

Filed on behalf of Meta Platforms, Inc.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner

v.

COGMEDIA, LLC
Patent Owner

Case IPR2026-00248

**DECLARATION OF ANDY COCKBURN, PH.D.
IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 10,664,141 B2**

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	EXPERIENCE, QUALIFICATIONS, AND STATUS AS AN INDEPENDENT EXPERT	2
III.	LEVEL OF ORDINARY SKILL IN THE ART	9
IV.	RELEVANT LEGAL STANDARDS	9
V.	MATERIALS REVIEWED AND CONSIDERED	13
VI.	TECHNOLOGY OVERVIEW	16
VII.	THE '141 PATENT	27
	A. Overview	27
	B. The Challenged Claims	28
VIII.	OVERVIEW OF THE PRIOR ART	28
	A. McQueen (Ex. 1005)	28
	B. Forsyth (Ex. 1006).....	32
	C. Csaszar (Ex. 1014)	34
	D. Briggs (Ex. 1015)	38
	E. Knapp (Ex. 1017)	40
IX.	CLAIM CONSTRUCTION.....	41
X.	OPINIONS ON GROUND 1: CLAIMS 1-3, 5, 12-20, AND 22 ARE OBVIOUS IN VIEW OF MCQUEEN AND FORSYTH	42
	A. A POSITA Would Have Been Motivated to Combine	42

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

1.	Blurb posts with comment forums and a related new comment count indicator (Claims 1[b], 1[f], 15-17)	42
2.	Blurb posts with a vote count indicator (Claims 12-14)	47
B.	A POSITA Would Have Had a Reasonable Expectation of Success	49
C.	Claim 1	51
1.	1[Preamble]: “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:”	51
2.	1[a]: “responsive to a user selection of the at least one data item:”	57
a.	1[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;”	61
b.	1[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:”	66
3.	1[b]: “a comment function, by which users having access to the card comment function can exchange comments relating to the card, such comments being	

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

	associated with the information object represented by the card;”	72
4.	1[c]: “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;”	74
5.	1[d]: “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”	76
6.	1[e]: “a link function, by which users having access to the card link function can invoke the link to the data item; and”	78
7.	1[f]: “wherein the set of indicators includes: an indicator reflecting commenting activity associated with the card; and”	78
8.	1[g]: “wherein the database system has been configured to allow (i) each user to have at least one user-selected collection of cards representing information objects in the database system and (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.”	80
D.	Claim 17	84
E.	Dependent Claims 2, 3, 5, 12-16, 18-20, and 22.....	84
1.	Claim 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	

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

	information object and making a representation of the new information object available for display in the uniform format.”	84
2.	Claim 3: “A method according to claim 1, wherein the format includes within the card an indication of a date of creation.”	87
3.	Claim 5: “A method according to claim 1, further comprising:”	89
a.	Claim 5[a]: “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;”	89
b.	Claim 5[b]: “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.”	90
4.	Claim 12: “A method according to claim 1, wherein the set of indicators includes: an indicator reflecting voting activity associated with the card.”	91
5.	Claim 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.”	93
6.	Claim 14: “A method according to claim 1, wherein the at least some content further includes the indicator reflecting voting activity.”	94
7.	Claim 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.”	95

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

8. Claim 16: “A method according to claim 1, wherein the at least some content further includes the indicator reflecting commenting activity.” 97
9. Claim 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.” 98
10. Claim 19: “A method according to claim 17, the computer process 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.” 101
11. Claim 20: “A method according to claim 17, wherein the format includes within the card an indication of a date of creation.” 101
12. Claim 22: “A method according to claim 17, further comprising:” 101
 - a. Claim 22[a]: “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;” 101
 - b. Claim 22[b]: “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.” 101

XI. OPINIONS ON GROUND 2: CLAIMS 2 AND 19 ARE OBVIOUS IN VIEW OF MCQUEEN, FORSYTH, AND CSASZAR.....102

- A. A POSITA Would Have Been Motivated To Combine.....102

B.	A POSITA Would Have Had a Reasonable Expectation of Success	103
C.	Claim 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.”	104
D.	Claim 19: “A method according to claim 1, 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.”	107
XII.	OPINIONS ON GROUND 3: CLAIMS 4, 8, 9, 21, 25, AND 26 ARE OBVIOUS IN VIEW OF MCQUEEN, FORSYTH, AND BRIGGS	108
A.	A POSITA Would Have Been Motivated to Combine	108
B.	A POSITA Would Have Had a Reasonable Expectation of Success	110
C.	Claim 4: “A method according to claim 1, wherein the format includes a user-accessible report relating to users who copied the information object.”	111
D.	Claim 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.”	114
E.	Claim 9: “A method according to claim 8, 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.”	117
F.	Claim 21: “A method according to claim 17, wherein the format includes a user-accessible report relating to users who copied the information object.”	120
G.	Claim 25: “A method according to claim 17, 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”	120
H.	Claim 26: “A method according to claim 17, 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.”	120
XIII. OPINIONS ON GROUND 4: CLAIMS 6, 7, 10, 11, 23, 24, 27, AND 28 ARE OBVIOUS IN VIEW OF MCQUEEN, FORSYTH, AND KNAPP		120
A.	A POSITA Would Have Been Motivated to Combine	120
B.	A POSITA Would Have Had a Reasonable Expectation of Success	122
C.	Claim 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.”	123
D.	Claim 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”	128
E.	Claim 10: “A method according to claim 1, further comprising:”	132
1.	Claim 10[a]: “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;”	132
2.	Claim 10[b]: “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.”	133
F.	Claim 11: “A method according to claim 10, 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.”	135
G.	Claim 23: “A method according to claim 22, 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.”	136
H.	Claim 24: “A method according to claim 22, 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.”	136
I. Claim 27: “A method according to claim 17, further comprising:”	137
1. Claim 27[a]: “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;”	137
2. Claim 27[b]: “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.”	137
J. Claim 28: “A method according to claim 27, 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.”	138
XIV. OPINIONS ON GROUND 5: CLAIMS 7 AND 24 ARE OBVIOUS IN VIEW OF MCQUEEN, FORSYTH, BRIGGS, AND KNAPP	138
A. Claim 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.” 138

- B. Claim 24: “A method according to claim 22, 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.” 140

XV. CONCLUSION 140

I. INTRODUCTION

1. I, Andy Cockburn, Ph.D., have been retained by Meta Platforms, Inc. (“Meta”) to provide an analysis of the scope and content of U.S. Patent No. 10,664,141 relative to the state of the art at the time of the earliest application to which the ’141 Patent claims priority. My analysis relates to claims 1-28. I have also been retained to provide analysis regarding what a person of ordinary skill in the art (“person of ordinary skill in the art”) would have understood at the time of the earliest application underlying the ’141 Patent.

