

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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META PLATFORMS, INC.,

Petitioner,

v.

SITNET, LLC

Patent Owner

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IPR2026-00111

U.S. Patent No. 12,238,815

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

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| 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”)                                                                                                                                                     |
| 2007         | U.S. Patent No. 8,045,455 (“Agronow”)                                                                                                                                                        |
| 2008         | U.S. Patent No. 12,336,052 (“Cona”)                                                                                                                                                          |
| 2009         | Meta Platforms, Inc. v. SitNet LLC, IPR2026-00113, Ex. 1002 (“Prosecution History of U.S. Patent No. 12,336,052”)                                                                            |
| 2010         | U.S. Patent Application Publication No. 2007/0282621 (“Altman ’621”)                                                                                                                         |
| 2011         | “Enforcement and Non-Waiver of 37 C.F.R § 42.104(B)(4) and Permissible Uses of General Knowledge in Inter Partes Reviews,” United States Patent & Trademark Office Memorandum, July 31, 2025 |
| 2012         | U.S. Patent No. 8,332,454 (“Cona”)                                                                                                                                                           |

## I. INTRODUCTION

Institution should be denied as petitioner Meta Platforms, Inc. (“Meta” or “Petitioner”) fails to show that its asserted combinations teach the features claimed by the patent-at-issue, SitNet LLC’s (“SitNet” or “Patent Owner”) U.S. Patent No. 12,238,815 (the “’815 Patent” or “Patent”).

Meta’s Petition is one of six recently filed challenges based on the misconception that these SitNet patents are essentially the same as another set of SitNet patents that Meta challenged two years ago. Indeed, the Petition recycles many of the same references and arguments from its previous round of IPRs. But the ’769 Patent is a recently issued patent that resulted from SitNet’s continued efforts to narrow its focus on a number of key aspects of its invention—aspects the Petition fails to show are met by the asserted combinations.

Petitioner’s first ground relies on a combination of Kraft, Nguyen, and Altman but fails to show numerous limitations. For example, the Petition does not demonstrate that Kraft teaches an “event node” that is “discoverable ... by browsing” a “respective *composite data feed*,” and does not even prove that Kraft has a “composite data feed” to begin with. *See* §IV.A. Next, the Petition fails to demonstrate that Kraft teaches “user devices *associated with* ... user nodes.” *See* §IV.B. The Petition further does not demonstrate that it would have been obvious to modify Kraft to “join” a “subset” of “user devices” to an “event node.” *See* §IV.C.

Finally, the Petition’s Ground 1 combination does not meet the claimed “subset of user devices” that “is selected based on respective distances” from an event. *See* **§Error! Reference source not found..**

Petitioner’s second and third grounds are based primarily on Wong and Burfeind, but fail for many of the same reasons as the first ground. The Petition does not show teachings of an “event node” that is “discoverable ... by browsing” a “respective *composite data feed*” or “user devices *associated with* ... user nodes.” *See* §§V.A-B. These grounds also do not show that Burfeind teaches “joining” a “subset” of “user devices” to an “event node.” *See* **§Error! Reference source not found..**

## 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 '815 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).

Petitioner Meta served invalidity contentions in mid-February 2026, and the Parties are preparing to exchange claim terms and constructions in March 2026.

### **C. The Previous IPRs And Federal Circuit Appeals**

In early 2024 Meta filed IPR petitions against several patents related to the '815 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 77. 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.<sup>1</sup>

**D. The ’815 Patent Is Materially Different From Previous SitNet Patents**

Meta’s recent spate of challenges to patents from the “*SitNet IP*” litigation, including this Petition, seems to be based on the misconception that the “*SitNet IP*” patents are essentially the same as the patents Meta challenged in the “*SitNet I* IPRs.” *See, e.g., Meta Platforms, Inc. v. SitNet, LLC*, IPR2026-00112, Paper 8 at 2-6 (Feb. 20, 2026) (Petitioner Meta arguing that SitNet’s “’463 patent claims are substantively similar” to the claims “in the *SitNet I* IPRs” such as the “’454 Patent”). Indeed, Petitioner argues against discretionary denial in other “*SitNet IP*” IPRs,

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<sup>1</sup> Meta also filed two additional IPRs against claims of the ’932 Patent and U.S. Patent No. 11,470,682. The decisions in those IPRs are not being appealed.

alleging that “substantially identical claims” in a related patent have been found unpatentable. *Id.* at 4-5 (citing *Arm Ltd. v. Daedalus Prime LLC* IPR2025-00207, Paper 14 at 3 (PTAB Aug. 6, 2025)); *see also Meta Platforms, Inc. v. SitNet, LLC*, IPR2026-00101, Paper 9 at 4-5 (Feb. 19, 2026) (similar).

