	The system of claim 10,	*See* claim 10. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[a]	wherein receiving, from the user device of the user, the request for the user to become a contact with the potential contact, comprises:	*See* limitation 10[f]. The Facebook Nearby Friends System discloses receiving, from the user device of the user, the request for the user to become a contact with the potential contact, for example, the user in proximity to a friend. Nearby Friends was built by the Glancee location sharing app team led by Andrea Vaccari that Facebook acquired in 2012. It adds a list of nearby friends to Facebook's iOS and Android apps. It will also send notifications if you come within a short distance of a friend, and if someone shares their precise location with you you'll see it on a map.

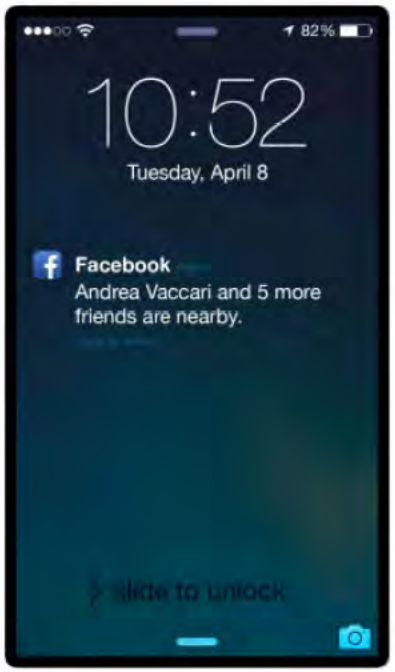
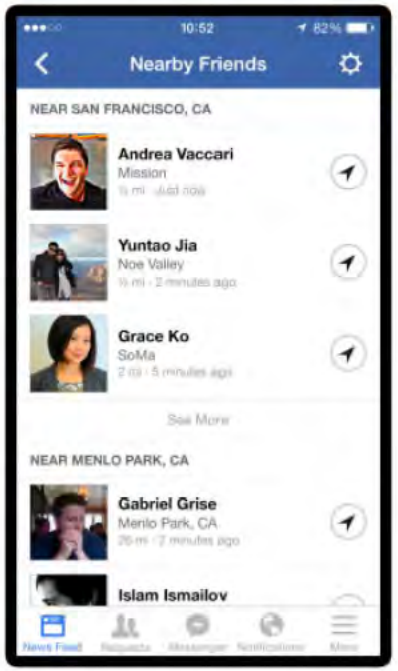
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Constine at 2. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood. Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		 Constine at 7.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		  Constine at 2. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the

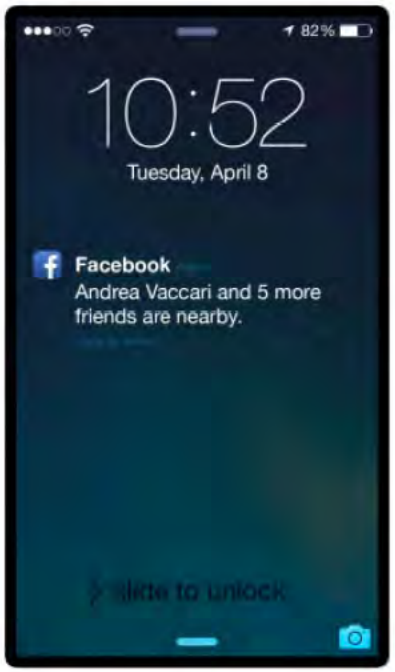
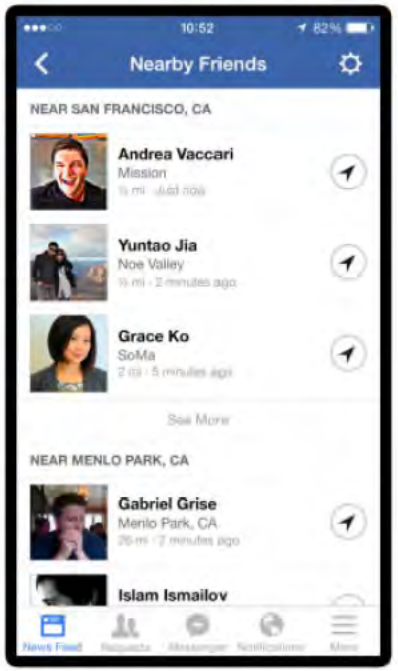
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[b]	receiving a first location that is associated with the request; and	The Facebook Nearby Friends System discloses receiving a first location that is associated with the request, for example, the location of the user. Nearby Friends was built by the Glancee location sharing app team led by Andrea Vaccari that Facebook acquired in 2012. It adds a list of nearby friends to Facebook's iOS and Android apps. It will also send notifications if you come within a short distance of a friend, and if someone shares their precise location with you you'll see it on a map. Constine at 2. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4. **Is It Privacy Safe?** For being a feature that constantly shares your proximity to friends or your exact location, Facebook tried to make it respect our privacy. It's opt-in, so no one will find it themselves sharing their coordinates without purposefully turning it on. You can turn it off any time with a few taps. You can set who sees your proximity, they have to be sharing their proximity with you to see yours, you have to explicitly share exact location, and unless you set it to share indefinitely, your exact location will disappear within a day. Constine at 7.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		  Constine at 2. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[c]	wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises:	*See* limitation 10[i]. The Facebook Nearby Friends System discloses sending, based on the request, the communication to the potential contact to initiate the data exchange, for example, the location of the user. Nearby Friends was built by the Glancee location sharing app team led by Andrea Vaccari that Facebook acquired in 2012. It adds a list of nearby friends to Facebook's iOS and Android apps. It will also send notifications if you come within a short distance of a friend, and if someone shares their precise location with you you'll see it on a map. Constine at 2. Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood.

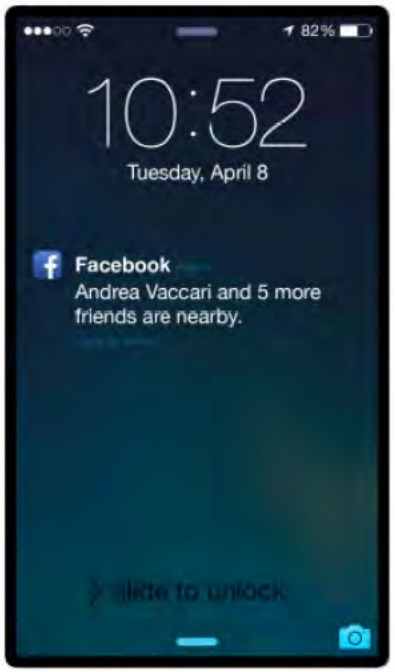
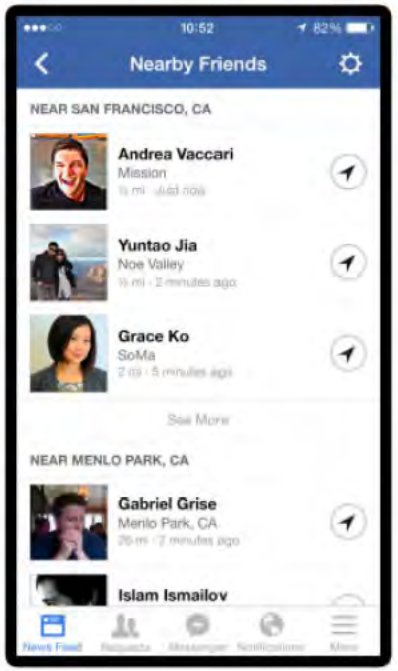
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4. **Is It Privacy Safe?** For being a feature that constantly shares your proximity to friends or your exact location, Facebook tried to make it respect our privacy. It's opt-in, so no one will find it themselves sharing their coordinates without purposefully turning it on. You can turn it off any time with a few taps. You can set who sees your proximity, they have to be sharing their proximity with you to see yours, you have to explicitly share exact location, and unless you set it to share indefinitely, your exact location will disappear within a day. Constine at 7.

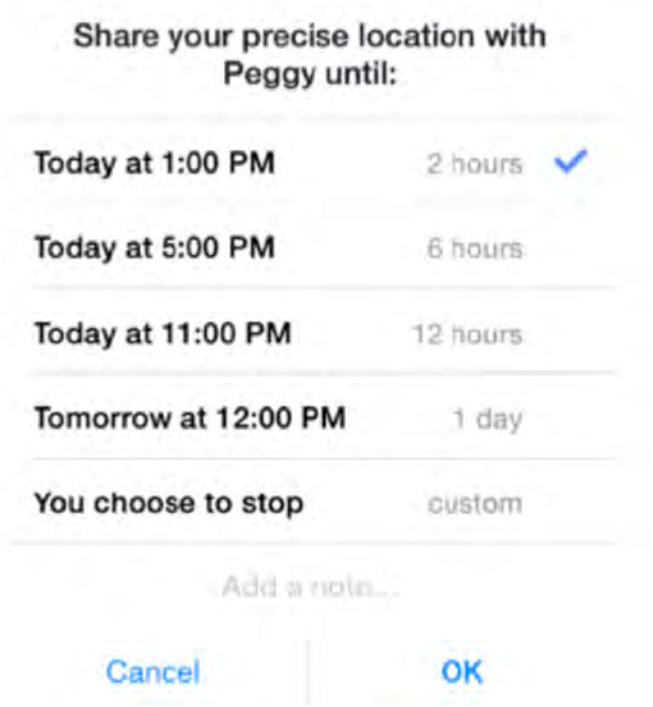
Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		  Constine at 2. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[d]	subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact.	*See* limitation 11[b]. The Facebook Nearby Friends System discloses subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact, for example, sending the user's location to the friend. Nearby Friends was built by the Glancee location sharing app team led by Andrea Vaccari that Facebook acquired in 2012. It adds a list of nearby friends to Facebook's iOS and Android apps. It will also send notifications if you come within a short distance of a friend, and if someone shares their precise location with you you'll see it on a map. Constine at 2.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Once you get the rollout of Nearby Friends, you'll see it in their app list in the Facebook navigation menu under "More" on iOS or Android. From there you can opt in to turning Nearby Friends on, and select if you want to share your proximity with all your friends, or a specific friend list or group. You'll then be able to see a Nearby Friends list that shows the distance away in increments of a mile (<0.5 miles, 0.7 miles, 1.8 miles) from anyone you're sharing your proximity with who has also opted in and turned on Nearby Friends. The list also shows timestamps of when someone's location was last queried,and if you're in a big city it will also show their neighborhood. Next to these friends' names is a location icon you can tap to send that person your real-time location. You'll get a chance to choose how long to share your location (an hour, a few hours, until tomorrow, until I manually stop) and include a 40-character message about what you're doing or want to do, and perhaps a request that they send you their exact location. Otherwise you could send someone a Facebook message asking for them to send you their location. Anyone who shares their exact coordinates with you will show up on a map view. Constine at 3-4.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		Is It Privacy Safe? For being a feature that constantly shares your proximity to friends or your exact location, Facebook tried to make it respect our privacy. It's opt-in, so no one will find it themselves sharing their coordinates without purposefully turning it on. You can turn it off any time with a few taps. You can set who sees your proximity, they have to be sharing their proximity with you to see yours, you have to explicitly share exact location, and unless you set it to share indefinitely, your exact location will disappear within a day. Constine at 7.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		  Constine at 2.

