Plaintiff's Preliminary Infringement Contentions
Exhibit C

U.S. Pat. No. 10,664,141
Methods and Apparatus for Managing and Exchanging Information Using Information Objects

US 10,664,141

1. A computer-implemented method, in which at least one computer initiates execution of software instructions to perform computer processes, the method being for interacting with at least one data item obtained from at least one source, the computer processes comprising:

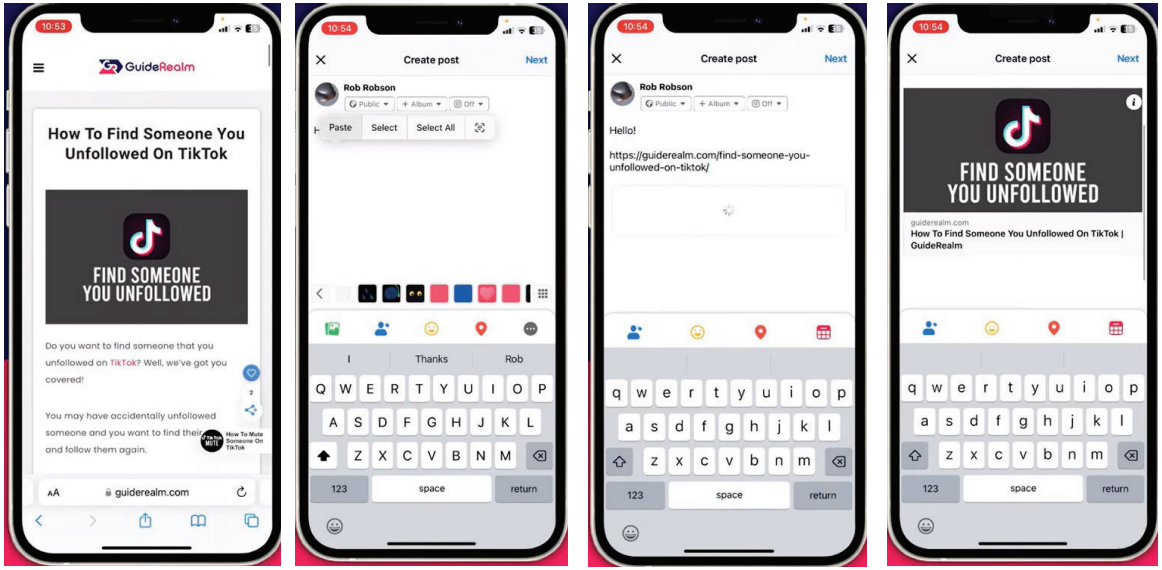
- Defendant through its provision of the Facebook application and/or website, practices the claimed computer implemented method. Defendant infringes the accused method in at least two scenarios.

- In the first scenario, Defendant provides a mobile application which contains software resident on a user's device. This can include applications resident on a range of consumer electronic devices, including but not limited to smartphones, tablets, desktop computers, and laptops.

- In the second scenario, Defendant allows access to its Facebook website platform via a browser or other website interface. Defendant's website platform is similarly accessible via the web browser application of a range of consumer electronic devices including but not limited to smartphones, tablets, computers, laptops, and smart tv's. This resident application software allows access to, and interacts with, Defendant's Facebook platform.

- Under both scenarios, Defendant practices (in whole or in part) the claimed method through execution of software instructions on its backend servers of its Facebook platform as explained further below.

- The infringing methodology set forth by this claim chart applies equally to both scenarios unless otherwise indicated. To be clear, the use of an exemplary photo showing infringement under the first or second scenario would equally apply to infringement under the other scenario.



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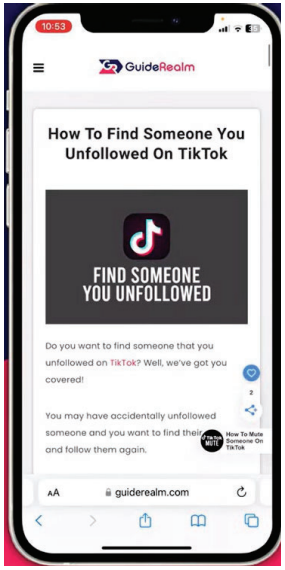
US 10,664,141

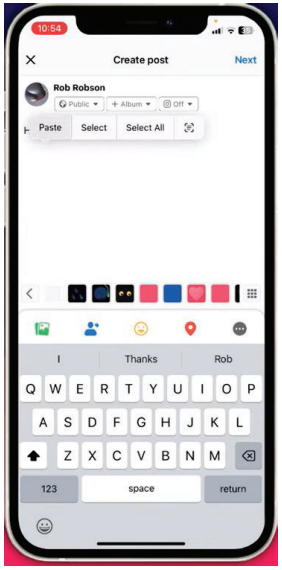
1. A computer-implemented method, in which at least one computer initiates execution of software instructions to perform computer processes, the method being for interacting with at least one data item obtained from at least one source, the computer processes comprising:

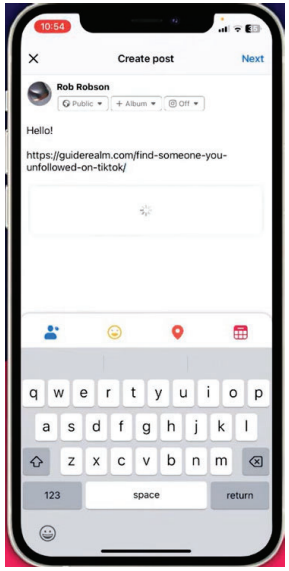
- Defendant through its provision of the Facebook application and/or website, practices the claimed computer implemented method in which at least one computer initiates execution of software instructions to perform computer processes, the method being for interacting with at least one data item obtained from at least one source, wherein the at least one source is external to the computer.

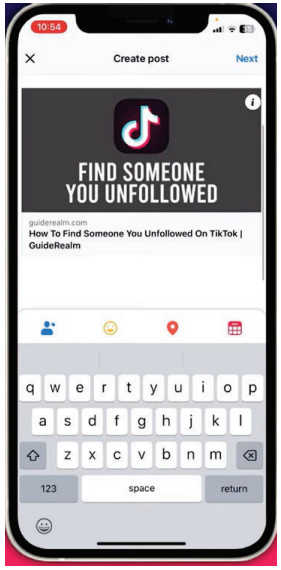
- The first photo represents a data item obtained from a source that is external to the at least one computer. In this example, the data item corresponds to an article hosted via a third-party website, namely, an article titled How to Find Someone You Unfollowed on TikTok via the website guiderealm.com.

- Photographs 2-4 represent the method whereby Defendant interacts with at least one data item obtained from at least one external source.









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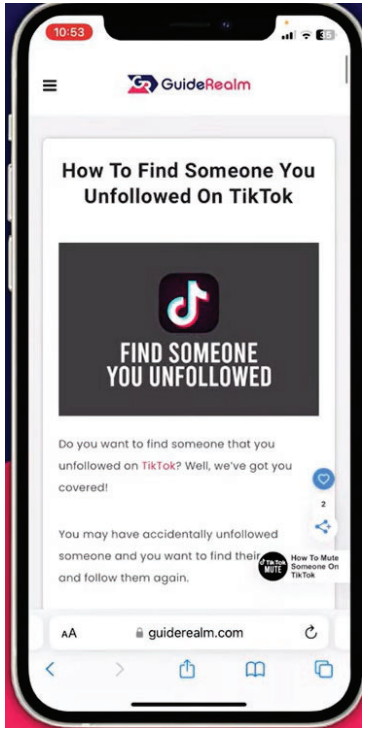
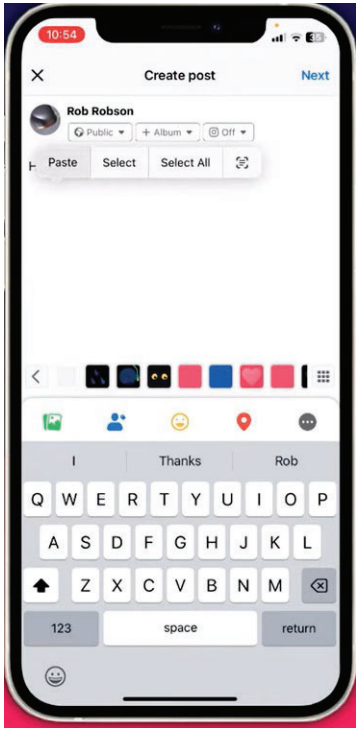
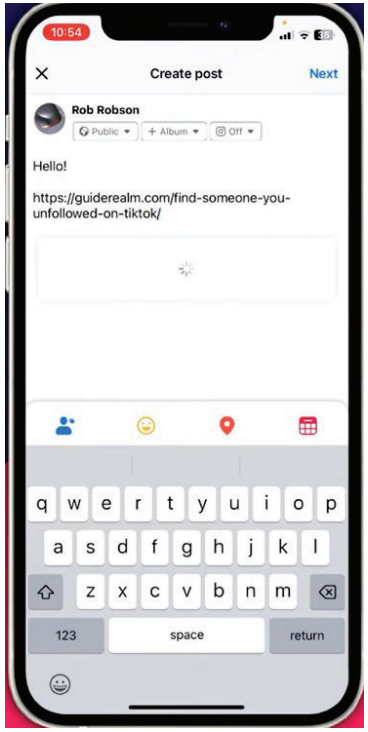
(a) responsive to a user selection of the at least one data item:

- Users may make a selection of a data item. In this example, the data item is the third-party web article entitled How to Find Someone You Unfollowed on TikTok.
- Defendant performs a series of steps responsive to the user selection of the at least one data item.
- While users select data items, Plaintiff notes the user's selection is not an affirmative step of the claim. Instead, the claim's focus is on Defendant's actions "responsive to" the user selection.







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(a)(i) causing configuring of each of the data items into a distinct information object by extracting, from each data item, extracted data including a picture, a heading, and a link to the data item, and causing storing of data corresponding to each of the information objects in a database system;

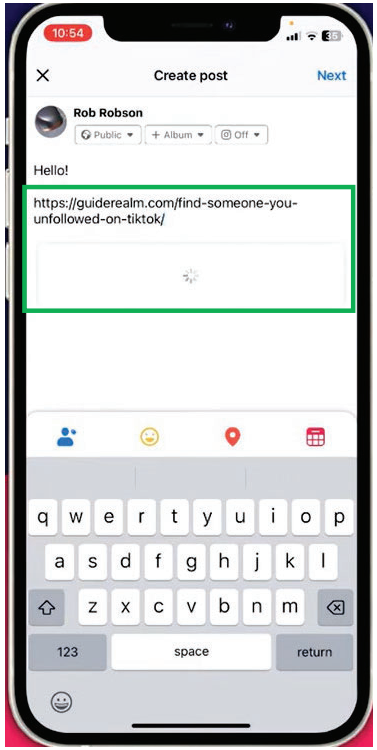
- Defendant causes configuring of each data item into a distinct information object by extracting from each data item extracted data including a picture and a heading, and a link to the data item, and causes storing of data corresponding to each information object in its database system. Upon information and belief, the storing occurs in Defendant's database through its backend servers or local software application.

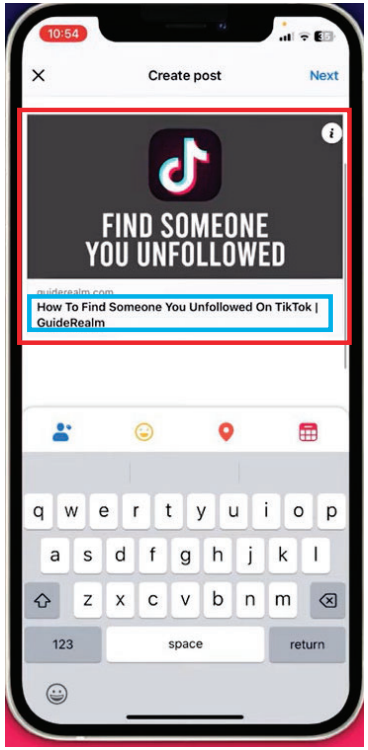
- Responsive to the user pasting a link to an external source (Image 1), Defendant causes the configuring of a data item into a distinct information object (Image 2) by extracting from said data item extracted data including a picture, a heading, and a link to the data item, and causes storing of data corresponding to the information objects in its database system.

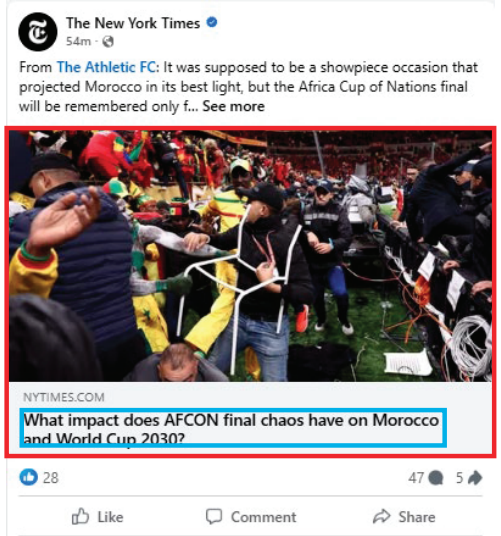
- In the second image, the distinct information object and its corresponding picture and heading are shown.

- Defendant causes storing of data corresponding to each of the information objects in the database system of the Facebook platform.

- In the third image, Defendant further causes storage of data corresponding to each information object in the database system of the Facebook platform.







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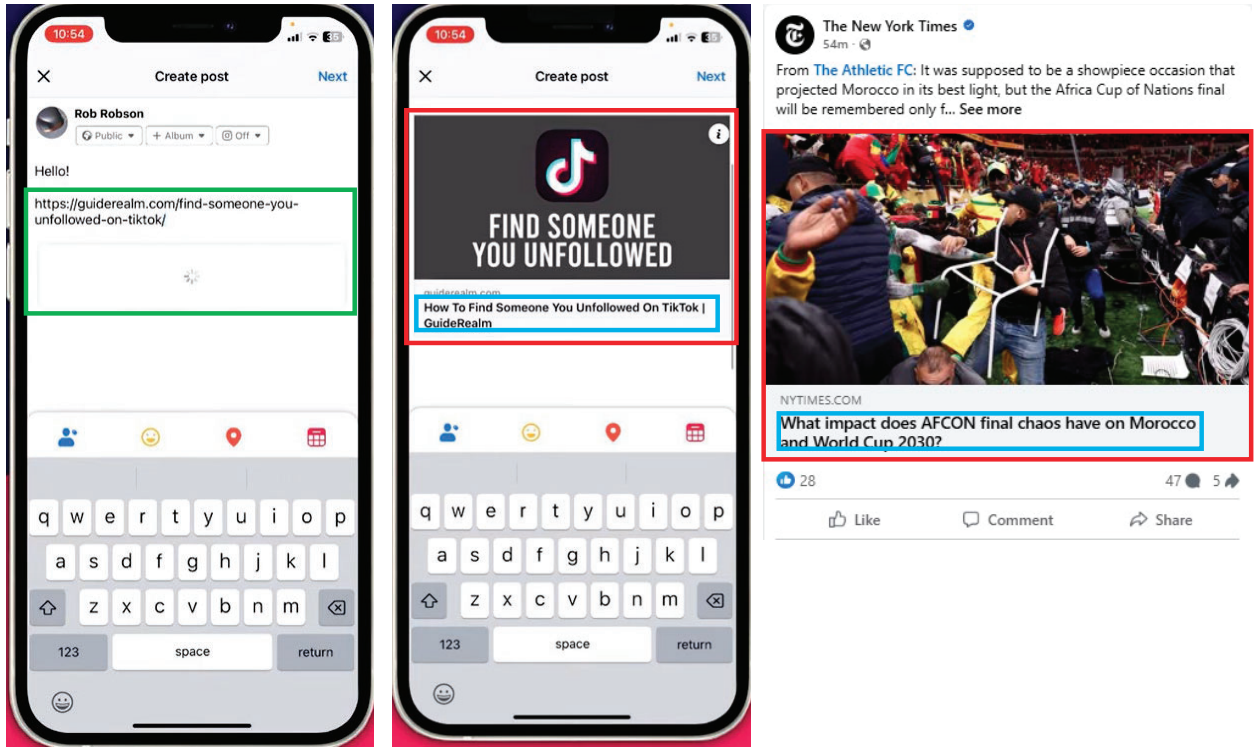
(a)(i) causing configuring of each of the data items into a distinct information object by extracting, from each data item, extracted data including a picture, a heading, and a link to the data item, and causing storing of data corresponding to each of the information objects in a database system;

- In the first scenario of infringement (App Scenario), Defendant's software resident on the user's device works in concert with Defendant's Facebook platform (e.g. its backend servers) to practice the limitations of the Asserted Claims.
- This resident software is found within the Facebook application which previously has been downloaded to the user device.
- On information and belief, the user device executes aspects of the application software in response to input from end users, which cause it to communicate to Defendant's backend servers.
- In this environment, the extracting of data comprising an image, heading, and/or link for a shared article may be performed by Defendant's application software and Defendant's backend servers.
- In this arrangement, Defendant directly infringes under the precedent set fort by *Sirf* and its progeny. To the extent limitations occur at the user's device, those steps are performed automatically by Defendant. *See* Plaintiff's briefing on Defendant's motion to dismiss.
- These preliminary contentions are being provided in advance of receiving any internal technical information from Defendant. To the extent discovery bears out a situation wherein all the above actions for this claim limitation on Defendant's backend server, Defendant would nevertheless meet this limitation through the actions performed by its backend servers.