2. This declaration summarizes the opinions I have formed to date. I reserve the right to modify or amend my opinions, if necessary, based on further review and analysis of information that I receive subsequent to the filing of this declaration, including in response to positions taken by Cogmedia, LLC (“Cogmedia”) or its experts that I have not yet seen, including any secondary considerations evidence that Cogmedia or its expert may consider and present.

3. It is my opinion that claims 1-28 of the ’141 Patent are invalid based on the following grounds.

Ground 1	Claims 1-3, 5, 12-20, and 22 are obvious under in view of McQueen and Forsyth
Ground 2	Claims 2 and 19 are obvious under in view of McQueen, Forsyth, and Csaszar

Ground 3	Claims 4, 8, 9, 21, 25, and 26 are obvious in view of McQueen, Forsyth, and Briggs
Ground 4	Claims 6, 7, 10, 11, 23, 24, 27, and 28 are obvious in view of McQueen, Forsyth, and Knapp
Ground 5	Claims 7 and 24 are obvious under in view of McQueen, Forsyth, Briggs, and Knapp

II. EXPERIENCE, QUALIFICATIONS, AND STATUS AS AN INDEPENDENT EXPERT

4. I am being compensated at the rate of \$600 per hour for my work on this declaration. My fee is not contingent on the outcome of any matter or on any of the technical positions I explain in this declaration.

5. My education and experience are described more fully in my Curriculum Vitae, a copy of which can be found in Exhibit 1004. In June 2025, after 32 years of service to the University of Canterbury, New Zealand, I retired from my position as Professor in the Department of Computer Science and Software Engineering. I currently hold the position of Emeritus Professor at the University of Canterbury.

6. In 1988, I was awarded a Bachelor of Science with Honors in Computer Science from the University of York, England.

7. In 1993, I was awarded a Ph.D. from the University of Stirling, Scotland. My thesis was on “Computer Supported Cooperative Work” which relates to forms of group interaction supported on computers.

8. In 1993, I joined the University of Canterbury as a Lecturer in the Department of Computer Science (now the Department of Computer Science and Software Engineering). I was subsequently promoted to a Senior Lecturer, and then an Associate Professor, before my appointment as a Professor in 2010. I currently hold the title of Emeritus Professor.

9. I have over 30 years of experience in the area of HCI. The field of HCI is generally concerned with ways of understanding and improving the interaction between humans and computers, with a view to understanding, evaluating, designing, and building new styles of interactions that improve on one or more of the end goals of making computers faster to learn, more intuitive, more efficient to use, and more subjectively satisfying.

10. Throughout my career, I have published the results of many research projects that have involved building new user interfaces or reviewing existing user interfaces for performing a particular task, and evaluating their effectiveness. This includes publications relating to:

- a) designing, implementing, and analyzing interfaces that assist networked computer users to maintain a sense of social presence with online collaborators and to select appropriate communication tools when needed;

- b) investigating user experiences with web navigation interfaces, for example when using the “back” button on web browsers;
- c) reviewing and improving various interface schemes for traversing through documents and lists in desktop and mobile computer applications, including zooming, scrolling, and other techniques;
- d) analyzing new interfaces for text entry on mobile and touch-sensitive devices;
- e) addressing the problems arising from the small form factor of mobile devices with touch-sensitive displays, including wearable technologies;
- f) examining the influence of haptic feedback on user performance with mouse and touchscreen input devices;
- g) evaluating the importance of spatially stable displays in user interfaces; and
- h) designing, analyzing and evaluating gesture-based input techniques for various user activities, including music data entry, web navigation, text entry, and scrolling.

11. I also have extensive experience in designing and building new user interfaces and reviewing existing user interfaces. This includes a number of projects

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
regarding the design, development, and evaluation of user interfaces that I have
undertaken with companies in the computing and HCI industry, such as:

- a) working with Microsoft Research in 1999 on the development, evaluation, and improvement of user interfaces for web browsing, in particular the mechanisms for revisiting pages (such as through the “back” button or bookmarks);
- b) working with Digit Wireless in 2002 on the evaluation of user performance for user interfaces for digital text entry on mobile devices;
- c) working with IBM Almaden Research in 2006 on the design, development, and evaluation of user interfaces for gesture-based text entry on mobile devices;
- d) working with Logitech on a number of projects from 2006-2010 regarding the design, development, evaluation, and improvement of user interfaces for next generation mice, including in relation to scrolling and window management tasks;
- e) working with Hewlett-Packard Research Labs from 2010-2012 on the design and evaluation of gesture-based pointing techniques for remote displays, such as interactive TVs; and

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

f) working with Airbus SAS in 2016 on methods to assist pilots' gesture-based interaction with touchscreens in turbulent environments.

12. As part of my PhD thesis work, in 1992 I designed and implemented a collaborative graphical user interface system, called Telefreek (shown below), that included a filterable list of online collaborators and their activity status, as well as providing a set of buttons that launched alternative communication tools for interacting with selected users. Selecting a user from the list of online collaborators displayed details regarding that user in a unified format at the bottom-right corner of the window. *See generally* Ex. 1019.