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		 Charvoz at 1. To the extent the Facebook Nearby Friends System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the Facebook Nearby Friends System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the Facebook Nearby Friends System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at

Nos.	Asserted '107 Patent	Facebook Nearby Friends System
		the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

DEFENDANT APPLE INC'S INVALIDITY CONTENTIONS
Exhibit 7 – Invalidity Claim Chart for U.S. Patent No. 11,025,573

Based on: LoKast System

As described by at least the following exemplary documents:

1. https://techcrunch.com/2010/03/15/lokasts-proximity-based-mobile-app-takes-content-sharing-to-a-new-level/ **("LoKast's Proximity Based Mobile App Takes Content Sharing to a New Level" (Leena Rao, March 15, 2010) ("Rao"))**
2. https://www.behance.net/gallery/3797037/LoKast?locale=en_US/ **("LoKast, Mobile Platform for Group-Chat and Social Discovery" (Jeff Lagasa, May 1, 2012) ("Charvoz")**
3. https://www.youtube.com/watch?v=1f0O2WptGwM **("Easily Share Files and Media Between iPhones and iPads – LoKast Review," May 4, 2010)**

The LoKast System qualifies as prior art to the '573 Patent under at least 35 U.S.C. §§ 102(a)(1) (AIA). The LoKast System was available by at least March 15, 2010. Based on Ginko, LLC ("Plaintiff's") infringement contentions, for at least the same reasons that Plaintiff alleges the accused products practice the claimed invention, the asserted claims of the '573 Patent are at least rendered obvious by Facebook Nearby Friends.

The LoKast System renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Defendant's Invalidity Contentions. One of ordinary skill would have been motivated to combine these references because each is directed to the same or similar field of endeavor and each teaches methods and devices for sharing data between devices on a network.

The following claim chart demonstrates how the LoKast System discloses each element of the asserted claim elements. To the extent any limitation is not explicitly disclosed, each limitation is at least inherently disclosed or would have been obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions.

To the extent the preambles of the Asserted Claims are limiting, Defendant has identified disclosures of the prior art in the chart below relevant to the preambles. Defendant's citation to disclosures relevant to the preambles should not be interpreted as a concession that any preamble is limiting.

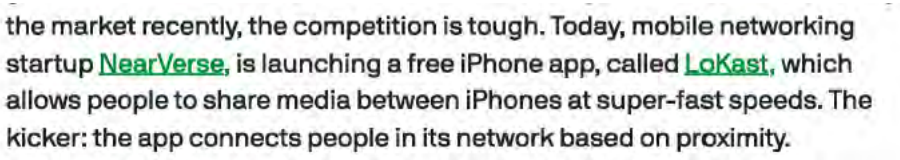
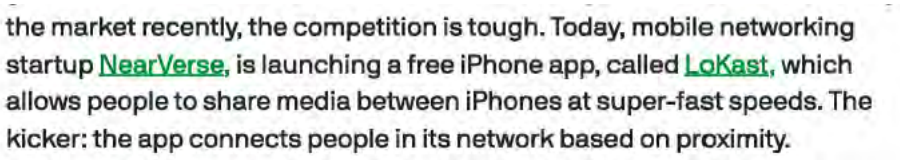
With respect to the obviousness of the asserted claims under 35 U.S.C. § 103, one or more of the principles enumerated by the United States Supreme Court in *KSR v. Teleflex*, 550 U.S. 398 (2007) apply, including: (a) combining various claimed elements known in the prior art according to known methods to yield a predictable result; and/or (b) making a simple substitution of one or more known

elements for another to obtain a predictable result; and/or (c) using a known technique to improve a similar device or method in the same way; and/or (d) applying a known technique to a known device or method ready for improvement to yield a predictable result; and/or (e) choosing from a finite number of identified, predictable solutions with a reasonable expectation of success or, in other words, the solution was one which was "obvious to try"; and/or (f) a known work in one field of endeavor prompting variations of it for use either in the same field or a different field based on given design incentives or other market forces in which the variations were predictable to one of ordinary skill in the art; and/or (g) a teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill in the art to modify the prior art reference or to combine the teachings of various prior art references to arrive at the claimed invention. Each feature of each of the Asserted Claims was within the scope and content of the prior art, was no different from the disclosures of the prior art, and was within the level of ordinary skill in the art. It therefore would have been obvious to one of ordinary skill in the art to combine the disclosures of these references in accordance with the principles and rationales set forth above.

In compiling these contentions, Defendant has relied in part on Plaintiff's infringement contentions. In those contentions, Plaintiff appears to assign constructions to indefinite claim language, to pursue overly broad claim constructions in an effort to assert infringement where none exists, and to accuse products that do not infringe the claims.

Defendant's assertion that a particular limitation is disclosed by a prior art reference and/or is disclosed in a particular manner may be based in part on Plaintiff's apparent claim interpretations. In relying on Plaintiff's apparent claim interpretations, Defendant does not admit that Plaintiff's apparent claim interpretations are supportable or proper or that the claim limitations in question are definite or otherwise amenable to construction.

Defendant has endeavored to provide as much detail as possible in these contentions and, in doing so, has exceeded the level of detail required. The inclusion of specific details in some areas is not a concession that such details are required or that the omission of similar details in other areas is a defect. The citations to portions of any reference in this chart are exemplary only. Defendant will rely on the entirety of the references cited in its charts to show that the asserted claims are invalid.

Nos.	Asserted '107 Patent	LoKast System
10[pre]	A system for data sharing between devices in a network, comprising:	To the extent the preamble is limiting, the LoKast System discloses a system for data sharing between devices in a network.  the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2. To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[a]	a processor; and	The LoKast System discloses a processor, for example, on a phone.  the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2.

Nos.	Asserted '107 Patent	LoKast System
		 Charvoz. To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	LoKast System
10[b]	a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising:	The LoKast System discloses a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations, for example, on a phone. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2.  Charvoz.

Nos.	Asserted '107 Patent	LoKast System
		To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[c]	identifying, for a user associated with a user device, a potential contact,	The LoKast System discloses identifying for a user associated with a user device a potential contact, e.g., another Lokast user. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users.

Nos.	Asserted '107 Patent	LoKast System
		Id. To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[d]	the user being associated with user data, and	*See* limitation 10(c). The LoKast System discloses the user being associated with user data, e.g., content. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2.

Nos.	Asserted '107 Patent	LoKast System
		LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.* To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[e]	the potential contact being associated with contact data;	The LoKast System discloses the potential contact being associated with contact data, for example, proximity information.

Nos.	Asserted '107 Patent	LoKast System
		the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.* To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations

Nos.	Asserted '107 Patent	LoKast System
		would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[f]	receiving, from the user device of the user, a request for the user to become a contact with the potential contact,	The LoKast System discloses receiving from the user device of the user a request for the user to become a contact with the potential contact, e.g., allowing a user to view and download their content. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.*

Nos.	Asserted '107 Patent	LoKast System
		To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[g]	the request comprising a first permission setting, and	The LoKast System discloses the request comprising a first permission setting, e.g., identifying contacts to provide content to. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a Rao at 2. To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	LoKast System
10[h]	the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user;	*See* limitation 10[g]. The LoKast System discloses the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user, for example, your selected contacts. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a Rao at 2. To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[i]	sending, based on the request, a communication to the potential contact to initiate a data exchange; and	The LoKast System discloses sending, based on the request, a communication to the potential contact to initiate a data exchange, for example, another user within proximity. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity.

Nos.	Asserted '107 Patent	LoKast System
		Rao at 2. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.* To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	LoKast System
10[j]	in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact,	The LoKast System discloses in response to receiving an acceptance of the communication setting the user as a contact of the potential contact, for example, identifying those LoKast users within proximity. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.* To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one

Nos.	Asserted '107 Patent	LoKast System
		or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[k]	the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and	*See* limitation 10[g]. The LoKast System discloses the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value, for example, the content included for the public. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a Rao at 2. To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	LoKast System
10[l]	setting the potential contact as a contact of the user.	*See* limitations 10[j], 10[k]. The LoKast System discloses setting the potential contact as a contact of the user, for example, a different LoKast user within proximity. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.* To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art

Nos.	Asserted '107 Patent	LoKast System
		and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[pre]	The system of claim 10, wherein identifying the potential contact comprises:	*See* claim 10. The LoKast System discloses the system of claim 10 for identifying the potential contact, for example, another LoKast user. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2.

Nos.	Asserted '107 Patent	LoKast System
		LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.* To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[a]	receiving, from the potential contact, a first location; and	The LoKast System discloses receiving from the potential contact a first location, for example, another LoKast user within proximity of user.

Nos.	Asserted '107 Patent	LoKast System
		the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.* To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally,

Nos.	Asserted '107 Patent	LoKast System
		such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[b]	identifying the potential contact in a case that a second location of the user device matches the first location.	*See* limitation 11[a]. The LoKast System discloses identifying the potential contact in a case that a second location of the user device matches the first location, for example, where the user is in the same area as another LoKast user. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.*

Nos.	Asserted '107 Patent	LoKast System
		To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[pre]	The system of claim 10,	*See* claim 10. To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[a]	wherein receiving, from the user device of the user, the request for the user to become a contact with the	*See* limitation 10[f]. The LoKast System discloses receiving, from the user device of the user, the request for the user to become a contact with the potential contact, for example, the user in proximity to another LoKast user.

Nos.	Asserted '107 Patent	LoKast System
	potential contact, comprises:	the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.* To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally,

Nos.	Asserted '107 Patent	LoKast System
		such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[b]	receiving a first location that is associated with the request; and	The LoKast System discloses receiving a first location that is associated with the request, for example, the proximity of a user. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.* To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System

Nos.	Asserted '107 Patent	LoKast System
		in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[c]	wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises:	*See* limitation 10[i]. The LoKast System discloses sending, based on the request, the communication to the potential contact to initiate the data exchange, for example, the proximity of the user. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2.