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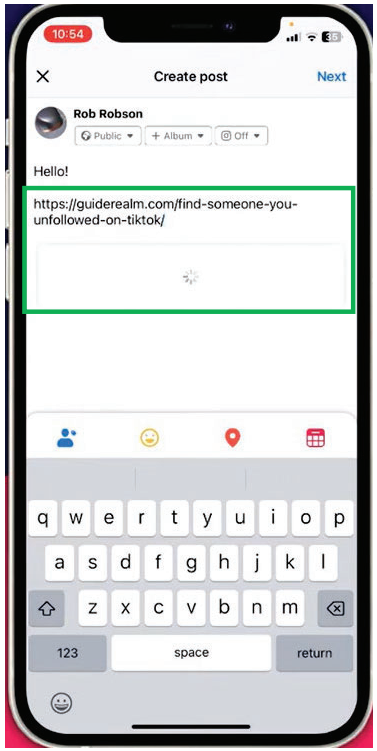
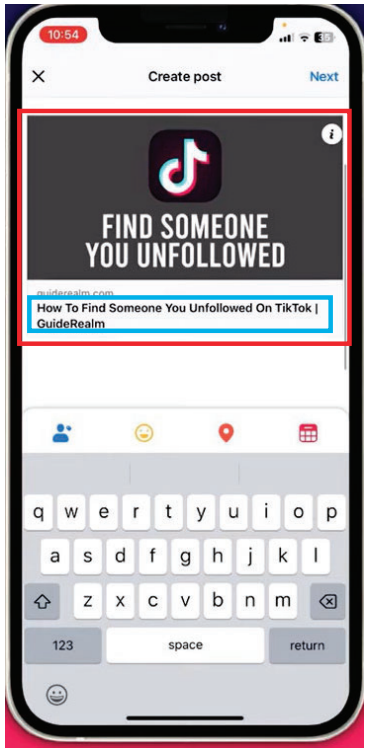
(a)(i) causing configuring of each of the data items into a distinct information object by extracting, from each data item, extracted data including a picture, a heading, and a link to the data item, and causing storing of data corresponding to each of the information objects in a database system;

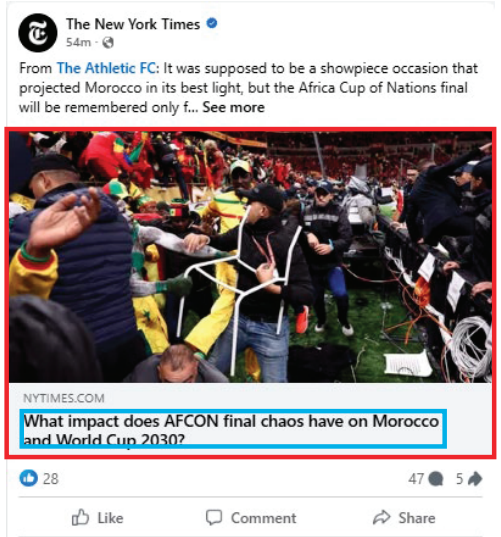
- In the context of the second scenario of infringement (Browser scenario), wherein end users are accessing Facebook using a web browser, on the processing steps claimed are performed by the Facebook platform, e.g., backend servers to configure each of the data items into a distinct information object.

- Upon information and belief, no resident Facebook software exists on the computer or within the browser application. Therefore, Facebook backend servers do all of the processing and simply communicates the results to the browser application for display.

- These preliminary contentions are being provided in advance of receiving any internal technical information from Defendant. To the extent discovery bears out a situation wherein Defendant performs some of the claimed method on its backend servers and another portion occur automatically at the browser, Defendant similarly directly infringes the claimed method under the precedent set fort by *Sirf* and its progeny.







See https://www.facebook.com/nytimes/

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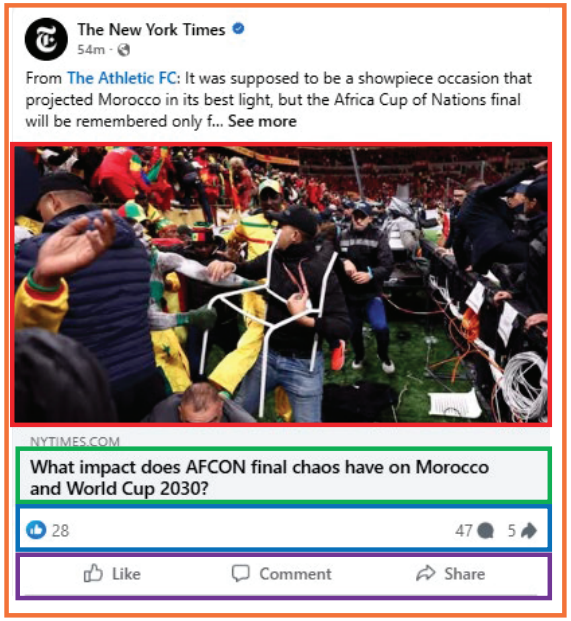
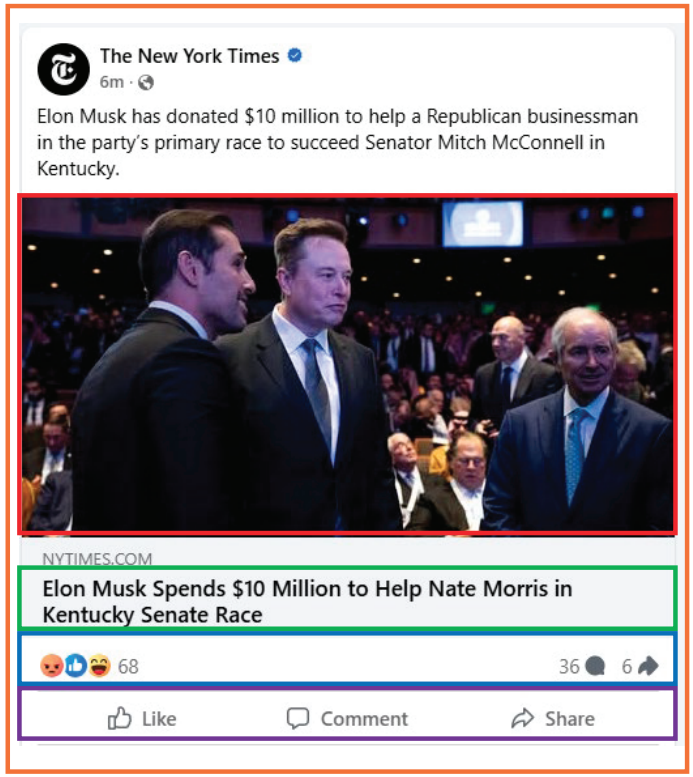
(a)(ii) displaying a representation of each of at least two of the information objects in the database system, the representation being in a uniform format, wherein the format includes a card, and, within the card, in uniform locations thereof, the picture, the heading, a set of indicators, and a set of graphically accessible functions including:

- Defendant displays a representation of each of at least two of the information objects in the database system, the representation being in a uniform format, wherein the format includes a card, and, within the card, in uniform locations thereof the picture, the heading, a set of indicators, and a set of graphically accessible functions.

- Defendant's "Wall", "Timeline", "Profile", "Feed", and/or "Newsfeed" features display each of at least two information objects by the same or different users in the database system. For example, Defendant displays New York Times' Facebook wall which contains representations of two or more information objects in Defendant's database system. Both images are exemplary representations of information objects shown on the New York Times' Facebook wall and are in uniform format.





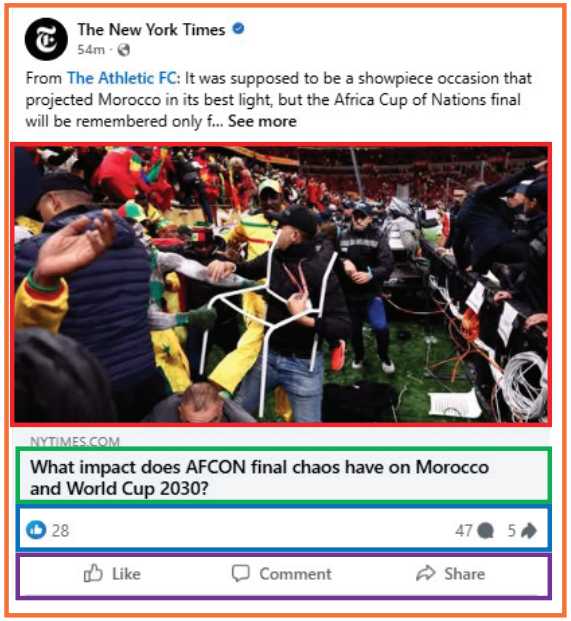
See https://www.facebook.com/nytimes/

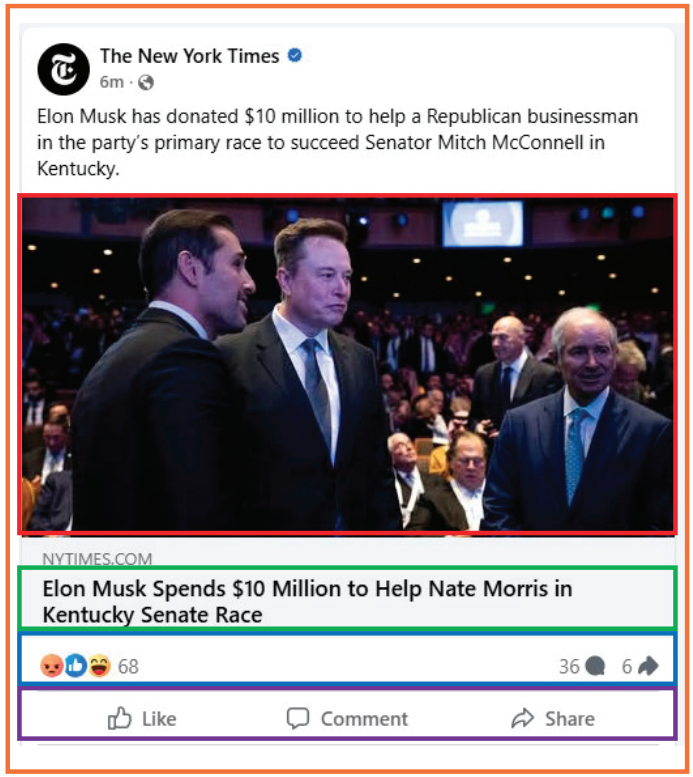
(a)(ii) displaying a representation of each of at least two of the information objects in the database system, the representation being in a uniform format, wherein the format includes a card, and, within the card, in uniform locations thereof, the picture, the heading, a set of indicators, and a set of graphically accessible functions including:

- Under the first scenario of infringement (App scenario), the claimed "displaying a representation" may also be performed in part on the user's device through the execution of the local application software. The backend server network operates to store variable data for use by the application software to cause display of the representation.

- In this arrangement, Defendant directly infringes under the precedent set fort by *Sirf* and its progeny. To the extent limitations occur at the user's device, those steps are performed automatically by Defendant. *See* Plaintiff's briefing on Defendant's motion to dismiss.

- These preliminary contentions are being provided in advance of receiving any internal technical information from Defendant. To the extent discovery bears out a situation wherein all the above actions for this claim limitation on Defendant's backend server, Defendant would nevertheless meet this limitation through the actions performed by its backend servers.

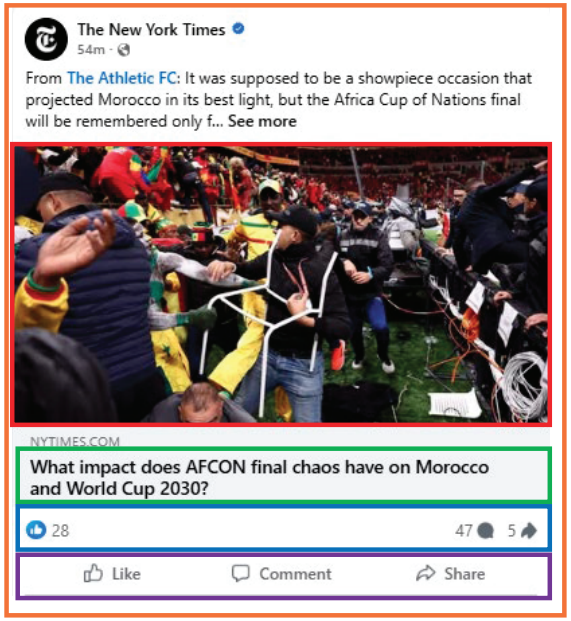


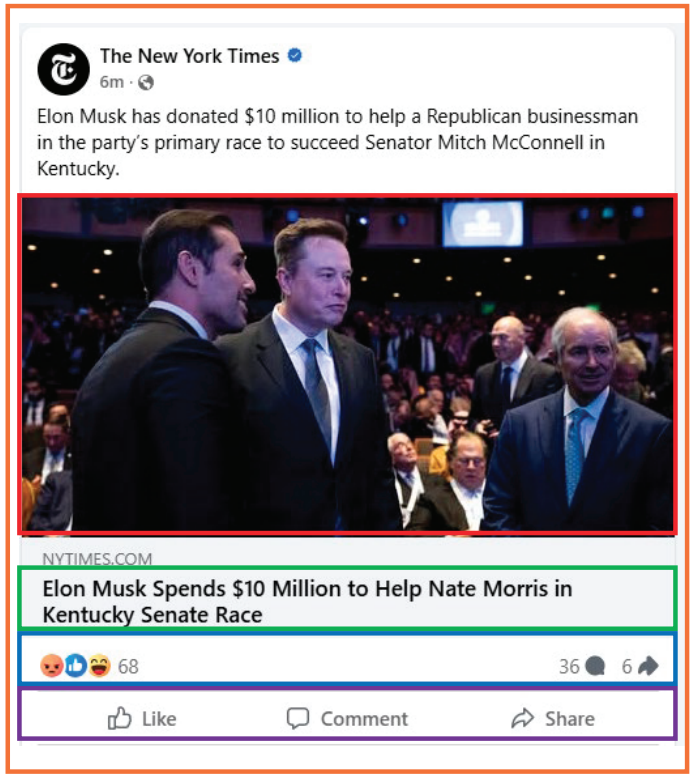


See https://www.facebook.com/nytimes/

(a)(ii) displaying a representation of each of at least two of the information objects in the database system, the representation being in a uniform format, wherein the format includes a card, and, within the card, in uniform locations thereof, the picture, the heading, a set of indicators, and a set of graphically accessible functions including:

- In the context of the second scenario of infringement (Browser scenario), wherein end users are accessing Facebook using a web browser, the processing steps claimed are performed by the Facebook backend to display a representation of at least two of the information objects in the database system.
- Upon information and belief, no resident Facebook software exists on the computer or within the browser application. Therefore, Facebook backend does all of the processing and simply communicates the results to the browser application for display.
- These preliminary contentions are being provided in advance of receiving any internal technical information from Defendant. To the extent discovery bears out a situation wherein Defendant performs some of the claimed method on its backend servers and another portion occur automatically at the browser, Defendant similarly directly infringes the claimed method under the precedent set fort by *Sirf* and its progeny.