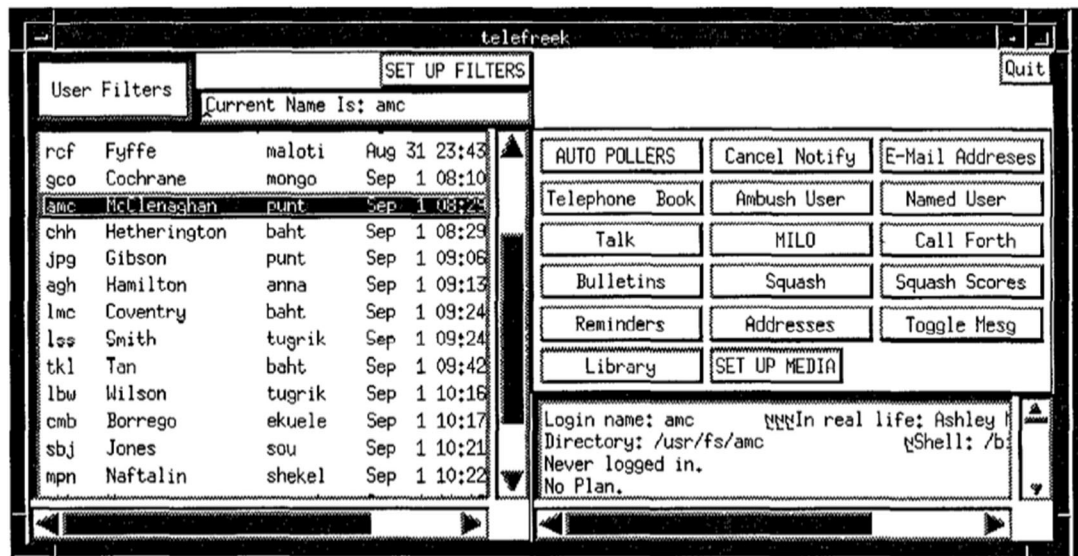


Figure 1. The main TELEFREEK display, showing user McClennaghan selected for inquiry and interaction.

13. In 1999 I published a research paper describing the design and evaluation of a graphical user interface, called WebView, that I implemented to

Declaration of Andy Cockburn, Ph.D. in Support of
 Petition for *Inter Partes* Review USP No. 10,664,141

assist users in navigating the world-wide web. As the user navigated the web using the Netscape web browser, WebView automatically extracted from each page a picture of the page, its title, and a set of links available from the page. The set of links available from each page were directly available as functions of a context menu associated with the picture for each page. As shown in the figures below, each page in the list of visited pages was presented in a unified format.

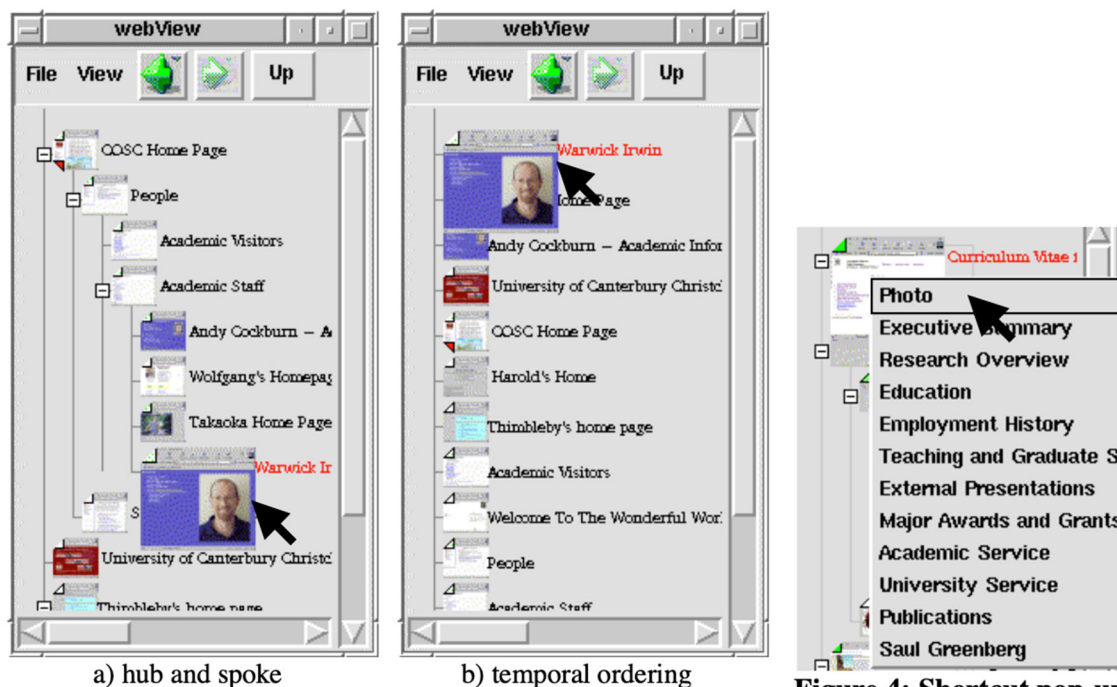


Figure 2: WebView's two display organisation schemes.

Figure 4: Shortcut pop-up menu

Ex. 1020, Fig. 2, Fig. 4.

14. Until my retirement within the past year, I taught a course on HCI for final year undergraduate students and a course on research methods in HCI for postgraduate students at the University of Canterbury. My teaching in the field of

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
HCI has included teaching on the topic of Computer Supported Cooperative Work (CSCW), which is widely considered to be a sub-field of HCI.

15. In the past, I have also taught introductory computer programming courses for first year students across disciplines, which included the implementation of graphical user interfaces.

16. Prior to retirement, I managed an active research lab with a number of Ph.D. students, and I continue to supervise Ph.D. students in my position as Emeritus Professor. I have previously supervised sixteen students to successful completion of their Ph.D.s in the field of HCI.

17. The Association for Computing Machinery (ACM) is the world's largest scientific and educational computing society. In 2015, I was elected to the ACM Special Interest Group on Computer-Human Interaction (CHI) Academy, which honors the principal leaders of the field of HCI.

18. During my university career, I annually attended conferences relating to the field of HCI and I continue to regularly read journals and conference proceedings that cover research in the field of HCI.

19. To keep abreast with industry trends, I regularly read broader journals, magazines, and websites related to computer science and technology, including Communications of the ACM, ACM TechNews, BBC Technology, and New York Times Technology.