Nos.	Asserted '107 Patent	LoKast System
		LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.* To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[d]	subsequent to receiving the request from the user, sending the communication to the potential contact on a	*See* limitation 11[b]. The LoKast System discloses subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a

Nos.	Asserted '107 Patent	LoKast System
	condition that the first location matching a second location associated with the potential contact.	second location associated with the potential contact, for example, based on the proximity of the user. the market recently, the competition is tough. Today, mobile networking startup NearVerse, is launching a free iPhone app, called LoKast, which allows people to share media between iPhones at super-fast speeds. The kicker: the app connects people in its network based on proximity. Rao at 2. LoKast, which is actually short for "local-casting," allows you to set up a profile that will list all of your photos, selected contacts, videos, web links and music on your mobile phone. You can select which content you'd like to include to the public and which content you'd like to keep private. When a LoKast user is in proximity (300 feet) of other LoKast users, the app will automatically discover other users nearby and allow the user to view and download their content. For example, you can see the iTunes library of any user who is in close proximity to you. You can choose to download a 30-second clip of any song to your own profile and can also follow the link to the iTunes store to purchase the music (LoKast collects an affiliate fee for this, of course). Similarly, you can download photos, videos and even contacts from other users into your profile. You'll also soon be able to share apps on your phone with other users. *Id.* To the extent the LoKast System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the LoKast System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine The

Nos.	Asserted '107 Patent	LoKast System
		LoKast System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Based on: NFriendConnector System

As described by at least the following exemplary document:

1. **"NFriendConnector: Design and Evaluation of an Application for Integrating Offline and Online Social Networking," AIS Transactions on Human-Computer Interaction (Felix Kobler, et al., December 2011) ("Kobler")**

The NFriendConnector System qualifies as prior art to the '573 Patent under at least 35 U.S.C. §§ 102(a)(1) (AIA). The NFriendConnector System was available by at least December 2011. Based on Ginko, LLC ("Plaintiff's") infringement contentions, for at least the same reasons that Plaintiff alleges the accused products practice the claimed invention, the asserted claims of the '573 Patent are at least rendered obvious by NFriendConnector.

The NFriendConnector System renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Defendant's Invalidity Contentions. One of ordinary skill would have been motivated to combine these references because each is directed to the same or similar field of endeavor and each teaches methods and devices for sharing data between devices on a network.

The following claim chart demonstrates how the NFriendConnector System discloses each element of the asserted claim elements. To the extent any limitation is not explicitly disclosed, each limitation is at least inherently disclosed or would have been obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions.

To the extent the preambles of the Asserted Claims are limiting, Defendant has identified disclosures of the prior art in the chart below relevant to the preambles. Defendant's citation to disclosures relevant to the preambles should not be interpreted as a concession that any preamble is limiting.

With respect to the obviousness of the asserted claims under 35 U.S.C. § 103, one or more of the principles enumerated by the United States Supreme Court in *KSR v. Teleflex*, 550 U.S. 398 (2007) apply, including: (a) combining various claimed elements known in the prior art according to known methods to yield a predictable result; and/or (b) making a simple substitution of one or more known elements for another to obtain a predictable result; and/or (c) using a known technique to improve a similar device or method in the same way; and/or (d) applying a known technique to a known device or method ready for improvement to yield a predictable result; and/or (e) choosing from a finite number of identified, predictable solutions with a reasonable expectation of success or, in other words, the solution was one which was "obvious to try"; and/or (f) a known work in one field of endeavor prompting variations of it for use

either in the same field or a different field based on given design incentives or other market forces in which the variations were predictable to one of ordinary skill in the art; and/or (g) a teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill in the art to modify the prior art reference or to combine the teachings of various prior art references to arrive at the claimed invention. Each feature of each of the Asserted Claims was within the scope and content of the prior art, was no different from the disclosures of the prior art, and was within the level of ordinary skill in the art. It therefore would have been obvious to one of ordinary skill in the art to combine the disclosures of these references in accordance with the principles and rationales set forth above.

In compiling these contentions, Defendant has relied in part on Plaintiff's infringement contentions. In those contentions, Plaintiff appears to assign constructions to indefinite claim language, to pursue overly broad claim constructions in an effort to assert infringement where none exists, and to accuse products that do not infringe the claims.

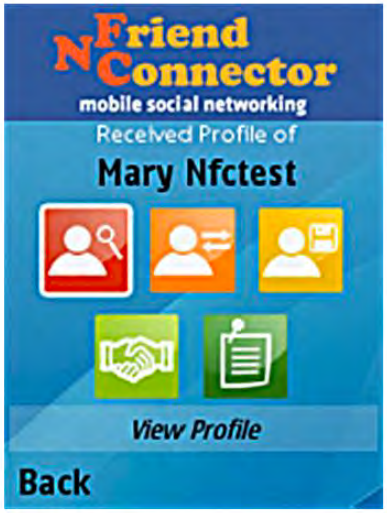
Defendant's assertion that a particular limitation is disclosed by a prior art reference and/or is disclosed in a particular manner may be based in part on Plaintiff's apparent claim interpretations. In relying on Plaintiff's apparent claim interpretations, Defendant does not admit that Plaintiff's apparent claim interpretations are supportable or proper or that the claim limitations in question are definite or otherwise amenable to construction.

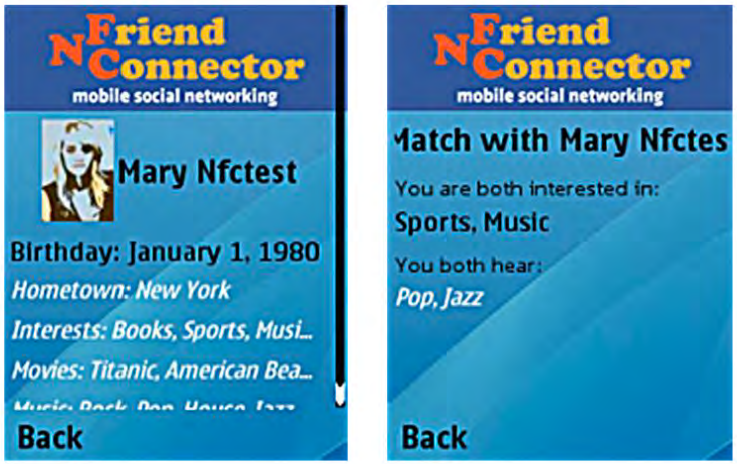
Defendant has endeavored to provide as much detail as possible in these contentions and, in doing so, has exceeded the level of detail required. The inclusion of specific details in some areas is not a concession that such details are required or that the omission of similar details in other areas is a defect. The citations to portions of any reference in this chart are exemplary only. Defendant will rely on the entirety of the references cited in its charts to show that the asserted claims are invalid.

Nos.	Asserted '107 Patent	NFriendConnector System
10[pre]	A system for data sharing between devices in a network, comprising:	To the extent the preamble is limiting, the NFriendConnector System discloses a system for data sharing between devices in a network. NFriendConnector relies on the peer-to-peer operation mode for NFC applications. Users can exchange Facebook profiles by bringing two mobile phones which are running NFriendConnector into contact. The profile data is sent through the NFC interfaces of the mobile phones. The advantage of this form of communication is that no mobile Internet connectivity is required. The disadvantage is that the Facebook profile data on the mobile phone gets outdated without regular synchronizations with Facebook. Therefore, the application uses up-to-date data from the Facebook platform and synchronizes with it, whenever a mobile Internet connection is available. Figure 5 provides a diagrammatic representation of the communication routines in NFriendConnector. Kobler at 221-222.  **Figure 5: NFriendConnector Communication Routine** Kobler, Fig. 5. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references

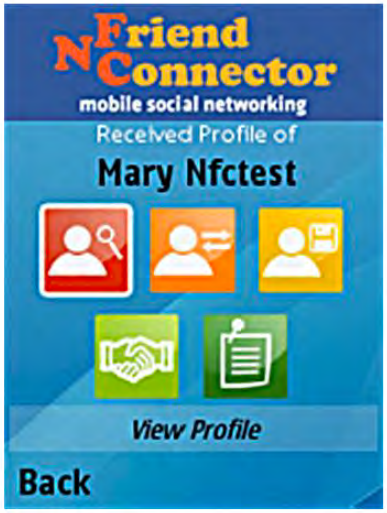
Nos.	Asserted '107 Patent	NFriendConnector System
		identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[a]	a processor; and	The NFriendConnector System discloses a processor, for example, on a mobile phone. NFriendConnector relies on the peer-to-peer operation mode for NFC applications. Users can exchange Facebook profiles by bringing two mobile phones which are running NFriendConnector into contact. The profile data is sent through the NFC interfaces of the mobile phones. The advantage of this form of communication is that no mobile Internet connectivity is required. The disadvantage is that the Facebook profile data on the mobile phone gets outdated without regular synchronizations with Facebook. Therefore, the application uses up-to-date data from the Facebook platform and synchronizes with it, whenever a mobile Internet connection is available. Figure 5 provides a diagrammatic representation of the communication routines in NFriendConnector. Kobler at 221-222.  **Figure 5: NFriendConnector Communication Routine** Kobler, Fig. 5.

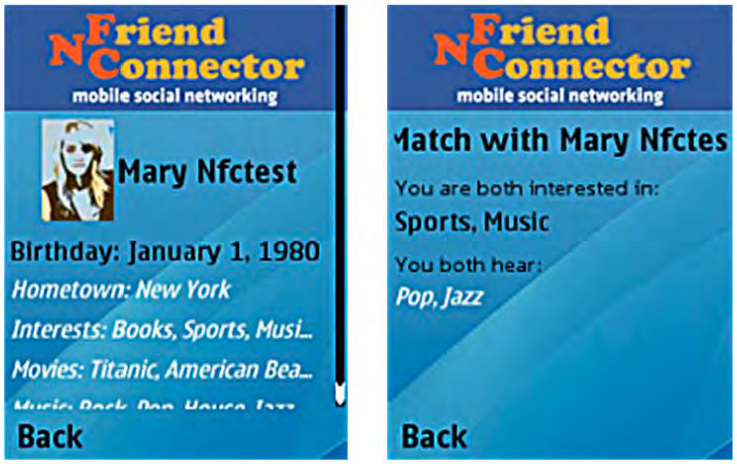
Nos.	Asserted '107 Patent	NFriendConnector System
		To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[b]	a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising:	*See* limitation 10[a]. The NFriendConnector System discloses a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations, for example, on a mobile phone. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[c]	identifying, for a user associated with a user device, a potential contact,	The NFriendConnector System discloses identifying for a user associated with a user device a potential contact, e.g., nearby Facebook users.