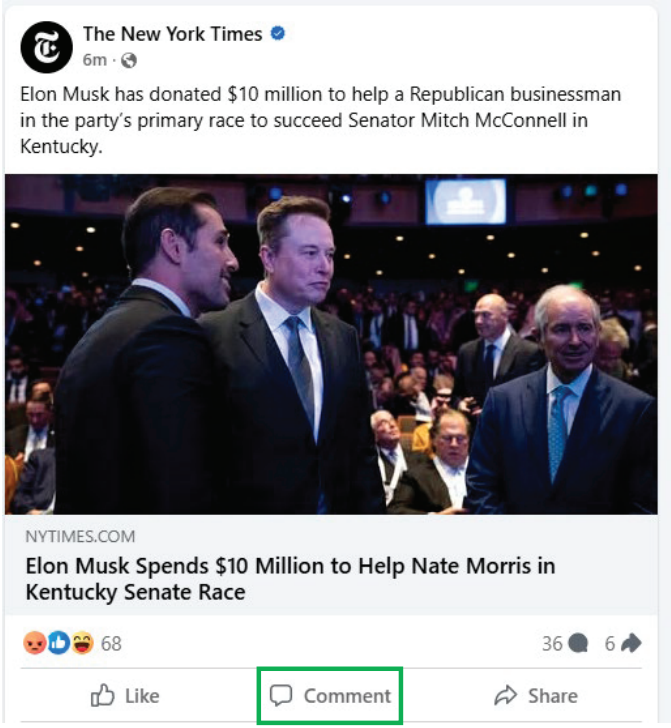




See https://www.facebook.com/nytimes/

(a)(iii) a comment function, by which users having access to the card comment function can exchange comments relating to the card, such comments being associated with the information object represented by the card;

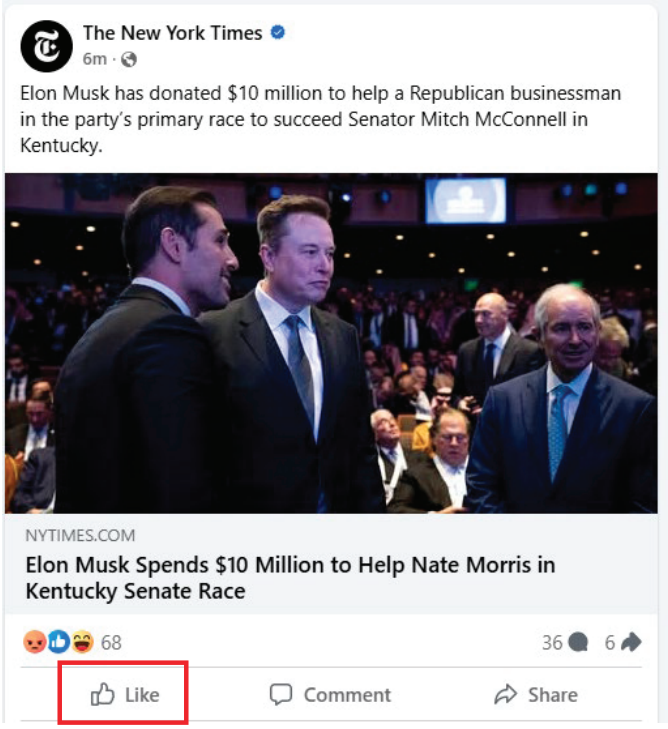
- One of Defendant's graphical functions is a comment function by which users having access to the card comment function can exchange comments relating to the card, such comments being associated with the information object represented by the card.
- Defendant practices this limitation by providing a comment function in a uniform location of the card which allows for comments associated with the information object.



See https://www.facebook.com/nytimes/

(a)(iv) a vote function, by which users having access to the card vote function can vote for the card, such votes being associated with the information object represented by the card;

- One of Defendant's graphical functions is a vote function, by which users having access to the card vote function can vote for the card, such votes being associated with the information object represented by the card.
- Defendant practices this limitation by providing its "Like" button which facilitates users' voting for the card with such votes being associated with the information object represented by the card.



See https://www.facebook.com/nytimes/

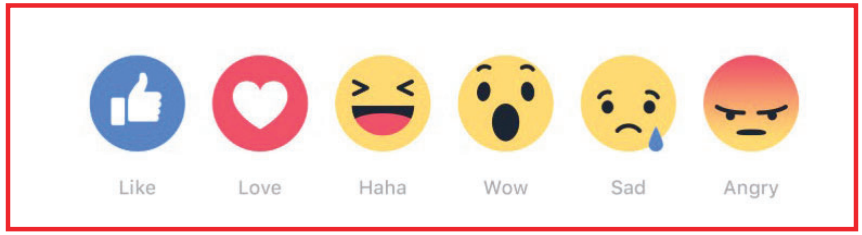
(a)(iv) a vote function, by which users having access to the card vote function can vote for the card, such votes being associated with the information object represented by the card;

- Defendant further provides users with the opportunity to react to cards which facilitates users' voting for the card with such reactions or votes being associated with the information object represented by the card.
- As explained by Defendant's public literature, Defendant provides users having access to cards the opportunity to react to the information object represented by the card by allowing them to hover over Defendant's like button and select their desired reaction or vote.

Liking tells your friends that you enjoyed their post or comment, while reacting allows you to specify your response. You can only leave one reaction per post or comment.

To react to a post or comment:

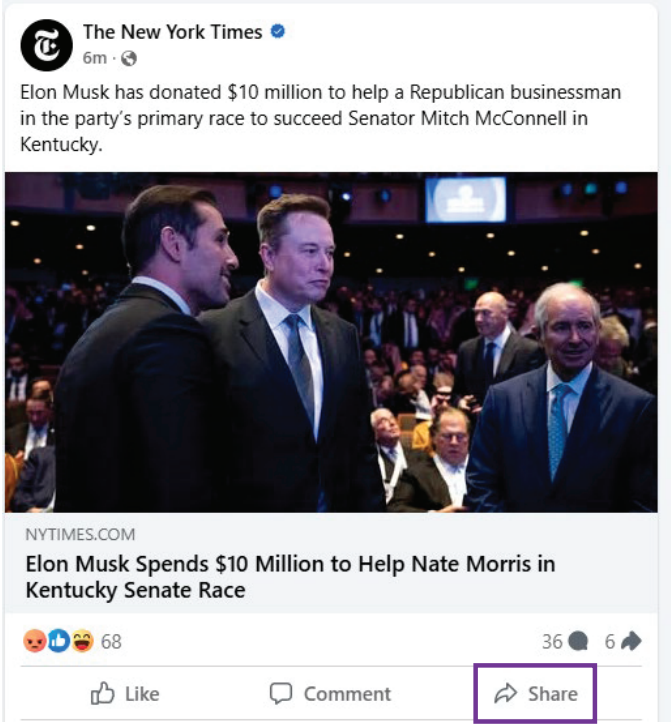
1. Go to the post or comment you want to react to.
2. Hover over **Like** and choose a reaction. The most popular reactions appear below the post or comment as icons (example:).



https://about.fb.com/news/2016/02/reactions-now-available-globally/
https://www.facebook.com/help/452446998120360

(a)(v) a copy function, by which users having access to the card copy function in a first collection of cards can cause the card to appear in a second collection of cards; and

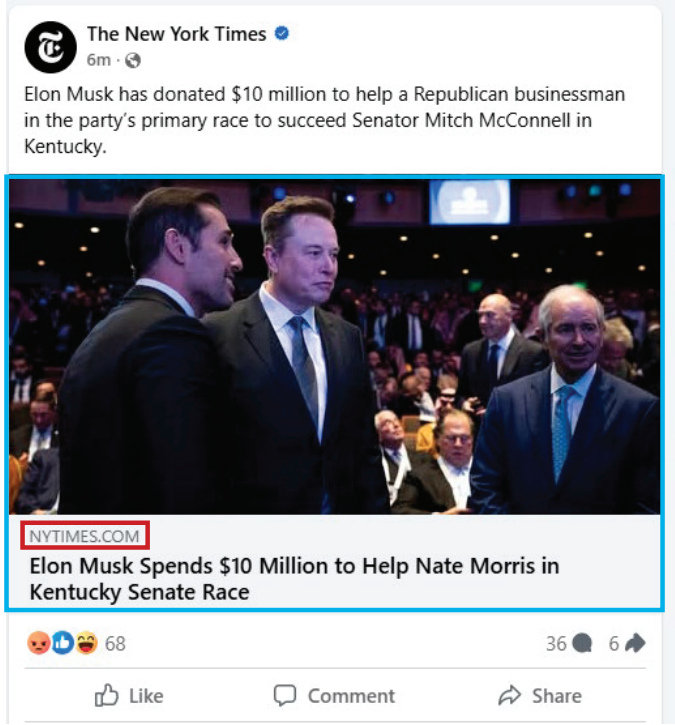
- One of Defendant's graphical functions is a copy function, in this example a "Share" button, by which users having access to the card copy function in a first collection of cards of a first user can cause the card to appear in a second collection of cards of a second user.
- For example, when a user views the displayed post on The New York Times' Facebook timeline, that card appears in a first collection of a first user, namely the New York Times' card collection.
- Defendant's Share button is a copy function which can be used to cause a card to appear in a second collection of cards.



See https://www.facebook.com/nytimes/

(a)(vi) a link function, by which users having access to the card link function can invoke the link to the data item; and

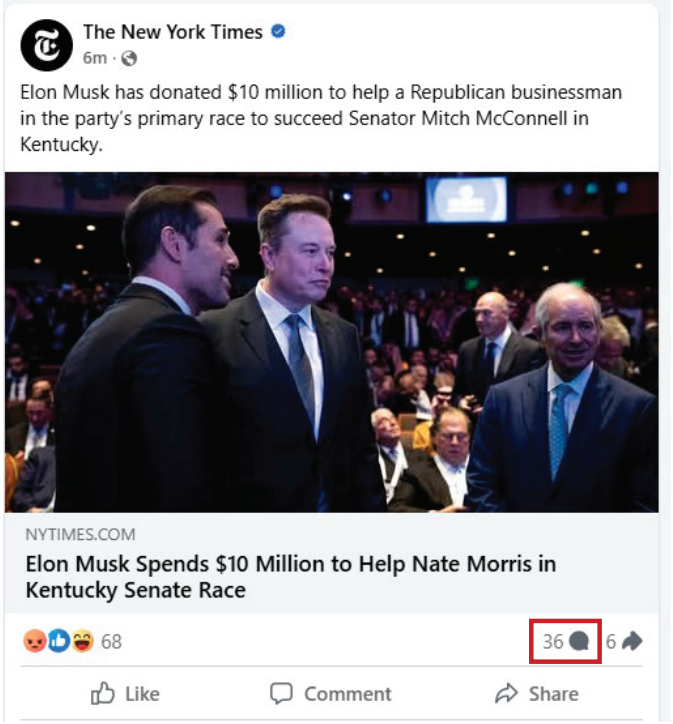
- One of Defendant's graphical functions is a link function, by which users having access to the card link function can invoke the link to the data item.
- Defendant embeds the link to the data item into the image and heading portions of the card. In this way, a user is able to invoke the link by clicking on the uniform formatting. Defendant further provides a shortened preview of the link right above the header.



See https://www.facebook.com/nytimes/

(a)(vii) wherein the set of indicators includes: an indicator reflecting commenting activity associated with the card; and

- Defendant's set of indicators includes an indicator reflecting commenting activity associated with the card.
- Defendant's indicator shows the number of comments that have been posted that are associated with the card.



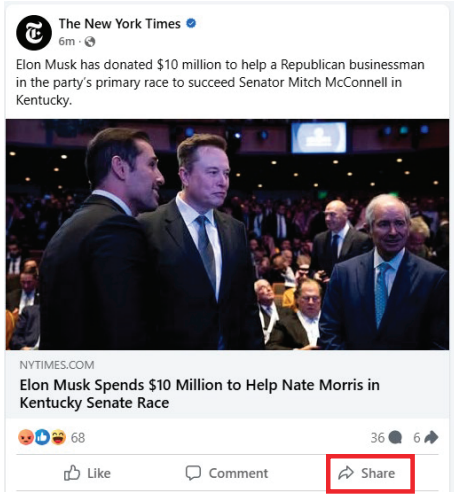
See https://www.facebook.com/nytimes/

(b) wherein the database system has been configured to allow
(b)(i) each user to have at least one user-selected collection of cards representing information objects in the database system and
(b)(ii) at least some content of cards, including any associated picture and heading, regardless of the collections in which they may have first appeared, to be made accessible and copyable across card collections of users.

- Defendant configures its database system to allow each user to have at least one user-selected collection of cards representing information objects in the database system and cards, regardless of the collections in which they have first appeared, to be made accessible and copyable across card collections of different users. Note, Defendant's "database system" may be made up of multiple databases or otherwise arranged in a distributed database.

- Defendant practices this limitation by allowing users such as the New York Times to maintain a user-selected collection of cards representing information objects. For example, the New York Times maintains its collection at: https://www.facebook.com/nytimes/. These collections are stored in Defendant's database system.

- Although the cards are maintained in their user-selected collection, the cards may be made accessible and copyable across card collections of users in part due to Defendant's Share button which allows for the cards to be copyable across collections of different users.

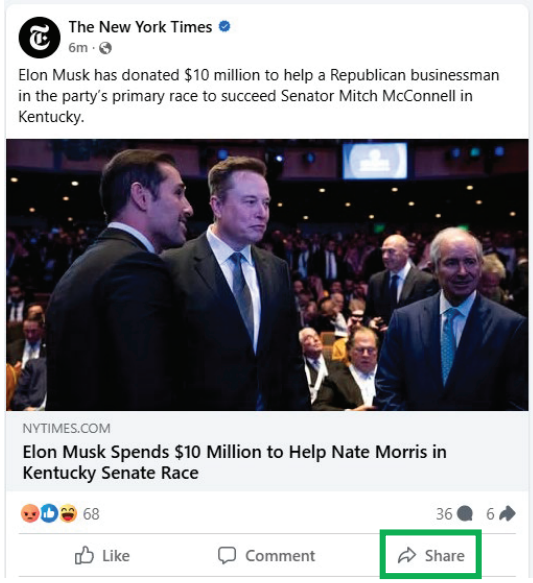


See https://www.facebook.com/nytimes/

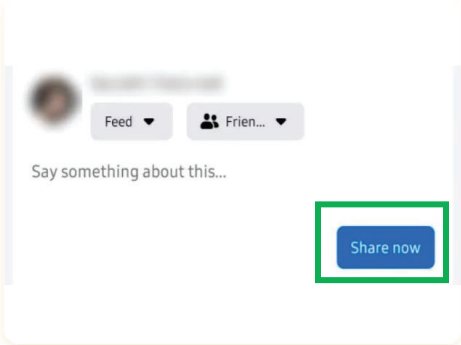
2. A method according to claim 1, the computer processes further comprising: displaying a graphical button, which, when invoked while content is being displayed, causes the displayed content to be handled as one of the data items, namely, by configuring the displayed content as a new information object and making a representation of the new information object available for display in the uniform format.

- Defendant provides a user interface having a graphical button which when invoked while content is being displayed causes the displayed content to be handled as one of the data items, by configuring the displayed content as a new information object and making a representation of the new information object available for display in the uniform format.

- Defendant displays graphical buttons, namely Defendant's "Share" and "Share now" buttons which when invoked configure the displayed content as a new information object and makes a representation of the new information object available for display in the uniform format. Defendant's "Share now" button becomes available upon a user's selection of Defendant's copy function or Share button and when invoked configures the displayed content as a new information object available for display in the uniform format.



- If you want to reshare the post without making any changes, select **Share Now**.

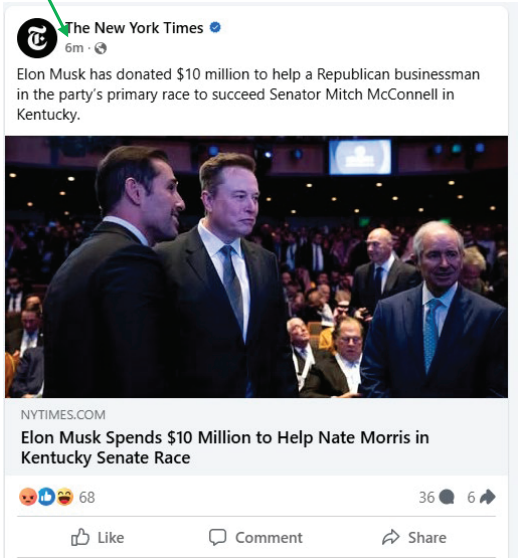


https://recurpost.com/blog/how-to-repost-on-facebook/

See https://www.facebook.com/nytimes/

3. A method according to claim 1, wherein the format includes within the card an indication of a date of creation.

- Defendant's computer-implemented method further comprises a format which includes within the card an indication of a date of creation as exemplified on the right.
- Defendant updates the time between the date of creation of a card and the present. Briefly after a card has been created, Defendant includes within the card an indication of the date of creation by referencing that the card was made a certain number of seconds, minutes, hours, or days ago. Further after a card has been created, Defendant includes within the card a specific date and time of the card's creation.
- For example, the Business Rocks Women card contains an indicator it was created on June 3rd at 2:20 AM and The New York Times card indicates that it was posted just 6 minutes ago.