But the ’815 Patent claims are not “substantially identical” to the *SitNet I* patents. For example, compare claim 1 of the ’815 Patent at issue in this IPR to claim 1 of the ’454 Patent previously challenged by Petitioner Meta, shown below.

| <b>’454 Patent – Claim 1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>’815 Patent – Claim 1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. A method of creating a projection of a situational network, the method comprising:</p> <p>(a) creating, by an event node server, an event node in a multi-dimensional personal information network, the event node corresponding to a situation;</p> <p>(b) forming a projection of nodes of the situational network using geographic locations of a plurality of devices corresponding to nodes in the multi-dimensional personal information network;</p> <p>(c) transmitting an invitation to establish a link with the event node server to the devices corresponding to each node in the projection formed in step (b);</p> <p>(d) receiving a response from at least one of the devices from step (c) accepting the invitation to establish a link with the event node server; and</p> | <p>1. A method for delivering event information via a network using a networked system, the networked system comprising: at least one networking server configured to maintain data defining a multi-dimensional information network, wherein each respective user node of the multi-dimensional information network is associated with respective user data; a plurality of user devices configured to be connected with the at least one networking server via the network, wherein each of the plurality of user devices of the plurality of user devices is associated with a respective user node; and at least one information node for storing and providing supplemental information via the network;</p> <p>the method comprising:</p> <p>[1.A] maintaining, by the at least one networking server, a database of a plurality of user nodes and multi-</p> |

| '454 Patent – Claim 1                                              | '815 Patent – Claim 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (e) establishing a link with each device accepting the invitation. | <p>dimensional node-to-node links characterizing relationships between the plurality of user nodes via dimensions in the multi-dimensional information network;</p> <p>[1.B] providing, by the at least one networking server, to each respective user device associated with a respective user node of the plurality of user nodes a respective composite data feed that is based on a database of multi-dimensional node-to-node links;</p> <p>[1.C] establishing, by at least one event node server, an event node associated with an event in a particular geographical area,</p> <p>wherein the event node is discoverable to each respective user device of a first subset of the plurality of user devices by browsing the respective composite data feed;</p> <p>[1.D.1] joining at least the first subset of the plurality of user devices that have discovered the event node to the event node, wherein user devices associated with a first subset of user nodes of the multi-dimensional information network are joined to a centralized architecture for the event node;</p> <p>[1.D.2] wherein the event node is configured as a central node in the centralized architecture for accessing information associated with the event from at least one location in the multi-dimensional information network;</p> |

| '454 Patent – Claim 1 | '815 Patent – Claim 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                       | <p>[1.E] creating, by the at least one networking server, based on the database of multi-dimensional node-to-node links, a projection of the plurality of user nodes wherein the projection of the plurality of user nodes represents a second subset of user devices, wherein the second subset of user devices is selected based on respective distances of devices of the second subset of user devices from the event;</p> <p>[1.F] transmitting, by the at least one networking server, respective requests to connect to the event node to the second subset of user devices, wherein each respective request to connect is in a form of a roll call;</p> <p>[1.G] recording respective responses to the respective requests to connect to the event node;</p> <p>[1.H.1] making a subset of the respective responses viewable, via the event node, to a first device, associated with a first node, that is connected to the event node, wherein:</p> <p>[1.H.2] each response of the subset was received from a device associated with a node having a single degree of separation from the first node in the database of multi-dimensional node-to-node links; and</p> <p>[1.I] analyzing (a) the database of multi-dimensional node-to-node links, and (b) data of user nodes of the multi-dimensional information network that</p> |

| '454 Patent – Claim 1 | '815 Patent – Claim 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                       | are joined to the centralized architecture for the event node to:<br><br>identify at least one second node included in the database of multi-dimensional node-to-node links that is:<br>(a) not connected to the event node, and (b) connected via at least one dimension to at least one user node of the multi-dimensional information network that is joined to the centralized architecture for the event node; and<br><br>[1.J] delivering information to the at least one second node, wherein the information was received from the at least one information node. |

Ex. 1001 at 34:25-35:26; Ex. 2012 at 33:19-35.<sup>2</sup>

Unlike the '454 Patent and other *SitNet I* patents, the '815 Patent claims narrowly focus on complex systems and processes for a multi-dimensional information network involving the formation of subsets of groups in order to send information to particular individuals connected to an event node. *See* Ex. 1001 at 34:24-41:11.

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<sup>2</sup> Using '815 limitation numbering listed in the Petition for convenience. *See* Pet. Claim Appendix at 1-2.

