UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner

v.

SITNET, LLC,
Patent Owner

Case IPR2024-00528
U.S. Patent No. 8,249,932

PETITIONER'S OPPOSITION TO
PATENT OWNER'S CONTINGENT MOTION TO AMEND

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Meta EX1058
Meta v. SitNet
IPR2026-00112

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1001	U.S. Patent No. 8,249,932 to Cona et al. ("'932 patent")
1002	Prosecution History of U.S. Patent No. 8,249,932 ("Prosecution History")
1003	Declaration of Bernard J. Jansen, Ph.D.
1004	*Curriculum Vitae* of Bernard J. Jansen, Ph.D.
1005	U.S. Publication No. 2006/0282312 to Carlson et al. ("Carlson")
1006	U.S. Publication No. 2008/0092162 to Lundy et al. ("Lundy")
1007	U.S. Patent No. 8,346,864 to Amidon et al. ("Amidon")
1008	U.S. Patent No. 9,195,996 to Walsh et al. ("Walsh")
1009	Ioannidis, J.P.A. et al., "Updated science-wide author databases of standardized citation indicators," *PLOS Biology* (Oct. 2020)
1010	U.S. Provisional No. 60/839,683 to Lundy et al. ("'683 provisional")
1011	U.S. Patent No. 7,263,614 to Roskind ("Roskind")
1012	Infringement Contentions, Exhibit 9, *SitNet, LLC v. Meta Platforms, Inc.*, Case No. 1:23-cv-06389 (S.D.N.Y.)
1013	Zhang, P. et al., "Intelligent Delivery of Interactive Advertisement Content," Bell Labs Technical Journal, 13(3):143-158 (Sept. 2008)
1014	U.S. Publication No. 2006/0095320 to Jones ("Jones")
1015	U.S. Patent No. 8,799,073 to Shahine et al. ("Shahine")
1016	"Why we're buying DoubleClick" Google Blog, accessed at https://googleblog.blogspot.com/2007/06/why-were-buying-doubleclick.html (June 26, 2007) ("Google Blog")
1017	"What is a Web Browser" Tech Dictionary (Oct. 4, 2023) ("Tech Dictionary")
1018	"About Gmail," Gmail by Google, accessed at https://www.google.com/mail/help/intl/en-GB/fightspam/spamexplained.html ("About Gmail")
1019	U.S. Publication No. 2006/0242234 to Counts et al. ("Counts")

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1020	U.S. Patent No. 7,284,033 to Jhanji ("Jhanji")
1021	"GPS Coordinates," TechTarget (Aug. 2022)
1022	Handbook for the Palm V™ Organizer
1023	U.S. Patent No. 7,321,920 to Washburn ("Washburn")
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1032	Complaint, *SitNet, LLC v. Meta Platforms, Inc.*, Case No. 1:23-cv-06389 (S.D.N.Y.)
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1046	Rothenberg, R., "An Advertising Power, but Just What Does Doubleclick Do?," The New York Times, accessed at https://www.nytimes.com/1999/09/22/technology/an-advertising-power- but-just-what-does-doubleclick-do.html (Sept. 22, 1999)
1047	Malhotra, A., "HTML Images," Tech Altum, accessed at https://tutorial.techaltum.com/html-image.html (May 27, 2023)
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1050	Reiter, M.K., "Detecting Hit Shaving in Click-Through Payment Schemes," Proceedings of the 3rd USENIX Workshop on Electronic Commerce (Aug. 31, 1998)
1051	Civil Case Management Plan and Scheduling Order, *SitNet, LLC v. Meta Platforms, Inc.*, Case No. 1:23-cv-06389 (S.D.N.Y.), Document 35 (10/20/2023)
1052	Plaintiff SitNet's Disclosure of Asserted Claims and Infringement Contentions, *SitNet, LLC v. Meta Platforms, Inc.*, Case No. 1:23-cv-06389 (S.D.N.Y.)
1053	Supplemental Declaration of Bernard J. Jansen, Ph.D.
1054	Joint Claim Construction Statement, *SitNet, LLC v. Meta Platforms, Inc.*, Case No. 1:23-cv-06389 (S.D.N.Y.) (Feb. 21, 2024)
1055	*Intentionally Left Blank*
1056	Second Supplemental Declaration of Bernard J. Jansen, Ph.D.
1057	Order on Motion to Dismiss, SDNY-1-23-cv-06389-51 (March 19, 2024)

Exhibit No.	Description
1058	U.S. Patent No. 7,747,648 to Kraft et al. ("Kraft")
1059	Transcript of the Deposition of Dr. Aviel Rubin (February 7, 2025)
1060	U.S. Patent No. 11,470,682 to Cona et al.

I. INTRODUCTION

Meta opposes Patent Owner ("PO") Motion to Amend, Paper 14. PO seeks to substitute claims 1-11 and 22-23 with claims 24-36. MTA, 1, Appendix A. PO's substitute claims are unpatentable under 35 U.S.C. §§ 101, 103, and 112. First, PO's proposed amendments are ambiguous and confusing, rendering the scope of the substitute claims indefinite under § 112. Second, the substitute claims are ineligible under § 101, reciting abstract concepts that rely on nothing more than well-known and conventional technology to implement. Third, even if the substitute claims are determined not to be invalid under §§ 101 and 112, PO's proposed amendments recite only well-known concepts and would have been obvious in view of the prior art. Therefore, the Board should deny PO's Motion.