20. A detailed list of my other professional activities, memberships, and speaking engagements is included in my CV.

III. LEVEL OF ORDINARY SKILL IN THE ART

21. In my opinion, a person of ordinary skill in the art in 2004 would have had a bachelor's degree in electrical engineering, computer science, or a similar technical field, with two years of relevant experience working with graphical interfaces and/or networked data systems. Additional experience could substitute for less education, and additional education could likewise substitute for less experience.

22. My opinions do not turn on this precise definition, and the challenged claims would be unpatentable from the perspective of any reasonable person of ordinary skill in the art.

23. I believe that I would have qualified as a person of at least ordinary skill in the art as of the earliest alleged April 29, 2004 priority date of the '141 Patent. I believe that I have a sufficient level of knowledge, experience, and education to provide an expert opinion in the field of the '141 Patent.

IV. RELEVANT LEGAL STANDARDS

24. I understand that statutory and judicially created standards must be considered to determine the validity of a patent claim. I am not an attorney and, consequently, will offer no opinion on the law itself. My understanding of the

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
pertinent law is described in this section and is the result of explanations provided
by counsel. I have applied this understanding in my analysis.

25. I understand that a patent claim is unpatentable if it is anticipated by, or obvious in view of, the prior art. I further understand that the time frame of reference for determining whether a claim is unpatentable is from the perspective of a person of ordinary skill in the art at the time of invention.

A. Anticipation

26. I have been informed that for a patent claim to be anticipated by the prior art, each and every limitation of the claim must be found, expressly or inherently, in a single prior art reference as recited in the claim. I have been informed that a claim limitation not expressly found in a prior art reference is inherent if the prior art necessarily functions in accordance with, or includes, the claim limitation. Mere probability that a limitation is included is not sufficient to establish inherency.

B. Obviousness

27. In analyzing obviousness in light of the prior art I have been informed that it is important to understand the scope of the claims, the level of skill in the relevant art, the scope and content of the prior art, the differences between the prior art and the claims, and any objective indicia of non-obviousness (also called secondary considerations).

28. I have been informed that a patent claim is unpatentable for obviousness if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person of ordinary skill in the art to which said subject matter pertains. I have been informed that obviousness may be based on one reference or a combination of references. I have been informed that the combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.

29. I have been informed that when a patented invention is a combination of known elements, the Patent Trial and Appeal Board (“Board”) must determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue by considering the teachings of prior art references, the effects of demands known to people working in a field or present in the marketplace, and the background knowledge possessed by a person of ordinary skill in the art.

30. I have been informed that the Supreme Court has recognized several rationales for combining references or modifying a reference to show obviousness of the claimed subject matter. I understand that several of these rationales are: (1) combining prior art elements according to known methods to yield predictable results; (2) simple substitution of one known element for another to obtain

predictable results; (3) use of a known technique to improve a similar device (method or product) in the same way; (4) applying a known technique to a known device (method or product) ready for improvement to yield predictable results; (5) choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success; (6) and some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention.

31. I have been informed that in order to prove that a claimed invention is not patentable for obviousness, a petitioner must (1) identify the differences between the claim and particular disclosures in the prior art references, singly or in combination, (2) specifically explain how the prior art references could have been combined in order to arrive at the subject matter of the claimed invention, and (3) specifically explain why a person of ordinary skill in the art would have had reasons to so combine the prior art references.

C. Priority and Written Description

32. I have been informed that to claim priority to a prior application, each application in the chain that leads to an earlier application must comply with the written description requirement. I have been informed that in order to satisfy the written description requirement, the specification of the provisional application must contain a written description of the invention and the manner and process of making

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

and using it, in such full, clear, concise, and exact terms, that it would enable a person of ordinary skill in the art to practice the invention claimed in the non-provisional application. I have been informed that the provisional application must describe the invention claimed in the non-provisional application such that a person of ordinary skill in the art can clearly conclude that the inventor had invented the claimed invention by the provisional application filing date.

V. MATERIALS REVIEWED AND CONSIDERED

33. My opinions in this declaration are based on working in the field of computer science and engineering, including my teaching, research, and consulting. I have an established understanding of the relevant field at the relevant time frame and I have an understanding of the skill set, capabilities, and knowledge of a person of ordinary skill in the art as of 2004.

34. My opinions are also based on investigation and study of the patent at issue, its file history, and the prior art. In the course of forming my opinions, I have reviewed the exhibits submitted with the Petition and any other materials cited in this declaration; I have reviewed the following exhibits, which I understand are attached to the Petition for *Inter Partes* Review of the '141 Patent.

Exhibit No.	Description
1001	U.S. Patent No. 10,664,141 to Keel, et al. (“the '141 Patent”)

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

Exhibit No.	Description
1002	File History of U.S. Patent No. 10,664,141
1005	U.S. Patent No. 7,310,612 to McQueen, III et al. (“McQueen”)
1006	U.S. Patent No. 7,047,030 to Forsyth (“Forsyth”)
1007	U.S. Pre-grant Publication No. 2002/0069105 to do Rosario Botelho et al. (“do Rosario Botelho”)
1008	RESERVED
1009	U.S. Pre-grant Publication No. 2003/0189592 to Boresjo (“Boresjo”)
1010	File History of U.S. Patent No. 9,524,090
1011	U.S. Patent No. 7,293,074 to Jellinek et al. (“Jellinek”)
1012	U.S. Pre-grant Publication No. 2004/0136510 to Vander Veen (“Vander Veen”)
1013	U.S. Pre-grant Publication No. 2002/0091775 to Morehead et al. (“Morehead”)
1014	U.S. Pre-grant Publication No. 2003/0233422 to Csaszar et al. (“Csaszar”)
1015	U.S. Patent No. 7,080,139 to Briggs et al. (“Briggs”)
1016	RESERVED
1017	U.S. Patent No. 6,769,010 to Knapp et al. (“Knapp”)
1018	U.S. Pre-grant Publication No. 2003/0103603 to Kurita et al. (“Kurita”)