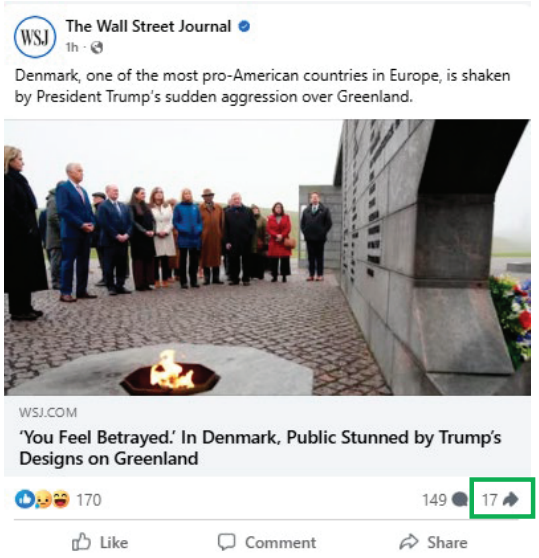


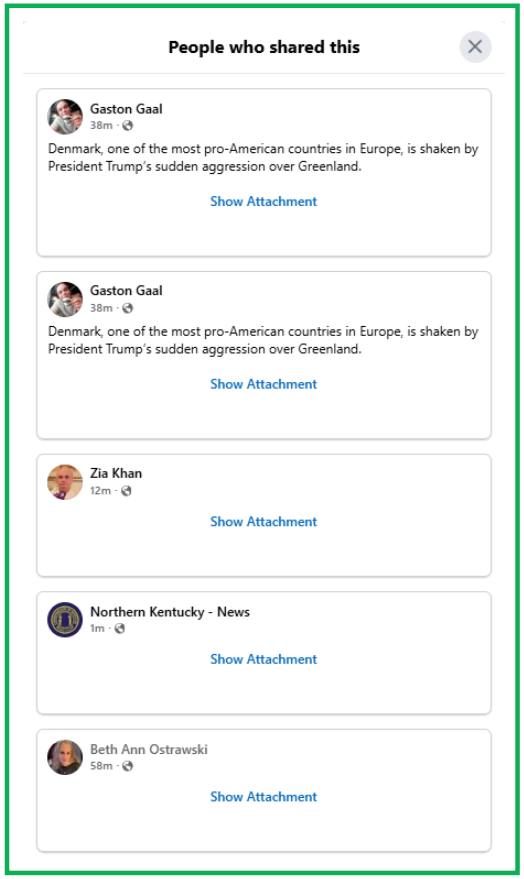
See https://louisem.com/2541/post-link-on-facebook

See https://www.facebook.com/nytimes/

4. A method according to claim 1, wherein the format includes a user-accessible report relating to users who copied the information object.

- Defendant's computer-implemented method further comprises a format which includes a user-accessible report relating to users who copied the information object.
- Defendant's uniform format includes a user-accessible report relating to the number of users who have copied or shared the information object.

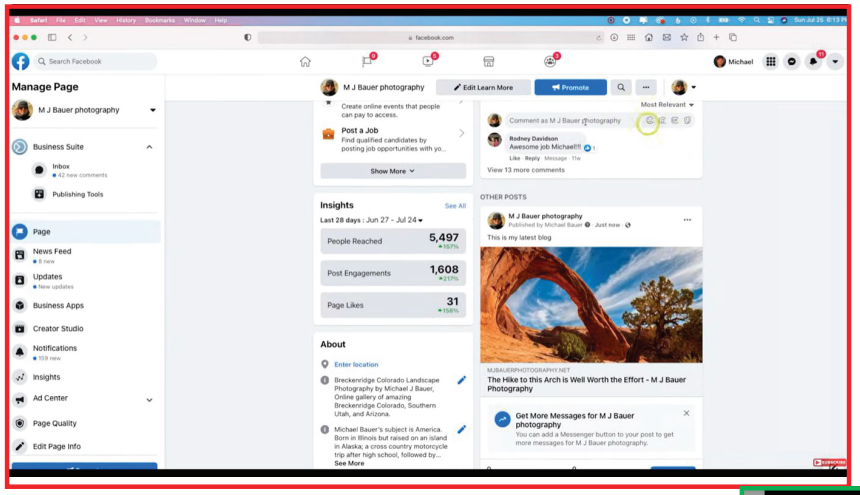




See https://www.facebook.com/WSJ/

5. A method according to claim 1, further comprising: displaying in a computing device of a first user, a first view of a first set of cards that constitute a first collection of the first user; also displaying in the computing device of the first user, a second view of a second set of cards that constitute a collection of a second user.

- Defendant displays in a computing device of a first user, a first view of a first set of cards that constitute a first collection of the first user and also displays in the computing device of the first user, a second view of a second set of cards that constitute a collection of a second user.
- As shown in the first image, a first user, Defendant is displaying in a computing device MJ Bauer photography's wall which constitutes a first view of a first set of cards that constitute a first collection of the first user.
- As shown in the second image, Defendant is displaying in a computing device the Wall Street Journal's wall which constitutes a second view of a second set of cards that constitute a collection of a second user.



See https://www.youtube.com/watch?v=EpRqOhHB0jA

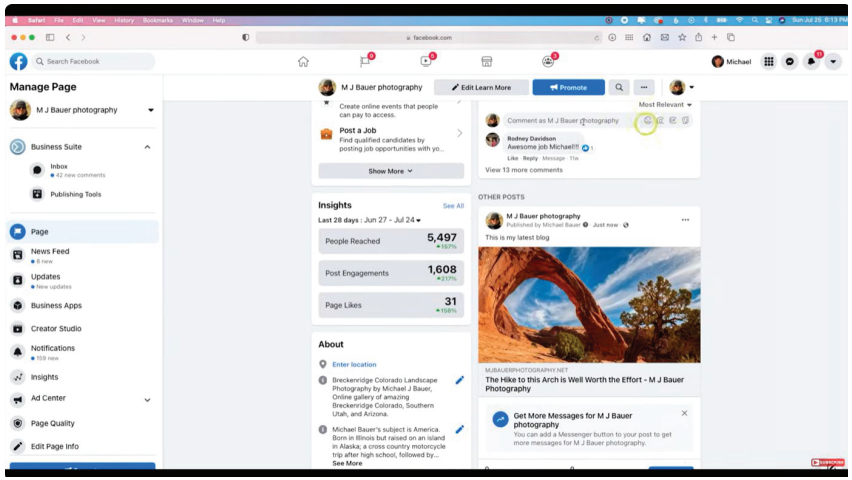
See https://www.facebook.com/WSJ/

6. A method according to claim 5, further comprising: responsive to (i) a graphical selection, by the first user, of a card in the second view and (ii) a copy command that has been graphically entered by the first user, causing the selected card to be copied from the second view to the first view, so that the selected card in the collection of the second user appears in the first collection of the first user.

- Responsive to a graphical selection by the first user of a card in the second view and a copy command that has been graphically entered by the first user, Defendant causes the selected card to be copied from the second view to the first view, so that the selected card in the collection of the second user appears in the first collection of the first user.

- Building on the example provided in the prior slide, responsive to a first user's graphical selection and copy command, a Wall Street Journal article is able to be copied from the Wall Street Journal's card collection to a first user's card collection. In other words, the first user will now have in its card collection, a card from the Wall Street Journal's collection.

- In this way, Defendant causes a selected card to be copied from a second collection in a second view to a first collection of the first user in a first view.



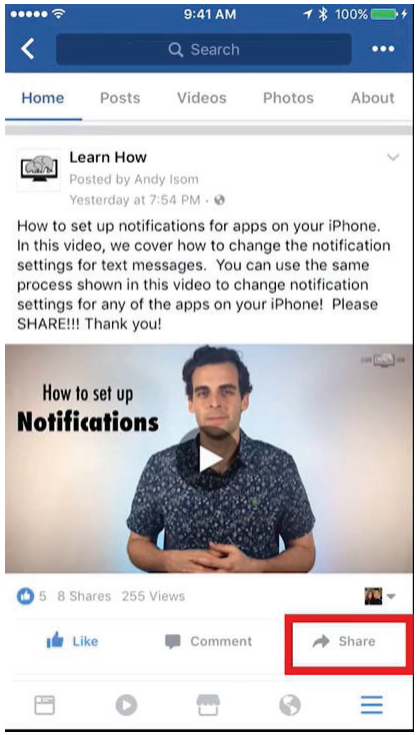
See https://www.youtube.com/watch?v=EpRqOhHB0jA

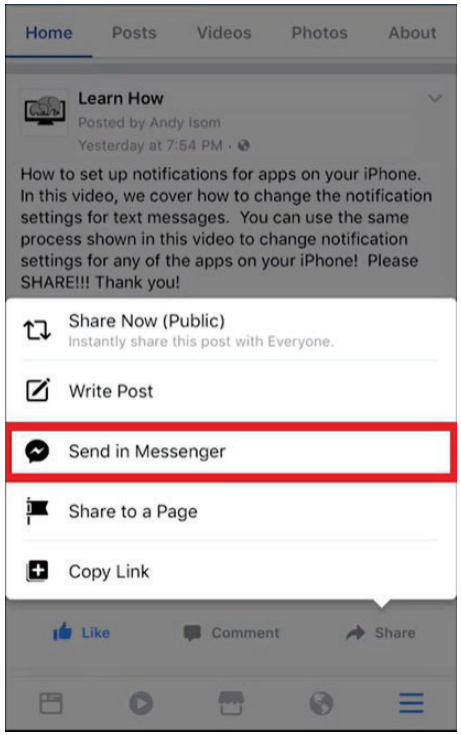
See https://www.facebook.com/WSJ/

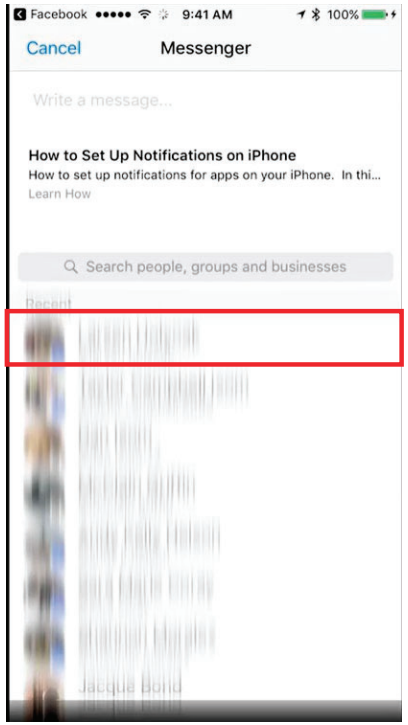
7. A method according to claim 5, further comprising: responsive to (i) a graphical selection, by the first user, of a card in the first view and (ii) a send command that has been graphically entered by the first user, causing the selected card to be sent to the second user, so that the selected card in the collection of the first user is made available to the second user to be included in the collection of the second user.

- Defendant responds to a first user's graphical selection of a card in the first view and sends a command that has been graphically entered by the first user which causes the selected card to be sent to the second user, so that the selected card in the collection of the first user is made available to the second user to be included in the collection of the second user.

- Upon a graphical selection by the first user of a card in the first view and their entering of a send command, Defendant causes the selected card in the collection of the first user to be made available to the second user to be included in the collection of the second user.



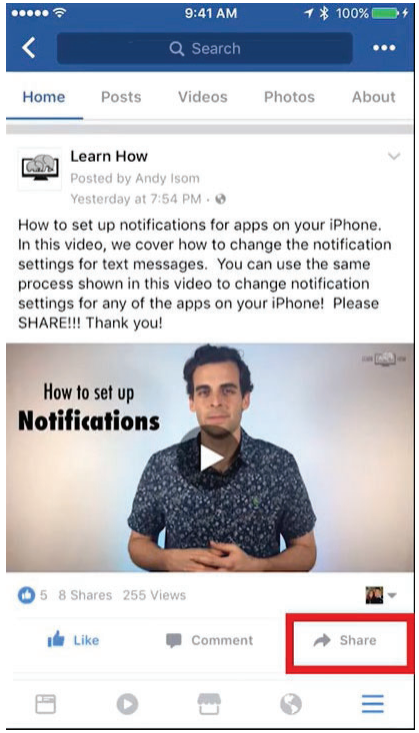


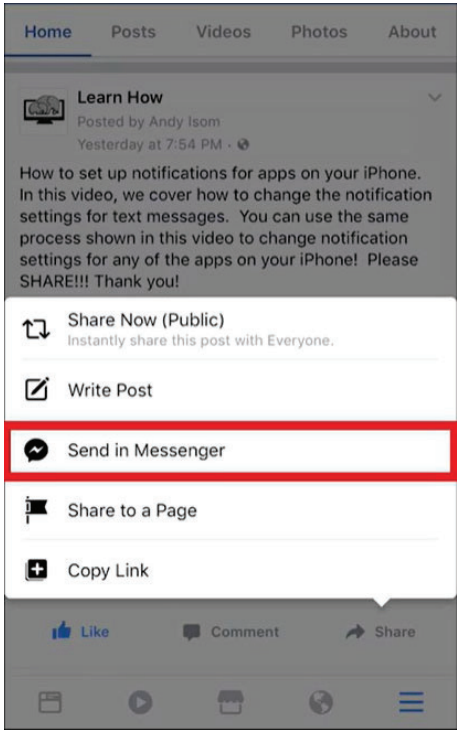


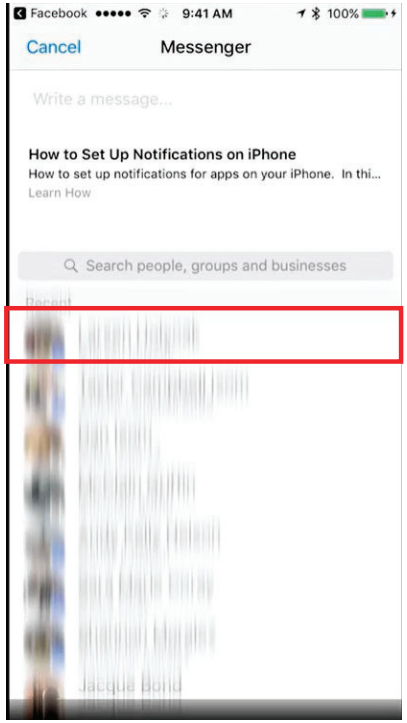
See https://www.youtube.com/watch?v=ad8hzKKBZA8

8. A method according to claim 1, further comprising: on a user-entered command, causing a card to be shared with another user when the card and the other user have been graphically selected.

- On a user-entered command, Defendant causes a card to be shared with another user when the card and the other user have been graphically selected.
- Upon a user selecting the share and send in messenger buttons, a user is able to select another user with whom the user wishes to share the selected card. Upon such a user-entered command, Defendant causes the card to be shared with the other user.







See https://www.youtube.com/watch?v=ad8hzKKBZA8

9. A method according to claim 1, further comprising: on a user-entered command, causing a card to be shared with another user via an instant message sent through an integrated instant messaging system as a result of graphical selection by a first user.

- Defendant maintains at least one integrated instant messaging system which it refers to as Facebook Messenger.

Overview for the Messenger Platform

The Messenger Platform Overview details how the platform works and what you need to successfully implement the platform.

Messenger from Meta is a messaging service that allows a business' Facebook Page or Instagram Professional account to respond to people who are interested in your business or social media. Conversations between a person and your account must be initiated by the person.

The Messenger Platform is free for you to use.

A place for meaningful conversations

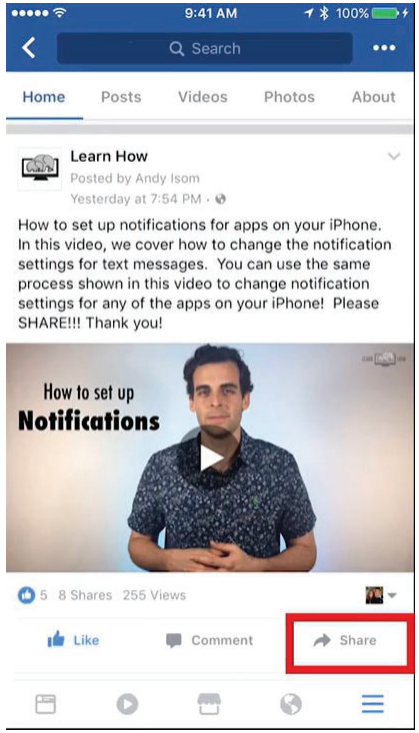
Messenger helps you connect with your Facebook friends and family, build your community, and deepen your interests.

