

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,

Petitioner,

v.

SITNET, LLC

Patent Owner

IPR2026-00100

U.S. Patent No. 10,117,290

**PATENT OWNER SITNET LLC'S
PRELIMINARY RESPONSE**

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2002	Amended Complaint, <i>SitNet LLC v. Meta Platforms, Inc.</i> , No. 1:25-cv-06389-6185-JAV, (Nov. 7, 2025).
2003	Amended Complaint Exhibit 1, <i>SitNet LLC v. Meta Platforms, Inc.</i> , No. 1:25-cv-06389-6185-JAV, (Nov. 7, 2025).
2004	U.S. Patent No. 8,069,202 (“Cona”)
2005	Patent Center Continuity Data for Provisional Patent Application No. 60/887,843 (accessed on December 8, 2025)
2006	U.S. Patent No. 9,412,136 (“Gertzfield”)

I. INTRODUCTION

Institution should be denied as petitioner Meta Platforms, Inc. (“Meta” or “Petitioner”) repeats arguments from a different IPR against a different patent, without accounting for the meaningful distinctions in the patent-at-issue, SitNet LLC’s (“SitNet” or “Patent Owner”) U.S. Patent No. 10,117,290 (the “’290 Patent” or “Patent”).

The Petition is based on the false assumption that the ’290 Patent is “nearly identical” to a related SitNet patent, U.S. Patent No. 9,877,345 (the “’345 Patent”). While the Petition acknowledges that the ’290 Patent’s “network connection” limitations distinguish it from the ’345 Patent, Petitioner regards these features as “trivial” and tries to brush them off without much consideration. But the ’290 Patent’s claims require either (a) a separate and distinct “network connection,” “second network connection,” and “plurality of network connections”—each for performing a different task (claims 1-7), or (b) a single “network connection” configured to perform a number of tasks (claims 8-14).

Petitioner’s first set of grounds relies primarily on Gage. The Petition contends that Gage has multiple network connections but fails to point out with any specificity what in Gage corresponds to each of the “network connections” in claims 1-7. *See* §IV.A. The Petition further fails to show any network connection in Gage

that sends a “roll call query” to “**each**” of a “plurality of participant devices,” as required by claim 1-7’s “second network connection.” *See* §IV.B. The Petition also seems to ignore the distinct limitations of claims 8-14—a single “network connection” configured to perform several tasks—and relies entirely on its arguments about claim 1-7. As a result, the Petition fails to that Gage teaches the claimed “network connection.” *See* §IV.C.

The Petition’s second set of grounds relies on a different reference, Shida, but makes the same mistakes as the Gage grounds. The Petition argues that Shida teaches claim 1-7’s multiple network connections, but does not explain its argument with particularity. *See* §V.A. Then the Petition again relies entirely on its claim 1-7 arguments for the ’290 Patent’s claims 8-14—despite their different limitations. *See* §V.B.

II. BACKGROUND

A. Brief Overview of SitNet’s Technology

Nearly two decades ago, the inventors, including several affiliated with The Weather Channel in Atlanta, Georgia, began using networking and telecommunications equipment to address issues relating to weather and safety. In particular, mobile applications were developed to enable devices capable of determining a user’s location to receive highly pertinent information related to

situations and events that could impact them (positively or negatively). Ex. 2001 ¶22.

The inventors describe a system in which an event or “situation” serves as the basis for dynamically creating a situational network that interconnects users and entities for the purpose of distributing situation-specific information and coordinating responses. As described in the specification, such situations include weather-related emergencies, such as hurricanes and associated evacuation scenarios, in which targeted notifications, preparedness information, and resource availability may be communicated to different affected parties. The disclosure further contemplates that the same situational-network framework may be applied to other emergent events requiring rapid, controlled information sharing, including security-related incidents, such as airplane crashes, or public health crises. Ex. 1001 at 5:10–25. This situational network system identifies and interconnects parties that are potentially impacted by an event or situation, allowing them to acknowledge their safety, communicate with one another, and receive information items related to the event or situation. Ex. 2001 ¶22.