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

Exhibit No.	Description
1019	Cockburn, A. and Greenberg, S. <i>Making contact: getting the group communicating with groupware. In Proceedings of the conference on Organizational computing systems (COCS '93) (1993)</i>
1020	Cockburn, A., et. al. <i>WebView: A Graphical Aid for Revisiting Web Pages OzCHI'99: Australian Conference on Computer-Human Interaction (1999)</i>
1021	Schatz, Bruce R. <i>Building an electronic community system (1991)</i>
1022	Engelbart, Douglas C. and English, William K. <i>A research center for augmenting human intellect (1968)</i>
1023	Borenstein, Nathaniel S. and Thyberg, Chris A. <i>Cooperative work in the Andrew message system (1988)</i>
1024	Greenberg, Saul and Rounding, Michael. <i>The notification collage: posting information to public and personal displays. In Proceedings of the SIGCHI Conference on Human Factors in Computing Systems (CHI '01) (2001)</i>
1025	U.S. Patent No. 5,854,893 to Ludwig (“Ludwig”)
1026	RESERVED
1028	U.S. Pre-grant Publication No. 2005/0198128 to Anderson et al. (“Anderson”)
1029	U.S. Patent No. 5,898,431 to Webster et al. (“Webster”)
1030	U.S. Patent No. 8,255,835 to Bocking (“Bocking”)

Exhibit No.	Description
1031	U.S. Pre-grant Publication No. 2005/0261987 to Bezos et al. ("Bezos")
1032	U.S. Pre-grant Publication No. 2005/0091316 to Ponce et al. ("Ponce")

35. I may rely upon these materials and/or additional materials to rebut arguments raised by Cogmedia. Further, I may also consider additional documents and information in formatting any necessary opinions including documents that may not yet have been provided to me.

VI. TECHNOLOGY OVERVIEW

36. The substantial expense of mainframe computers in the 1960s, combined with their fast-processing capabilities, lead to the introduction of timesharing, under which a single computer serviced many tasks or users by giving each task or user a small slice of processing time. Thus, it was common in the 1960s and 1970s for several users to be concurrently connected via a network to the same mainframe computer, with each user effectively having interactive, real-time access to its services.

37. As timesharing and networked computing spread, interactive tools emerged to facilitate communication between system users. For example, in the early 1970s Unix systems included a command 'write' that allowed a user to send a text message to the terminal of another user. As the text sent using 'write' could

intermingle with the text that the message recipient was currently typing, the manual page for the command advised users to adopt turn-taking protocols by terminating each communication with a suffix such as ‘o’ for “over” and ‘oo’ for “over and out.” By the early 1980s, commands such as Unix ‘talk’ reduced the need for turn-taking, by displaying the text of concurrent communicators in different locations of a split window, allowing all parties to type in real time without the intermingling of text. While ‘write’ and ‘talk’ were primarily directed at communication between parties concurrently logged into the system, email for asynchronous communication over ARPANET was introduced in 1971. Electronic bulletin boards, USENET, and Netnews were also made available for rapid information distribution and sharing of information across APRANET. Ex. 1021, 90-92.

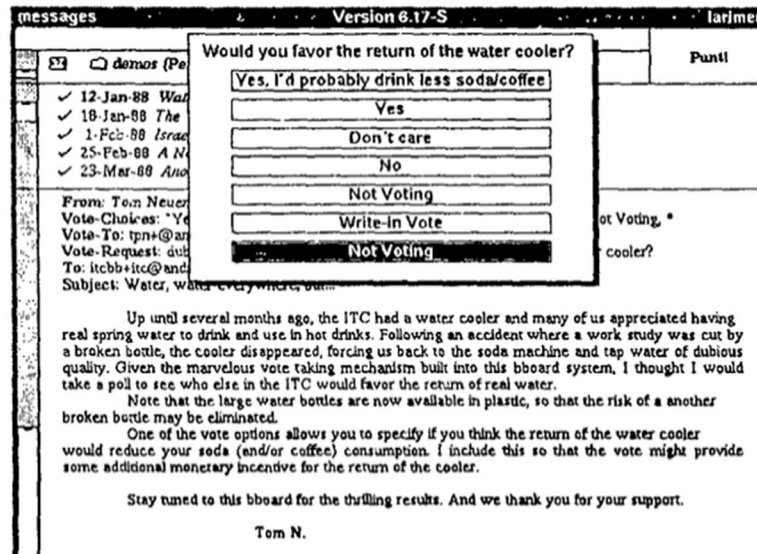
38. Beyond tools for basic communication, Douglas Engelbart’s Augment/NLS system (debuting in the late 1960s) demonstrated extensive support for collaborative work between real-time computer users. Augment/NLS integrated hypertext linking, shared workspaces, real-time collaborative editing, telepresence-like video and audio links, and sophisticated knowledge management tools. Engelbart’s 1968 “Mother of All Demos” showcased multiple participants jointly editing documents, controlling remote displays, and navigating interconnected knowledge structures. *See generally* Ex. 1022; *see also* <https://www.youtube.com/watch?v=yJDv-zdhzMY>.

39. In the late 1970s and early 1980s small, inexpensive computers such as the Apple II, IBM PC and Commodore 64 became widely available. With these machines, users could run their own applications, manage their own files, and use software tailored to personal productivity, such as word processors and spreadsheets. Thus, the ‘Personal Computer’ largely became a tool for private work and creativity, shaped around the needs of a single operator. However, with PCs at the time transferring work between colleagues by file-sharing was relatively cumbersome, often involving the exchange of floppy disks.

40. By the late 1980s, many researchers, system designers, and industry recognized the opportunities of incorporating improved support for collaboration into everyday computing. This led to the emergence of Computer-Supported Cooperative Work (CSCW) as a research field and “groupware” as a product category.

41. By at least as early as the late 1980s, it was well known and conventional for computer systems to support sophisticated messaging systems that incorporated voting functions. For example, the Andrew Message System disclosed a bulletin board and email system that included “active messages.” When active messages were read, they promoted for an interactive response from the user. One type of active message was the “vote message,” which asked users to select one of a set of options in response to a question. Ex. 1023, p 308, Fig. 6 (reproduced below).