Nos.	Asserted '107 Patent	NFriendConnector System
		"Users need to have Facebook profiles and a NFC-enabled mobile phone on which the prototype application is installed and running." Kobler at 220. "To initiate a profile data transfer, users touch their mobile phones together while they are both running NFriendConnector. The Facebook profile data is transferred and each user is presented with the 'Profile options' menu (as seen in Figure 2) to access the features described below." Kobler at 220.  **Figure 2: "Profile Options" Screen** Kobler, Fig. 2. "Each user can view ('View profile') and locally store the Facebook profile of the other person on his/her mobile phone. Currently, only the profile picture, profile name, and the Facebook

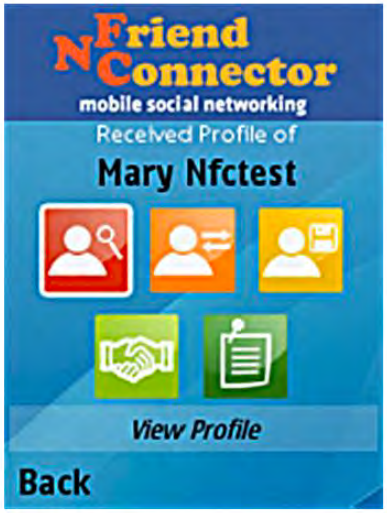
Nos.	Asserted '107 Patent	NFriendConnector System
		profile fields containing hometown, interests, movies and music are displayed as a scroll down/side scrolling list (as shown in Figure 3). It is, however, technically feasible to display all existing profile fields. Storing the profile locally allows the user to build an individual contact list of Facebook users on his/her mobile phone that can later be browsed even without an active mobile Internet connection." Kobler at 220.  **Figure 3: "View Profile" (Left) and "Match Profile" (Right) Features** Kobler, Fig. 3. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references

Nos.	Asserted '107 Patent	NFriendConnector System
		identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[d]	the user being associated with user data, and	*See* limitation 10(c). The NFriendConnector System discloses the user being associated with user data, for example, Facebook profile information. "Users need to have Facebook profiles and a NFC-enabled mobile phone on which the prototype application is installed and running." Kobler at 220. "To initiate a profile data transfer, users touch their mobile phones together while they are both running NFriendConnector. The Facebook profile data is transferred and each user is presented with the 'Profile options' menu (as seen in Figure 2) to access the features described below." Kobler at 220.

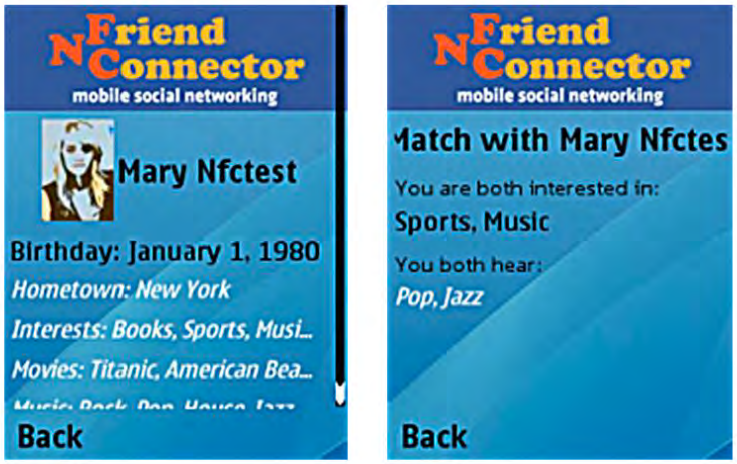
Nos.	Asserted '107 Patent	NFriendConnector System
		 **Figure 2: "Profile Options" Screen** Kobler, Fig. 2. "Each user can view ('View profile') and locally store the Facebook profile of the other person on his/her mobile phone. Currently, only the profile picture, profile name, and the Facebook profile fields containing hometown, interests, movies and music are displayed as a scroll down/side scrolling list (as shown in Figure 3). It is, however, technically feasible to display all existing profile fields. Storing the profile locally allows the user to build an individual contact list of Facebook users on his/her mobile phone that can later be browsed even without an active mobile Internet connection." Kobler at 220.

Nos.	Asserted '107 Patent	NFriendConnector System
		 **Figure 3: "View Profile" (Left) and "Match Profile" (Right) Features** Kobler, Fig. 3. "The 'Match profile' feature allows a user to match his/her own Facebook profile with the Facebook profile of the other person in order to identify common interests, likes and dislikes, hobbies, etc. (as shown in Figure 3). These could be helpful in partner-, relationship-, or hobby-seeking (e.g., sports), or for other matching purposes. Currently, in the prototype application, all profile fields are matched. It is also possible to set threshold for the match between certain profile variables (such as matching only relationship status, or the distance of home towns, or number of interests, etc.) and calculate an output that signals the user of a positive or a negative match." Kobler at 220-221. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary

Nos.	Asserted '107 Patent	NFriendConnector System
		skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[e]	the potential contact being associated with contact data;	*See* limitation 10[d] The NFriendConnector System discloses the potential contact being associated with contact data, for example, Facebook profile information. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[f]	receiving, from the user device of the user, a request for the user to become a contact with the potential contact,	The NFriendConnector System discloses receiving from the user device of the user a request for the user to become a contact with the potential contact, e.g., when the user and the potential content touch their mobile phones together. "Users need to have Facebook profiles and a NFC-enabled mobile phone on which the prototype application is installed and running." Kobler at 220.

Nos.	Asserted '107 Patent	NFriendConnector System
		"To initiate a profile data transfer, users touch their mobile phones together while they are both running NFriendConnector. The Facebook profile data is transferred and each user is presented with the 'Profile options' menu (as seen in Figure 2) to access the features described below." Kobler at 220.  **Figure 2: "Profile Options" Screen** Kobler, Fig. 2. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had

Nos.	Asserted '107 Patent	NFriendConnector System
		reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[g]	the request comprising a first permission setting, and	The NFriendConnector System discloses the request comprising a first permission setting, for example, the threshold for a match. "The 'Match profile' feature allows a user to match his/her own Facebook profile with the Facebook profile of the other person in order to identify common interests, likes and dislikes, hobbies, etc. (as shown in Figure 3). These could be helpful in partner-, relationship-, or hobby-seeking (e.g., sports), or for other matching purposes. Currently, in the prototype application, all profile fields are matched. It is also possible to set threshold for the match between certain profile variables (such as matching only relationship status, or the distance of home towns, or number of interests, etc.) and calculate an output that signals the user of a positive or a negative match." Kobler at 220-221.

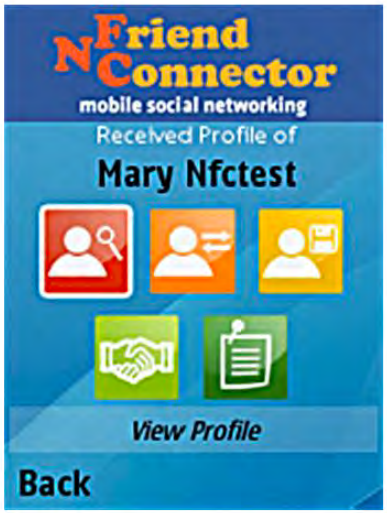
Nos.	Asserted '107 Patent	NFriendConnector System
		 **Figure 3: "View Profile" (Left) and "Match Profile" (Right) Features** Kobler, Fig. 3. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[h]	the first permission setting being at least a first value	*See* limitation 10[g].

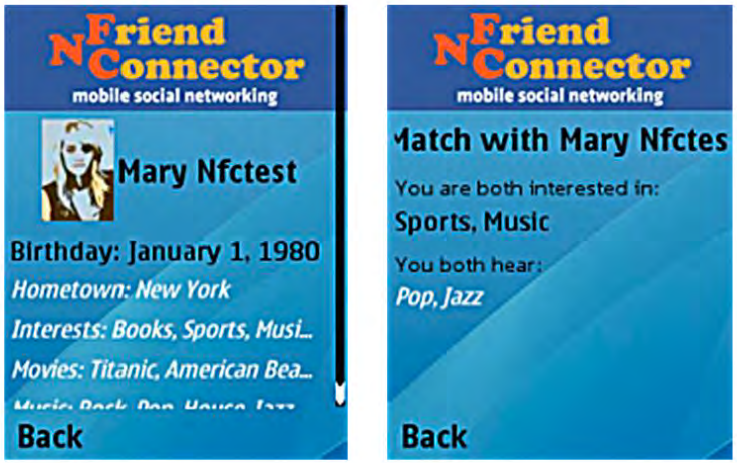
Nos.	Asserted '107 Patent	NFriendConnector System
	indicating that a subset of user data of a permitting user is to be shared with a permitted user;	The NFriendConnector System discloses the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user, for example, what information is used for the match threshold. "The 'Match profile' feature allows a user to match his/her own Facebook profile with the Facebook profile of the other person in order to identify common interests, likes and dislikes, hobbies, etc. (as shown in Figure 3). These could be helpful in partner-, relationship-, or hobby-seeking (e.g., sports), or for other matching purposes. Currently, in the prototype application, all profile fields are matched. It is also possible to set threshold for the match between certain profile variables (such as matching only relationship status, or the distance of home towns, or number of interests, etc.) and calculate an output that signals the user of a positive or a negative match." Kobler at 220-221.  **Figure 3: "View Profile" (Left) and "Match Profile" (Right) Features** Kobler, Fig. 3.

Nos.	Asserted '107 Patent	NFriendConnector System
		To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[i]	sending, based on the request, a communication to the potential contact to initiate a data exchange; and	The NFriendConnector System discloses sending, based on the request, a communication to the potential contact to initiate a data exchange, for example, confirming the friend request. "Users need to have Facebook profiles and a NFC-enabled mobile phone on which the prototype application is installed and running." Kobler at 220. "To initiate a profile data transfer, users touch their mobile phones together while they are both running NFriendConnector. The Facebook profile data is transferred and each user is presented with the 'Profile options' menu (as seen in Figure 2) to access the features described below." Kobler at 220. "The prototype also provides its users access to the Facebook functionalities 'Add as a friend.'" Kobler at 220.

Nos.	Asserted '107 Patent	NFriendConnector System
		"NFriendConnector intends to address this gap by allowing users to establish a Facebook connection as and when a real-life social interaction occurs, and therefore reduces the cost of mapping offline social connections into Facebook." Kobler at 218. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[j]	in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact,	The NFriendConnector System discloses in response to receiving an acceptance of the communication setting the user as a contact of the potential contact, for example, becoming friends on Facebook. "To initiate a profile data transfer, users touch their mobile phones together while they are both running NFriendConnector. The Facebook profile data is transferred and each user is presented with the 'Profile options' menu (as seen in Figure 2) to access the features described below." Kobler at 220. "The prototype also provides its users access to the Facebook functionalities 'Add as a friend.'" Kobler at 220.