### 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 GROUND 1 COMBINATION OF KRAFT, NGUYEN, AND ALTMAN FAILS TO SHOW A REASONABLE LIKELIHOOD OF PREVAILING

#### A. The Petition Fails to Demonstrate That Kraft Teaches An “Event Node” That Is Discoverable Through A “Composite Data Feed.” (All Claims).

Each of the ’815 claims requires:

- Providing “to each respective user device associated with a respective user node” a “respective *composite data feed* that is based on a database ...” and

- An “event node [that] is discoverable to each respective user device ...  
by browsing the respective *composite data feed*.”

Ex. 1001 at 34:43-54 (claim 1); *id.* at 36:20-32 (claim 11); *id.* at 38:8-20 (claim 21);  
*id.* at 39:49-61 (claim 26).<sup>3</sup>

The Petition relies solely on Kraft for this limitation, contending that the claimed “composite data feed” is met by Kraft’s “search results” that are returned in response to a “query” for entities “that match user-specified criteria.” Pet. at 15-16, 17-18; *see also id.* at 29, 34-37 (relying on claim 1 arguments for the “substantially ... same” elements in independent claims 11, 21, and 26). But Petitioner does not show that Kraft’s “search results” are even a “data feed,” much less the claimed “composite data feed.”

It is indisputable that Petitioner bore the burden of identifying in the Petition both “[h]ow the challenged claim is to be construed” and “[h]ow the construed claim is unpatentable” under the asserted grounds. *See* 37 C.F.R. § 42.104(b)(3)-(4). Petitioner contends that “no claim terms” in the ’815 Patent require construction for this IPR, and that generally “[c]laims must be given their ordinary and customary meaning in light of the specification.” Pet. at 6. But Petitioner does not explain how

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<sup>3</sup> All emphasis herein is added unless otherwise noted.

the ordinary and customary meaning of the claimed “composite data feed” in light of the ’815 Patent’s specification would include Kraft’s “search results.”

The Petition simply contends that Kraft teaches “composite data feed” limitations without any explanation of how Kraft allegedly teaches “composite data feeds.” For the claimed providing a “composite data feed,” the Petition argues that Kraft’s users can “search world model data store 162 for entity models 164 that match user-specified criteria,” and that when:

“[T]he search is performed,” and “search results, including links to matching entity models from world model data store 162 are returned to the user” (“*composite data feeds*”).

Pet. at 15-16 (citing Ex. 1005 at 6:52-59, 18:31-40, 18:61-19:9) (italics and quotation edits in original). But the Petition offers no explanation for why one of skill in the art would consider Kraft’s search results to be a data feed to begin with, much less the claimed “composite data feed.” *Id.*

For the “event node” that “is discoverable ... by browsing the respective composite data feed” limitation, the Petition similarly alludes to Kraft’s search results without any discussion of how those could meet the claimed “composite data feed.” Pet. at 17-18.

Petitioner’s expert, Dr. Jansen, is no help either. Indeed, the Petition does not cite Dr. Jansen’s declaration at all in the paragraph discussing the providing “a respective composite data feed” limitation. *See* Pet. at 15-16. Instead, the Petition

simply contains a conclusory assertion at the beginning of this section that “Kraft teaches this element. EX1003, ¶¶117-122.” Pet. at 15. To the extent Petitioner attempted to incorporate additional arguments raised in six paragraphs of Dr. Jansen’s declaration with this single statement, it must be disregarded as improper incorporation by reference. *See Cisco Sys., Inc. v. C-Cation Techs., LLC*, IPR2014-00454, Paper 12 at 8 (PTAB Aug. 29, 2014) (informative) (citing “large portions of another document, without sufficient explanation of those portions, amounts to incorporation by reference.”); 37 C.F.R. § 42.6(a)(3) (“Arguments must not be incorporated by reference from one document into another document.”). Even if these paragraphs of Dr. Jansen’s declaration were considered, they fail to show that Kraft’s search results are a “data feed.” Contrary to Dr. Jansen’s testimony, the claims do limit the type of data feed claimed to a “composite data feed.” Ex. 1003 ¶121; Ex. 1001 at 9:38-40 (mentioning “composite and derived output data feeds”). That said, whether or not “the form of a data feed” is limited says nothing about whether Kraft’s search results are data feeds to begin with. *Id.* That the ’815’s “data feed” is capable of being requested and received—generally true of any electronically stored data—is similarly irrelevant. *Id.* Dr. Jansen’s brief mention of an embodiment in the ’815 where event nodes may be discovered by “searching ... the network” similarly does not support Kraft’s search results being a “data feed,” much less the claimed “composite data feed.” *Id.*

The Petition thus fails to demonstrate that Kraft’s “search results” are a “composite data feed.” Accordingly, the Petition does not show that its Ground 1 teaches providing “respective user devices” with “respective composite data feeds” or an “event node” that is “discoverable to each respective user device ... by browsing a composite data feed” as required by the claims.