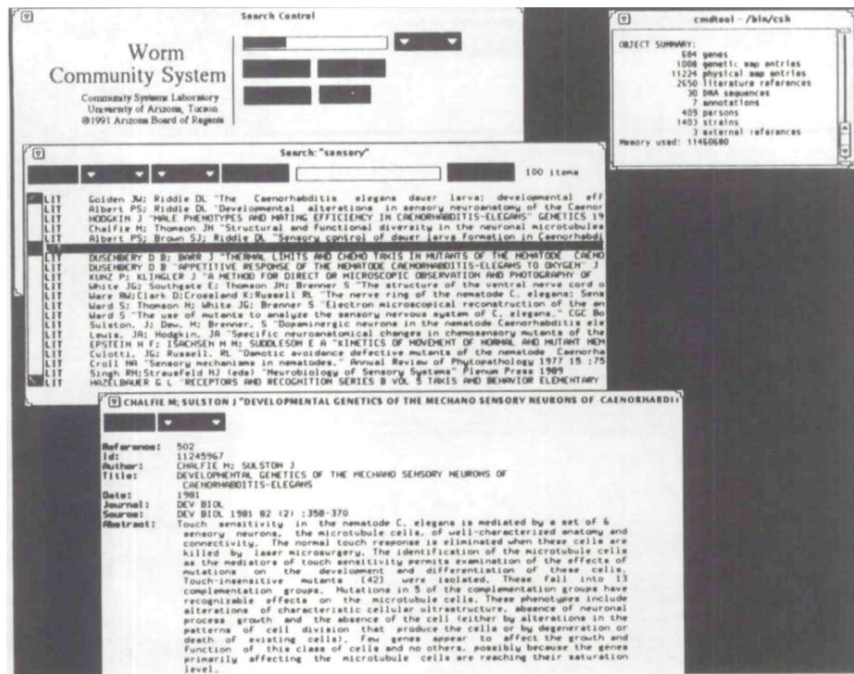
Figure 6: A vote message was used to settle a long-simmering dispute over a bottled water dispenser at CMU:



42. By at least as early as 1991, it was also well known and conventional for computer systems to support electronic communities, including features for uniformly formatted displayed objects, multiple displayed collections of objects, links between objects, links to locations in graphical images of physical maps, and various other graphical indicators. For example, Schatz describes the ‘Worm Community System’ for a community of collaborating biologists that included the following features:

- a) *uniformly formatted information objects* – for example, as shown in the figure reproduced below, “The window below Search Control labelled Search: ‘sensory’ contains a summary of the set of objects in the worm information space matching this keyword (containing that text string).

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
Each object has a one-line summary (uniform for all types)” Ex. 1021,
102 (emphasis added).



b) *multiple displayed collections of information objects* – for example, the figure below shows two collections of information objects, one containing links to literature items related to the term “sensory” and one containing links to genetic information described in the selected literature item.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

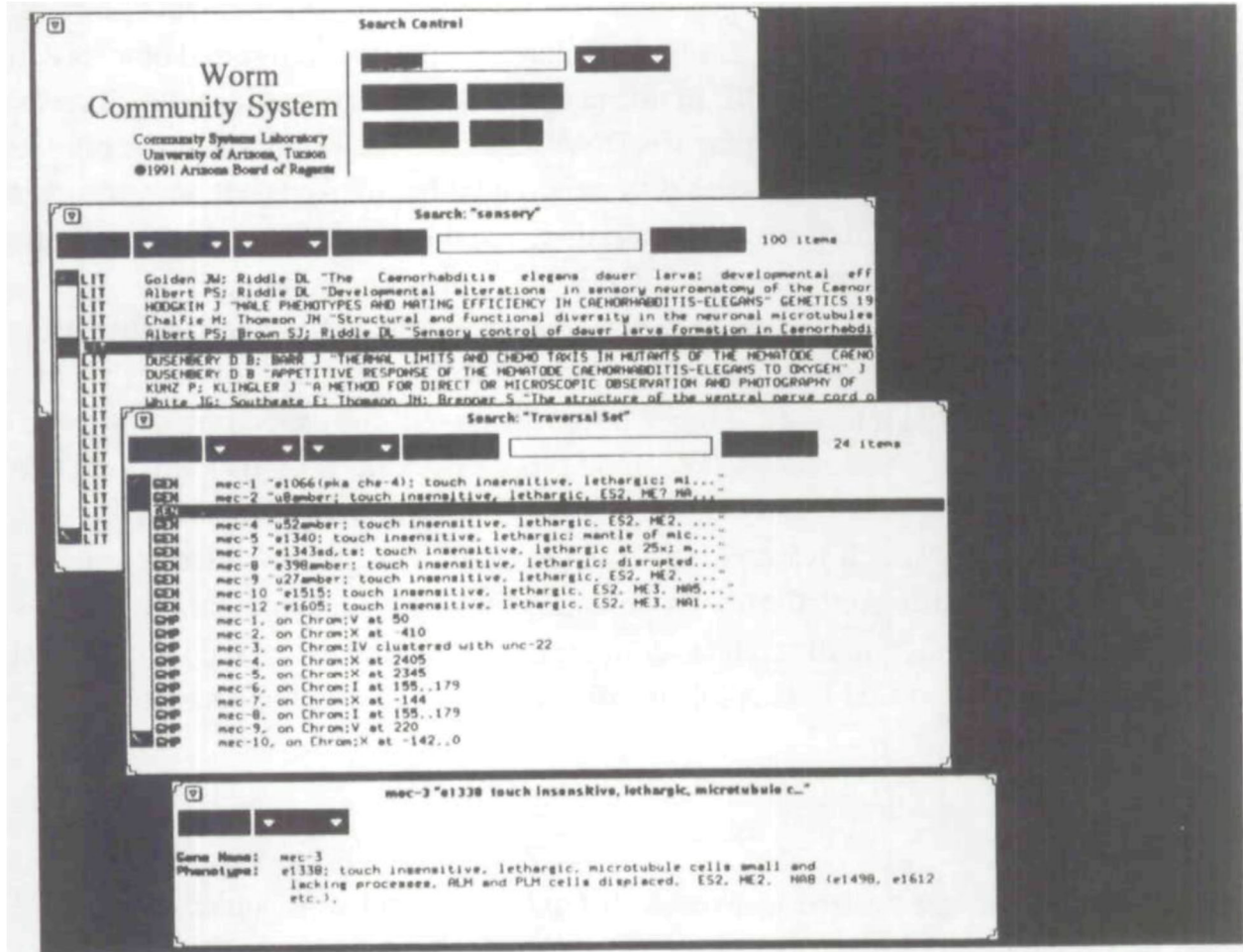


Figure 3. Navigation

Id., Figure 3.