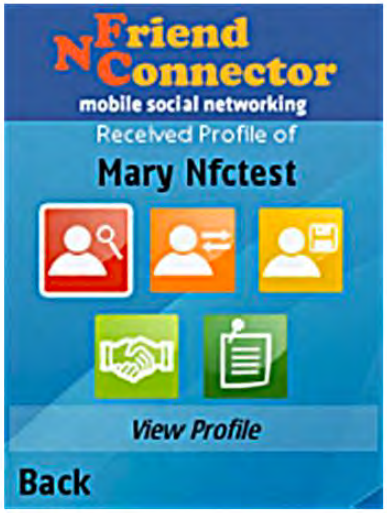
Nos.	Asserted '107 Patent	NFriendConnector System
		"NFriendConnector intends to address this gap by allowing users to establish a Facebook connection as and when a real-life social interaction occurs, and therefore reduces the cost of mapping offline social connections into Facebook." Kobler at 218. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[k]	the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and	*See* limitation 10[g]. The NFriendConnector System discloses the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value, for example, the information shared for other Facebook users. Users need to have Facebook profiles and a NFC-enabled mobile phone on which the prototype application is installed and running." Kobler at 220. "To initiate a profile data transfer, users touch their mobile phones together while they are both running NFriendConnector. The Facebook profile data is transferred and each user is presented with the 'Profile options' menu (as seen in Figure 2) to access the features described below."

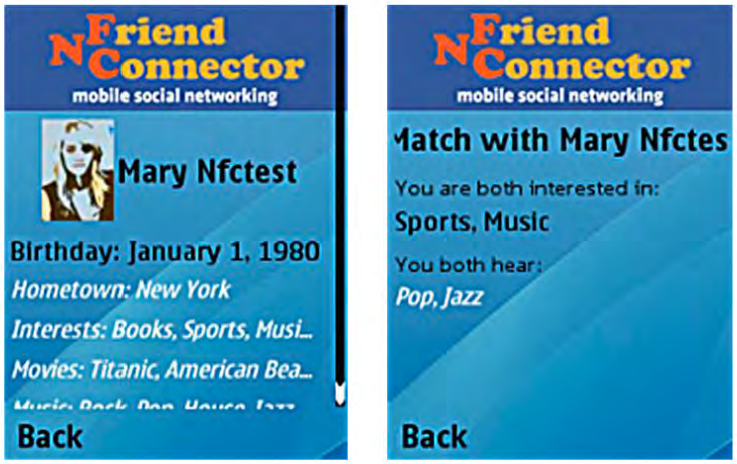
Nos.	Asserted '107 Patent	NFriendConnector System
		Kobler at 220.  **Figure 2: "Profile Options" Screen** Kobler, Fig. 2. "Each user can view ('View profile') and locally store the Facebook profile of the other person on his/her mobile phone. Currently, only the profile picture, profile name, and the Facebook profile fields containing hometown, interests, movies and music are displayed as a scroll down/side scrolling list (as shown in Figure 3). It is, however, technically feasible to display all existing profile fields. Storing the profile locally allows the user to build an individual contact list of Facebook users on his/her mobile phone that can later be browsed even without an active mobile Internet connection." Kobler at 220.

Nos.	Asserted '107 Patent	NFriendConnector System
		The 'Match profile' feature allows a user to match his/her own Facebook profile with the Facebook profile of the other person in order to identify common interests, likes and dislikes, hobbies, etc. (as shown in Figure 3). These could be helpful in partner-, relationship-, or hobby-seeking (e.g., sports), or for other matching purposes. Currently, in the prototype application, all profile fields are matched. It is also possible to set threshold for the match between certain profile variables (such as matching only relationship status, or the distance of home towns, or number of interests, etc.) and calculate an output that signals the user of a positive or a negative match." Kobler at 220-221.  **Figure 3: "View Profile" (Left) and "Match Profile" (Right) Features** Kobler, Fig. 3.

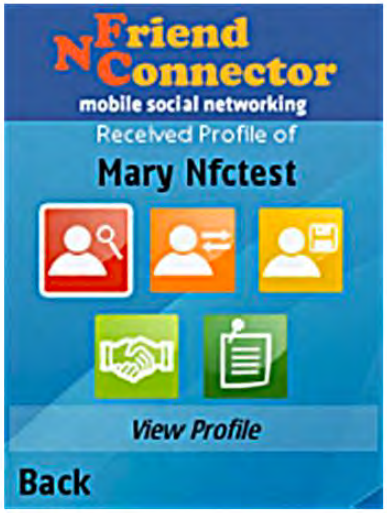
Nos.	Asserted '107 Patent	NFriendConnector System
		To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[l]	setting the potential contact as a contact of the user.	*See* limitations 10[j], 10[k]. The NFriendConnector System discloses setting the potential contact as a contact of the user, for example, become friends on Facebook. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[pre]	The system of claim 10, wherein identifying the potential contact comprises:	*See* claim 10. The NFriendConnector System discloses the system of claim 10 for identifying the potential contact, for example, another Facebook user.

Nos.	Asserted '107 Patent	NFriendConnector System
		To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[a]	receiving, from the potential contact, a first location; and	The NFriendConnector System discloses receiving from the potential contact a first location, for example, nearby Facebook users. "Users need to have Facebook profiles and a NFC-enabled mobile phone on which the prototype application is installed and running." Kobler at 220. "To initiate a profile data transfer, users touch their mobile phones together while they are both running NFriendConnector. The Facebook profile data is transferred and each user is presented with the 'Profile options' menu (as seen in Figure 2) to access the features described below." Kobler at 220.

Nos.	Asserted '107 Patent	NFriendConnector System
		 **Figure 2: "Profile Options" Screen** Kobler, Fig. 2. "Each user can view ('View profile') and locally store the Facebook profile of the other person on his/her mobile phone. Currently, only the profile picture, profile name, and the Facebook profile fields containing hometown, interests, movies and music are displayed as a scroll down/side scrolling list (as shown in Figure 3). It is, however, technically feasible to display all existing profile fields. Storing the profile locally allows the user to build an individual contact list of Facebook users on his/her mobile phone that can later be browsed even without an active mobile Internet connection." Kobler at 220.

Nos.	Asserted '107 Patent	NFriendConnector System
		 **Figure 3: "View Profile" (Left) and "Match Profile" (Right) Features** Kobler, Fig. 3. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[b]	identifying the potential contact in a case that a	*See* limitation 11[a].

Nos.	Asserted '107 Patent	NFriendConnector System
	second location of the user device matches the first location.	The NFriendConnector System discloses identifying the potential contact in a case that a second location of the user device matches the first location, for example, where the user is in the same area as another Facebook user. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[pre]	The system of claim 10,	*See* claim 10. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[a]	wherein receiving, from the user device of the user, the	*See* limitation 10[f].

Nos.	Asserted '107 Patent	NFriendConnector System
	request for the user to become a contact with the potential contact, comprises:	The NFriendConnector System discloses receiving, from the user device of the user, the request for the user to become a contact with the potential contact, for example, making a friend request. Users need to have Facebook profiles and a NFC-enabled mobile phone on which the prototype application is installed and running." Kobler at 220. "To initiate a profile data transfer, users touch their mobile phones together while they are both running NFriendConnector. The Facebook profile data is transferred and each user is presented with the 'Profile options' menu (as seen in Figure 2) to access the features described below." Kobler at 220.  **Figure 2: "Profile Options" Screen**

Nos.	Asserted '107 Patent	NFriendConnector System
		Kobler, Fig. 2. "Each user can view ('View profile') and locally store the Facebook profile of the other person on his/her mobile phone." Kobler at 220. "The prototype also provides its users access to the Facebook functionalities "Add as a friend" and "Create status message" (as shown in Figure 4). A simple example for such an automated status message could be "<individual1> is in <location> with <individual2>" (as seen in Figure 4). The location (in this case "Monaco, France") can be obtained by the GPS receiver or cell identification mechanism of the mobile phone. The user could also define a current task (e.g., "studying"), which is then mapped onto the status message: "<individual1> is studying with <individual2>" or type in the status message directly through the keyboard of the mobile phone." Kobler at 221. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[b]	receiving a first location that is associated with the request; and	*See* limitation 14[a].

Nos.	Asserted '107 Patent	NFriendConnector System
		The NFriendConnector System discloses receiving a first location that is associated with the request, for example, the location of the user. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[c]	wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises:	*See* limitation 10[i]. The NFriendConnector System discloses sending, based on the request, the communication to the potential contact to initiate the data exchange, for example, accepting the friend request. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	NFriendConnector System
14[d]	subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact.	*See* limitation 11[b]. The NFriendConnector System discloses subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact, for example, sharing information with other nearby Facebook users. To the extent the NFriendConnector System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the NFriendConnector System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the NFriendConnector System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

DEFENDANT APPLE INC'S INVALIDITY CONTENTIONS
Exhibit 9 – Invalidity Claim Chart for U.S. Patent No. 11,025,573

Based on: BlackBerry Messenger ("BBM") System

As described by at least the following exemplary documents:

1. https://web.archive.org/web/20220929073250/https://www.androidauthority.com/bbm-for-android-full-review-video-285624/ **("BBM for Android full review," Joe Hindy, October 22, 2013) ("Hindy")**
2. https://www.tomsguide.com/us/bbm-for-android-tutorial,news-21236.html **("How to Use BBM (BlackBerry Messenger) on Android Phones," Anna Attkisson, October 22, 2013) ("Attkisson")**

The BBM System qualifies as prior art to the '573 Patent under at least 35 U.S.C. §§ 102(a)(1) (AIA). The BBM System was available by at least October 21, 2013. Based on Ginko, LLC ("Plaintiff's") infringement contentions, for at least the same reasons that Plaintiff alleges the accused products practice the claimed invention, the asserted claims of the '573 Patent are at least rendered obvious by BBM.

The BBM System renders the asserted claims invalid as obvious under 35 U.S.C. § 103, either alone or in combination with one or more other references charted or cited throughout the Exhibits of Defendant's Invalidity Contentions. One of ordinary skill would have been motivated to combine these references because each is directed to the same or similar field of endeavor and each teaches methods and devices for sharing data between devices on a network.

The following claim chart demonstrates how the BBM System discloses each element of the asserted claim elements. To the extent any limitation is not explicitly disclosed, each limitation is at least inherently disclosed or would have been obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions.