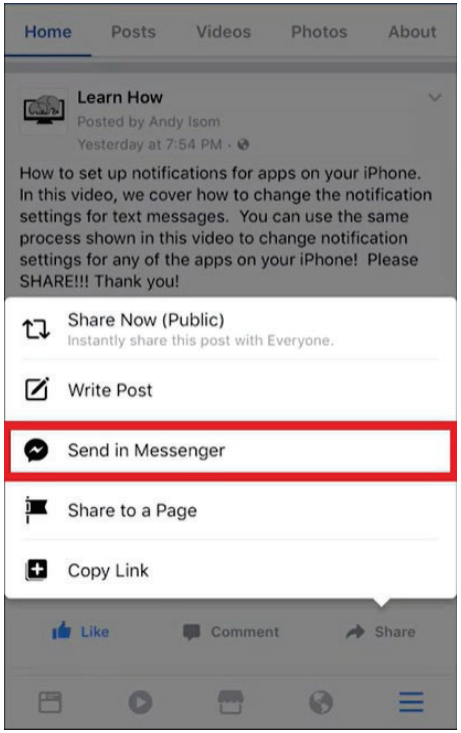
https://developers.facebook.com/docs/messenger-platform/overview

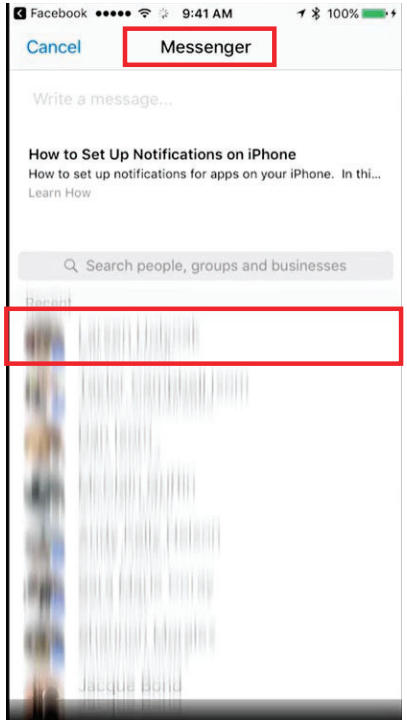
https://www.messenger.com/?locale=en_US

9. A method according to claim 1, further comprising: on a user-entered command, causing a card to be shared with another user via an instant message sent through an integrated instant messaging system as a result of graphical selection by a first user.

- On a user entered command, Defendant causes a card to be shared with another user via an instant message sent through an integrated instant messaging system as a result of graphical selection by a first user.
- Defendant practices this limitation by causing a card to be shared with another use via Facebook Messenger which is an integrated instant messaging system in response to a graphical selection by a first user.





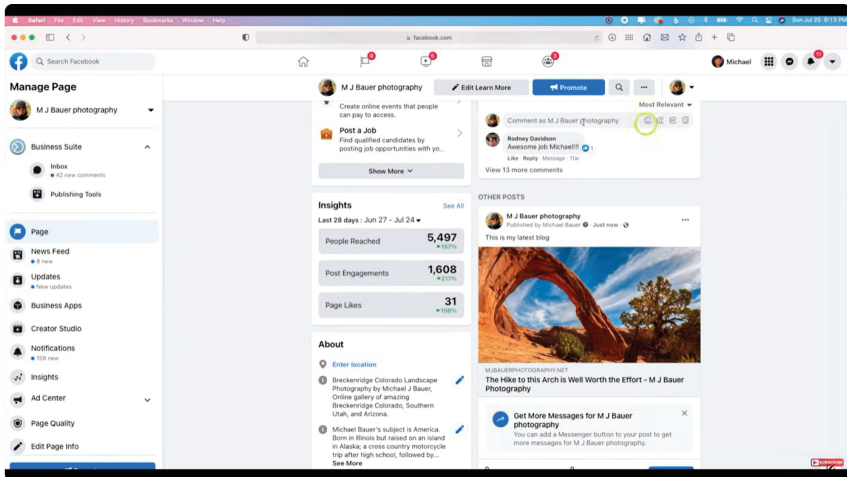


See https://www.youtube.com/watch?v=ad8hzKKBZA8

10. A method according to claim 1, further comprising: displaying in a computing device of a first user, a first view of a first set of cards that constitute a first collection of the first user; also displaying in the computing device of the first user, a second view of a second set of cards, outside of the first collection, wherein any given member of the second set of cards is both included in a collection of another user and the other user has been selected by the first user; and wherein each of the cards in the second view can, on a user-entered command, be caused to be copied to the first view.

- Defendant displays in a computing device of a first user, a first view of a first set of cards that constitute a first collection of the first user; and also displays in the computing device of the first user, a second view of a second set of cards, outside of the first collection, wherein any given member of the second set of cards is both included in a collection of another user and the other user has been selected by the first user, and wherein each of the cards in the second view can, on a user-entered command, be caused to be copied to the first view.

- Defendant practices this limitation by providing users with a first view of their timeline or wall and a second view of another user's wall and also providing its "Share" button which allows any of the cards in the second view to be copied to the first view.

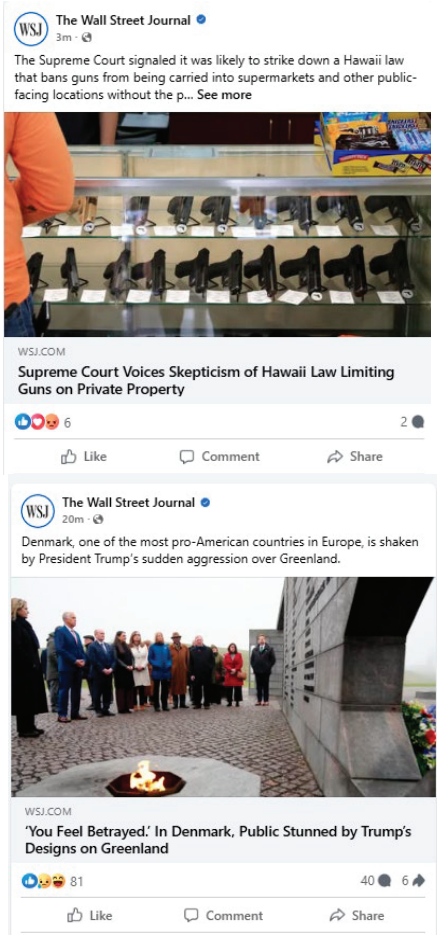


See https://www.youtube.com/watch?v=EpRqOhHB0jA

See https://www.facebook.com/WSJ/

11. A method according to claim 10, further comprising: wherein each of the cards in the second view is displayed in an order determined by a criterion selected from the group consisting of the information object's creation time, its access time, and combinations thereof.

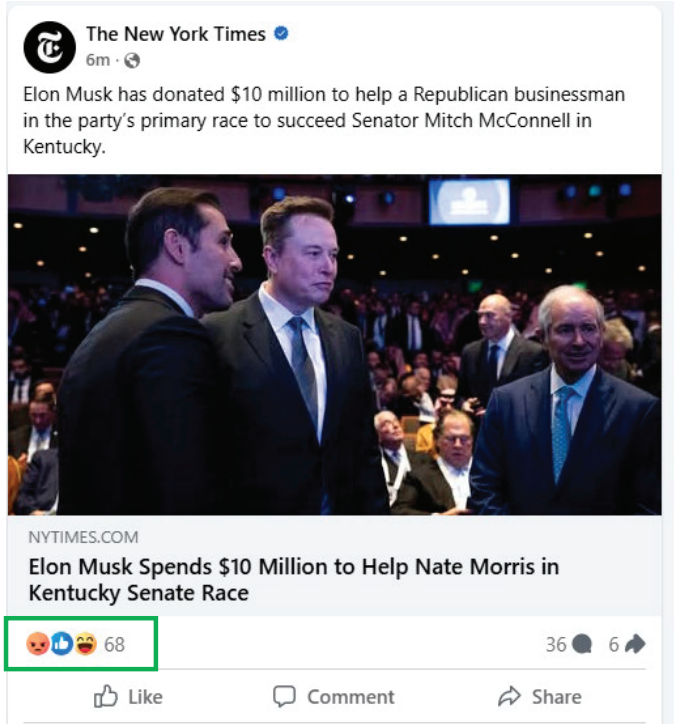
- Defendant's method displays cards in the second view in an order determined by a criterion selected from the group consisting of the information object's creation time, its access time, and combinations thereof.
- Defendant practices this limitation at least by displaying cards in the second view in order of the information object's creation time. For example, when viewing The Wall Street Journal's page, Defendant displays the cards in order of the information object's creation time and intentionally places the most recent posts at the top of the second view.



See https://www.facebook.com/WSJ/

12. A method according to claim 1, wherein the set of indicators includes: an indicator reflecting voting activity associated with the card.

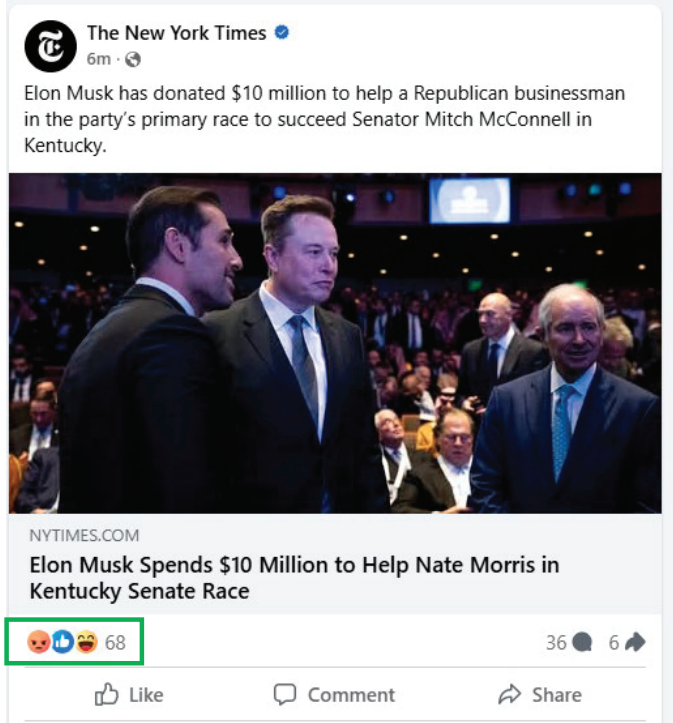
- Defendant's computer-implemented method further comprises a set of indicators including an indicator reflecting voting activity associated with the card.
- Defendant practices this limitation by providing an indicator reflecting the number of people who have liked, reacted, or otherwise voted on information associated with the card.



See https://www.facebook.com/nytimes/

13. A method according to claim 12, wherein the indicator reflecting voting activity associated with the card provides a numeric count of the voting activity.

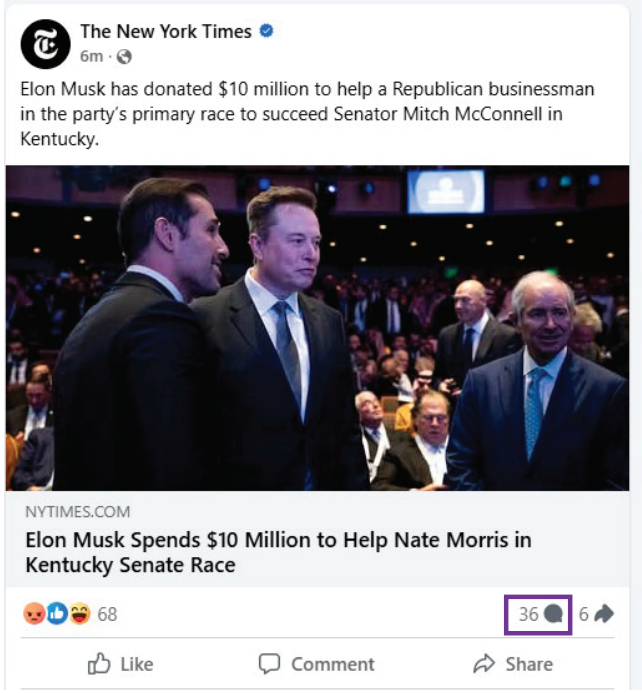
- Defendant's computer-implemented method further comprises a set of indicators including an indicator reflecting voting activity wherein the indicator provides a numeric count of the voting activity.
- Defendant practices this limitation by providing an indicator which provides a numeric count of the users who have liked, reacted, or otherwise voted on information associated with the card.



See https://www.facebook.com/nytimes/

15. A method according to claim 1, wherein the indicator reflecting commenting activity associated with the card provides a numeric count of the commenting activity.

- Defendant's computer-implemented method further comprises a set of indicators including an indicator reflecting commenting activity associated with the card which provides a numeric count of the commenting activity.
- Defendant practices this limitation by providing an indicator reflecting the numeric count of the commenting activity on a given card.



See https://www.facebook.com/nytimes/

17. A computer-implemented method, in which at least one computer initiates execution of software instructions to perform computer processes, the method being for interacting with at least one data item obtained from at least one source, the computer processes comprising:

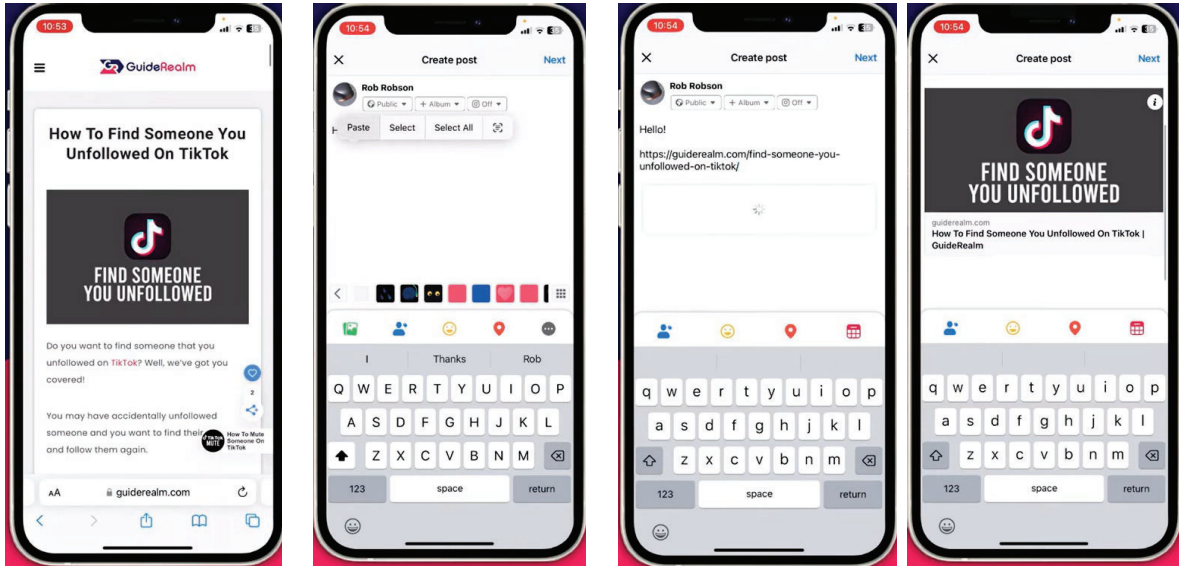
- Defendant through its provision of the Facebook application and/or website, practices the claimed computer implemented method. Defendant infringes the accused method in at least two scenarios.

- In the first scenario, Defendant provides a mobile application which contains software resident on a user's device. This can include applications resident on a range of consumer electronic devices, including but not limited to smartphones, tablets, computers, and laptops.

- In the second scenario, Defendant allows access to its Facebook website platform via a browser. Defendant's website platform is similarly accessible via the web browser of a range of consumer electronic devices including but not limited to smartphones, tablets, desktop computers, laptops, and smart tv's. This resident application software allows access to, and interacts with, Defendant's Facebook platform.

- Under both scenarios, Defendant practices (in whole or in part) the claimed method through execution of software instructions on its backend servers of its Facebook platform as explained further below.

- The infringing methodology set forth by this claim chart applies equally to both scenarios unless otherwise indicated. To be clear, the use of an exemplary photo showing infringement under the first or second scenario would equally apply to infringement under the other scenario.



