

EXHIBIT F101

Subject Matter Ineligibility Contentions for U.S. Pat. No. 10,701,173 (“the ’173 patent”)

U.S. Patent No. 10,701,173 (“the ’173 patent”) is entitled “Caching in a content delivery framework.” These ineligibility contentions are based on Defendant’s present understanding of the Asserted Claims (claims 1, 2, 3, 4, 5, 6, 7) and Sandpiper’s apparent construction of the Asserted Claims in its Infringement Contentions (“Infringement Contentions”).

The Asserted Claims of the ’173 patent are directed to an unpatentable, abstract idea because they claim no more than the “longstanding,” “routine,” and “conventional” concept of checking expiration and updating content before serving. *Interval Licensing LLC v. AOL, Inc.*, 896 F.3d 1335, 1346 (Fed. Cir. 2018) (“the content data update instructions, which enable updating the displayed information, are recited only at the broadest, functional level, without explaining how that is accomplished, let alone providing a technical means for performing that function.”); *id.* (monitoring a condition and acting (deciding whether to show content based on a rule) was abstract); *OIP Techs., Inc. v. Amazon.com, Inc.*, 788 F.3d 1359, 1363 (Fed. Cir. 2015) – automating a price based on customer response (a demand-based decision rule) was abstract.; *Alice Corp. Pty. Ltd. v. CLS Bank Int’l*, 134 S. Ct. 2347 (2014); *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 132 S. Ct. 1289 (2012); *Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1354 (Fed. Cir. 2016) (“The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions.”); *Miller Mendel, Inc. v. City of Anna, Texas*, 107 F.4th 1345, 1352 (Fed. Cir.), cert. denied, 145 S. Ct. 593, 220 L. Ed. 2d 231 (2024) (“These steps demonstrate that the claims are directed to receiving, storing, transmitting, determining, selecting, and generating information, which place them in the ‘familiar class of claims directed to a patent-ineligible concept.’”); *Trinity Info Media, LLC v. Covalent, Inc.*, 72 F.4th 1355, 1362 (Fed. Cir. 2023); *Elec. Commc’n Techs., LLC v. ShoppersChoice.com, LLC*, 958 F.3d 1178, 1182 (Fed. Cir. 2020) (finding “gathering, storing, and transmitting information” abstract); *Trading Techs. Int’l, Inc. v. IBG, LLC*, 921 F.3d 1084 (Fed. Cir. 2019); *ChargePoint, Inc. v. SemaConnect, Inc.*, 920 F.3d 759 (Fed. Cir. 2019); *SAP America, Inc. v. InvestPic, LLC*, 898 F.3d 1161 (Fed. Cir. 2018); *Interval Licensing LLC v. AOL, Inc.*, 896 F.3d 1335 (Fed. Cir. 2018); *Aatrix Software, Inc. v. Green Shades Software, Inc.*, 882 F.3d 1121 (Fed. Cir. 2018); *Two-Way Media Ltd. v. Comcast Cable Commc’ns, LLC*, 874 F.3d 1329 (Fed. Cir. 2017), cert. denied, 139 S. Ct. 378 (2018); *Intellectual Ventures I LLC v. Capital One Fin. Corp.*, 850 F.3d 1332 (Fed. Cir. 2017); *Apple, Inc. v. Ameranth, Inc.*, 842 F.3d 1229 (Fed. Cir. 2016); *Affinity Labs of Texas, LLC v. DIRECTV, LLC*, 838 F.3d 1253 (Fed. Cir. 2016); *Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350 (Fed. Cir. 2016); *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327 (Fed. Cir. 2016); *Genetic Techs. Ltd. v. Merial L.L.C.*, 818 F.3d 1369 (Fed. Cir. 2016); *Intellectual Ventures I LLC v. Capital One Bank (USA)*, 792 F.3d 1363 (Fed. Cir. 2015); *Internet Patents Corp. v. Active Network, Inc.*, 790 F.3d 1343 (Fed. Cir. 2015); *OIP Techs., Inc. v. Amazon.com, Inc.*, 788 F.3d 1359 (Fed. Cir. 2015); *Content Extraction & Transmission LLC v. Wells Fargo Bank, Nat’l Ass’n*, 776 F.3d 1343 (Fed. Cir. 2014); *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245 (Fed. Cir. 2014); *buySAFE, Inc. v. Google, Inc.*, 765 F.3d 1350 (Fed. Cir. 2014); *Digitech Image Techs., LLC v. Elecs. for Imaging, Inc.*, 758 F.3d 1344 (Fed. Cir. 2014); *CyberSource Corp. v. Retail Decisions, Inc.*, 654 F.3d 1366 (Fed. Cir. 2011); *Automated Tracking Sols., LLC v. Coca-Cola Co.*, 723 F. App’x 989 (Fed. Cir. 2018); *EasyWeb Innovations, LLC v. Twitter*,