To the extent the preambles of the Asserted Claims are limiting, Defendant has identified disclosures of the prior art in the chart below relevant to the preambles. Defendant's citation to disclosures relevant to the preambles should not be interpreted as a concession that any preamble is limiting.

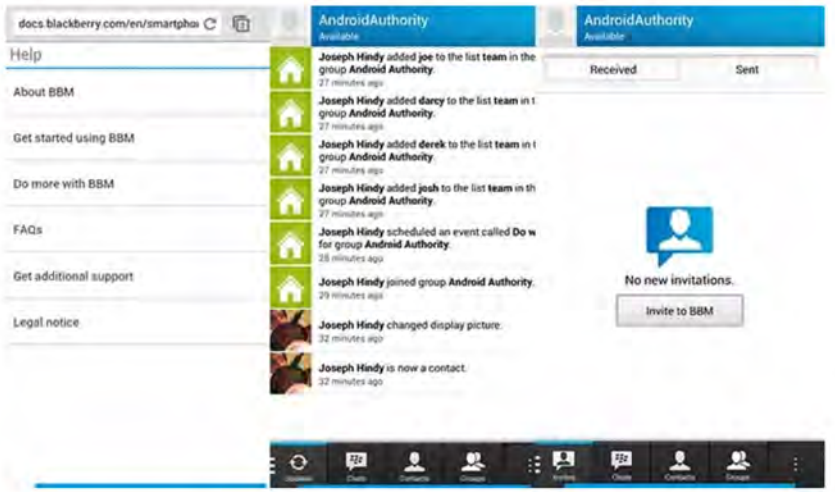
With respect to the obviousness of the asserted claims under 35 U.S.C. § 103, one or more of the principles enumerated by the United States Supreme Court in *KSR v. Teleflex*, 550 U.S. 398 (2007) apply, including: (a) combining various claimed elements known in the prior art according to known methods to yield a predictable result; and/or (b) making a simple substitution of one or more known elements for another to obtain a predictable result; and/or (c) using a known technique to improve a similar device or method in the same way; and/or (d) applying a known technique to a known device or method ready for improvement to yield a predictable result; and/or (e) choosing from a finite number of identified, predictable solutions with a reasonable expectation of success or, in other words,

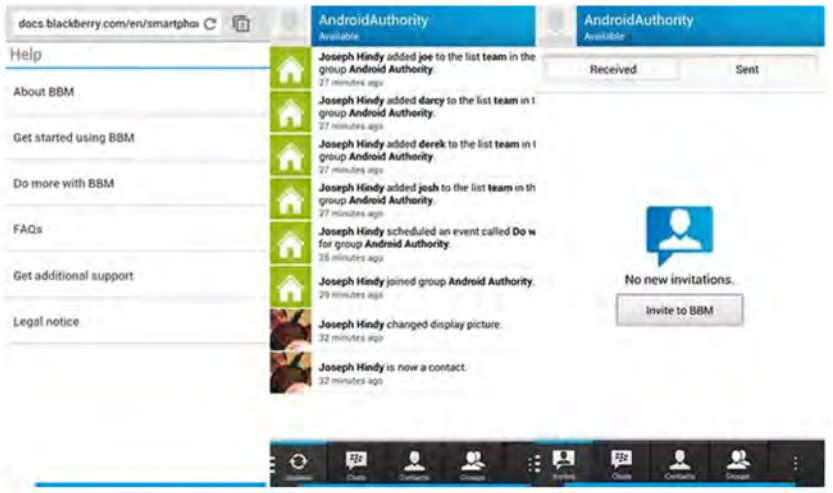
the solution was one which was "obvious to try"; and/or (f) a known work in one field of endeavor prompting variations of it for use either in the same field or a different field based on given design incentives or other market forces in which the variations were predictable to one of ordinary skill in the art; and/or (g) a teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill in the art to modify the prior art reference or to combine the teachings of various prior art references to arrive at the claimed invention. Each feature of each of the Asserted Claims was within the scope and content of the prior art, was no different from the disclosures of the prior art, and was within the level of ordinary skill in the art. It therefore would have been obvious to one of ordinary skill in the art to combine the disclosures of these references in accordance with the principles and rationales set forth above.

In compiling these contentions, Defendant has relied in part on Plaintiff's infringement contentions. In those contentions, Plaintiff appears to assign constructions to indefinite claim language, to pursue overly broad claim constructions in an effort to assert infringement where none exists, and to accuse products that do not infringe the claims.

Defendant's assertion that a particular limitation is disclosed by a prior art reference and/or is disclosed in a particular manner may be based in part on Plaintiff's apparent claim interpretations. In relying on Plaintiff's apparent claim interpretations, Defendant does not admit that Plaintiff's apparent claim interpretations are supportable or proper or that the claim limitations in question are definite or otherwise amenable to construction.

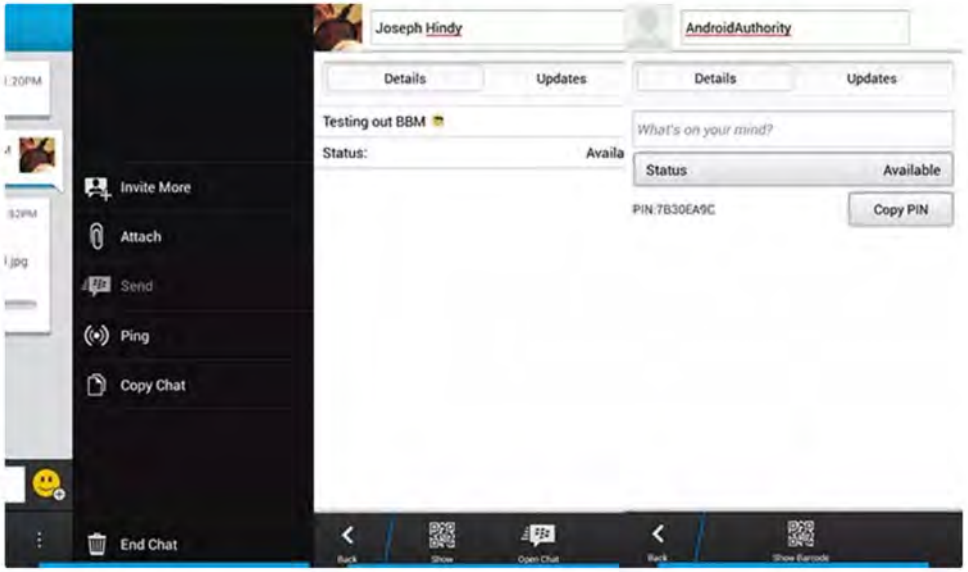
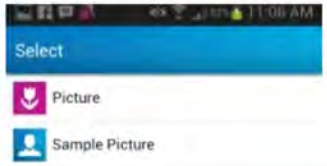
Defendant has endeavored to provide as much detail as possible in these contentions and, in doing so, has exceeded the level of detail required. The inclusion of specific details in some areas is not a concession that such details are required or that the omission of similar details in other areas is a defect. The citations to portions of any reference in this chart are exemplary only. Defendant will rely on the entirety of the references cited in its charts to show that the asserted claims are invalid.

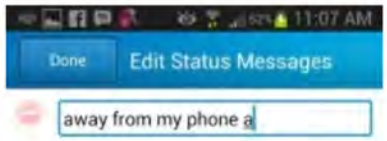
Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
10[pre]	A system for data sharing between devices in a network, comprising:	To the extent the preamble is limiting, the BBM System discloses a system for data sharing between devices in a network. After several rumored starts, confirmed delays, and a lot of other obstacles, BBM for Android has finally launched. It's been a long journey for Blackberry. The BBM platform was the preeminent messaging service of its day and even after Blackberry devices fell out of style, people yearned for their favorite messaging platform. However, in recent years, Google Hangouts, WhatsApp, and a lot of others have filled in the void. Can BBM for Android even make it? That's what we're going to try to find out in this review. Check out the video above or continue reading for our full review. Hindy.  Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[a]	a processor; and	The BBM System discloses a processor, for example, on a phone. After several rumored starts, confirmed delays, and a lot of other obstacles, BBM for Android has finally launched. It's been a long journey for Blackberry. The BBM platform was the preeminent messaging service of its day and even after Blackberry devices fell out of style, people yearned for their favorite messaging platform. However, in recent years, Google Hangouts, WhatsApp, and a lot of others have filled in the void. Can BBM for Android even make it? That's what we're going to try to find out in this review. Check out the video above or continue reading for our full review. Hindy.  Hindy.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[b]	a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising:	*See* limitation 10[a]. The BBM System discloses a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations, for example, on a phone. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[c]	identifying, for a user associated with a user device, a potential contact,	The BBM System discloses identifying for a user associated with a user device a potential contact, e.g., another BBM user.

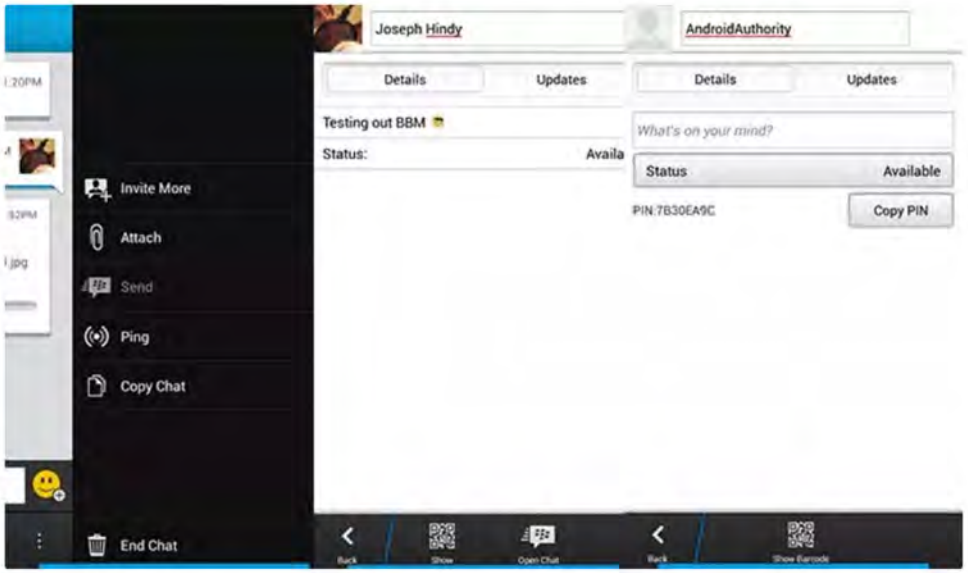
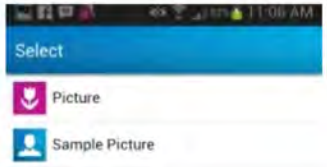
Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[d]	the user being associated with user data, and	*See* limitation 10(c). The BBM System discloses the user being associated with user data, for example, name, photo, etc.