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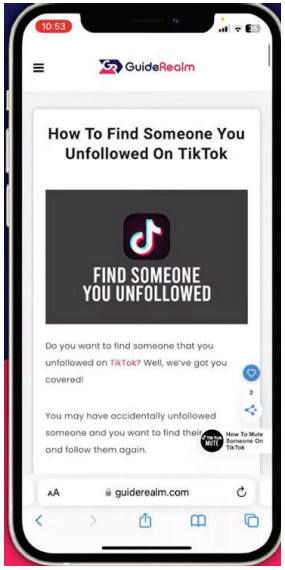
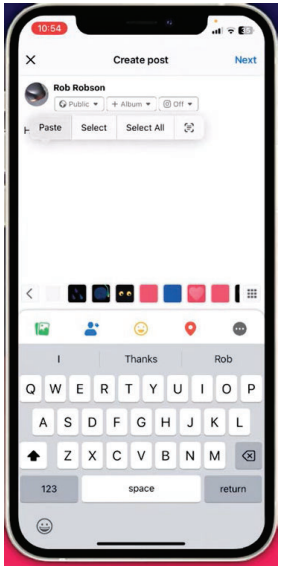
17. A computer-implemented method, in which at least one computer initiates execution of software instructions to perform computer processes, the method being for interacting with at least one data item obtained from at least one source, the computer processes comprising:

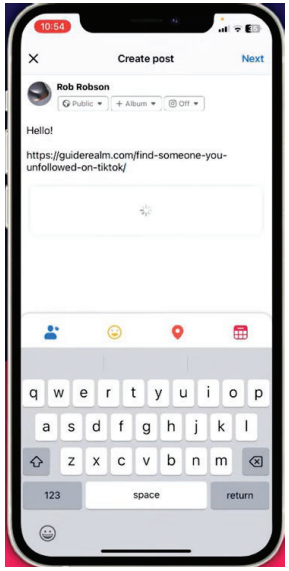
- Defendant through its provision of the Facebook application and/or website, practices the claimed computer implemented method in which at least one computer initiates execution of software instructions to perform computer processes, the method being for interacting with at least one data item obtained from at least one source, wherein the at least one source is external to the computer.

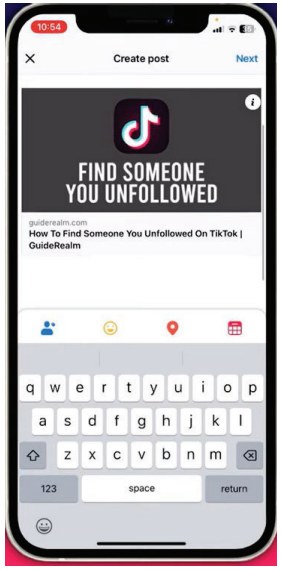
- The first photo represents a data item obtained from a source that is external to the at least one computer. In this example, the data item corresponds to an article hosted via a third-party website, namely, an article titled How to Find Someone You Unfollowed on TikTok via the website guiderealm.com.

- Photographs 2-4 represent the method whereby Defendant interacts with at least one data item obtained from at least one external source.









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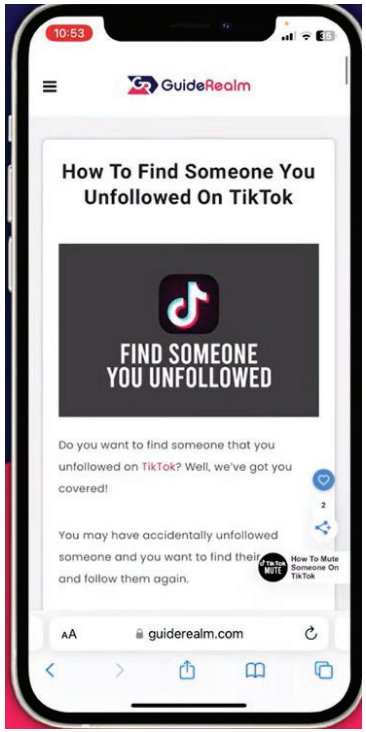
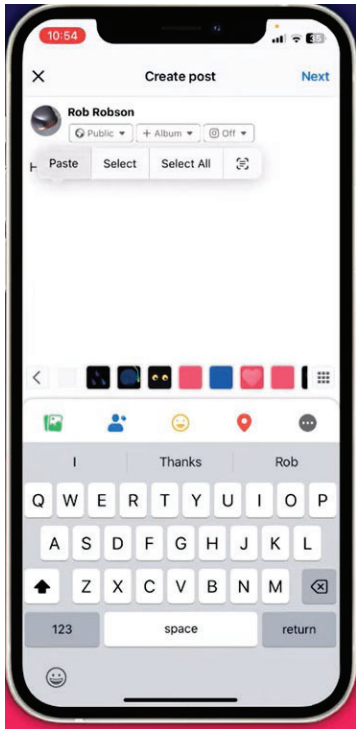
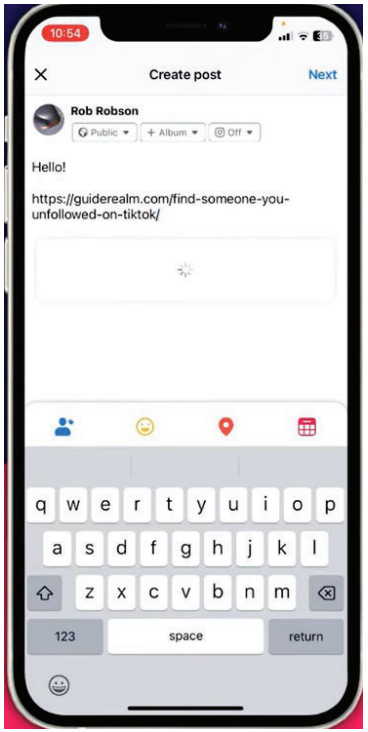
(a) responsive to a user selection of the at least one data item:

- Users may make a selection of a data item. In this example, the data item is the third-party web article entitled How to Find Someone You Unfollowed on TikTok.
- Defendant performs a series of steps in response to the user selection of the at least one data item.
- While users select data items, Plaintiff notes the user's selection is not an affirmative step of the claim. Instead, the claim's focus is on Defendant's actions "responsive to" the user selection.







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(a)(i) causing configuring of each of the data items into a distinct information object by extracting, from each data item, extracted data including a picture, a heading, and a link to the data item, and causing storing of data corresponding to each of the information objects in a database system;

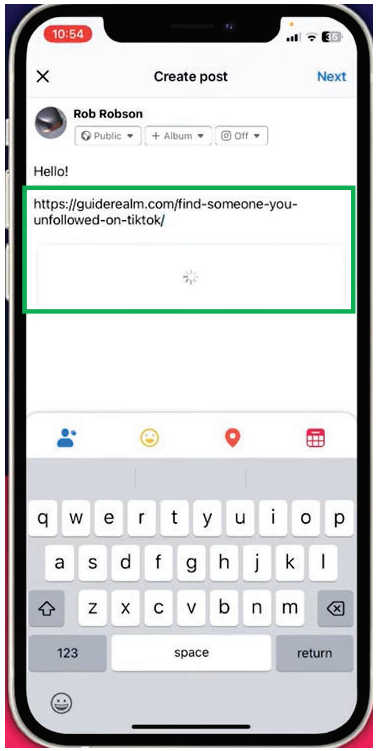
- Defendant causes configuring of each data item into a distinct information object by extracting from each data item extracted data including a picture and a heading, and causes storing of data corresponding to each information object, including a link to the at least one data item in a database. Upon information and belief, the storing occurs in Defendant's database through its backend servers or local software application.

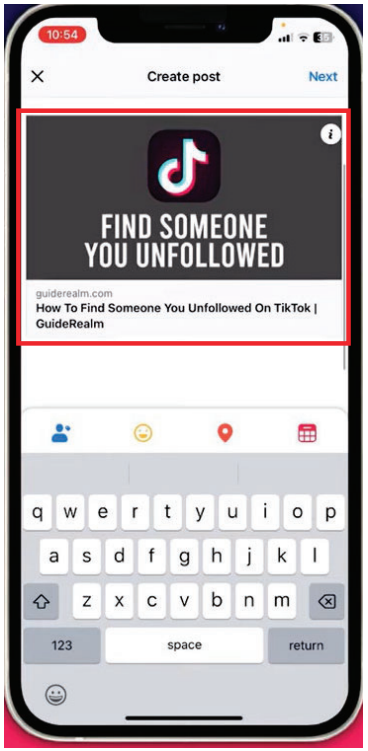
- Responsive to the user pasting a link to an external source (Image 1), Defendant causes the configuring of a data item into a distinct information object (Image 2) by extracting from said data item extracted data including a picture and a heading, and causes storing of data corresponding to the information objects including a link to the data item in a database.

- In the second image, the distinct information object and its corresponding picture and heading are shown.

- Defendant causes storing of data corresponding to each of the information objects in its Facebook platform database system.

- In the third image, Defendant further causes storage of data corresponding to each information object in the database.





See https://www.facebook.com/nytimes/

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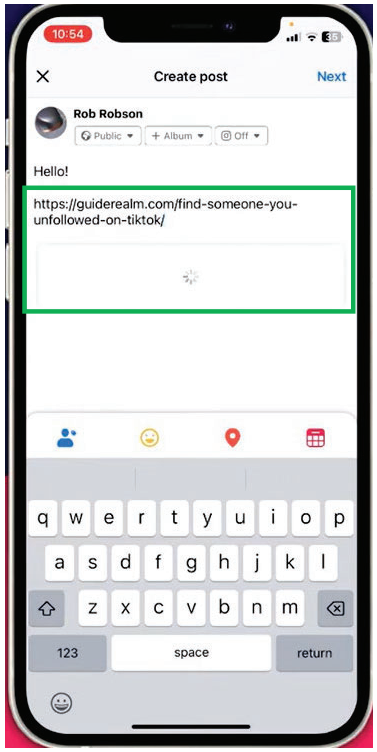
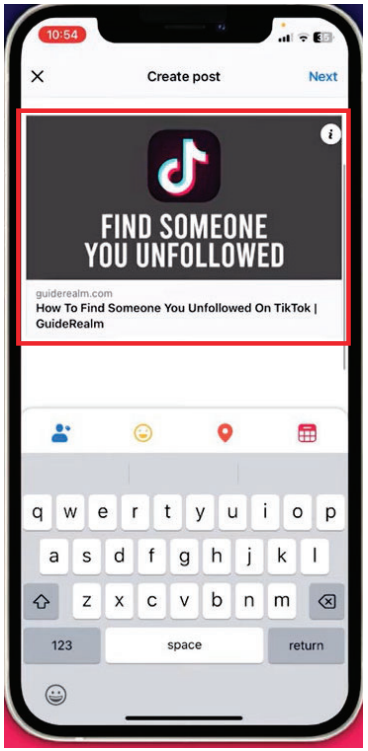
(a)(i) causing configuring of each of the data items into a distinct information object by extracting, from each data item, extracted data including a picture, a heading, and a link to the data item, and causing storing of data corresponding to each of the information objects in a database system;

- In the first scenario of infringement (App Scenario), Defendant's software resident on the user's device works in concert with Defendant's backend network to practice the limitations of the Asserted Claims.
- This resident software is found within the Facebook application which previously has been downloaded to the user device.
- On information and belief, the user device executes aspects of the application software in response to input from end users, which cause it to communicate to Defendant's backend servers.
- In this environment, the extracting of data comprising an image, heading, and/or link for a shared article may be performed by Defendant's application software and Defendant's backend servers.
- In this arrangement, Defendant directly infringes under the precedent set fort by *Sirf* and its progeny. To the extent limitations occur at the user's device, those steps are performed automatically by Defendant. *See* Plaintiff's briefing on Defendant's motion to dismiss.





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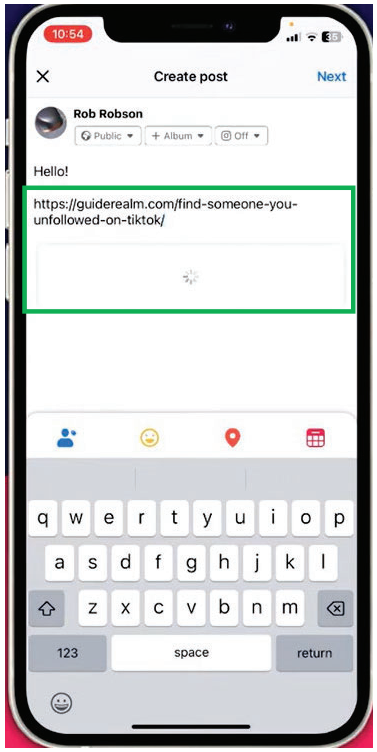
See https://www.facebook.com/nytimes/

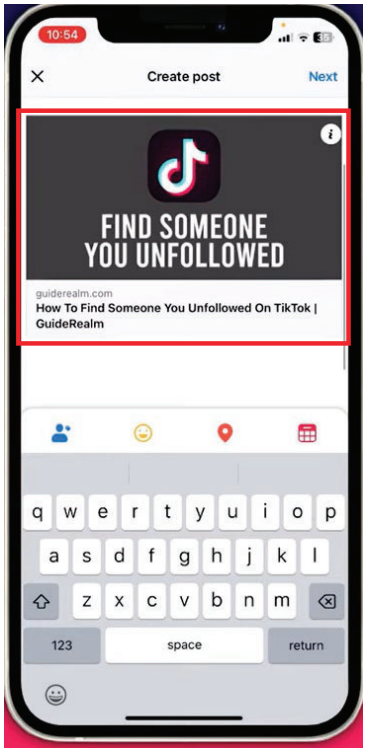
(a)(i) causing configuring of each of the data items into a distinct information object by extracting, from each data item, extracted data including a picture, a heading, and a link to the data item, and causing storing of data corresponding to each of the information objects in a database system;

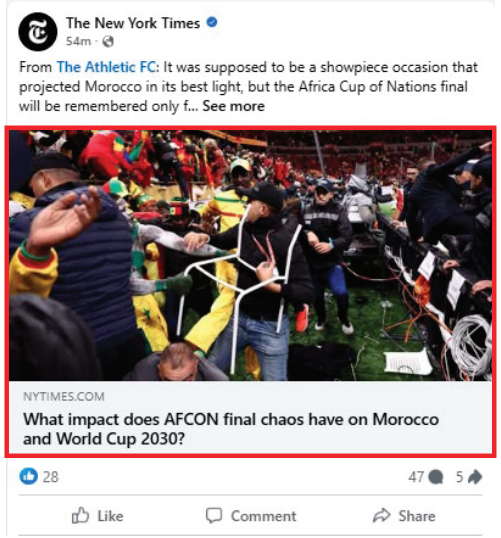
- In the context of the second scenario of infringement (Browser scenario), wherein end users are accessing Facebook using a web browser, the processing steps claimed are performed by the Facebook platform, e.g., backend servers to configure each of the data items into a distinct information object.

- On information and belief, no resident Facebook software exists on the computer or within the browser application. Therefore, Facebook backend does all of the processing and simply communicates the results to the browser application for display.

- These preliminary contentions are being provided in advance of receiving any internal technical information from Defendant. To the extent discovery bears out a situation wherein Defendant performs some of the claimed method on its backend servers and another portion occur automatically at the browser, Defendant similarly directly infringes the claimed method under the precedent set fort by *Sirf* and its progeny.