**B. The Petition Does Not Show That Kraft Teaches “User Device[s] Associated With ... User Nodes.” (All Claims).**

The claims require “a plurality of user nodes” and “respective user device[s] associated with ... respective user node[s] of the plurality of user nodes.” Ex. 1001 at 34:37-47 (claim 1); *id.* at 36:14-24 (claim 11); *id.* at 38:2-12 (claim 21); *id.* at 39:43-53 (claim 26). This association between user nodes and user devices allows the ’815 Patent’s system to determine which user nodes should be connected to the situational network and receive information about the event—e.g., the user nodes whose *associated* user devices that are close to the event. *See e.g.*, Ex. 1001 at 21:38-64 (describing embodiments managing connections based on “geographic location” of the user, which may be “monitored using a geographic positioning device” in the user’s “PIA” device). In other words, by associating user nodes with particular devices, the system is able to tell which users are close to an event, such as an earthquake or fire, and then provide helpful information about the event to those users.

The Petition relies solely on Kraft for this limitation, arguing Kraft’s Person entity models correspond to the claimed “user nodes,” and Kraft’s “client systems” meet the claimed “user devices.” Pet. at 15; Ex 1005 at 14:1-15; *see also* Pet. at 29-30, 34-37 (relying on claim 1 arguments for claims 11, 21, and 26). But the Petition does not show that Kraft’s Person entity models are ever “associated with” particular client systems as required by the ’815 claims.

Petitioner contends that the ’815’s “user devices” are met by Kraft’s “client system[s] 120.” Pet. at 15. For the claimed “user nodes,” Petitioner appears to rely on Kraft’s “Person entity models” created by a “real-world person ... to represent himself or herself in the world model.” Pet. at 14; *see also id.* at 15.<sup>4</sup>

But the Petition does not show that Kraft’s Person entity models are “associated with” particular client systems. Petitioner argues that Kraft’s Person entity models “store contact information, e.g., an IM channel, to contact the entity manager” and thus Kraft’s “users may be contacted at devices identified in the communication channel.” Pet. at 15 (citing Ex. 1005 at 11:5-29; 13:61-14:15). But

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<sup>4</sup> The Petition appears to abbreviate Kraft’s “Person entity models” as “Person models” or “Person entit[ies],” *see, e.g.*, Pet. at 15; Ex 1005 at 14:1-15, likely in an attempt to squeeze under the word limit, *id.* at Certificate of Word Count (certifying the Petition as 18 words under the 14,000 word limit).

the sections of Kraft cited by Petitioner do not disclose a particular client system being identified by, and stored in, each of Kraft's Person entity model. Instead, these portions of Kraft simply mention that in some embodiments, entity managers can use an "e-mail address," "e-mail user name," or "IM screen name" as their "manager ID" or "virtual ID." *See* Ex. 1005 at 11:5-29; 13:61-14:15. But even if Kraft did store an "e-mail address" or "IM screen name," Petitioner does not point to any disclosure of a particular client system (alleged "user device") being associated with a particular email address or IM screen name. Pet. at 15.

Dr. Jansen's declaration does not fill this gap, as he again simply repeats Petitioner's argument without adding anything of substance. *Compare* Ex. 1003 ¶¶ 117-18 *with* Pet. at 15.

The Petition thus fails to demonstrate that Kraft teaches "respective user devices *associated with* respective user nodes."

**C. The Petition Fails To Demonstrate That It Would Have Been Obvious To Join A "First Subset" Of "User Devices" To An "Event Node." (All Claims).**

The '815 Patent claims require "join[ing]" a "first subset of the plurality of user devices that have discovered the event node to the event node." Ex. 1001 at 34:55-60; *id.* at 36:33-38 (claim 11); *id.* at 38:21-26 (claim 21); *id.* at 39:62-67 (claim 26).

The Petition relies on modifying Kraft to meet this limitation, but fails to show that such a modification would have been obvious. Pet. at 18-20; *see also id.* at 29, 34-37 (relying on claim 1 arguments for claims 11, 21, and 26).

Kraft does not even disclose user devices that are associated with user nodes, *see* §IV.B *supra*, much less joining an associated user device to an event node. To attempt to get around this, Petitioner argues that Kraft teaches “thing” entities that can be created and added to Kraft’s relationship network world model. Pet. at 18-19 (citing Ex. 1005 at 10:7-15). Based on this, the Petition argues that it would be obvious for a user in Kraft to create a “thing” entity for a “user device,” such as a cell phone and then associate that “thing” entity with the user’s Person entity model, which would then be “indirectly related” to Kraft’s event (alleged “event node”) through the Person entity model (alleged “user node”) or form a “direct ‘focused on’ relationship with the event.” Pet. at 18-20. But this complex, strained argument fails for several reasons.