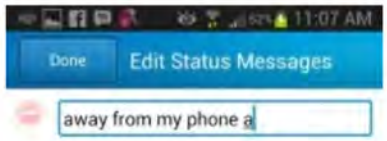
Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		 Hindy. 3. **Tap your photo to add or replace a new image.** You can use a sample item or take a photo wit your phone's camera.  Attkisson.

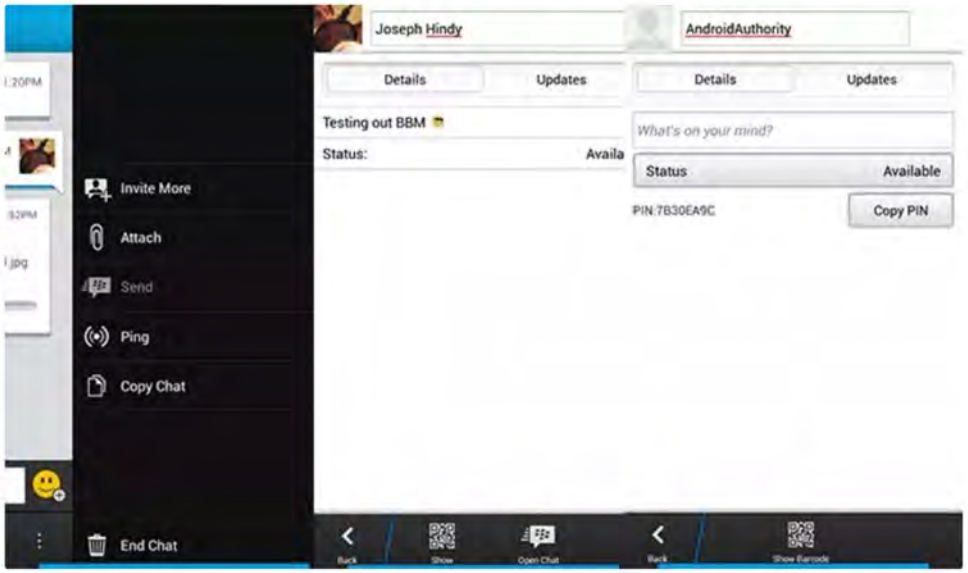
Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		5. Tap Status > Edit Status Messages to set a unique message, beyond choosing Available or Busy.  Attkisson. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[e]	the potential contact being associated with contact data;	The BBM System discloses the potential contact being associated with contact data, for example, contact details. Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done.

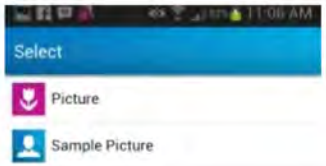
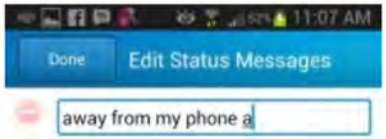
Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[f]	receiving, from the user device of the user, a request for the user to become a contact with the potential contact,	The BBM System discloses receiving from the user device of the user a request for the user to become a contact with the potential contact, e.g., taping the phones together. Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[g]	the request comprising a first permission setting, and	The BBM System discloses the request comprising a first permission setting, for example, making certain contact information available. Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		 Hindy. 3. **Tap your photo to add or replace a new image.** You can use a sample item or take a photo wit your phone's camera.  Attkisson.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		5. Tap Status > Edit Status Messages to set a unique message, beyond choosing Available or Busy.  Attkisson. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[h]	the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user;	*See* limitation 10[g]. The BBM System discloses the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user, for example, what contact information the user chooses to share.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy.  Hindy.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		3. Tap your photo to add or replace a new image. You can use a sample item or take a photo wit your phone's camera.  Attkisson. 5. Tap Status > Edit Status Messages to set a unique message, beyond choosing Available or Busy.  Attkisson. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
10[i]	sending, based on the request, a communication to the potential contact to initiate a data exchange; and	The BBM System discloses sending, based on the request, a communication to the potential contact to initiate a data exchange, for example, NFC Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[j]	in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact,	The BBM System discloses in response to receiving an acceptance of the communication setting the user as a contact of the potential contact, for example, tapping the screens together. Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[k]	the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and	*See* limitation 10[g]. The BBM System discloses the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value, for example, the contact information the user choses to share. Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
10[l]	setting the potential contact as a contact of the user.	*See* limitations 10[j], 10[k]. The BBM System discloses setting the potential contact as a contact of the user, for example, tapping the phones together and then tapping the screens as part of NFC to swap contact details. Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
11[pre]	The system of claim 10, wherein identifying the potential contact comprises:	*See* claim 10. The BBM System discloses the system of claim 10 for identifying the potential contact, for example, another BBM user. Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[a]	receiving, from the potential contact, a first location; and	The BBM System discloses receiving from the potential contact a first location, for example, the location of the potential contact who is standing next to the user.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
11[b]	identifying the potential contact in a case that a second location of the user device matches the first location.	*See* limitation 11[a]. The BBM System discloses identifying the potential contact in a case that a second location of the user device matches the first location, for example, tapping phones together.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[pre]	The system of claim 10,	*See* claim 10. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[a]	wherein receiving, from the user device of the user, the request for the user to become a contact with the potential contact, comprises:	*See* limitation 10[f]. The BBM System discloses receiving, from the user device of the user, the request for the user to become a contact with the potential contact, for example, tapping phones together. Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[b]	receiving a first location that is associated with the request; and	The BBM System discloses receiving a first location that is associated with the request, for example, location of the user.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[c]	wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises:	*See* limitation 10[i]. The BBM System discloses sending, based on the request, the communication to the potential contact to initiate the data exchange, for example, exchanging contact data.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.
14[d]	subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact.	*See* limitation 11[b]. The BBM System discloses subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact, for example, the location of both users match such that the phones can be tapped together.

Nos.	Asserted '107 Patent	BlackBerry Messenger ("BBM") System
		Okay, so here's how this app actually works. There are a few ways to get contacts invited to your list. You can send your PIN via email, SMS, and other typical services. If you're actually with the person, you can create a bar code that the other person can scan. This may seem outdated, but it actually works for all major platforms that BBM supports. So you can use this method to swap contact info with, say, an iPhone or Blackberry owner. Lastly, and my personal favorite, you can use NFC to swap contact details. Just tap the phones together and then tap the screen and things are done. Hindy. To the extent the BBM System does not explicitly disclose this limitation, a person of ordinary skill in the art would have found this limitation obvious in view of the BBM System in combination with the general knowledge of a person of ordinary skill in the art and/or one or more of the prior art references identified in the other Exhibits of Defendant's Invalidity Contentions. A person of ordinary skill in the art would have had reason to combine the BBM System with one or more of the prior art references identified in the other Exhibits, at least because these references share common subject matter and approaches, including methods for data sharing between devices on a network. Additionally, such combinations would have been within that person's skill at the time of the invention and would amount to applying a known technique to a known device ready for improvement to yield predictable results.

DEFENDANT APPLE INC'S INVALIDITY CONTENTIONS
Exhibit A-10 – Subject Matter Eligibility for U.S. Patent No. 11,025,573

Pursuant to the Court's Scheduling Order, Defendant makes the disclosures set forth below as to its contentions concerning the ineligibility of the subject matter of the '573 Patent pursuant to 35 U.S.C. § 101. Defendant reserves the right to update its contentions as to Section 101 ineligibility, if necessary, in accordance with the Scheduling Order.

This subject matter eligibility chart, in some instances, relies at least in part on Plaintiff's apparent positions regarding the scope of its claims for purposes of asserting infringement. Nothing in these disclosures or the attached charts should be understood as an admission relating to infringement, either literally or under the doctrine of equivalents, or as an admission relating to Defendant's understanding of the proper interpretation or scope of the Asserted Claims. Defendant reserves the right to rely on additional citations or sources of evidence that may also be applicable, or that may become applicable in light of any Court Order on claim construction, changes in Plaintiff's infringement contentions, or information obtained during discovery as the case proceeds.

A number of prior art references are cited herein as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and in combination). These prior art references are exemplary only. Other examples of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and in combination) can be found in Defendant's Preliminary Invalidity Contentions disclosures and accompanying production, each of which are incorporated by reference.

In addition to the prior art references cited herein and in Defendant's Preliminary Invalidity Contentions, Defendant reserves the right to rely upon expert testimony to as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and in combination).

1. Identification of the alleged abstract idea, law of nature, and/or natural phenomenon in each challenged claim.

The Asserted Claims of the '573 Patent are ineligible for patenting as directed to an abstract idea, namely, exchanging contact information. Every Asserted Claim is invalid for failing to claim subject matter eligible for patenting pursuant to 35 U.S.C. § 101. Claim 10 is representative of the challenged Asserted Claims; however, Defendant sets forth reasons for ineligibility of each challenged Asserted Claim.

Whether an invention is eligible for patent protection under 35 U.S.C. § 101 is a "threshold test." *See Bilski v. Kappos*, 130 S. Ct. 3218, 3225 (2010). Under this "threshold test," the court "must first determine whether the claims at issue are directed to a patent-ineligible concept," such as an abstract idea, a law of nature, or a natural phenomenon. *Alice Corp. Pty. Ltd. v. CLS Bank Int'l*, 134 S. Ct. 2347, 2355 (2014). If so, the court must then "consider the elements of each claim both individually and "as an ordered combination" to determine whether the additional elements "transform the nature of the claim" into a patent-eligible application." *See id.* (quoting *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 132 S. Ct 1289, 1297 (2012)).