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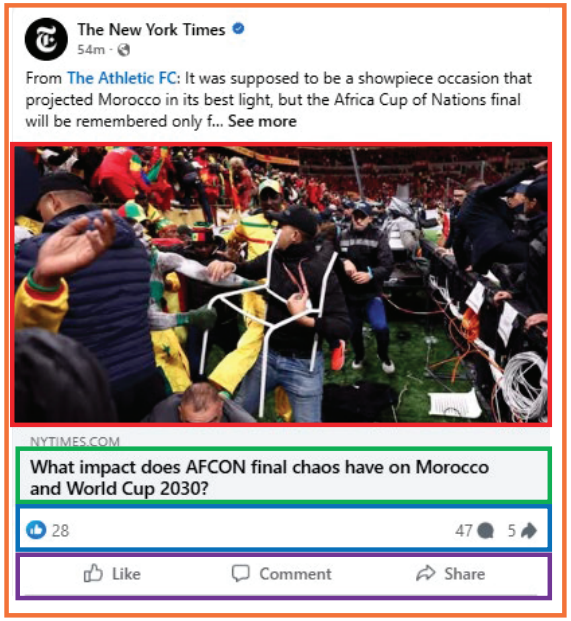
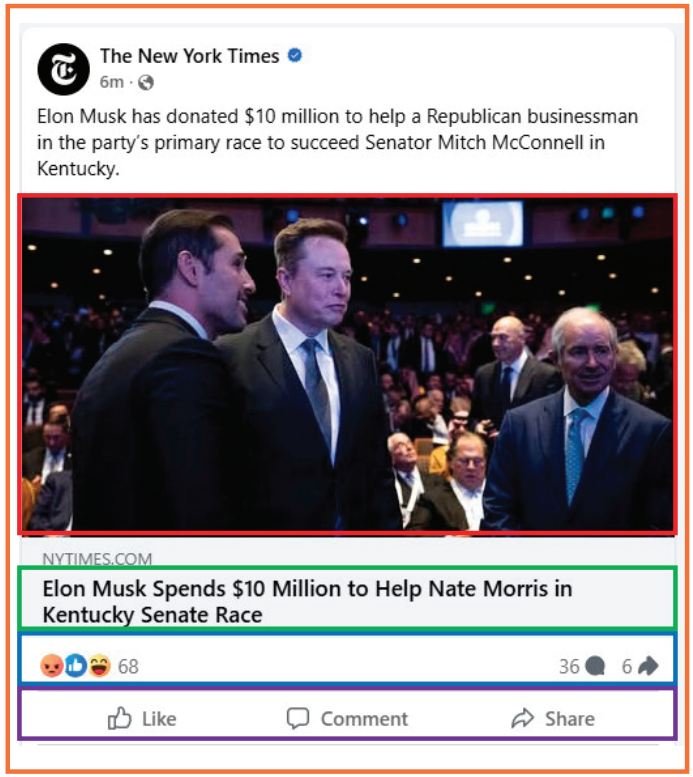
(a)(ii) displaying a representation of each of at least two of the information objects in the database system, the representation being in a uniform format, wherein the format includes a card, and, within the card, in uniform locations thereof, the picture, the heading, a set of indicators, and a set of graphically accessible functions including:

- Defendant causes displaying of a representation of each of at least two of the information objects in the database system, the representation being in a uniform format, wherein the format includes a card, and, within the card, in uniform locations thereof the picture, the heading, a set of indicators, and a set of graphically accessible functions.
- Defendant's "Wall", "Timeline", "Profile", "Feed", and/or "Newsfeed" features cause the display of at least two information objects by the same or different users in the database system. For example, Defendant displays New York Times' wall which contains two or more information objects and is a part of Defendant's database system.

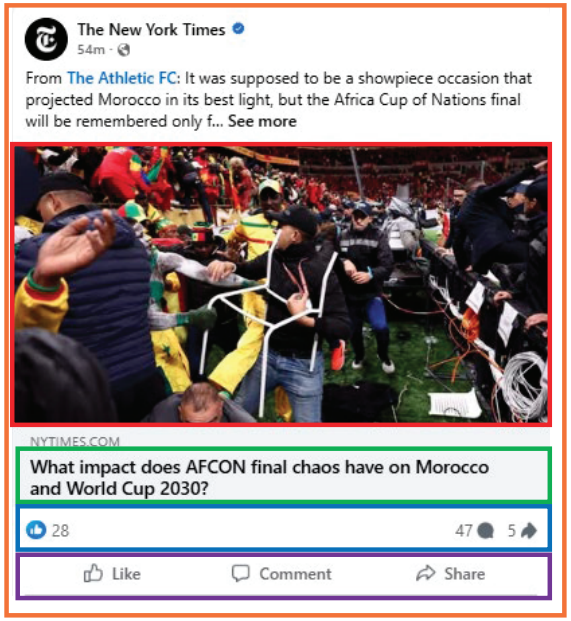


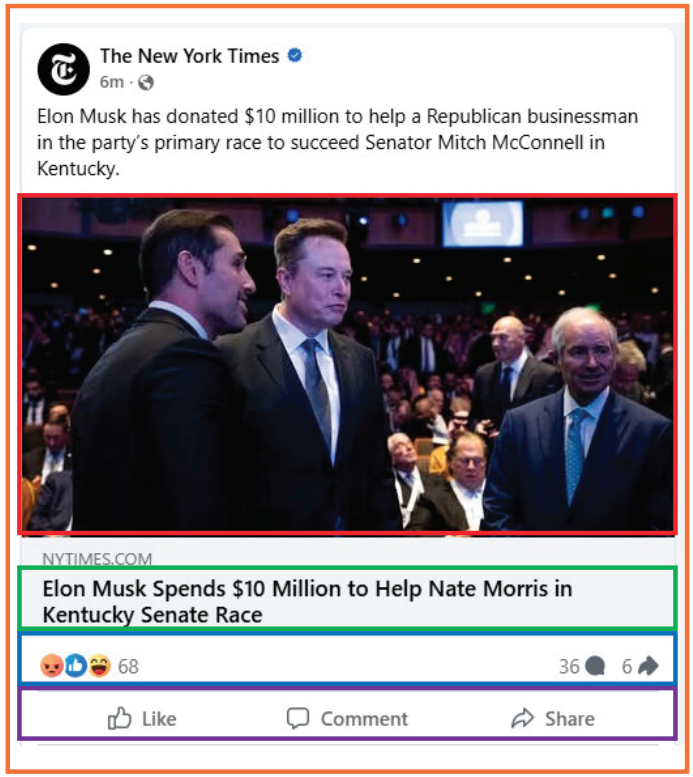


See https://www.facebook.com/nytimes/

(a)(ii) displaying a representation of each of at least two of the information objects in the database system, the representation being in a uniform format, wherein the format includes a card, and, within the card, in uniform locations thereof, the picture, the heading, a set of indicators, and a set of graphically accessible functions including:

- Under the first scenario of infringement (App scenario), the claimed "displaying a representation" may also be performed in part on the user's device through the execution of the local application software. The backend server network operates to store variable data for use by the application software to cause display of the representation.
- In this arrangement, Defendant directly infringes under the precedent set fort by *Sirf* and its progeny. To the extent limitations occur at the user's device, those steps are performed automatically by Defendant. *See* Plaintiff's briefing on Defendant's motion to dismiss.
- These preliminary contentions are being provided in advance of receiving any internal technical information from Defendant. To the extent discovery bears out a situation wherein all the above actions for this claim limitation on Defendant's backend server, Defendant would nevertheless meet this limitation through the actions performed by its backend servers.

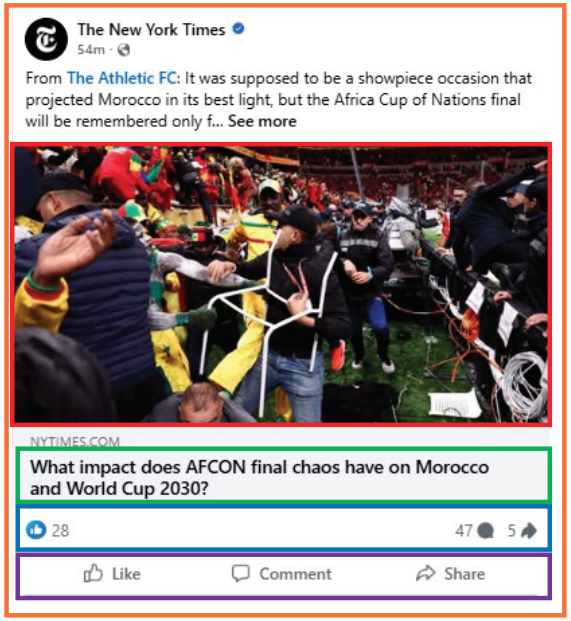


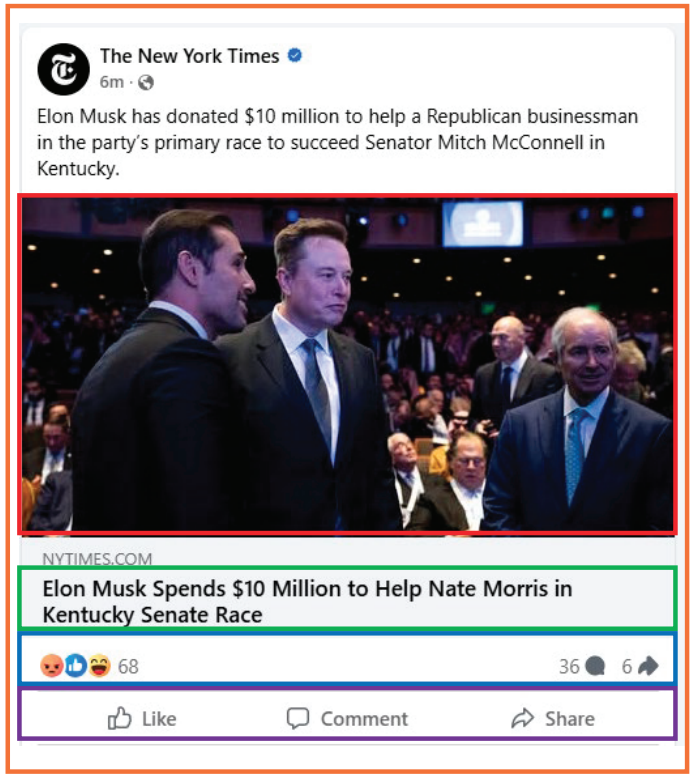


See https://www.facebook.com/nytimes/

(a)(ii) displaying a representation of each of at least two of the information objects in the database system, the representation being in a uniform format, wherein the format includes a card, and, within the card, in uniform locations thereof, the picture, the heading, a set of indicators, and a set of graphically accessible functions including:

- In the context of the second scenario of infringement (Browser scenario), wherein end users are accessing Facebook using a web browser, the processing steps claimed are performed by the Facebook backend to display a representation of at least two of the information objects in the database system.
- On information and belief, no resident Facebook software exists on the computer or within the browser application. Therefore, Facebook backend does all of the processing and simply communicates the results to the browser application for display.
- These preliminary contentions are being provided in advance of receiving any internal technical information from Defendant. To the extent discovery bears out a situation wherein Defendant performs some of the claimed method on its backend servers and another portion occur automatically at the browser, Defendant similarly directly infringes the claimed method under the precedent set fort by *Sirf* and its progeny.

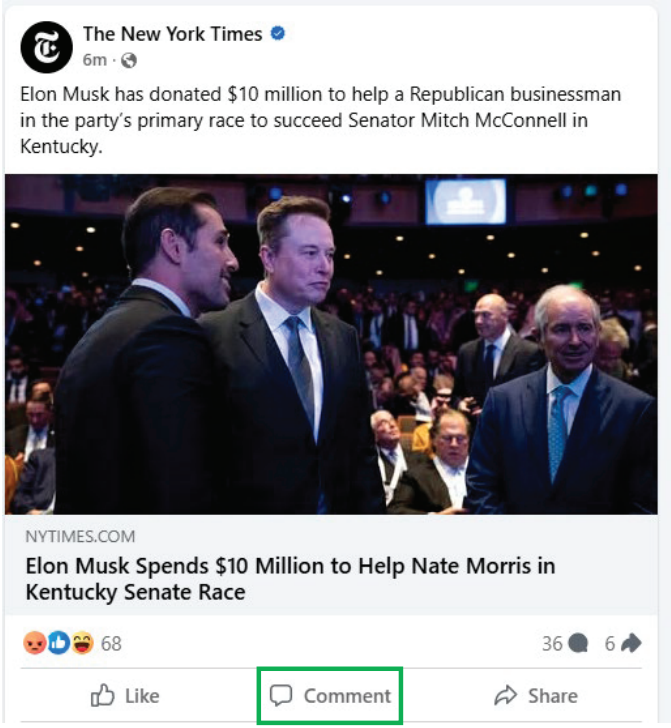




See https://www.facebook.com/nytimes/

(a)(iii) a comment function, by which users having access to the card comment function can exchange comments relating to the card, such comments being associated with the information object represented by the card;

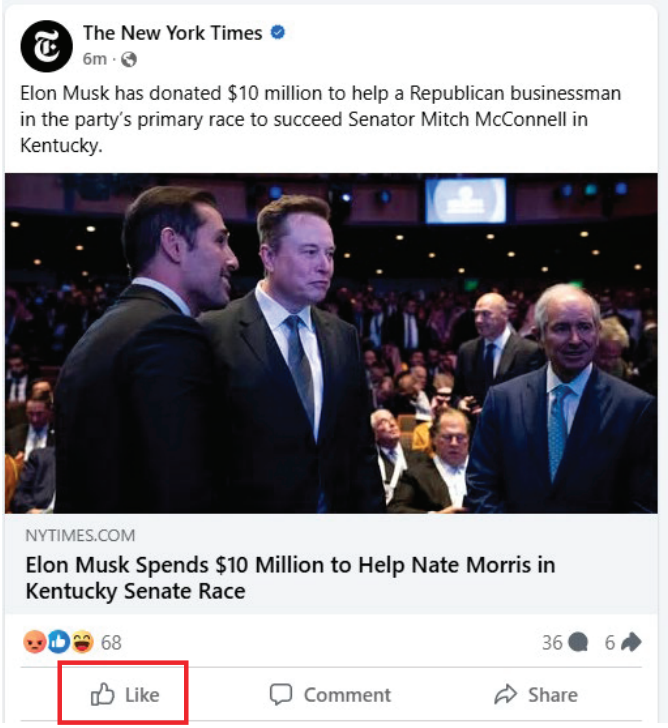
- One of Defendant's graphical functions is a comment function by which users having access to the card comment function can exchange comments relating to the card, such comments being associated with the information object represented by the card.
- Defendant practices this limitation by providing a comment function in a uniform location of the card which allows for comments associated with the information object.



See https://www.facebook.com/nytimes/

(a)(iv) a vote function, by which users having access to the card vote function can vote for the card, such votes being associated with the information object represented by the card;

- One of Defendant's graphical functions is a vote function, by which users having access to the card vote function can vote for the card, such votes being associated with the information object represented by the card.
- Defendant practices this limitation by providing its "Like" button which facilitates users' voting for the card with such votes being associated with the information object represented by the card.



See https://www.facebook.com/nytimes/

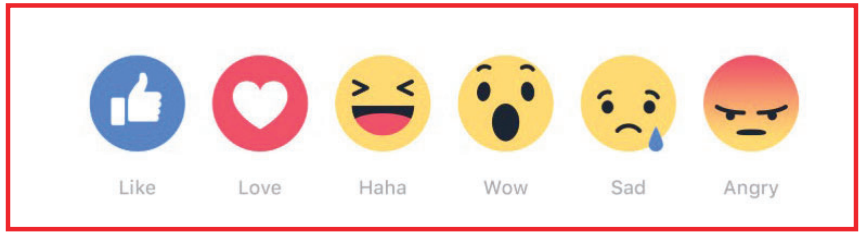
(a)(iv) a vote function, by which users having access to the card vote function can vote for the card, such votes being associated with the information object represented by the card;

- Defendant further provides users with the opportunity to react to cards which facilitates users' voting for the card with such reactions or votes being associated with the information object represented by the card.
- As explained by Defendant's public literature, Defendant provides users having access to cards the opportunity to react to the information object represented by the card by allowing them to hover over Defendant's like button and select their desired reaction or vote.

Liking tells your friends that you enjoyed their post or comment, while reacting allows you to specify your response. You can only leave one reaction per post or comment.

To react to a post or comment:

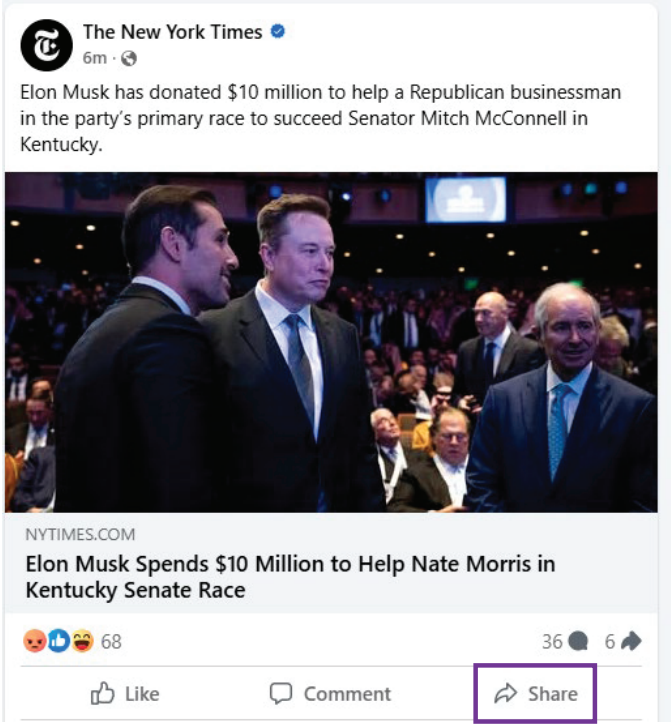
1. Go to the post or comment you want to react to.
2. Hover over **Like** and choose a reaction. The most popular reactions appear below the post or comment as icons (example:).