The situational network forms a subset network within a larger network, allowing for increased efficiency and faster response times when interconnecting the parties within the subset network when compared to conventional network architectures. At the time of its invention, the situational network represented an

unconventional architecture, implementing a dynamic connection between users which improved upon then-conventional network architectures that were only capable of maintaining static connections of users. Ex. 2001 ¶24.

To further this pioneering work, the inventors filed provisional patent application number 60/887,843 on February 2, 2007. Ex. 1001 at (60). Since then, numerous patent applications have been filed based on that original provisional application, resulting in a considerable portfolio of patents that includes the '290 Patent. *See* Ex. 2005; Ex. 2001 ¶25.

B. The Parallel Litigation

On July 28, 2025, Patent Owner filed a complaint for patent infringement against Petitioner in the Southern District of New York (the “Parallel Litigation”), including the '325 Patent and other patents belonging to Patent Owner. Ex. 2001 ¶1.

On November 7, 2025, to streamline the Parallel Litigation, Patent Owner filed an amended complaint removing U.S. Patent No. 10,117,290 (the “'290 Patent”) from the Parallel Litigation. Ex. 2002 ¶1; Ex. 2003 ¶1 (showing redlined edits from original complaint).

C. The Previous IPRs And Federal Circuit Appeals

In early 2024 Meta filed IPR petitions against several patents related to the '290 Patent, including:

- U.S. Patent No. 8,332,454 (the “’454 Patent”), challenged in IPR2024-00529 (the “-529 IPR”)
- U.S. Patent No. 9,877,345 (the “’345 Patent”), challenged in IPR2024-00530 (the “-530 IPR”)
- U.S. Patent No. 8,249,932 (the “’932 Patent”), challenged in IPR2024-00612 (the “-612 IPR”)

See Pet. at 89. SitNet is appealing the final written decisions in the -529 IPR, -530 IPR, and -612 IPR (the “SitNet Appeals”). Those appeals are currently pending before the Federal Circuit.

D. Distinctions Between The ’290 Patent And Related ’345 Patent

The ’290 Patent is related to the ’345 Patent that was challenged by Petitioner in the -530 IPR. *See* Pet. at 1-3. As the Petition acknowledges, ’290 Patent’s claim 1 differs from claim 1 of the ’345 Patent by further requiring a number of distinct “network connections,” each used for a different purpose. *See* Pet. at 3. The ’345 Patent’s Claim 1 is directed to a method including steps of:

- “receiving an indication of an occurrence of a situation;”
- “presenting a roll call query to each of the plurality of participant devices soliciting a reply related to a status of the participant; [and]”
- “receiving a status response from one or more of the participants;”

Ex. 1024 at 34:8-22. The '290 Patent, however, claims a network system including, among other limitations:

- “**a network connection** for receiving an indication of an occurrence of a situation;”
- “**a second network connection** for presenting a roll call query to each of the plurality of participant devices soliciting a reply related to a status of the participant;” and
- “**a plurality of network connections** established for receiving a status response from the participant devices.”

Ex. 1001 at 34:10-26.

The '290 Patent's other independent claim, claim 8, also distinguishes itself from the '345 patent through a “network connection” limitation. But unlike the '290 Patent's claim 1, claim 8 requires the same “network connection” for multiple different purposes. In particular, the system claim 8 requires:

- “**a network connection** configured to **receive an indication** of an occurrence of a situation, **transmit a roll call query** to each of the plurality of participant devices soliciting a reply related to a status of the participant, **and receive a status response** from one or more of the participant devices.”

Ex. 1001 at 34:49-65.

As explained below, the Petition does not account for these distinct requirements of the claims of the '290 Patent.

III. CLAIM CONSTRUCTION

Patent Owner submits that no claim construction is necessary in order for the Director to deny institution on the merits. *Realtime Data, LLC v. Iancu*, 912 F.3d 1368, 1375 (Fed. Cir. 2019) (“The Board is required to construe ‘only those terms... that are in controversy, and only to the extent necessary to resolve the controversy.’” (quoting *Vivid Techs. v. Am. Sci. & Eng’g*, 200 F.3d 795, 803 (Fed. Cir. 1999))). Patent Owner reserves the right to present claim constructions if trial is instituted.