II. CLAIM CONSTRUCTION – EVENT NODE

As PO has acknowledged, the district court determined that the term "event node" needs no construction. EX2007, 5-6; MTA, 11. Nevertheless, PO argues that an "event node" should be construed as "a node within an NDSN providing up-to-date information regarding an event or situation via peer-to-peer communication with other nodes." MTA, 13. The Board should not import these additional limitations into PO's substitute claims.

First, the district court has already indicated that such limitations are not required for an "event node." EX2007, 5-6. Indeed, PO did not include these

limitations in its proposed construction in the district court and should not be permitted to do so now. *Amazon.com, Inc. v. Barnesandnoble.com*, Inc., 239 F.3d 1343, 1351 (Fed. Cir. 2001) ("A patent may not, like a nose of wax, be twisted one way to avoid [invalidity] and another to find infringement.") (cleaned up). Second, as explained in Petitioner's Reply in IPR2024-00612, PO's construction attempts to improperly import optional limitations from the specification. *See* EX1001, 7:24-28 ("*In one embodiment*…"),[1] 7:29-38 ("*For example*, an entity … establishes an event node in an NDSN that propagates up-to-date information on the situation … ."), 14:41-44 ("*In one embodiment*…."); EX1056, ¶¶5-11. Even PO's own expert agrees that a POSA would not have understood the term "event node" to include these limitations. EX2009, ¶¶26-28, 34 (explaining that a "node" is merely "an object that has attributes defining the node"). Regardless, the Grounds presented below demonstrate that the claims are unpatentable even under PO's narrow construction.

III. GROUND 1: PO'S PROPOSED SUBSTITUTE CLAIMS ARE INDEFINITE UNDER 35 U.S.C. § 112.

To comply with 35 U.S.C. § 112, ¶2, a claim must "inform those skilled in the art about the scope of the invention with reasonable certainty." *Nautilus, Inc. v. Biosig Instruments, Inc.*, 572 U.S. 898, 910 (2014). "It cannot be sufficient that a

[1] All emphasis added unless otherwise indicated.

court can ascribe some meaning to a patent's claims." *Id.* at 911. "[T]here is an indefiniteness problem if the claim language 'might mean several different things and no informed and confident choice is available among the contending definitions.'" *Interval Licensing LLC v. AOL, Inc.*, 766 F.3d 1364, 1370-71 (Fed. Cir. 2014) (quoting *Nautilus*, 572 U.S. at 911 n.8) (cleaned up).

Each of claims 24 and 35 recites "establishing an event node … *within a N-dimensional social network*." MTA, Appendix A. Claim 30, which depends from claim 24, further recites "establish[ing] an event node *in a multi-dimensional personal information network*." *Id.* The '932 patent specification explains that "[a]n N-dimensional social network (NDSN) [is] also called a multi-dimensional personal information network." EX1001, 14:10-13. But the "use of two terms in a claim requires that they connote different meaning." *Applied Med. Res. Corp. v. U.S. Surgical Corp.*, 448 F.3d 1324, 1333 n.3 (Fed. Cir. 2006). That PO chose to use two different terms confusingly leaves unclear whether the two recited networks carry different meanings in the context of the claims, and how those meanings may differ. EX1056, ¶13.

Even interpreting the terms "N-dimensional social network" and "multi-dimensional personal information network" to carry the same meaning does not resolve the ambiguity in claim scope. The phrase "multi-dimensional personal information network," recited in claim 30, does not refer back to the "N-

dimensional social network" of claim 24. MTA, Appendix A. Thus, it is unclear whether the claims require two different networks and, if so, whether "an event node" must be established in *each* of the two different networks. *Id.* (claims 24, 30). In this case, a POSA would not have been able to make an "informed and confident choice" as to the proper scope of the claims. *Interval*, 766 F.3d at 1370-71; EX1056, ¶14. Accordingly, PO's substitute claims are indefinite. EX1056, ¶15.

IV. GROUND 2: PO'S PROPOSED SUBSTITUTE CLAIMS ARE ARE DIRECTED TO PATENT INELIGIBLE SUBJECT MATTER.

The substitute claims are unpatentable under § 101 for being directed to patent ineligible subject matter. The District Court has already determined that U.S. Patent No. 11,470,682 (EX1062), which shares the same specification as the '932 patent, is unpatentable. EX1057, 7, 9. The substitute claims for the '932 patent are unpatentable for similar reasons.[2]

Determining patent eligibility is a two-step test. *See Alice Corp. Pty. Ltd. v. CLS Bank Int'l*, 573 U.S. 208, 216 (2014). The first step examines whether the

[2] While the district court declined to dismiss the '932 patent due to the recitation of "automatically connecting devices" to a situational network and "causing an automatic redirection of a web browser application," it did not make a determination of whether the asserted claims were directed to patent eligible subject matter. EX1057, 7-9.

claims are directed to an abstract idea. *Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1353 (Fed. Cir. 2016). If so, the second step determines whether the claims add enough to transform the abstract idea into patent eligible subject matter. *Id.* Here, similar to the district court's findings for the '682 patent, the '932 patent and claims are directed to an abstract idea and do not transform the abstract idea into patent eligible subject matter. EX1057, 7-9.

A. *Alice* Step One: The Substitute Claims Are Directed to the Abstract Idea of Presenting Targeted Advertising to Individuals.

Substitute claims 24-36 are directed to "presenting targeted advertising in a situational network," as recited in the preamble of claim 24. MTA, Appendix A. The claims broadly recite receiving advertisements from advertising entities, obtaining an occurrence of a situation, and providing an advertisement to individuals who are affected by the situation. *Id.* Thus, at their core, substitute claims 24-36 are directed to the abstract idea of presenting targeted advertising to individuals.