As an initial matter, the Petition’s argument is improperly based on general knowledge. On July 31, 2025, the Patent Office issued a memorandum explaining that it would now enforce rule 37 C.F.R. § 42.104(b)(4), which prohibits “applicant admitted prior art (AAPA), expert testimony, common sense, and other evidence that is not ‘prior art consisting of patents or printed publications’ (collectively, ‘general knowledge’)” from being “used to supply a missing claim limitation.” Ex. 2011 at

1. Petitioner does not point to any disclosure of creating an entity in a relationship network for a specific user device (e.g., a user’s cell phone) in Kraft or any other “prior art consisting of patents or printed publications.” *Id.*; Pet. at 18-20. Instead, the Petition appears to rely on what a “POSA would have understood” to do based on their own creativity. Pet. at 18-19. As this type of evidence and argument is no longer permitted in IPR to supply a missing limitation, the Petition’s argument fails *ab initio*.

The Petition also fails to explain why or how one of skill would make the proposed modification—Kraft modified to have individual “thing” entity models for individual users’ devices (e.g., entity models for each user’s cell phone). *Metalcraft of Mayville v. Toro Co.*, 848 F.3d 1358, 1367 (Fed. Cir. 2017) (“Without any explanation as to how or why the references would be combined to arrive at the claimed invention, we are left with only hindsight bias that *KSR* warns against.”); *Palo Alto Networks v. BT Ams.*, IPR2023-00888, Paper 12 at 5-6 (PTAB Apr. 1, 2024) (Petitioner bears “burden to articulate both a *reason why*... [and] explain[] *how* [the art] would be modified to render the limitation obvious.” (emphasis in original)). Contrary to Petitioner’s argument, Kraft does not teach individual thing entity models for individual items owned by a user, e.g., an individual user’s pair of bowling shoes or digital camera. Instead, Kraft’s thing entity models are used to represent types or categories of items, such as a “brand of [bowling] shoes” or

“particular models of digital cameras.” Ex. 1005 at 15:4-8, 22:30-35. Petitioner does not explain why or how one of skill would modify Kraft to add individual thing entity models for each individual item owned by a user.

Petitioner further fails to explain why one of skill would have been motivated to add a thing entity model for a “user device.” Petitioner first argues that a “POSA” would have been so motivated because Kraft says that “any” entity “can be represented by an entity model,” including “tangible things.” Pet. at 19 (citing Ex. 1005 at 8:23-31, 10:7-13, FIG. 3). But this is, at most, an argument that one of skill could make the modification, not an explanation of why one of skill would have made the modification. *Belden v. Berk-Tek*, 805 F.3d 1064, 1073 (Fed. Cir. 2015) (“[O]bviousness concerns whether a skilled artisan not only could have made but *would have been motivated to make* the combinations or modifications of prior art to arrive at the claimed invention.” (emphasis in original)). Petitioner next contends that Altman describes such a “real-world relationship between a user and a device.” Pet. at 19 (citing Ex. 1010 ¶¶8, 32, 36-37, 44). But Altman does not describe any type of entity model for a tangible thing, much less for a user’s cell phone. *See generally* Ex. 1010. In any event, this still does not explain why one of skill would make the asserted modification.

Finally, Petitioner contends that a “A POSA would have been further motivated to associate a user with a device in Kraft’s world model to allow the user’s

location to be more precisely determined,” referencing Altman and Petitioner’s arguments in later sections. Pet. at 19. But Petitioner does not explain why one of skill would want to precisely determine the location of its users with any regularity. Indeed, Altman itself warns about the “significant amount of power and processing resources” required and the “great deal of network traffic” generated by determining the location of mobile devices. See Ex. 1010 ¶66. Petitioner does not even acknowledge this significant concern raised by Altman, much less explain why a POSITA would still make the proposed modification in spite of it. Pet. at 19.

For at least these reasons, the Petition fails to show that it would have been obvious to join a “first subset of the plurality of user devices that have discovered the event node to the event node.”

**D. The Petition’s Ground 1 Does Not Show A Teaching Of Selecting A “Second Subset Of User Devices ... Based On Respective Distances Of” The “Devices ... From The Event.” (All Claims).**

The claims require creating a “projection” of user nodes representing “a second *subset of user devices*” that “is *selected based on respective distances* of devices of the second subset of user devices *from the event*.” Ex. 1001 at 34:66-35:6 (claim 1); *id.* at 36:44-51 (claim 11); *id.* at 38:32-40 (claim 21); *id.* at 40:6-13 (claim 26).