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Inc., 689 F. App’x 969, 971 (Fed. Cir. 2017). Further, because they are altogether devoid of any “inventive concept,” the Asserted Claims of the ’173 patent are patent ineligible under § 101. *See Alice*, 573 U.S. at 224–25.

The *Alice* test requires the Court to look at the “focus of the claimed advance over the prior art to determine if the claim’s character as a whole is directed to excluded subject matter.” *Affinity Labs of Tex., LLC v. DIRECTV, LLC*, 838 F.3d 1253, 1257 (Fed. Cir. 2016) (quotation and citation omitted). Here, the purported “advance” claimed in the ’173 patent relates to the abstract idea of checking whether data has expired before serving.

The Asserted Claims lack an inventive concept because they rely on conventional methods and routine operations already widely used. The ’173 patent’s specification describes the use of generic components in carrying out the steps recited in the Asserted Claims. By way of example, “[p]rocessor(s) 404 can be any known processor, such as, but not limited to, an Intel® Itanium® or Itanium 2® processor(s), AMD® Opteron® or Athlon MP® processor(s), or Motorola® lines of processors.” ’173 patent at 6:47-50. Similarly, “[c]ommunication port 414 can be any of an RS-232 port for use with a modem based dial-up connection, a 10/100 Ethernet port, a Gigabit port using copper or fiber, or a USB port. Communication port(s) 414 may be chosen depending on a network such as a Local Area Network (LAN), a Wide Area Network (WAN), or any network to which the computer system connects.” ’173 patent at 6:50:57.

As of the alleged priority date for the ’173 patent (December 15, 2014), the relevant industry was well-developed. Content delivery networks and related server architectures had been around for years. Further, all individual elements disclosed and recited in the ’173 patent were conventional, routine, and well-known in the industry. *See generally* Exhibits F1-F14. For example, it was well known to use a cache server which “is a dedicated network server or service acting as a server in a content delivery network that temporarily stores content for access by users.” *See, e.g.*, Exhibits F6 (Middleton) at 1[Pre]; Exhibits F1 (O’Rourke) at 1[Pre]; ’173 patent at 2:7–9. It was also known to use “cache policies” which “may define when the cache engine should delete cached media content and when the cache engine should download and cache particular media content for expected future access by one or more clients.” Exhibits F1 (O’Rourke) at 1[Pre], 1[a], 1[b]. The ’173 patent admits the existence of “cache directives” such as “HTTP caching directives such as described in Internet Engineering Task Force (IETF) Request for Comments (RFC) 7234, “Hypertext Transfer Protocol (HTTP/1.1): Caching.” ’173 patent at 3:20-27. Indeed, none of these concepts was new or merely on the verge of development as of the alleged priority date of the ’173 patent. Instead, these concepts had been known for years and were the subject of many published articles and/or patents from around the world. The ’173 patent contributed nothing beyond what was already conventional, routine, well-known technology as of the relevant time period.