The Federal Circuit has repeatedly "held claims to targeted advertising were directed to an abstract idea." *Chewy, Inc. v. Int'l Bus. Machines Corp.*, 94 F.4th 1354, 1365 (Fed. Cir. 2024); *Customedia Techs., LLC v. Dish Network Corp.*, 951 F.3d 1359, 1362-65 (Fed. Cir. 2020) (holding claims "are directed to the abstract idea of using a computer to deliver targeted advertising to a user"); *Free Stream Media Corp. v. Alphonso Inc.*, 996 F.3d 1355, 1365 (Fed. Cir. 2021) ("[T]he

alleged technological improvement does nothing more than implement a computer to achieve the abstract idea of providing targeted advertising to the mobile device user."); *Bridge & Post, Inc. v. Verizon Commc'ns, Inc.*, 778 F. App'x 882, 887 (Fed. Cir. 2019) (holding claims "directed to the abstract idea of using persistent identifiers to implement targeted marketing"); *Intellectual Ventures I LLC v. Cap. One Bank (USA)*, 792 F.3d 1363, 1369-70 (Fed. Cir. 2015) (holding "tailoring information based on [provided] data" is an abstract idea).

The Federal Circuit's reasoning in *Chewy* is instructive. There, the claims broadly recited "searching, retrieving, and displaying" advertisements related to a user's search result. *Chewy*, 94 F.4th at 1364-65. The patent owner argued that the claims "improve[d] the specificity and relevancy of online advertisements." *Id.* at 1366. The court explained, however, that "[t]he claims merely recite the concept of identifying advertisements based on search results, without any specificity as to how this is accomplished." *Id.* And "[e]ven accepting that the claimed invention improves the specificity and relevancy of online advertisements, this 'is at most an improvement to the abstract concept of targeted advertising wherein a computer is merely used as a tool.'" *Id.* (quoting *Customedia*, 951 F.3d at 1365).

Similarly here, the substitute claims use standard, well-known computing and networking technology as a tool to deliver targeted advertisements. As the '932 patent explains, the "computer network" underlying the claimed "situational

network" "may be implemented using the well-known TCP/IP suite of protocols," and users may connect to the network using "devices generally known to those skilled in the art that enable connection to, from and through the computer network." EX1001, 4:11-16, 13:28-38; *Customedia*, 951 F.3d at 1365 ("[T]o be directed to a patent-eligible improvement to computer functionality, the claims must be directed to an improvement to the functionality of the computer or network platform itself."). Thus, the substitute claims merely "recite the performance of [a] business practice known from the pre-internet world," delivering targeted advertisements using computers rather than "printed newspapers and magazines." *Bridge and Post*, 778 F. App'x at 887, 891. And limiting the targeted advertising to "a particular networking environment," such as the recited "situational network" or "social network," MTA, Appendix A, does not "[r]ender the claim[] any less abstract." *Bridge and Post*, 778 F. App'x at 889.

Additionally, under the USPTO's Section 101 Guidance, the substitute claims recite a judicial exception that is not integrated into a practical application of that exception. 2019 Revised Patent Subject Matter Eligibility Guidance, 84 Fed. Reg. 50 (Jan. 7, 2019) ("2019 Revised Guidance"); *ProFrac Holding Corp. v. Halliburton Energy Servs., Inc.*, PGR2023-00023, Paper 26 (October 29, 2024). Under Step 2A, Prong One, the substitute claims describe a method of organizing human activity—delivering targeted advertising. Indeed, the M.P.E.P. specifically

calls out "advertising" as an abstract "method[] of organizing human activity." M.P.E.P. § 2106.04(a). Under Step 2A, Prong Two, this judicial exception is not integrated into a practical application. While the substitute claims recite formation of a "situational network" and "redirection of a web browser application … to a webpage," MTA, Appendix A, these elements merely "link the judicial exception to a technical field"—transmission of advertisements through a computer network—rather than integrate the judicial exception into a practical application. *ProFrac*, PGR2023-00023, Paper 26 at 12, 15; 2019 Revised Guidance, 54-55; M.P.E.P. §§ 2106.04(d), 2106.05(e). Thus, under the USPTO's Prong One and Prong Two analysis, the claims are still directed to an abstract idea (i.e., presenting targeted advertising to individuals via a computer network).

B. *Alice* Step Two: The Substitute Claims Lack an Inventive Concept.

The claims do not recite an inventive concept that amounts to significantly more than the abstract idea. The claims recite only well-known, routine, and conventional technology used to implement the concept of targeted advertising. For example, as noted above, the "computer network" underlying the claimed "situational network" "may be implemented using the well-known TCP/IP suite of protocols," and users may connect to the network using "devices generally known to those skilled in the art that enable connection to, from and through the computer network." EX1001, 4:11-16, 13:28-38; *Customedia*, 951 F.3d at 1366 ("[T]he

invocation of already-available computers that are not themselves plausibly asserted to be an advance ... amounts to a recitation of what is well-understood, routine, and conventional.") (cleaned up). And, as PO's own expert explains, a "social network," as recited in the substitute claims, is merely "a logical network" that relies on an existing "physical network." EX1059, 20:16-22; *see also id.*, 42:5-44:3 (identifying no difference between a conventional "social network" and the recited "N-dimensional social network"). Therefore, the substitute claims "simply append[] well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality, to the judicial exception." *ProFrac*, PGR2023-00023, Paper 26 at 15; 2019 Revised Guidance, 56.