The Petition argues that “Kraft-Altman renders obvious” this limitation, but fails to show that either reference teaches or suggests selecting a “subset of user

devices,” much less doing so “based on respective distances” of the devices from an event. Pet. at 22-23.

Petitioner argues that Kraft can perform a search that is “constrained in some way by geographic location” and that Kraft’s Figure 2 shows an illustration where “participants in an election all live in the same city.” Pet. at 22 (citing Ex. 1005 at 19:17-32, Fig. 2). Based on this, the Petition contends that a “participant (event organizer) would have been motivated to create a view of devices close to the event (*devices selected* based on similar location as the event) to identify users close enough to the event to participate.” *Id.* (citing Ex. 1005 at 16:36-39, 11:5-8, 21:3-8) (*italics in original*). But as explained above, Kraft does not teach or render obvious creating entity models representing individual user devices. *See* §IV.C *supra*. None of Petitioner’s cites to Kraft in this argument teach creating a view of *devices* anywhere, much less close to an event. *See* Ex. 1005 at 16:36-39 (mentioning a search for entity models), 11:5-8 (discussing entity managers), 21:3-8 (user requesting to view “other *businesses* ... located in the same city.”). Nor does Petitioner explain why a “participant (e.g., event organizer)” —not a POSITA— “would have been motivated to create a view of devices” when there is no such teaching in Kraft. Pet. at 22.

The Petition further acknowledges that while Kraft mentions “location” metadata, Kraft’s location “is static and does not explicitly disclose selecting the

subset of user devices based on distance between the device and event when the projection is created.” Pet. at 22. Indeed, the only location-related metadata that Kraft stores about a “Person” is an address. *See, e.g.*, Ex. 1005 at 11:36-45; *see also* Pet. at 22 (citing same).

Thus, the Petition does not show that Kraft teaches or suggests selecting a “subset of user devices,” much less doing so “based on respective distances” of the devices from an event.

While Petitioner also discusses Altman, it does not contend that Altman teaches selecting a “subset of user devices.” Pet. at 22-23. Instead, Petitioner relies on Altman for its alleged “obtaining and storing a user device’s GPS location.” *Id.* But Petitioner does not explain why it would be obvious to add this to Kraft when Kraft does not track user devices, or associate user devices with user nodes. *See* §§IV.B-C *supra*. Regardless, even if GPS locations were added to Kraft, this still would not solve the problem that Kraft does not teach selecting a “subset of user devices” to begin with.

Therefore, the Petition fails to show that its Ground 1 combination renders obvious the claimed selecting a “subset of user devices,” much less doing so “based on respective distances” of the devices from an event.

**V. PETITION’S GROUNDS 2-3 BASED PRIMARILY ON WONG AND BURFEIND FAIL TO SHOW A REASONABLE LIKELIHOOD OF SUCCESS**

**A. The Petition Fails to Demonstrate That Wong Teaches An “Event Node” That Is Discoverable Through A “Data Feed.” (All Claims).**

Each of the ’815 claims requires:

- Providing “to each respective user device associated with a respective user node” a “respective *composite data feed* that is based on a database ...” and
- An “event node [that] is discoverable to each respective user device ... by browsing the respective *composite data feed*.”

Ex. 1001 at 34:43-54 (claim 1); *id.* at 36:20-32 (claim 11); *id.* at 38:8-20 (claim 21); *id.* at 39:49-61 (claim 26).

The Petition does not contend that Wong—its primary reference in Grounds 2-3—teaches the claimed “composite data feed.” Pet. at 51-52, 54-55; *id.* at 66-67, 71-73 (relying on claim 1 arguments for matching elements in independent claims 11, 21, and 26); *id.* at 75-76 (not separately arguing limitations in Ground 3). Instead, Petitioner points to Burfeind’s “listing 2110 of events” in an event calendar for this limitation. *Id.* But the Petition does not prove that this listing of events is a “data feed” at all, much less the claimed “composite data feed.” Nor does the Petition demonstrate that it would have been obvious to add Burfeind’s listing of events to Wong.

For the claimed “respective composite data feeds,” Petitioner points to Burfeind’s disclosure of an “event calendar” with “a listing 2110 of events” as shown below.