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The Primary “Advance”: Checking Expiration and Updating Content Before Serving

The main purported advance of the ’173 patent over the prior art is to use “late binding of caching policies.” ’173 patent at Abstract; Complaint at ¶¶ 89-90. Sandpiper alleges that this method “ensur[es] the most up-to-date rules are applied without forcing content invalidation” and the “framework allows CDNs to manage content delivery efficiently, handle policy overrides flexibly, and adapt dynamically to client or subscriber needs while minimizing disruptions.” Complaint at ¶ 89 (citing ’173 patent at 4:28-6:36). However, this purported advance does not claim any improvement to the underlying computer technology or network architecture. The asserted claims recite purely functional steps—“determining a time period for expiration of content in the cache” and “determining...whether it is acceptable to serve the content that is cached locally”—that amount to generic computer operations for managing data. But the ’173 patent does not purport to have invented cache policies. Further, the Asserted Claims recite purely functional terms that fail to transform the claimed abstract idea beyond the conventional computer tasks. *Bot M8 LLC v. Sony Corp. of Am.*, 465 F. Supp. 3d 1013, 1025 (N.D. Cal. 2020) (“Though given special names, each part remains a generic computer part invoked to effect the conventional computer task of gathering, manipulating, transmitting, and using data.”); *AI Visualize, Inc. v. Nuance Commc’ns, Inc.*, 97 F.4th 1371, 1378 (Fed. Cir. 2024) (“We have explained that the steps of obtaining, manipulating, and displaying data, particularly when claimed at a high level of generality, are abstract concepts.”); *Elec. Power Grp. LLC v. Alstom S.A.*, 830 F.3d 1350, 1354 (Fed Cir. 2016) (finding “a process of gathering and analyzing information of a specified content, then displaying the results” abstract); *Intell. Ventures I LLC v. Capital One Bank (USA)*, 792 F.3d 1363, 1369 (Fed. Cir. 2015) (finding “tailoring content based on the [user’s] location” abstract); *buySAFE, Inc. v. Google, Inc.*, 765 F.3d 1350, 1355 (Fed. Cir. 2014) (claiming “a computer receiv[ing] and send[ing] information over a network – with no further specification – is not even arguably inventive”).

Further, the claims are drafted using largely (if not entirely) result-focused functional language, containing no specificity about how the purported invention achieves those results. Claims of this nature are almost always found to be ineligible for patenting under Section 101. *See Beteiro, LLC v. DraftKings Inc.*, 104 F.4th 1350, 1356 (Fed. Cir. 2024) (finding subject matter ineligible a patent “using largely (if not entirely) result-focused functional language, containing no specificity about how the purposed invention achieves those results” because “[c]laims of this nature are almost always found to be ineligible for patent under Section 101”). Yet the ’173 patent’s specification offers no guidance as to what claim terms mean or how to make sense of its illustrative embodiments and figures. Because the claims stand in isolation and are untethered to any disclosure in the specification, their terms

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are abstract monikers rather than concrete descriptions of the claimed invention. Additionally, the ’173 patent does not disclose motivations behind the alleged invention.

Ordered Combination of the Claims Does Not Confer Eligibility

The ordered combinations of limitations does not shelter the claims from ineligibility because each of the Asserted Claims simply uses “conventional ordering of steps . . . with conventional technology to achieve [their] desired result.” *Two-Way*, 874 F.3d at 1339. The combination of elements in the Asserted Claims do not result in an inventive concept because “the claims do not recite particular features to yield” the advantages of any purported combination. *See Intell. Ventures I LLC v. Capital One Fin. Corp.*, 850 F.3d 1332, 1342 (Fed. Cir. 2017). “[T]he claim language here provides only a result-oriented solution, with insufficient detail for how a computer accomplishes it.” *Id.*

Claim 1 of the ’173 patent is representative of all claims in the ’173 patent. *See, e.g., Phoenix Licensing, LLC v. Consumer Cellular, Inc.*, No. 2:16-cv-152-JRG-RSP, 2017 WL 1065938, at *8–9 (E.D. Tex. Mar. 8, 2017); *Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat’l Ass’n*, 776 F.3d 1343, 1349 (Fed. Cir. 2014). When claims are “substantially similar and linked to the same” ineligible concept, it is proper to treat a single claim as representative. *Cleveland Clinic Found. v. True Health Diagnostics LLC*, 859 F.3d 1352, 1360 (Fed. Cir. 2017) (internal quotation marks omitted); *see also Content Extraction & Transmission LLC v. Wells Fargo Bank, N.A.*, 776 F.3d 1343, 1348 (Fed. Cir. 2014). Indeed, the other claims of the ’173 patent are substantially and substantively similar to Claim 1 of the ’173 patent, and they are therefore not patent eligible for the same reasons.