The limitation of "caus[ing] an automatic redirection of a web browser application," as recited in elements [24.E] and [35.F], does not save the claims. As Dr. Jansen explains, techniques for redirecting a web browser application were well known prior to the '932 patent. EX1003, ¶¶51-52, 100-03. Moreover, the Federal Circuit has held that "providing information to [users] in a way that helps them process information more quickly," as elements [24.E] and [35.F] accomplish, does "not constitute a patent-eligible improvement to computer functionality." *Customedia*, 951 F.3d at 1365 (citing *Trading Techs. Int'l, Inc. v. IBG LLC*, 921 F.3d 1378, 1381, 1384-85 (Fed. Cir. 2019)). Thus, these elements merely facilitate display of the claimed targeted advertising using conventional

techniques.

Similarly, "[u]sing a generic database to store [] information," as in element [35.H], "is not an inventive concept." *Chewy*, 94 F.4th at 1366-67 (citing *Content Extraction & Transmission LLC v. Wells Fargo Bank, Nat. Ass'n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014)); EX1059, 25:14-18 (Q: "[T]he patents don't describe any new type of technology for saving the information that would be needed for two users to communicate over a social network; is that true?" A: "That's true."). Accordingly, the substitute claims do not recite any inventive concept beyond the abstract idea of providing targeted advertising to individuals via a computer network.

* * *

Because substitute claims 24-36 are directed to an abstract idea and include no inventive concept, they are ineligible under § 101.

V. GROUND 3: PO'S PROPOSED SUBSTITUTE CLAIMS 24-36 ARE OBVIOUS OVER AMIDON IN VIEW OF WALSH AND SHAHINE.

Even if the substitute claims are not invalid under § 112, they are unpatentable over the combination of Amidon (EX1007), Walsh (EX1008), and Shahine (EX1015).

A. Motivation to Combine Amidon, Walsh, and Shahine

As explained in the Petition, Amidon and Walsh are related patents having the same inventors. EX1007, Cover (75); EX1008, Cover (75). Amidon is directed

to "providing systems and methods for users to conduct online conferences based on underlying social network structures." EX1007, 2:54-56. "Using the presently disclosed technology, a user can specify the nature and extent of a conference amongst members of a social network based on various parameters," and "[o]nce a conference has been initiated, users participating in the conference can direct messages to desired users." *Id.*, 2:57-63; EX1003, ¶189; EX1056, ¶¶17-19.

Walsh's disclosure relates to "communication sessions (e.g., a messaging conference) of social network users" and is based on the same general system disclosed by Amidon. EX1008, 1:7-12; EX1003, ¶192; EX1056, ¶¶20-21. For example, Figure 1 of Walsh illustrates the same conference interface disclosed by Amidon, with the addition of "an advertisement display 20." EX1008, 5:1-8.

Although Amidon does not explicitly disclose providing targeted advertisements within its social network conferences, a POSA would have recognized the well-known benefits of doing so, such as generating ad revenue. EX1003, ¶¶39-47, 194. Indeed, the inventors of Amidon themselves recognized the benefits of including advertisements within social network conferences, disclosing such operation in Walsh. EX1003, ¶194. A POSA considering Amidon would have thus been motivated, with a reasonable expectation of success, to seek out a reference such as Walsh for specific targeted advertising techniques. EX1003, ¶194; EX1056, ¶¶22-23.

Additionally, to the extent argued that Amidon and Walsh do not expressly disclose "*receiving a plurality of advertisements from at least one advertising entity*," a POSA would have been motivated to look to a reference such as Shahine. As discussed for Ground 1, Shahine discloses techniques that allow "an advertiser to upload an advertisement including textual and/or graphical data, which data is then stored in an advertiser database 154." EX1015, 5:39-42. A POSA would have been motivated to receive and store advertisements in Amidon-Walsh's system, as in Shahine, to allow selection and distribution of advertisements to users. EX1008, 6:9-20, FIG. 1; EX1003, ¶196; EX1056, ¶24. And a POSA would have had a reasonable expectation of success in doing so using well-known network communication and upload techniques. EX1003, ¶196; EX1056, ¶25.

B. Independent Claim 24 (Substitute for Claim 1)

1. Elements [24.P]-[24.C] and [24.E]-[24.F]

Amidon-Walsh-Shahine renders obvious these elements for the reasons set forth in the Petition and Petitioner Reply. Pet., 51-70 (Claim 1); EX1003, ¶¶189-222 (Claim 1); Pet. Reply, 9-12; EX1056, ¶¶26-29, 41-42.

2. Element [24.D]

Amidon-Walsh-Shahine renders obvious PO's proposed amendments to claim 24 for reasons similar to those discussed in the Petition for dependent claim

7.[3] *See* Pet., 76-79; EX1003, ¶¶251-55. First, Amidon teaches "a N-dimensional social network." EX1056, ¶¶30-31. The '932 patent describes that "[a]n N-dimensional social network (NDSN), also called a multi-dimensional personal information network, captures and manages multi-dimensional relationships between persons and other entities that are users of the network." EX1001, 14:10-13. Amidon discloses a "[s]ocial network server 16 [that] stores data defining one or more *social networks*, social network member data, and other social network data in one or more stores 22." EX1007, 9:23-25. "For example, store 22 may comprise one or more databases identifying, social network users, *characteristics for each user (profile information, etc.), relationships between each user … .*" *Id.*, 9:25-30. These relationships span multiple dimensions, "such as grouping members by common interest, age or other demographic information, etc." *Id.*, 9:32-38; EX1003, ¶251; EX1056, ¶¶31-32.