In *Alice*, the Supreme Court set forth a two-part test to analyze patent eligibility: (1) determine whether the claims are directed to an abstract idea or other patent-ineligible concept, and (2) if so, determine whether the claim has an "inventive concept" sufficient to transform the claim into a patent-eligible concept. *Id.* at 2355. But "well-understood, routine, conventional activity" or technology, including general purpose computers and computer networks, do not provide an "inventive concept." *Id.* at 2357–59. "Thus, if a patent's recitation of a computer amounts to a mere instruction to implement an abstract idea on a computer, that addition cannot impart patent eligibility." *Id.* at 2358. Defendant contends that (1) the Asserted Claims are directed to an abstract idea, and (2) the Asserted Claims do not have any inventive concept sufficient to transform the claims into a patent-eligible concept. *See also, e.g.*, *Realtime Data LLC. v. Array Networks, Inc.*, Nos. 2021-2251, 2021-2291, 2023 WL 4924814 (Fed. Cir. Aug. 2, 2023); *Hantz Software, LLC v. Sage Intacct, Inc.,* No. 2022-1390, 2023 WL 2569956 (Fed. Cir. Mar. 20, 2023); *Hawk Tech. Sys., LLC v. Castle Retail, LLC*, 60 F.4th 1349 (Fed. Cir. 2023); *Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342 (Fed. Cir. 2021)*; Int'l Bus. Machines Corp. v. Zillow Group, Inc.*, 50 F.4th 1371 (Fed. Cir. 2022); *ChargePoint, Inc. v. SemaConnect, Inc.*, 920 F.3d 759 (Fed. Cir. 2019); *Univ. of Florida Res. Foundation v. Gen. Elec. Co.*, 916 F.3d 1363 (Fed. Cir. 2019); *SAP Am., Inc. v. InvestPic,* LLC, 898 F.3d 1161 (Fed. Cir. 2018); *Interval Licensing LLC v. AOL, Inc.*, 896 F.3d 1335 (Fed. Cir. 2018); *Two-Way Media Ltd. v. Comcast Cable Commc'ns, LLC*, 874 F.3d 1329 (Fed. Cir. 2017); *Smart Sys. Innovations, LLC v. Chicago Transit Authority*, 873 F.3d 1364 (Fed. Cir. 2017); *Apple, Inc. v. Ameranth, Inc.*, 842 F.3d 1229 (Fed. Cir. 2016); *Affinity Labs of Tex., LLC v. Amazon.com Inc*., 838 F.3d 1266 (Fed. Cir. 2016); *BSG Tech LLC v. BuySeasons, Inc.*, 899 F.3d 1281 (Fed. Cir. 2018); *Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350 (Fed. Cir. 2016); *In re TLI Commc'ns LLC Patent Litig.*, 823 F.3d 607 (Fed. Cir. 2016); *Bancorp Servs., L.L.C. v. Sun Life Assur. Co. of Canada (U.S.)*, 687 F.3d 1266 (Fed. Cir. 2012).

2. Identification of each claim element alleged to be well-understood, routine, and/or conventional.

The Asserted Claims of the '573 Patent were well understood, routine, and conventional in the industry. Persons of skill in the art in that industry also knew, and in fact, were already using, methods for exchanging contact informationo on mobile devices over a network, and the abstract idea of the '573 Patent was also well understood, routine, and conventional in networking. *See, e.g.*, Exhibits A-01 to A-10. The legal bases set forth with respect to item (1), above, are incorporated by reference as if set forth in full. The factual bases include those set forth in Exhibits A-01 to A-10, which are incorporated by reference as if fully set forth herein, and the prior art references identified in Exhibits A-01 to A-10, which are incorporated by reference as if fully set forth herein.

Nos.	Asserted '573 Patent	Chart for U.S. Patent No. 11,025,573
12[a]	12. A device for accessing information- or -service-providing web sites comprising:	Defendant does not concede that the preamble is limiting. To the extent it is limiting, a device for accessing information- or service-providing websites was well understood, routine and conventional in the industry. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
12[b]	a mobile communication device connectable through a communication network to the Internet, control and processing device or devices, data storage device or devices, a display, and pointing and selection device or devices;	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection sharing data between devices on a network, as it would have been well understood, routine, and conventional to have a mobile communication device connectable through a communication network to the Internet, control and processing device or devices, data storage device or devices, and a display pointing and selection device or devices. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
12[c]	said storage device or devices containing a plurality of selection pages each comprising a set of icons, characterized in that, for each said selection page, the set of icons includes one or more direct access icons for directly accessing an information- or service-providing web site and one or more selection icons for locally accessing another selection page within a structure of a tree menu;	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with devices for accessing information on the Internet, as it would have been well understood, routine, and conventional to have a mobile communication device comprising a storage device or devices containing a plurality of selection pages each comprising a set of icons, characterized in that, for each said selection page, the set of icons includes one or more direct access icons for directly accessing an information- or service-providing web site and one or more selection icons for locally accessing another selection page within a structure of a tree menu. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
12[d]	wherein at least one of said selection pages comprises	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with devices for accessing information on the Internet, as it would

Nos.	Asserted '573 Patent	Chart for U.S. Patent No. 11,025,573
	two or more direct access icons;	have been well understood, routine, and conventional to have a mobile communication device comprising a storage device or devices containing a plurality of selection pages, wherein at least one of the selection pages comprises two or more direct access icons. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
12[e]	and in that the control and processing device or devices are programmed for: enabling a preliminary search locally performed within said communication device in different themes and sub-themes within a plurality of selection pages organized in said structure of tree menu and beforehand locally stored in said data storage means within said communication device;	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with devices for accessing information on the Internet, as it would have been well understood, routine, and conventional to have a mobile communication device comprising a control and processing device or devices programmed for enabling a preliminary search locally performed within said communication device in different themes and sub-themes within a plurality of selection pages organized in said structure of tree menu and beforehand locally stored in said data storage means within said communication device. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
12[f]	each said selection page comprising a set of icons including one or more icons for directly accessing an information- or service-providing web site and one or more selection icons for locally accessing and displaying on the display means another selection page within said structure of tree menu, and	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with devices for accessing information on the Internet, as it would have been well understood, routine, and conventional to have a mobile communication device comprising selection pages, each of which comprise a set of icons including one or more icons for directly accessing an information- or service-providing web site and one or more selection icons for locally accessing and displaying on the display means another selection page within said structure of tree menu. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.

Nos.	Asserted '573 Patent	Chart for U.S. Patent No. 11,025,573
12[g]	emitting on the communication network, in response to selecting a direct access icon by the pointing and selection device or devices in a selection page being currently displayed, an address of an information- or service-providing web site corresponding to said selected direct access icon, said address being locally generated during the preliminary search and selection steps.	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with devices for accessing information on the Internet, as it would have been well understood, routine, and conventional to have a mobile communication device capable of emitting on the communication network, in response to selecting a direct access icon by the pointing and selection device or devices in a selection page being currently displayed, an address of an information- or service-providing web site corresponding to said selected direct access icon, said address being locally generated during the preliminary search and selection steps. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
15	The device according to claim 12, characterized in that the direct access icons comprise icons for accessing commercial sites.	*See* claim 12. The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with devices for accessing information on the Internet, as it would have been well understood, routine, and conventional to have a mobile communication device comprised of direct access icons for accessing commercial sites. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
17	The device according to claim 12, wherein said at least one selection page comprising two or more direct access icons comprises direct access	*See* Claim 12. The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with devices for accessing information on the Internet, as it would have been well understood, routine, and conventional to have a mobile communication device

Nos.	Asserted '573 Patent	Chart for U.S. Patent No. 11,025,573
	icons corresponding to distinct sources of information or services.	comprised of at least one selection page with two or more direct access icons corresponding to distinct sources of information or services. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
18	The device according to claim 12 wherein said mobile communication device is a mobile phone.	*See* Claim 12. The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with devices for accessing information on the Internet, as it would have been well understood, routine, and conventional to have a mobile communication device comprised of a mobile phone. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
19	The device according to claim 12 wherein a page from a web site is displayed on said display in response to selecting a direct access icon.	*See* Claim 12. The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with devices for accessing information on the Internet, as it would have been well understood, routine, and conventional to have a mobile communication device wherein a page from a web site is displayed on the display in response to selecting a direct access icon. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.

Nos.	Asserted '107 Patent	Chart for U.S. Patent No. 11,025,573
10[pre]	A system for data sharing between devices in a network, comprising:	Defendant does not concede that the preamble is limiting. To the extent the preamble is limiting, a system for data sharing between devices in a network, was well understood, routine and conventional in the industry.

Nos.	Asserted '107 Patent	Chart for U.S. Patent No. 11,025,573
		Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[a]	a processor; and	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to have a processor. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[b]	a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising:	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to have a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[c]	identifying, for a user associated with a user device, a potential contact,	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to identify a user associated with a user device a potential contact. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[d]	the user being associated with user data, and	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to have the user be associated with user data. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[e]	the potential contact being associated with contact data;	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have

Nos.	Asserted '107 Patent	Chart for U.S. Patent No. 11,025,573
		been well understood, routine, and conventional to have the potential contact be associated with contact data. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[f]	receiving, from the user device of the user, a request for the user to become a contact with the potential contact,	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to receive from the user device of the user a request for the user to become a contact with the potential contact. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[g]	the request comprising a first permission setting, and	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional for the request to include a first permission setting. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[h]	the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user;	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional the first permission setting to include at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[i]	sending, based on the request, a communication to the potential contact to initiate a data exchange; and	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to send, based on the request, a communication to the potential contact to initiate a data exchange.

Nos.	Asserted '107 Patent	Chart for U.S. Patent No. 11,025,573
		Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[j]	in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact,	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional, in response to receiving an acceptance of the communication, to set the user as a contact of the potential contact. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[k]	the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional for the subset of the user data to be viewable to the potential contact in a case that the first permission setting is the first value. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
10[l]	setting the potential contact as a contact of the user.	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to set the potential contact as a contact of the user. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
11[pre]	The system of claim 10, wherein identifying the potential contact comprises:	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to have a system to identify the potential contact. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.

Nos.	Asserted '107 Patent	Chart for U.S. Patent No. 11,025,573
11[a]	receiving, from the potential contact, a first location; and	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to receive from the potential contact a first location. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
11[b]	identifying the potential contact in a case that a second location of the user device matches the first location.	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to identify the potential contact in a case that a second location of the user device matches the first location. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
14[pre]	The system of claim 10,	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to have a system. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
14[a]	wherein receiving, from the user device of the user, the request for the user to become a contact with the potential contact, comprises:	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to receive, from the user device of the user, the request for the user to become a contact with the potential contact. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
14[b]	receiving a first location that is associated with the request; and	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to receive a first location that is associated with the request.

Nos.	Asserted '107 Patent	Chart for U.S. Patent No. 11,025,573
		Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
14[c]	wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises:	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to send, based on the request, the communication to the potential contact to initiate the data exchange. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.
14[d]	subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location associated with the potential contact.	The claimed features were well-understood, routine, and conventional in the industry, particularly in connection with sharing data between devices on a network, as it would have been well understood, routine, and conventional to, subsequent to receiving the request from the user, send the communication to the potential contact on a condition that the first location match a second location associated with the potential contact. Defendant incorporates by reference as if fully set forth herein the disclosures made in the corresponding element of Exhibits A-01 to A-10 and the references cited therein.