The dependent claims add only post-solution activity and well-known, conventional concepts that do not confer patent eligibility. *Apple, Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1244 (Fed. Cir. 2016) (“[A]ppending preexisting practice[s] to [] independent claims does not make them patentable.”); *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 566 U.S. 66, 132 S. Ct. 1289, 1297–98, 1300–01 (2012); *Bilski v. Kappos*, 561 U.S. 593, 610 (2010); *see also Clear with Computers, LLC v. Dick’s Sporting Goods, Inc.*, 21 F. Supp. 3d 758, 763 (E.D. Tex. 2014) (noting limitations must “do more than recite pre- or post-solution activity, they [must be] central to the solution itself” to be meaningful) (quotations omitted).

Similar to the claim limitations in the representative Claim 1, the added claim limitations consist of generic components used for their conventional purpose, and thus they do not alter the § 101 analysis. Claim 1 is thus representative for the § 101 analysis. *See PPS Data, LLC v. Jack Henry & Assocs., Inc.*, No. 2:18-cv-00007-JRG, 2019 WL 1317286, at *5 (E.D. Tex. Mar. 21, 2019) (articulating that defendants first bear the burden of demonstrating a claim is representative, which then shifts to the plaintiff to identify a difference

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material to the § 101 analysis); *see also Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat’l Ass’n*, 776 F.3d 1343, 1348 (Fed. Cir. 2014).

This chart is subject to all reservations, objections, and disclaimers in Defendant’s Invalidity Contentions and any amendment, supplement, or modification thereof, which are incorporated by reference in their entirety. Nothing stated herein will be treated as an admission or suggestion that Defendant agrees with Sandpiper regarding the scope of the Asserted Claims, Sandpiper’s apparent claim constructions, or the accuracy of any particular claim construction. Defendant reserves all rights to challenge any of the claim terms herein under 35 U.S.C. § 112, including by arguing that they are indefinite, are unsupported by the written description, and/or are not enabled. Defendant further reserves all rights to amend this invalidity claim chart without leave of court under the Court’s Scheduling Order, or upon a showing of good cause.

This disclosure is not an admission that Defendant concedes any claim construction implied or suggested by Sandpiper’s apparent positions as to the scope of the patent’s claims, nor is it an admission by Defendant that any of its products are covered by or infringe the patent’s claims, particularly when they are properly construed and applied. Defendant is not taking any claim construction positions through this disclosure, including whether the preamble is a limitation.

Defendant reserves the right to rely on additional citations or sources of evidence that also may be applicable, or that may become applicable in light of claim construction, changes in Sandpiper’s infringement contentions, and/or information obtained during discovery as the case progresses. Defendant further reserves the right to amend or supplement this claim chart at a later date as more fully set forth in the Invalidity and Subject Matter Eligibility Contentions.

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1[pre] A computer-implemented method, operable with a content delivery network (CDN), the method comprising:	Claim 1 is directed to an abstract idea. Claim 1 (and similar claims) of the ’173 patent relates to “[a] computer-implemented method, operable with a content delivery network (CDN).” ’173 patent at 1:25–32. At the most basic level, the claims of the ’173 patent are directed to checking expiration and updating content before serving. Under <i>Alice</i> Step 1, that idea is abstract, as it relates to a fundamental long prevalent practice. See <i>Intellectual Ventures I LLC v. Symantec Corp.</i>, 838 F.3d 1307, 1314 (Fed. Cir. 2016). A claim is drawn to an abstract idea when “humans have always performed [the claimed] functions.” <i>Content Extraction & Transmission LLC v. Wells Fargo Bank, NA</i>, 776 F.3d 1343, 1347 (Fed. Cir. 2014). Limiting the invention to a particular technological environment “do[es] not render an otherwise abstract concept any less abstract.” <i>Intellectual Ventures I LLC v. Capital One Fin. Corp.</i>, 850 F.3d 1332, 1340 (Fed Cir. 2017). Furthermore, because the patent relates to transmission of information, it is likewise abstract, as “information is . . . an intangible.” <i>Electric Power Group, LLC v. Alstom S.A.</i>, 830 F.3d 1350, 1353 (Fed. Cir. 2016). Claim 1 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The ’173 patent Asserted Claims employ well-known components or functionality which is not enough to impart patent eligibility of an abstract idea. The ’173 patent’s specification describes the use of generic components in carrying out the steps in Claim 1. See, e.g., ’173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants’ Invalidity Contentions cover pleadings—including prior art references cited in Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. See Exs. F1-F14 at all disclosures for Element [1pre]; Appendix F at Element [1pre].