Second, Amidon teaches "establishing an event node hosted by an event node server within a N-dimensional social network" in the form of a "social

[3] Of note, PO does not challenge that either Amidon-Walsh-Shahine or Carlson-Shahine teaches the additional elements of dependent claim 7 in its POR, which recites limitations similar to PO's proposed amendments to claim 24.

network conference" to which users may connect.[4] EX1007, 10:37-44, 2:57-60 ("Using the presently disclosed technology, a user can specify the nature and extent of *a conference* among members of *a social network* … ."), 6:58-60 ("FIG. 1 illustrates an exemplary *social network [] that may be used as the basis for one or more social network conferences*."); EX1056, ¶33. When a user initiates a conference, "[m]essaging server 14 is configured to recognize the conference metadata," and "data defining social network conferences may be maintained in one or more additional databases accessible by social network conferencing system 12." EX1007, 10:33-44. For example, "[c]onferences may be defined by a database record including a conference ID and list of users by user ID." *Id.*, 15:6-15. "Once a conference has been initiated, users participating in the conference can direct messages to desired users in the conference…." EX1007, 2:60-63; EX1056, ¶33.

Amidon's conference is consistent with PO's expert's understanding of an "event node." As Dr. Rubin explains, a "node" is "an object that has attributes defining the node." EX2009, ¶34; EX1059, 32:17-20, 59:9-12 (confirming this understanding). For example, a node may be an "object with a unique ID."

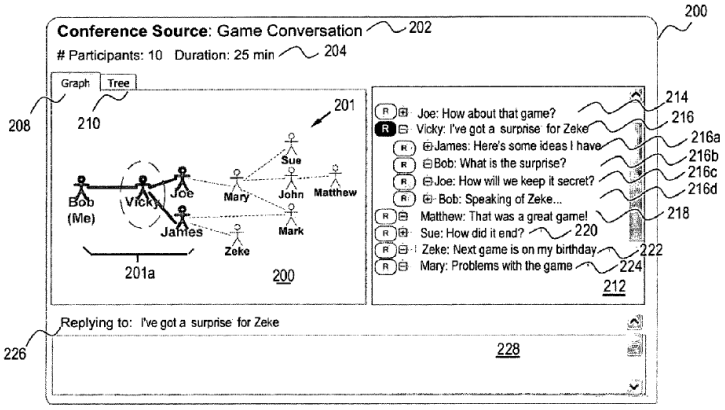
[4] Patent Owner's initial infringement contentions support this understanding, equating the claimed "event node" to a server-hosted web page to which users may connect to view information regarding an event. *See* EX1052, 3-6.

EX2009, ¶34. Consistent with this understanding, Amidon's conference is an object to which users connect, with "data defining" it such as "a conference ID and list of users by user ID." EX1007, 10:40-44, 15:6-15; EX1056, ¶34.

Amidon's conferences are also "hosted by an event node server"—Amidon's "messaging server." EX1007, 4:60-5:2; EX1056, ¶35. Amidon explains that "conferencing client functionality may be provided by one or more network-based applications." EX1007, 8:27-31. "For example, *messaging* and/or social network *functionality may be provided through web-based applications*," and "each client 30a, 30b, and 30c interfaces with messaging server via respective links 114a, 114b, and 114c," as illustrated in Amidon's Figure 2. EX1007, 8:31-40; EX1056, ¶35. And during a conference, "messages may be routed by [messaging] server 14": "Users of clients 30a, 30b, and 30c may then send messages … to one another via server 14 using links 114." EX1007, 8:49-55; *see also id.*, 22:41-47 ("automatically *initiating, by the messaging server, the real-time instant messaging conference* between the first user and at least some of the plurality of other users; *receiving, by the messaging server, a message* from the first user; *distributing, by the messaging server, the message* to the at least some of the plurality of other users"). Thus, Amidon's social network conferences are hosted by Amidon's messaging server. EX1056, ¶36.

Third, Amidon teaches "*connecting the event node to a plurality of existing*

nodes within the social network, said plurality of existing nodes corresponding with the plurality of individuals" by connecting users to the conference. EX1056, ¶37. For example, as described above, a conference may be provided through a "web-based application[]," to which users may connect through the interface depicted in Amidon's Figure 4. EX1007, 8:31-35, 16:67-17:2; EX1056, ¶37.



EX1007, FIG. 4.

Amidon discloses that "[e]ach user … is associated with one or more social network conferencing system clients," and "[o]nce a conference has been initiated, users participating in the conference can direct messages to desired users in the conference." EX1007, 2:60-63, 19:54-61; EX1056, ¶38.

PO argues that "Amidon's conference is a group of individuals communicating with one another," and "[a] group of individuals cannot be a node, let alone an event node." MTA, 16. But, as explained in Petitioner's Reply in IPR2024-00612, Amidon's conference is more than just a group of individuals—it is an element created in Amidon's network that facilitates communication between

individuals, provided by a "web-based application[]" and defined by data including "a conference ID and list of users," as well as message information. EX1007, 8:31-35, 15:6-26. Nothing in the '932 patent restricts an "event node" from taking the form of a conference within a network to which a user may connect. EX1056, ¶39; EX2009, ¶34 (PO's expert explaining that a "node" is merely "an object that has attributes defining the node"). PO's remaining arguments fail for the same reasons discussed in Petitioner's Reply in IPR2024-00612. MTA, 16-19; IPR2024-00612, Pet. Reply, 6-14.