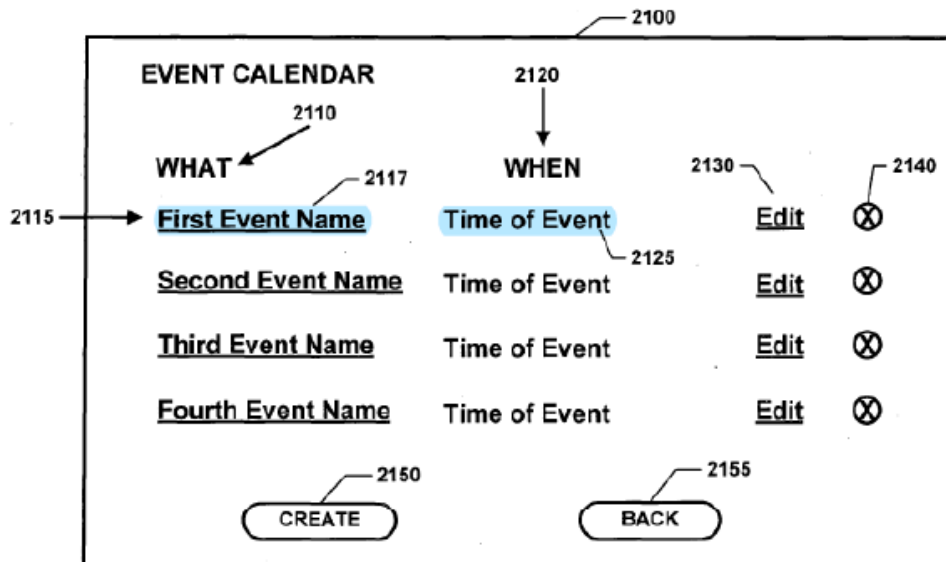


Figure 21

Pet. at 51 (reproducing Ex. 1008 Fig. 21 (highlights added in Petition)); *see also* Ex. 1008 ¶¶120-121 (describing a “calendar interface” that “includes a listing 2110 of events to which the individual is a party”). But despite bearing the burden to show how the claims are to be construed and how the construed claim is unpatentable, *see* 37 C.F.R. § 42.104(b)(3)-(4), the Petition does not explain why one of skill would have understood Burfeind’s listing of events in an event calendar to be a data feed, much less a “composite data feed,” as claimed. Indeed, the Petition only provides a single sentence of argument, contending that:

[t]hese event listings 2110 are *respective composite data feed[s]* because, like the '815 patent, they, upon request, provide the user with an updated listing of all events they are invited to.

Pet. at 51-52 (citing Ex. 1001 at 8:50-9:3, 12:52-64, 20:46-49) (second bracketed text in original). But the fact that Burfeind's event calendar and event listings can be requested and provided—generally true of all electronically stored data—does not explain why it is a “composite data feed.”

As with the Petition's flawed Ground 1 argument on this term, Dr. Jansen's testimony is no help. Aside from repeating the Petition's single-sentence argument, *compare* Pet. at 51-52 *with* Ex. 1003 ¶253, Dr. Jansen makes the same incorrect arguments from Ground 1, *compare* Ex. 1003 ¶121 *with id.* ¶253. But contrary to Dr. Jansen's testimony, the '815 Patent **does** limit the type of data feed claimed—“a composite data feed.” Ex. 1003 ¶244; Ex. 1001 at 9:38-40 (mentioning “composite and derived output data feeds”). Nevertheless, whether or not “the form of a data feed” is limited says nothing about whether Burfeind's listing of events is a data feed to begin with. *Id.* Dr. Jansen's brief mention of an embodiment in the '815 where event nodes may be discovered by “searching ... the network” similarly does not support Burfeind's listing of events being a “data feed,” much less the claimed “composite data feed.” *Id.*

The Petition thus fails to demonstrate that Burfeind's “listing 2110 of events” is a “composite data feed.” Accordingly, the Petition does not show that its Grounds

2-3 teach providing “respective user devices” with “respective composite data feeds” or an “event node” that is “discoverable to each respective user device ... by browsing a composite data feed” as required by the claims.

**B. The Petition Does Not Show That Wong Teaches “User Device[s] Associated With ... User Nodes.” (All Claims).**

The claims require “a plurality of user nodes” and “respective user device[s] associated with ... respective user node[s] of the plurality of user nodes.” Ex. 1001 at 34:37-47 (claim 1); *id.* at 36:14-24 (claim 11); *id.* at 38:2-12 (claim 21); *id.* at 39:43-53 (claim 26). As explained above, this association between user nodes and user devices allows the claimed invention to determine which user nodes should receive information about the event—e.g., the user nodes whose *associated* user devices are close to the event. *See* §IV.B.

The Petition relies on Wong for this limitation, but just like Ground 1, the Petition fails to show that Wong’s alleged user devices are “associated with” user nodes. Pet. at 51; *id.* at 66-67, 71-73 (relying on claim 1 arguments for matching elements in claims 11, 21, and 26); *id.* at 75-76 (not separately arguing limitation in Ground 3).