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1[a] (A) in response to a request for content, determining, by a node in the CDN, if the content is cached locally at the node;	At the time of the alleged invention, this element was well understood, routine, and/or conventional. Claim 1 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The ’173 patent Asserted Claims employ well-known components or functionality which is not enough to impart patent eligibility of an abstract idea. The ’173 patent’s specification describes the use of generic components in carrying out the steps in Claim 1. <i>See, e.g.</i>, ’173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants’ Invalidity Contentions cover pleadings—including prior art references cited in Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. <i>See</i> Exs. F1-F14 at all disclosures for Element [1a].
1[b] (B) when it is determined by the node that said content is cached locally, then, after determining that the content is cached locally: 1[b][1] (B)(1) determining, by the node, a current cache policy associated with the content, wherein determining the current cache policy comprises determining a time period for expiration of content in the cache; and then	At the time of the alleged invention, this element was well understood, routine, and/or conventional. Claim 1 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The ’173 patent Asserted Claims employ well-known components or functionality which is not enough to impart patent eligibility of an abstract idea. The ’173 patent’s specification describes the use of generic components in carrying out the steps in Claim 1. <i>See, e.g.</i>, ’173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants’ Invalidity Contentions cover pleadings—including prior art references cited in Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. <i>See</i> Exs. F1-F14 at all disclosures for Element [1b] and [1b1]; Appendix F at Element [1b] and [1b1].

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1[b][2] then (B)(2) determining, by the node and based on said current cache policy associated with the content, whether it is acceptable to serve the content that is cached locally;	At the time of the alleged invention, this element was well understood, routine, and/or conventional. Claim 1 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The ’173 patent Asserted Claims employ well-known components or functionality which is not enough to impart patent eligibility of an abstract idea. The ’173 patent’s specification describes the use of generic components in carrying out the steps in Claim 1. <i>See, e.g.</i>, ’173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants’ Invalidity Contentions cover pleadings—including prior art references cited in Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. <i>See</i> Exs. F1-F14 at all disclosures for Element [1b2]; Appendix F at Element [1b2].
1[b][3] (B)(3) based on said determining in (B)(2), (i) when it is not acceptable to serve the content that is cached locally, obtaining, by the node, a new version of the content and then serving, by the node, the new version of the content, and	At the time of the alleged invention, this element was well understood, routine, and/or conventional. Claim 1 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The ’173 patent Asserted Claims employ well-known components or functionality which is not enough to impart patent eligibility of an abstract idea. The ’173 patent’s specification describes the use of generic components in carrying out the steps in Claim 1. <i>See, e.g.</i>, ’173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants’ Invalidity Contentions cover pleadings—including prior art references cited in Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. <i>See</i> Exs. F1-F14 at all disclosures for Element [1b3]; Appendix F at Element [1b3].
1[b][4] (ii) when it is acceptable to serve the content that is cached locally, serving, by the	At the time of the alleged invention, this element was well understood, routine, and/or conventional.