C. Dependent Claims 25-29, 31-34, and 36 (Substitute for Claims 2-6, 8-11, and 23)

There are no substantive amendments to these claims. Amidon-Walsh-Shahine renders obvious these claims for the reasons set forth in the Petition. Pet., 74-76, 79-82 (Claims 2-6, 8-11, 23); EX1003, ¶¶238-49, 256-72 (Claims 2-6, 8-11, 23); EX1056, ¶¶43-47, 55-58, 69 (Substitute Claims 25-29, 31-34, and 36).

D. Dependent Claim 30 (Substitute for Claim 7)

Amidon-Walsh-Shahine renders obvious this claim for the reasons set forth in the Petition, and for the reasons discussed above for element [24.D] of claim 24. Pet., 76-79; EX1003, ¶¶250-55; Section V.B.2. In particular, Amidon discloses storing "data defining one or more *social networks*," including "social network users, *characteristics for each user (profile information, etc.), relationships between each user*." *Id.*, 9:25-30; Pet., 76-77; EX1003, ¶251. Thus, Amidon

teaches "*a multi-dimensional personal information network*." EX1056, ¶¶48-49. Amidon further teaches that "*the devices include personal information aggregators, each personal information aggregator corresponding to a node in the multi-dimensional personal information network*" for the reasons set forth in the Petition. Pet., 77-78; EX1003, ¶¶252-53; EX1056, ¶¶50-51.

Amidon also teaches "*wherein the situation authority establishes an event node in a multi-dimensional personal information network corresponding to the situation*" in the form of a "social network conference" to which users may connect. EX1007, 10:37-44, 2:60-63 ("Once a conference has been initiated, users participating in the conference can direct messages to desired users in the conference … ."); EX1003, ¶¶254-55; EX1056, ¶¶52-53. When a user initiates a conference, "[m]essaging server 14 is configured to recognize the conference metadata," and "data defining social network conferences may be maintained in one or more additional databases accessible by social network conferencing system 12." EX1007, 10:33-44. For example, "[c]onferences may be defined by a database record including a conference ID and list of users by user ID," as well as message information. *Id.*, 15:6-26; EX1056, ¶52.

To the extent claim 30 is interpreted to require a second "event node" to be established, in view of PO's amendments to claim 24, a POSA would have understood that multiple conferences may be initiated based on the same event or

situation. EX1056, ¶54. For example, as the Petition explains, Walsh illustrates a conference communicating information about a Red Sox baseball game. Pet., 57; EX1008, FIG. 1. A POSA would have understood that Amidon's system allows multiple conferences to be initiated based on this Red Sox game, each connecting a group of users to communicate information regarding the game. EX1056, ¶54. Thus, Amidon renders obvious claim 30 even if the substitute claims are interpreted to require establishment of multiple "event node[s]." EX1056, ¶54.

E. Claim 35 (Substitute for Claim 22)

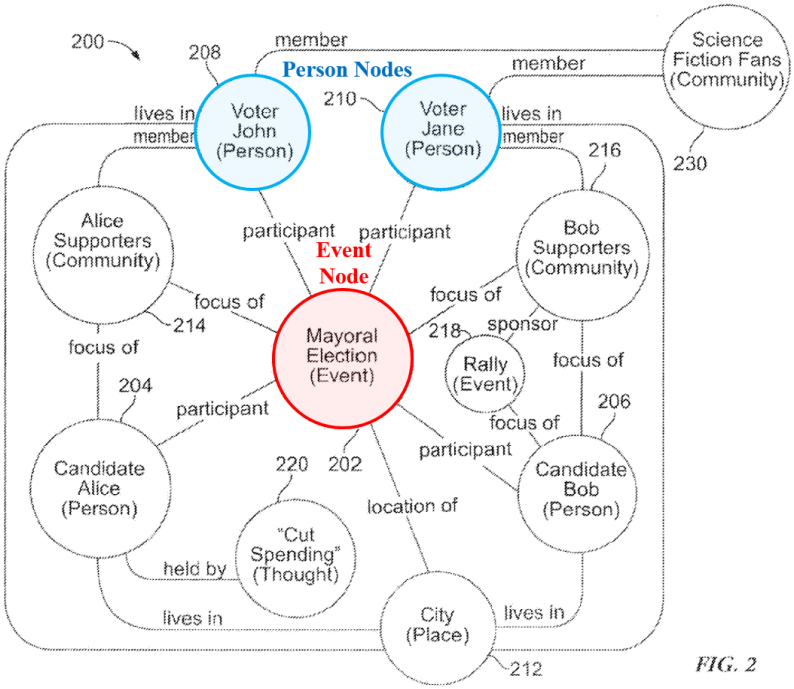
Amidon-Walsh-Shahine renders obvious elements [35.P], [35.A], and [35.C]–[35.I] of claim 35 for the reasons set forth in the Petition and Petitioner Reply. Pet., 70-74 (Claim 22); EX1003, ¶¶223-37; Pet. Reply, 9-12; EX1056, ¶¶59-68. Amidon-Walsh-Shahine renders obvious element [35.B] for the reasons discussed above for element [24.D] of claim 24. Section V.B.2.

VI. GROUND 4: PO'S PROPOSED SUBSTITUTE CLAIMS 24-36 ARE OBVIOUS OVER AMIDON IN VIEW OF WALSH, SHAHINE, AND KRAFT.

To the extent argued that the combination of Amidon, Walsh, and Shahine does not expressly disclose PO's proposed amendments, the combination of Amidon, Walsh, Shahine, and Kraft (EX1058) also renders obvious these proposed amendments. EX1056, ¶70. Relying on its proposed construction, PO argues that "an event node is [a] node communicating information regarding a situation in a

peer-to-peer fashion," and, therefore, "an event node would be an element ***within*** a conference, but ***not*** a conference." MTA, 16-17 (emphasis in original). Even under PO's impermissibly-narrow construction of "event node," the combination of Amidon, Walsh, Shahine, and Kraft renders obvious PO's proposed amendments to claims 24 and 35.