See https://www.facebook.com/nytimes/

(a)(v) a copy function, by which users having access to the card copy function in a first collection of cards can cause the card to appear in a second collection of cards; and

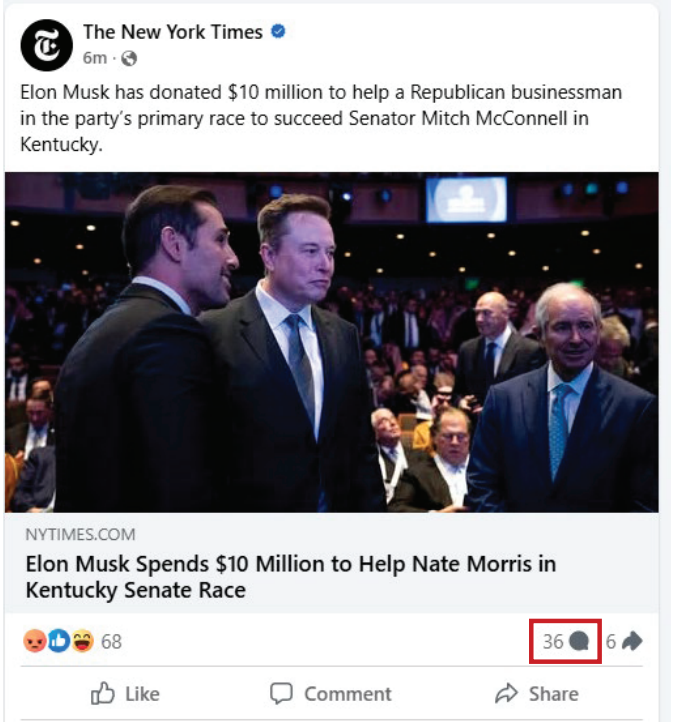
- One of Defendant's graphical functions is a copy function, in this example a "Share" button, by which users having access to the card copy function in a first collection of cards of a first user can cause the card to appear in a second collection of cards of a second user.
- Defendant practices this limitation by providing its "Share" button which allows users having access to the Share button to cause the card to appear in a second collection of cards.



See https://www.facebook.com/nytimes/

(a)(vi) wherein the set of indicators includes: an indicator reflecting commenting activity associated with the card; and

- Defendant's set of indicators includes an indicator reflecting commenting activity associated with the card.
- Defendant's indicator shows the number of comments that have been posted that are associated with the card.



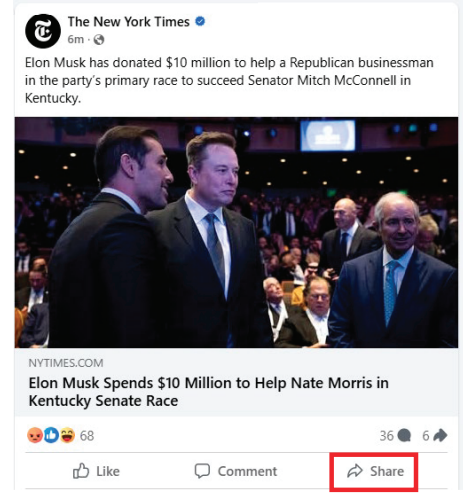
See https://www.facebook.com/nytimes/

(b) wherein the database system has been configured to allow
(b)(i) each user to have at least one user-selected collection of cards representing information objects in the database system and
(b)(ii) at least some content of cards, including any associated picture and heading, regardless of the collections in which they may have first appeared, to be made accessible and copyable across card collections of users.

- Defendant configures its database system to allow each user to have at least one user-selected collection of cards representing information objects in the database system and cards, regardless of the collections in which they have first appeared, to be made accessible and copyable across card collections of different users. Note, Defendant's "database system" may be made up of multiple databases or otherwise arranged in a distributed database.

- Defendant practices this limitation by allowing users such as the New York Times to maintain a user-selected collection of cards representing information objects. For example, the New York Times maintains its collection at: https://www.facebook.com/nytimes/

- Although the cards are maintained in their user-selected collection, the cards may be made accessible and copyable across card collections in part due to Defendant's Share button which allows for the cards to be copyable across collections of different users.

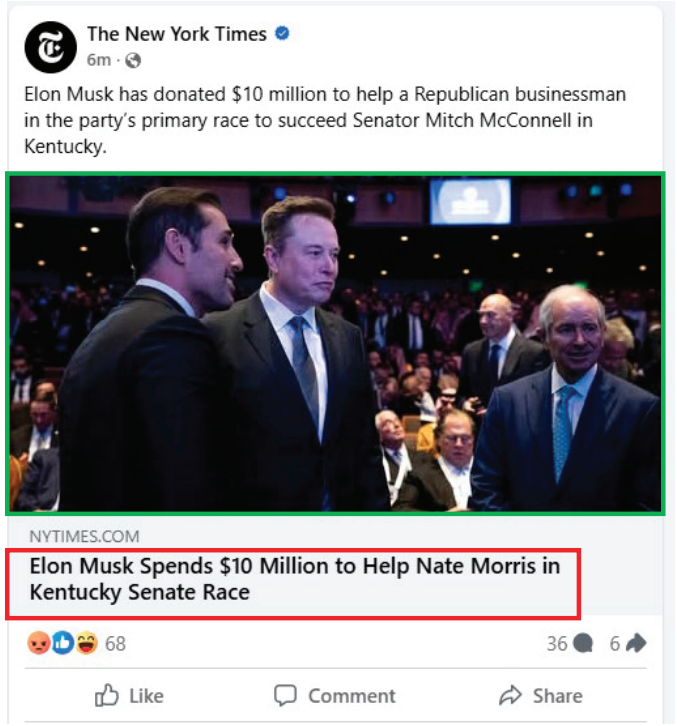


See https://www.facebook.com/nytimes/

18. A method according to claim 17, wherein the extracted data from each data item includes at least the picture and the heading and wherein the heading is included within the card.

Defendant extracts data from each data item including at least a picture and heading, the heading being included in Defendant's card format.

In the example to the right, the title and the picture are both extracted by Defendant from The New York Times's data item.

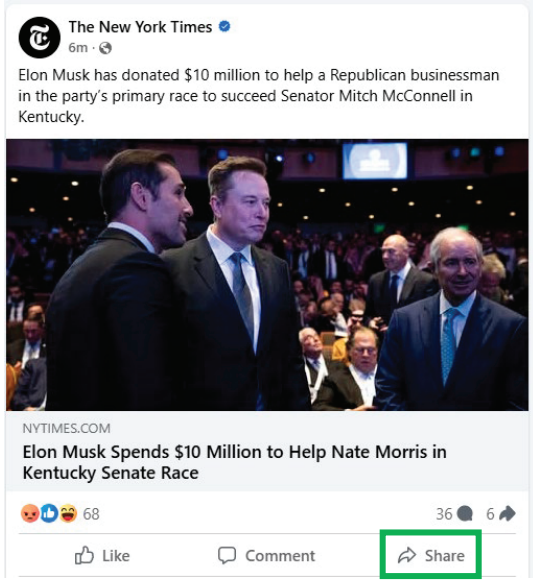


See https://www.facebook.com/nytimes/

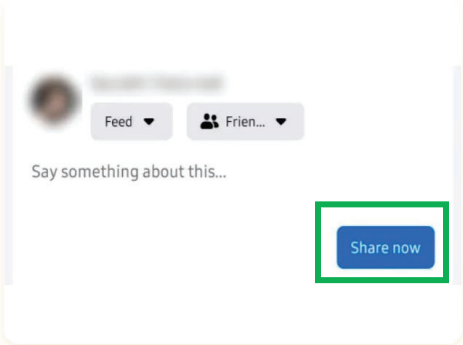
19. A method according to claim 17, the computer processes further comprising: displaying a graphical button, which, when invoked while content is being displayed, causes the displayed content to be handled as one of the data items, namely, by configuring the displayed content as a new information object and making a representation of the new information object available for display in the uniform format.

- Defendant's computer-implemented method further comprises displaying a graphical button, which, when invoked while content is being displayed, causes the displayed content to be handled as one of the data items, namely, by configuring the displayed content as a new information object and making a representation of the new information object available for display in the uniform format.

- Defendant displays graphical buttons, namely Defendant's "Share" and "Share now" buttons which when invoked configure the displayed content as a new information object and makes a representation of the new information object available for display in the uniform format. Defendant's "Share now" button becomes available upon a user's selection of Defendant's copy function or Share button and when invoked configures the displayed content as a new information object available for display in the uniform format.



- If you want to reshare the post without making any changes, select **Share Now**.

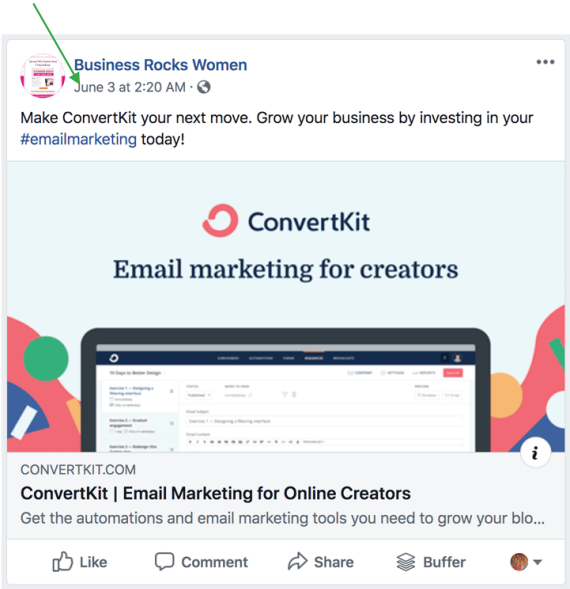


https://recurpost.com/blog/how-to-repost-on-facebook/

See https://www.facebook.com/nytimes/

20. A method according to claim 17, wherein the format includes within the card an indication of a date of creation.

- Defendant's computer-implemented method further comprises a format which includes within the card an indication of a date of creation as exemplified on the right.
- Defendant updates the time between the date of creation of a card and the present. Briefly after a card has been created, Defendant includes within the card an indication of the date of creation by referencing that the card was made a certain number of seconds, minutes, hours, or days ago. Further after a card has been created, Defendant includes within the card a specific date and time of the card's creation.
- For example, the Business Rocks Women card contains an indicator it was created on June 3rd at 2:20 AM and The New York Times card indicates that it was posted just 6 minutes ago.



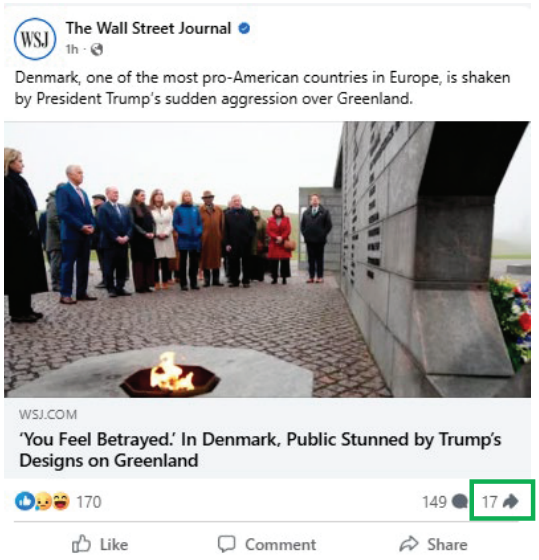
See https://louisem.com/2541/post-link-on-facebook

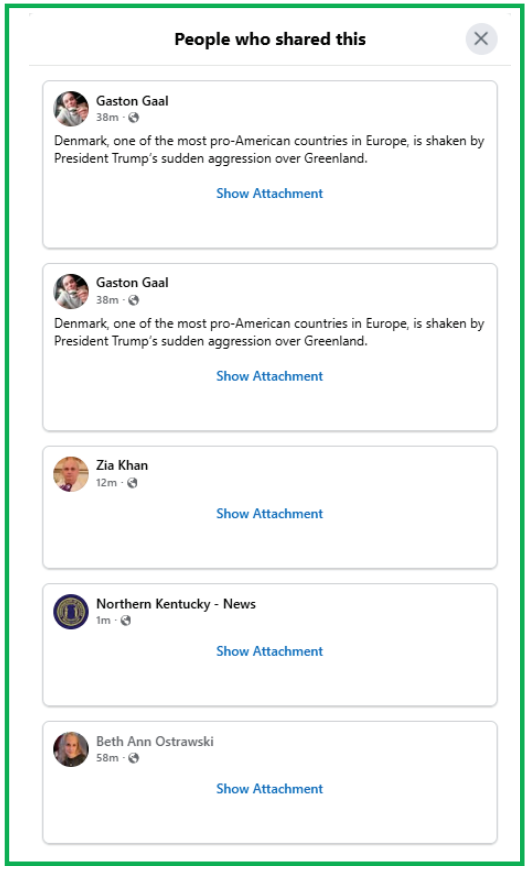
See https://www.facebook.com/nytimes/

21. A method according to claim 17, wherein the format includes a user-accessible report relating to users who copied the information object.

- Defendant's computer-implemented method further comprises a format which includes a user-accessible report relating to users who copied the information object.
- Defendant's uniform format includes a user-accessible report relating to the number of users who have copied or shared the information object.

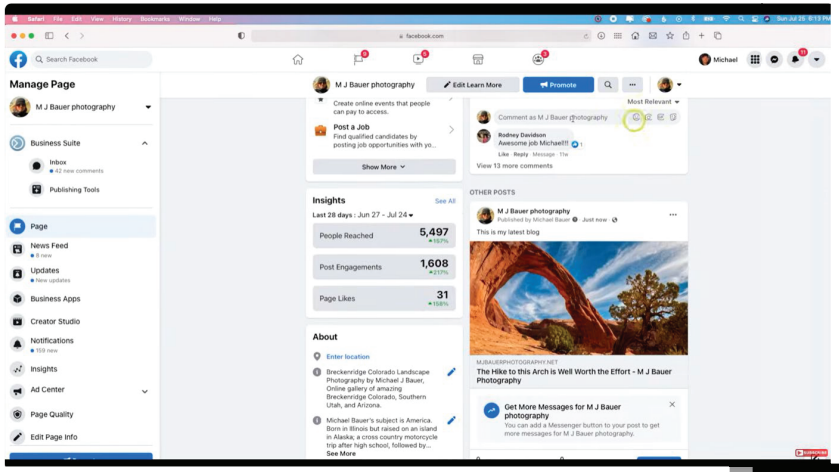
See https://www.facebook.com/WSJ/

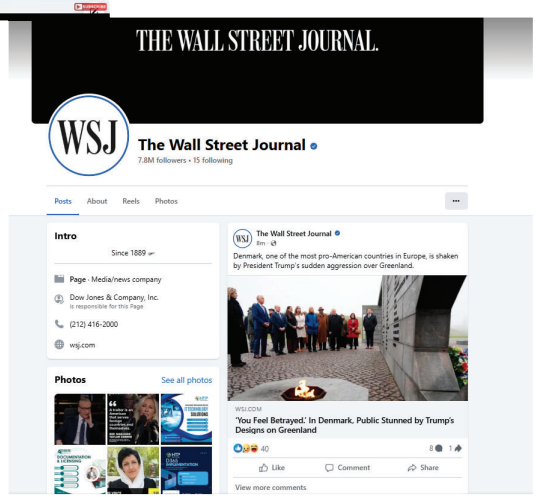




22. A method according to claim 17, further comprising: displaying in a computing device of a first user, a first view of a first set of cards that constitute a first collection of the first user; also displaying in the computing device of the first user, a second view of a second set of cards that constitute a collection of a second user.

- Defendant displays in a computing device of a first user, a first view of a first set of cards that constitute a first collection of the first user and also displays in the computing device of the first user, a second view of a second set of cards that constitute a collection of a second user.
- As shown in the first image, a first user, Defendant is displaying in a computing device MJ Bauer photography's wall which constitutes a first view of a first set of cards that constitute a first collection of the first user.
- As shown in the second image, Defendant is displaying in a computing device the Wall Street Journal's wall which constitutes a second view of a second set of cards that constitute a collection of a second user.





See https://www.youtube.com/watch?v=EpRqOhHB0jA

See https://www.facebook.com/WSJ/