Additionally, as discussed above, the SitNet IPR Appeals are currently pending before the Federal Circuit. If those proceedings result in a decision that involves claim construction, Patent Owner reserves the right to address how those constructions impact this IPR.

IV. PETITION’S GROUNDS 1-3 BASED ON GAGE FAIL TO SHOW A REASONABLE LIKELIHOOD OF PREVAILING

A. The Petition Fails to Show That Gage Teaches “A Network Connection,” “Second Network Connection,” And “Plurality of Network Connections.” (Claims 1-7).

Claims 1-7 require several distinct network connections, including:

- [1.1] “a network connection for receiving an indication of an occurrence of a situation”

- [1.3] “a **second network connection** for presenting a roll call query to each of the plurality of participant devices soliciting a reply related to a status of the participant; [and]”
- [1.4] “a **plurality of network connections** established for receiving a status response from the participant devices.”

Ex. 1001 at 34:12-24; *id.* at 34:27-48 (claims 2-7 depending from claim 1). By listing these components separately, claim 1 requires a separate and distinct “network connection,” “second network connection,” and “plurality of network connections.” *Becton, Dickinson & Co. v. Tyco Healthcare Grp., LP*, 616 F.3d 1249, 1254 (Fed. Cir. 2010) (“Where a claim lists elements separately, the clear implication of the claim language is that those elements are distinct components of the patented invention” (internal quotation marks and edits omitted)); *see also Bd. of Regents of the Univ. of Tex. Sys. v. BENQ Am. Corp.*, 533 F.3d 1362, 1371 (Fed. Cir. 2008) (“Different claim terms are presumed to have different meanings.”).

The Petition contends that Gage teaches these limitations because Gage teaches “multiple communication/information transmission options” and “communication channels.” Pet. at 30, 34, 36; *see also id.* at 44-54 (not separately arguing claim 1 limitations in Grounds 2-3). But the Petition fails to point out with specificity which of the Gage’s “communication/information transmission options”

and “communication channels” allegedly corresponds to each of the claimed network connections.

“In an IPR, the petitioner has the burden from the onset to show with particularity why the patent it challenges is unpatentable.” *Harmonic Inc. v. Avid Tech., Inc.*, 815 F.3d 1356, 1363 (Fed. Cir. 2016) (citing 35 U.S.C. § 312(a)(3)). A petition for IPR “must specify where each element of the claim is found in the prior art patents or printed publications relied upon.” 37 C.F.R. § 42.104(b)(4); 35 U.S.C. § 312 (petition must identify “with particularity, each claim challenged, the grounds on which the challenge to each claim is based, and the evidence that supports the grounds for the challenge to each claim.”). The Board has often denied institution where “the Petition fails to set forth its contentions with sufficient particularity.” *Nearmap US, Inc. v. Pictometry Int’l Corp.*, IPR2024-00729, Paper 9 at 20 (PTAB Oct. 10, 2024); *id.* at 22 (“The question before us is not whether we could come up with a way to understand how the asserted prior art could render the challenged claims unpatentable, but rather did Petitioner provide the arguments and evidence to show that the challenged claims are unpatentable”); *see also LG Elecs., Inc. v. Constellation Designs, LLC*, IPR2022-01482, Paper 8 at 14 (PTAB Apr. 20, 2023) (denying institution because “the Petition does not sufficiently identify how [the reference] teaches the ‘optimized’ limitation in the independent claims”); *Advanced Lighting Concepts, LLC d/b/a Environmental Lights v. mate LLC*, IPR2023-01266,

Paper 9 at 40 (PTAB Feb. 13, 2024) (denying institution where “Petitioner fails to sufficiently map Shteynberg’s disclosure to the claimed break-out module”).