Kraft is directed to "systems and methods for information retrieval and communication using a world model." EX1058, 2:35-37. "The world model is made up of *interrelated entity models*, where each entity model corresponds to an entity (or abstraction) in the real world, such as a person, place, business, other tangible thing, community, *event*, or thought." *Id.*, 2:37-41, 8:28-31. Kraft's "world model can include features of a conventional social network" but "allows other types of entities, not just users, to be included as full participants in the network." *Id.*, 10:25-30. An example "world model" is illustrated in Figure 2 of Kraft. *Id.*, 8:35-38; EX1056, ¶71.



EX1058, FIG. 2 (annotated).

As illustrated in Figure 2, "*[n]ode 202 represents the event*, in this example a mayoral election," and "[o]ther participants in the election include voter Joe (node 208) and voter Jane (node 210)." EX1058, 8:39-44. Kraft explains that "[e]ach entity model is advantageously implemented as a data structure that *provides access to information about a real-world entity that the node represents*." *Id.*, 8:26-28. And the "types of information that may be contained in an entity model include … *text or media content related to the corresponding entity*." *Id.*, 3:18-24; EX1056, ¶72.

Kraft further explains that a "user request may include a search query specifying a property for the information contained in the entity models." EX1058, 2:67-3:2, 9:33-36 (A "user can also send a message to a non-person entity; for

example, the user might send a message to the election (node 202).”). “A world server receives a request from a querying user for an entity model,” and “[t]he world server *returns the information contained in the requested entity model*.” *Id.*, 3:52-55. In other words, Kraft teaches that a user may query an event node, which, in response to the query, returns information (e.g., “text or media content,” *id.*, 3:18-24) related to the event. EX1056, ¶73. And because Kraft’s techniques “enable[] authorized users to update the world model,” for example by “modifying entity models,” the information contained in an event node can remain up-to-date. EX1058, 6:54-57; EX1056, ¶73.

In this manner, Kraft teaches “establishing an event node,” e.g., Kraft’s mayoral election node 202, “within a N-dimensional social network and connecting the event node to a plurality of existing nodes within the social network, said plurality of existing nodes corresponding with the plurality of individuals,” e.g., person nodes 208 and 210. EX1056, ¶74. And a POSA would have understood that Kraft’s “world server” provides an “event node server,” as recited in claim 24, because it allows users to connect to Kraft’s entity models. EX1056, ¶74. That is, Kraft’s “world server” receives queries for the event node and returns information contained in the event node. *Id.*

A POSA would have been motivated to combine Kraft’s techniques with Amidon-Walsh-Shahine to allow users to obtain up-to-date information regarding

an event from within a conference. EX1056, ¶75. Amidon provides "systems and methods for users to conduct online conferences based on underlying social network structures." EX1007, 2:54-56. But Amidon explains that "[t]he term 'user' is meant to broadly include not only an individual, but *also other entities*, such as groups of individuals and organizations when treatable as a single unit." *Id.*, 5:3-8. Thus, similar to Kraft, Amidon envisions nodes within a conference representing not only individuals, but also "other entities." *Id.*; EX1056, ¶75.

In the combined system of Amidon-Walsh-Shahine-Kraft, a POSA would have been motivated to establish and include an "event node" as a participant within a conference. EX1056, ¶76. In Kraft's example of a mayoral election, for instance, a conference amongst users would include an entity representing the election. *Id.* In such a case, the information contained within the election entity (e.g., "text or media content," EX1058, 3:18-24) could be queried by and returned to users within the conference, just as messages between individuals would be exchanged. EX1056, ¶76. And because the information contained within the election entity can be modified by "authorized users," a POSA would have recognized that the election entity would propagate up-to-date information regarding the event to users within the conference, in line with PO's narrow construction of "event node." MTA, 13; EX1056, ¶76.

A POSA would have been motivated to employ Amidon's messaging server

to receive and respond to queries associated with an event entity within a conference, similar to the functionality of Kraft's "world server." EX1058, 3:52-57; EX1056, ¶77. Amidon discloses that during a conference, "messages may be routed by [messaging] server 14": "Users of clients 30a, 30b, and 30c may then send messages … to one another via server 14 using links 114." EX1007, 8:49-55, 22:41-47. Thus, a POSA would have found it natural for Amidon's messaging server to act as an "event node server," receiving queries from users directed to the event entity and generating a response back to the user that includes information associated with the event. EX1056, ¶77. And because Amidon's messaging server would be acting on behalf of the event entity, responding directly to users communicating with the entity, a POSA would have understood that the information would be provided to users via peer-to-peer communication, as further required under PO's narrow construction of "event node." MTA, 13; EX1056, ¶78.

A POSA would have further understood that Kraft's "event node" would be established within the context of Amidon's social network, i.e., "within a N-dimensional social network." EX1056, ¶79. For example, Kraft discloses that its "world model" entities are stored in a "world model data store," and that the "world model can include features of a conventional social network." EX1058, 6:33-35, 10:25-30. Amidon similarly discloses storing "social network data in one or more stores," including "social network users, characteristics for each user

(profile information, etc.), relationships between each user, and privacy, informational, and system parameter settings for each user." EX1007, 9:23-30. Thus, a POSA would have had a reasonable expectation of success, encountering no technical hurdles, in storing entities representing events in Amidon's social network data stores. EX1056, ¶79. Amidon's messaging server would then have access to the information associated with event entities included in a conference via Amidon's social network server, as shown in Amidon's Figure 2, for distribution to querying users. EX1056, ¶79.