Petitioner contends that Wong’s “computer terminals 14” are the claimed “user devices,” and Wong’s nodes “30” are “user nodes.” Pet. at 51 (citing Ex. 1007 ¶¶17-18, FIG. 1). But the Petition does not point to any disclosure in Wong of its

computer terminals 14 being “associated with” respective nodes 30. *Id.* Instead, the Petition simply contains a single conclusory statement that:

Wong’s users 10 access and interact with Wong’s social network using computer terminals 14 (*each respective user device*) and are associated with a *respective user node* 30.

Pet. at 50 (*italics in original*). Petitioner cannot reasonably expect to meet its burden to show “with particularity” how its asserted art teaches or suggests the claimed limitations with this single conclusory statement. *Harmonic Inc. v. Avid Tech., Inc.*, 815 F.3d 1356, 1363 (Fed. Cir. 2016) (“In an IPR, the petitioner has the burden from the onset to show with particularity why the patent it challenges is unpatentable.”) (citing 35 U.S.C. § 312(a)(3)); 37 C.F.R. § 42.104(b)(4) (petition for IPR “must specify where each element of the claim is found in the prior art patents or printed publications relied upon.”). Neither of the sections of Wong cited by the Petition discuss any association between respective user nodes and user devices. *See* Ex. 1007 ¶17 (discussing “users 10 having computer terminals 14”), ¶18 (mentioning “a ‘node’ 30, [that] is created for the user”).

Dr. Jansen’s declaration does not save the Petition as he simply repeats Petitioner’s conclusory argument without pointing to any disclosure of devices associated with nodes in Wong. *Compare* Ex. 1003 ¶ 251 *with* Pet. at 51. In fact, the Board often rejects such conclusory expert testimony. *See, e.g., Xerox Corp. v. Bytemark, Inc.*, IPR2022-00624, Paper 9 at 15 (PTAB Aug. 24, 2022) (precedential)

(denying institution when expert’s “cited declaration testimony is conclusory and unsupported, adds little to the conclusory assertion for which it is offered to support, and is entitled to little weight.”); 37 C.F.R. § 42.65.

The Petition thus fails to demonstrate that Wong teaches “respective user devices *associated with* respective user nodes of the plurality of user nodes” as required by the claims.

**C. The Petition Fails To Demonstrate That Burfeind Teaches Joining A “First Subset” Of “User Devices” To An “Event Node.” (All Claims).**

The ’815 Patent claims require “join[ing a] first subset of the plurality of user devices that have discovered the event node to the event node.” Ex. 1001 at 34:46-55 (claim 1); *id.* at 36:13-22 (claim 11); *id.* at 37:55-63 (claim 21); *id.* at 39:14-23 (claim 26).

As explained in the ’815 Patent’s specification, while connections to the situational network can occur through invitations sent by a situational authority, the situational network can also be “joined ... based on a discovery of the event node by the[ user’s] own devices.” Ex. 1001 at 24:36-40

The Petition does not contend that Wong—its primary reference in Grounds 2-3—teaches this limitation and instead relies on Burfeind’s teaching of a device accessing a database. Pet. at 55-56; *id.* at 66-67, 71-73 (relying on claim 1 arguments for matching elements in independent claims 11, 21, and 26); *id.* at 75-76 (not

separately arguing limitation in Ground 3). But the Petition fails to show that Burfeind discloses the claimed joining a subset of user devices to an event node.

The Petition argues that after discovering an event node “by viewing it in the user’s list of events,” Burfeind’s “event participant” can get more information on the event by “access[ing] an event database ... stored on organization device 310.” Pet. at 55 (citing Ex. 1008 ¶132; quotation edit in original). Based on this, Petitioner argues that:

the **user’s device** is *join[ed]* to the event node, because to access this event database, the computer terminal 14 (*user device*) must be connected (*join[ed]*) to the node (*event node*).

Pet. at 55-56 (citing Ex. 1007 ¶22). But the Petition fails to explain how a user device accessing an event database to get more information is even remotely close to the claimed “joining” a “subset ... of user devices” to an “event node” in a multi-dimensional information network. At the very least, the Petition again fails to state “with particularity” its theory for how the asserted art meets the limitation. *Harmonic*, 815 F.3d at 1363 (Petitioner has burden “to show with particularity why the patent it challenges is unpatentable.”); 35 U.S.C. § 312(a)(3); 37 C.F.R. § 42.104(b)(4).

Once again, Dr. Jansen’s testimony is no help as he simply repeats the Petition’s argument without further explanation. *Compare* Ex. 1003 ¶270 with Pet. at 55.

**VI. CONCLUSION**

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

Dated: February 25, 2026

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**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITS**

This Patent Owner Preliminary Response (the “POPR”) consists of 6,586 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).

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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  
EXHIBITS 2011-2012**

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