The Petition contends that the claimed “network connection,” “second network connection,” and “plurality of network connections” are all met due to the same disclosure in Gage of “multiple communication/information transmission options” and “communication channels” that are established between Gage’s subscribers and the disaster response system over Gage’s network 250. Pet. at 30, 34, 36 (quoting Ex. 1005 ¶25). This part of Gage the Petition relies on, Ex. 1005 ¶25, teaches an embodiment where “multiple communication/information transmission options can be established” including “mobile telephony and push-to-talk (PTT) channels,” “ad hoc networks” using “BLUETOOTH functionality,” and “[l]ocal wireless data networks, such as WIMAX networks and WIFI networks.”

The Petition, however, does not specify which of Gage’s “multiple communication/information transmission options” and “communication channels” correspond to each of the claimed network connections, much less how any of Gage’s particular communication options/channels satisfy the requirements of any of the claimed network connections. Indeed, the Petition does not say which of Gage’s multiple communication options and channels is allegedly used “for receiving an indication of an occurrence of a situation.” Pet. at 30. The Petition similarly fails to point out which of these communication options in Gage “present[s]

a roll call query to each of the plurality of participant devices,” as required by the claimed “second network connection.” *Id.* at 34. Nor does the Petition specify which of Gage’s communication channels are the claimed “plurality of network connections established for receiving a status response.” *Id.* at 36.

Petitioner cannot meet its burden without clearly mapping teachings in Gage to the claimed limitations. As the Federal Circuit has noted, “the Board should [] not have to decode a petition to locate additional arguments beyond the ones clearly made.” *Netflix, Inc. v. DivX, LLC*, 84 F.4th 1371, 1377 (Fed. Cir. 2023); *Imperative Care, Inc. v. Inari Medical, Inc.*, IPR2024-01257, Paper 10 at 27 (PTAB Feb. 7, 2025) (denying institution, noting “we will not speculate about whether the pump’s expandable portion 3210 could be [the claimed] “first chamber” ... when the Petition did not make that assertion—much less do so with sufficient clarity and persuasive evidentiary support.”).

Accordingly, the Petition fails to show that Gage teaches the claimed “network connection,” “second network connection,” and “plurality of network connections.”

B. The Petition Fails to Show That Gage Teaches A “Network Connection For Presenting A Roll Call Query To Each Of [A] Plurality Of Participant Devices.” (Claims 1-7)

Claims 1-7 of the '290 Patent require a “situational network” with “a plurality of participant devices” and “a second network connection for presenting a roll call query to **each of the plurality of participant devices** soliciting a reply related to a status of the participant.” *See* Ex. 1001 at 34:20-22. In other words, the claims require that a “roll call query” be sent to “**each** of the plurality of participant devices” in the situational network using the **same** “network connection.” *Finjan LLC v. SonicWall, Inc.*, 84 F.4th 963, 975 (Fed. Cir. 2023) (holding claimed “a computer” to perform certain steps “requires that the same computer perform each of the claimed steps.”); *Salazar v. AT&T Mobility LLC*, 64 F.4th 1311, 1318 (Fed. Cir. 2023) (Finding claimed “a microprocessor” for “generating,” “creating,” and “retrieving” is not met by “multiple microprocessors, each able to perform just one of the recited functions; the claim language requires at least one microprocessor capable of performing each of the recited functions.”).

As explained above, the Petition fails to specifically identify which of Gage’s “multiple communication/information transmission options” and “communication channels” is the alleged “second network connection.” *See* IV.A, *supra*. But even apart from this failure, the Petition does not even allege, much less demonstrate that any one of Gage’s multiple alleged network connections is even capable of

“presenting a roll call query to **each of the plurality of participant devices.**” Pet. at 34. Instead, the Petition simply argues that:

- Gage teaches “the claimed second network connection” because it has “multiple communication/information transmission options” and “communication channels,” and
- Gage teaches sending users “a roll call query” because Gage’s “subscriber’s device is queried for a status indicator and for an optional user provided message.”

Pet. at 34 (citing Ex. 1005 ¶¶ 25, 9-10, 24, 26, 30) (internal quotation edits and italics omitted). But the claims require more—that the roll call query be sent to “**each** of the plurality of participant devices” with the **same** “second network connection.” Ex. 1001 at 34:20-22. The Petition entirely ignores this part of the limitation.