Accordingly, the combination of Amidon, Walsh, Shahine, and Kraft renders obvious "establishing an event node hosted by an event node server within a N-dimensional social network and connecting the event node to a plurality of existing nodes within the social network, said plurality of existing nodes corresponding with the plurality of individuals," as recited in substitute claim 24. EX1056, ¶80.

VII. GROUNDS 5 AND 6: PO'S PROPOSED SUBSTITUTE CLAIM 31 IS OBVIOUS OVER AMIDON-WALSH-SHAHINE OR AMIDON-WALSH-SHAHINE-KRAFT IN VIEW OF JONES.

Amidon-Walsh-Shahine in view of Jones (Ground 5), or, alternatively, Amidon-Walsh-Shahine-Kraft in view of Jones (Ground 6), renders obvious this claim for the reasons set forth in the Petition. Pet., 81-82; EX1003, ¶¶269-72.

VIII. CONCLUSION

For the foregoing reasons, substitute claims 24-36 are unpatentable.

Respectfully submitted,

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Claims Appendix – Patent Owner's Proposed Substitute Claims

(Patent Owner's proposed additional limitations shown in underline)

Substitute Claim 24

Element	Claim Language
[24.P]	A method of presenting targeted advertising in a situational network, the method comprising:
[24.A]	receiving a plurality of advertisements from at least one advertising entity;
[24.B]	obtaining an indication of an occurrence of a situation;
[24.C]	automatically connecting devices corresponding to a plurality of individuals to the situational network established in response to the situation,
[24.D]	wherein establishing the situation network comprises establishing an event node hosted by an event node server within a N-dimensional social network and connecting the event node to a plurality of existing nodes within the social network, said plurality of existing nodes corresponding with the plurality of individuals;
[24.E]	causing an automatic redirection of a web browser application operating on each of the devices to a webpage containing information related to the situation; and
[24.F]	providing to each of the devices at least one of the plurality of advertisements for display on the webpage based on determining an affiliation of the corresponding individual to the situation, wherein the affiliation is based at least in part on an effect of the situation on the corresponding individual or their property.

Substitute Claim 25

Element	
[25]	The method of claim 24, wherein the affiliation is based at least in part on the location of the at least one individual.

Substitute Claim 26

Element	
[26]	The method of claim 25, wherein the location of the at least one individual is determined using positional coordinates obtained from the connected device.

Substitute Claim 27

Element	
[27]	The method of claim 24, wherein the affiliation is based at least in part on a profile for the at least one individual.

Substitute Claim 28

Element	
[28]	The method of claim 24, wherein the profile is stored on the connected device.

Substitute Claim 29

Element	
[29]	The method of claim 24, wherein the indication is obtained by a situation authority.

Substitute Claim 30

Element	
[30]	The method of claim 29, wherein the situation authority establishes an event node in a multi-dimensional personal information network corresponding to the situation and the devices include personal information aggregators, each personal information aggregator corresponding to a node in the multi-dimensional personal information network.

Substitute Claim 31

Element	
[31]	The method of claim 24, wherein the situation is a weather phenomenon.

Substitute Claim 32

Element	
[32]	The method of claim 24, wherein some of the plurality of advertisements provide notifications about services relevant to the situation.

Substitute Claim 33

Element	
[33]	The method of claim 24, wherein the affiliation is based in part on a projection of the situational network that includes the corresponding individual, each individual in the projection having the same affiliation with the situation.

Substitute Claim 34

Element	
[34]	The method of claim 33, wherein the projection is a geographic projection of nodes of the situational network.

Substitute Claim 35

Element	
[35.P]	A system for presenting targeted advertising in a situational network, the system comprising:
[35.A]	a central server, corresponding to a situation authority,
[35.B]	configured to <u>establish the situation network by establishing an event node within a N-dimensional social network and connecting the event node to a plurality of existing nodes within the social network, wherein the existing nodes correspond to a plurality of individuals,</u>

[35.C]	receive a plurality of advertisements from at least one advertising entity,
[35.D]	obtain an indication of an occurrence of a situation,
[35.E]	automatically connect devices corresponding to a plurality of individuals to the situational network established in response to the situation,
[35.F]	cause an automatic redirection of a web browser application operating on each of the devices to a webpage containing information related to the situation,
[35.G]	provide at least one of the plurality of advertisements to each of the devices for display on the webpage based on determining an affiliation of the corresponding individual to the situation, wherein the affiliation is based at least in part on an effect of the situation on the corresponding individual or their property; and
[35.H]	a database associated with the central server for storing information related to availability of a service at a plurality of service locations affected by the situation; and
[35.I]	a plurality of devices, each device corresponding to an individual connected via the situational network, configured to connect to the central server, and receive at least one of the advertisements based on the affiliation of the respective individual to the situation.

Substitute Claim 36

Element	
[36]	The systems of claim 35, wherein at least one device of the plurality of devices is a personal information aggregator.

CERTIFICATION OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PETITIONER'S OPPOSITION TO PATENT OWNER'S CONTINGENT MOTION TO AMEND** was served in its entirety on February 26, 2025 upon the following parties via electronic mail:

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