c) *links between objects* – for example, “units in the information space are interconnected and the user can follow links to related units. For the worm space, literature objects are linked to all genes described in the article. Figure 3 shows a link following.” *Id.*, 102.

d) *objects that link to and display selectable locations in graphical images of physical maps* – for example, “The user now wants to see where the gene is located physically on the DNA of the worm and issues the ‘show

physical map’ command on the selected gene in the Traversal Set. Figure 4 displays a section of the physical map of the chromosome showing the known locations for a variety of cloned DNA fragments. The window labeled Config #423 displays the region containing *mec-3*. This window is not just a line drawing but a live first-class graphical display of a composite object ‘physical map’ that contains many subobjects of type ‘clone.’ Thus, the individual objects can be manipulated and interacted with.” *Id.*, 103-104.

- e) *indicators of the number of items in a collection* – for example, “the number of objects is shown in the upper right.” *Id.*, 102.
- f) *an indicator of the availability of shared annotations on information objects* – “the user checks whether other community members have added any informal information about the gene of interest ... The gene has a checkmark by its summary line indicating that an annotation is available.” *Id.*, 104.

43. The emergence of the World Wide Web in the mid-1990s caused rapid growth in the development and deployment of online services, bringing many of the features disclosed in earlier mainframe and workstation based systems to much wider audiences via home computer users. These included the introduction of instant

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
messaging for home computers through systems such as AOL Instant Messenger in
1997, Yahoo! Messenger in 1998, and Microsoft Messenger in 1999.

44. By at least the late 1990s, it was well known, routine, and conventional for teleconferencing applications to include uniformly formatted information objects displaying data, including graphical icons, related to collaboration participants. For example, US5,854,893 to Ludwig (filed June 10, 1996) included an online rolodex of potential collaboration participants (shown in the top-right of figure 2A, reproduced below). For each selected entry in the rolodex, various functions were available, including displaying a card of formatted information relating to the details of the selected entry (shown bottom-left of figure 2A), as well as functions to call the participant, add them to an existing call, email them, or launch a window for sharing an image of other data. Ex. 1025, 19:1-23, 24:48-60. Ludwig's teleconferencing system also included the ability to attach and share various types of files, including video files attached to emails (see top half of Figure 2B, reproduced below) and annotated image files shared on a collaborative whiteboard (see bottom-left of Figure 2B). *Id.*, 26:29-48.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

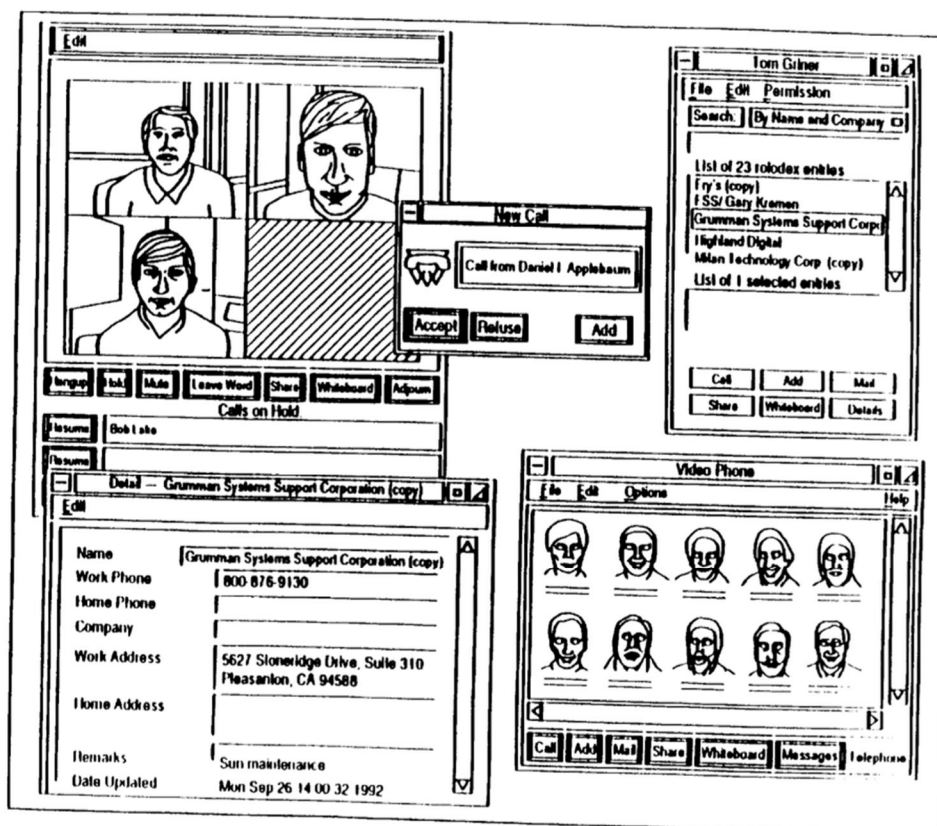
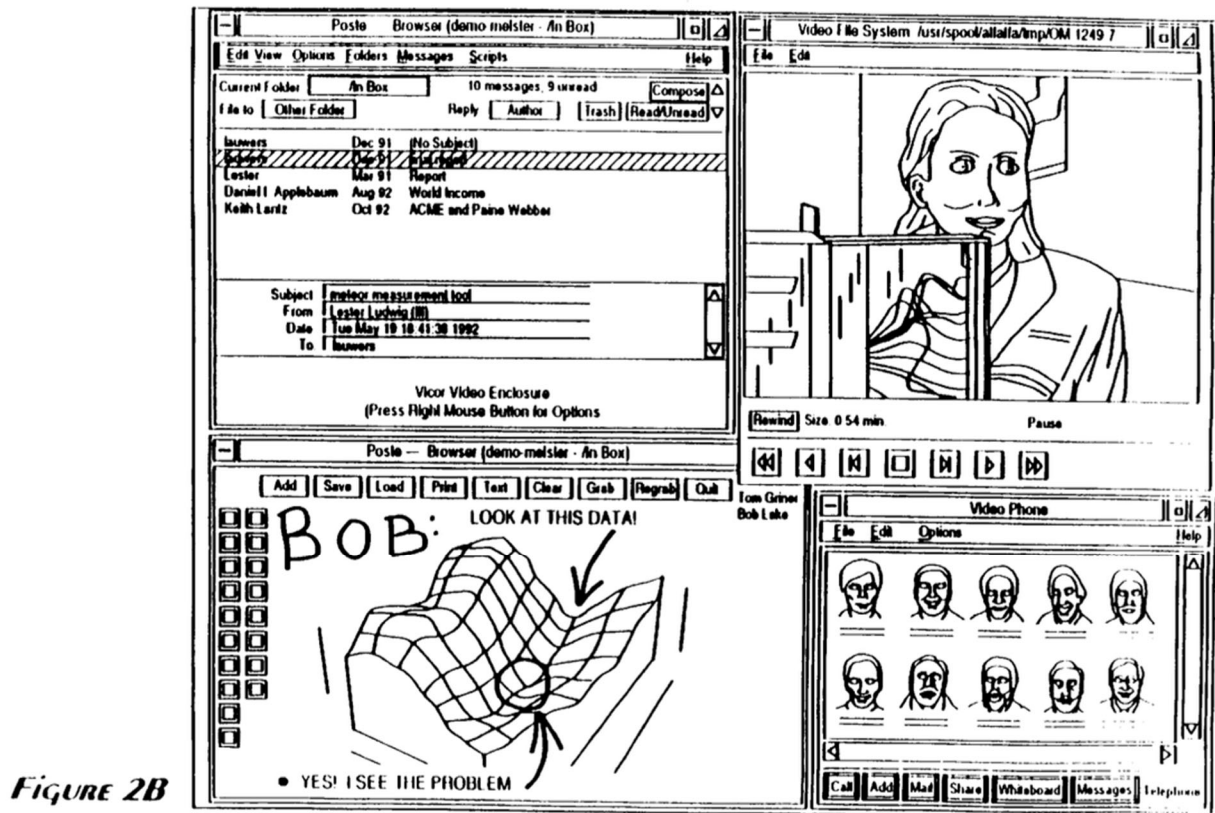