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node, the content that is cached locally.	Claim 1 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The '173 patent Asserted Claims employ well-known components or functionality which is not enough to impart patent eligibility of an abstract idea. The '173 patent's specification describes the use of generic components in carrying out the steps in Claim 1. <i>See, e.g.,</i> '173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants' Invalidity Contentions cover pleadings—including prior art references cited in Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. <i>See</i> Exs. F1-F14 at all disclosures for Element [1b4]; Appendix F at Element [11b4].
2. The method as recited in claim 1 further comprising: (C) when it is determined that said content is not cached locally, then (C)(1) obtaining the content and then (C)(2) serving the content obtained in (C)(1).	At the time of the alleged invention, this element was well understood, routine, and/or conventional. Claim 2 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The '173 patent Asserted Claims employ well-known components or functionality which is not enough to impart patent eligibility of an abstract idea. The '173 patent's specification describes the use of generic components in carrying out the steps in Claim 2. <i>See, e.g.,</i> '173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants' Invalidity Contentions cover pleadings—including prior art references cited in Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. <i>See</i> Exs. F1-F14 at all disclosures for Element [2]; Appendix F at Element [2].
3. The method as recited in claim 1 wherein the request comprises an HTTP request and wherein the content comprises one or more resources.	At the time of the alleged invention, this element was well understood, routine, and/or conventional. Claim 3 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The '173 patent Asserted Claims employ well-known components or

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	functionality which is not enough to impart patent eligibility of an abstract idea. The ’173 patent’s specification describes the use of generic components in carrying out the steps in Claim 3. <i>See, e.g.</i>, ’173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants’ Invalidity Contentions cover pleadings—including prior art references cited in Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. <i>See</i> Exs. F1-F14 at all disclosures for Element [3]; Appendix F at Element [3].
4. The method as recited in claim 1 wherein the current cache policy is determined from a location distinct from the node.	At the time of the alleged invention, this element was well understood, routine, and/or conventional. Claim 4 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The ’173 patent Asserted Claims employ well-known components or functionality which is not enough to impart patent eligibility of an abstract idea. The ’173 patent’s specification describes the use of generic components in carrying out the steps in Claim 4. <i>See, e.g.</i>, ’173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants’ Invalidity Contentions cover pleadings—including prior art references cited in Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. <i>See</i> Exs. F1-F14 at all disclosures for Element [4]; Appendix F at Element [4].
5. The method as recited in claim 4 wherein the location is a database.	At the time of the alleged invention, this element was well understood, routine, and/or conventional. Claim 5 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The ’173 patent Asserted Claims employ well-known components or functionality which is not enough to impart patent eligibility of an abstract idea. The ’173 patent’s specification describes the use of generic components in carrying out the steps in Claim 5. <i>See, e.g.</i>, ’173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants’ Invalidity Contentions cover pleadings—including prior art references cited in

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	Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. <i>See</i> Exs. F1-F14 at all disclosures for Element [5]; Appendix F at Element [5].
6. The method as recited in claim 1 wherein the cache policy relates to caching content within the CDN.	At the time of the alleged invention, this element was well understood, routine, and/or conventional. Claim 6 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The ’173 patent Asserted Claims employ well-known components or functionality which is not enough to impart patent eligibility of an abstract idea. The ’173 patent’s specification describes the use of generic components in carrying out the steps in Claim 6. <i>See, e.g.</i>, ’173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants’ Invalidity Contentions cover pleadings—including prior art references cited in Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. <i>See</i> Exs. F1-F14 at all disclosures for Element [6]; Appendix F at Element [6].
7. The method as recited in claim 6 wherein the cache policy also relates to caching content outside the CDN.	At the time of the alleged invention, this element was well understood, routine, and/or conventional. Claim 7 lacks an inventive concept because it relies on conventional methods and routine operations already widely used. At the time of the alleged invention, the elements of the Asserted Claims were well understood, routine, and/or conventional in the field of wireless communications. The ’173 patent Asserted Claims employ well-known components or functionality which is not enough to impart patent eligibility of an abstract idea. The ’173 patent’s specification describes the use of generic components in carrying out the steps in Claim 7. <i>See, e.g.</i>, ’173 patent at 6:47-50; 6:50:57. In addition, the prior art references cited in Defendants’ Invalidity Contentions cover pleadings—including prior art references cited in Exs. F1-F14—establish the well-understood, routine, and conventional nature of the claims. <i>See</i> Exs. F1-F14 at all disclosures for Element [7]; Appendix F at Element [7].