Dr. Cooperstock’s declaration is no help either as he simply repeats the Petitions argument without adding anything regarding a “second network connection.” *Compare* Pet. at 34-35 *with* Ex. 1003 ¶¶ 107-112.

Accordingly, the Petition fails to show that Gage teaches the claimed “second network connection.”

C. The Petition Does Not Demonstrate That Gage Teaches A “Network Connection Configured To Receive An Indication Of An Occurrence ... Transmit A Roll Call Query ... And Receive A Status Response.” (Claims 8-14)

Claims 8-14 require “a network connection configured to”:

- “**receive an indication** of an occurrence of a situation,”
- “**transmit a roll call query** to each of the plurality of participant devices soliciting a reply related to a status of the participant, **and**”
- “**receive a status response** from one or more of the participant devices.”

Ex. 1001 at 34:58-63 (claim 8); *id.* at 34:66-35:20 (claims 9-14 depending from claim 8). Unlike claims 1-7, which required separate and distinct network connections, claims 8-14 require the **same** network connection for each of these actions. *Finjan*, 84 F.4th at 975 (“a computer” to performs certain steps “requires that the same computer perform each of the claimed steps.”); *Salazar*, 64 F.4th at 1318 (similar).

Despite independent claims 1 and 8 having this significant difference, Petitioner relies entirely on its claim 1 arguments for these limitations in claim 8. Pet. at 40. The Petition’s claim 8 argument thus fails for multiple reasons.

As explained above, for claim 1, Petition relied on Gage’s “multiple communication/information transmission options” and “communication channels”

as teaching various network connections, but did not specify which of the communication options/channels corresponded to which claim 1 network connection. *See* §IV.A *supra*. The Petition similarly does not specify which of Gage’s multiple communication options/channels allegedly meets the “network connection” in claim 8.

Additionally, as discussed, the Petition does not even attempt to show that any of Gage’s alleged network connections send “a roll call query to **each** of the plurality of participant devices,” as required for claim 1. *See* §IV.B, *supra*. Claim 8 also requires its “network connection” to transmit “a roll call query to **each** of the plurality of participant devices,” and further requires that the **same** “network connection” be “configured to receive an indication of an occurrence of a situation ... **and** receive a status response.” Ex. 1001 at 34:58-63. The Petition again does not even attempt to show that this limitation is met. *See* Pet. at 40.

For at least these reasons, the Petition does not show that Gage teaches the “network connection” required by claims 8-14.

V. PETITION’S GROUNDS 4-6 BASED ON SHIDA FAIL TO SHOW A REASONABLE LIKELIHOOD OF PREVAILING

A. The Petition Fails to Show That Shida Teaches the Claim 1’s “A Network Connection,” “Second Network Connection,” And “Plurality of Network Connections.” (Claims 1-7).

As discussed above, claims 1-7 of the ’290 patent require separate and distinct network connections, including:

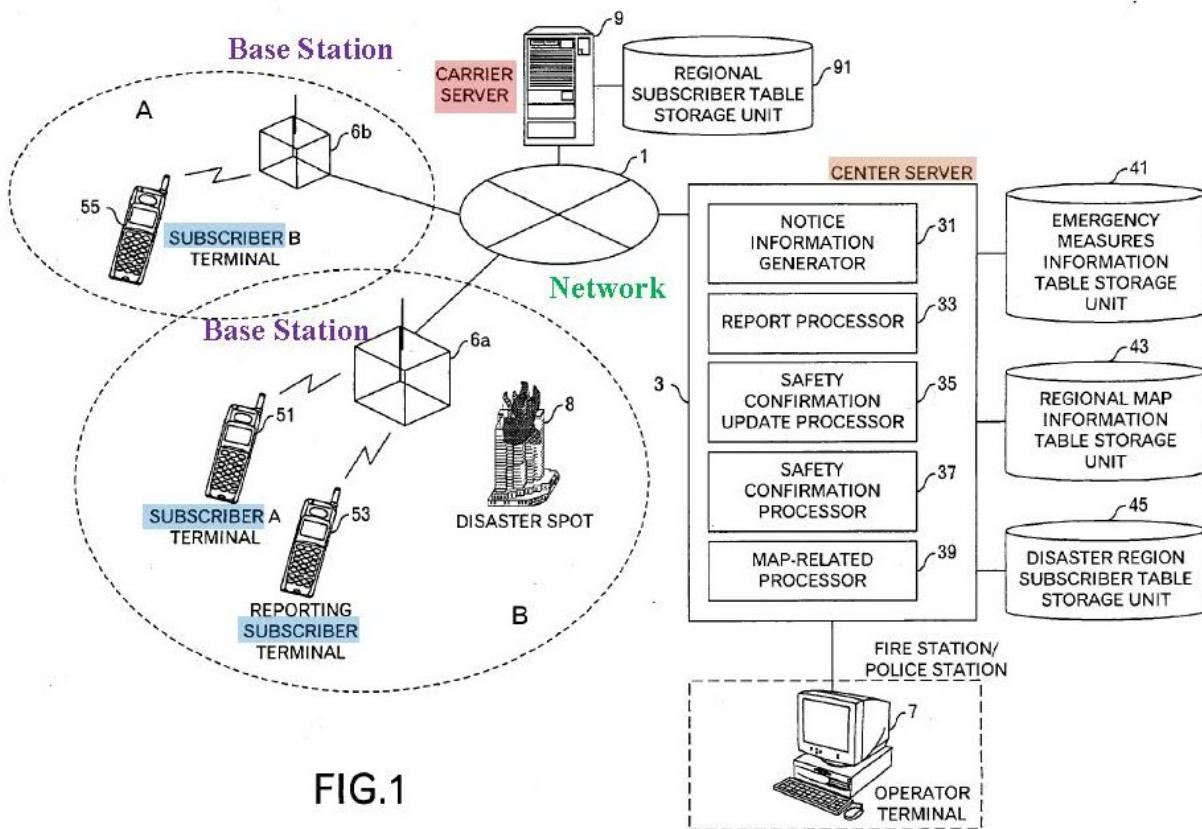
- [1.1] “**a network connection** for receiving an indication of an occurrence of a situation”
- [1.3] “**a second network connection** for presenting a roll call query to each of the plurality of participant devices soliciting a reply related to a status of the participant; [and]”
- [1.4] “**a plurality of network connections** established for receiving a status response from the participant devices.”

Ex. 1001 at 34:12-24; *id.* at 34:27-48 (claims 2-7 depending from claim 1); *Becton, Dickinson*, 616 F.3d at 1254 (separately listed claim elements implies that “the elements are distinct components of the patented invention”) (internal quotation marks and edits omitted); *see also Univ. of Tex.*, 533 F.3d at 1371.

The Petition argues that Shida teaches each of these limitations because Shida’s “network 1” connects “subscriber terminals to a carrier server and a center server.” Pet. at 55-57 (discussing limitation [1.1]’s “a network connection”); *see*

also id. 60-61, 63-64 (relying on same for limitation [1.3] and [1.4]’s “second network connection” and “plurality of network connections”); *see also id.* at 73-88 (not separately arguing claim 1 limitations in Grounds 5-6). But just like Ground 1, the Petition fails to point out with specificity what corresponds to each of the claimed network connections. *Harmonic*, 815 F.3d at 1363 (Petitioner must show “with particularity” challenged patent is unpatentable); 35 U.S.C. § 312(a)(3); 37 C.F.R. § 42.104(b)(4); *Nearmap*, IPR2024-00729, Paper 9 at 20-21 (denying petition that fails to set forth contentions “with sufficient particularity”).

The Petition contends that the claimed “network connection,” “second network connection,” and “plurality of network connections” are all met due to Shida’s teaching of a “‘network 1’ connecting subscriber terminals to a carrier server and a center server,” which the Petition refers to as a “communication channel.” Pet. at 56, 60-61, 63-64 (citing Ex. 1006 ¶¶27-31, 46, 50). As an initial matter, Shida never identifies any “communication channel” in its system. *See generally* Ex. 1006. Instead, what Shida describes is a number of subscribers communicating with their local “base station.” *Id.* ¶¶27-31, 46, 50. These “base stations,” along with the “network” and “carrier server,” form the “mobile communication network system.” *Id.* As shown below in Figure 1, Shida further includes a “center server” which is also connected to the “network.” *Id.*



Ex. 1006 Fig. 1 (annotated).

Nevertheless, the Petition does not explain what in Shida’s setup allegedly corresponds to the separate and distinct, “network connection,” “second network connection,” and “plurality of network connections.”

Nor does the Petition even attempt to demonstrate that any alleged network connections in Shida satisfy the particular requirements of any of the claimed network connections. For example, as discussed, the claims require the “second network connection” be “for presenting a roll call query to **each of the plurality of participant devices.**” *Finjan*, 84 F.4th at 975 (“a computer” to perform certain

steps “requires that the same computer perform each of the claimed steps.”); *Salazar*, 64 F.4th at 1318 (“a microprocessor” for “generating,” “creating,” and “retrieving” requires “at least one microprocessor capable of performing each of the recited functions.”). The Petition does not identify any particular “network connection” in Shida, much less one that presents a roll call query to “each of a plurality of participant devices.”

Accordingly, just like Ground 1, the Petition fails to show that Shida teaches the claimed “network connection,” “second network connection,” and “plurality of network connections.”

B. The Petition Does Not Demonstrate That Shida Teaches Claim 8’s “Network Connection Configured To Receive An Indication Of An Occurrence ... Transmit A Roll Call Query ... And Receive A Status Response.” (Claims 8-14)

As explained above, claims 8-14 differ from claims 1-7, in that they require the same “network connection” to be configured to:

- “**receive an indication** of an occurrence of a situation,”
- “**transmit a roll call query** to each of the plurality of participant devices soliciting a reply related to a status of the participant, **and**”
- “**receive a status response** from one or more of the participant devices;

Ex. 1001 at 34:58-63 (claim 8); *id.* at 34:66-35:20 (claims 9-14 depending from claim 8). *Finjan*, 84 F.4th at 975 (“a computer” to performs certain steps “requires that the same computer perform each of the claimed steps.”); *Salazar*, 64 F.4th at 1318 (similar).

Despite this significant difference in the '290's claim sets, Petitioner again relies entirely on its claim 1 arguments in Ground 3 for these limitations in claim 8. *See* Pet. at 67-68. The Petition's claim 8 argument thus fails for multiple reasons.

As discussed, for claim 1 Petition relied on Shida's “network 1” connecting “subscriber terminals to a carrier server and a center server” for the various “network connection” limitations, but did not point out with particularity what in Shida allegedly corresponds to each of the claim 1's network connections. *See* §V.A *supra*. The Petition similarly does not specify what in Shida meets the “network connection” in claim 8. Nor does the Petition explain what in Shida teaches a “network connection” that can transmit “a roll call query to **each** of the plurality of participant devices,” much less “receive an indication of an occurrence of a situation ... **and** receive a status response.” Ex. 1001 at 34:58-63

Thus, the Petition does not show that Shida teaches the “network connection” required by claims 8-14.

VI. CONCLUSION

For the foregoing reasons, Patent Owner requests that the Director deny institution of the Petition.

Dated: February 19, 2026

Respectfully submitted by,

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CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITS

This Patent Owner Preliminary Response (the “POPR”) consists of 3,947 words, excluding table of contents, table of authorities, certificate of service, this certificate, or table of exhibits. The POPR complies with the type-volume limitation of 14,000 words as mandated in 37 C.F.R. § 42.24. in preparing this certificate, counsel has relied on the word count of the word-processing system used to prepare the paper (Microsoft Word).

Date: February 19, 2026

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the following documents were served by electronic service on the date signed below:

PATENT OWNER SITNET LLC'S PRELIMINARY RESPONSE

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Dated: February 19, 2026

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