FIGURE 2A



45. The “Notification Collage”, published in 2001, was another example of a system that provided a collage of information-sharing interactive media elements. Shown in the figure below, the Notification Collage included a collection of Sticky Notes, a collection of live video feeds, a collection of shared desktops, a picture slideshow, and a collection of web page views. *See generally* Ex. 1024. The Notification Collage also supported a context menu (shown near the bottom-right of the figure below) for accessing functions associated with each displayed media element: “Through this menu, people can respond to whoever posted the item by emailing or instant messaging them, or they can visit the home page of the poster.” *Id.*, 517.



Figure 1. The Notification Collage. Media elements are annotated. New items are positioned only left of the vertical bar.

46. By the mid 2000s, many social computing platforms were widely available on the web, including SixDegrees.com (launched in 1997), Makeoutclub.com (1999), Friendster (2002), MySpace (2003), Hi5 (2004) and Facebook (2004).

47. The '141 Patent describes one such approach for managing and exchanging networked information using “information objects” in a standardized format. Ex. 1001, Abstract.

48. Yet, as the review above shows, by the time the '141 Patent was filed, the field of collaborative software systems was already well-developed, and the use of uniformly formatted information objects, with associated indicators and functionality, was well-known in the art.

VII. THE '141 PATENT

A. Overview

49. I understand that the '141 Patent relates to a provisional application, U.S. Provisional Application No. 60/566,723 filed on April 29, 2004. Ex. 1001, 2. I also understand that the application for the '141 Patent was filed on November 8, 2017. *Id.*, Cover.

50. The '141 Patent generally relates to methods and apparatus for managing and exchanging information through the use of “information objects” (IOs) presented in a graphical user interface (GUI). *Id.*, Cover. The patent characterizes conventional systems as having deficiencies that allow a user to visually organize, collect and manage information objects that represent various portions of information. *Id.*, Summary. To address these alleged shortcomings, the '141 Patent introduces a system where data items from external sources such as web pages, emails, or files are configured into distinct, standardized information objects. *Id.*, 4:35-51.

51. The primary structural unit of the '141 Patent is the “card,” which serves as a uniform container for these information objects. Each card is configured to display specific extracted data in uniform locations, typically including a picture, a heading, and a hyperlink to the original data source. *Id.*, Abstract.

52. To support collaborative interaction, the '141 Patent integrates common communication features directly into the information object. This includes a function mechanism allowing users to exchange time-stamped messages, provide votes, or replicate cards into their own collections. *See generally id.* These features represent a combination of established networking protocols and graphical interface triggers intended to promote social presence around shared data. *Id.*

B. The Challenged Claims

53. The '141 Patent has 28 claims, and I understand that claims 1 and 17 are the only independent claims, where claims 2-16 depend upon claim 1 and 18-28 depend upon claim 17. *See Ex. 1001.*

VIII. OVERVIEW OF THE PRIOR ART

A. McQueen (Ex. 1005)

54. Based on my review of U.S. Patent No. 7,310,612 to McQueen (“McQueen”), it is my opinion that McQueen discloses a system for managing the flow of digital content shared across a network, including the internet. Ex. 1005, Abstract, FIG. 1. As illustrated in Figure 1, McQueen’s system is configured to ingest content from various “external sources”—such as newsletters, blogs, or RSS feeds—and saves corresponding “blurbs” within a database 44. *Id.*, 1:54-63, 4:53-5:3, FIG. 1. Indeed, McQueen teaches:

FIG. 1 illustrates an electronic catalog system 30 according to a preferred embodiment of the invention. The system 30 includes a user interface (UI) 32

that is accessible to Internet users via user computers 34 and/or other types of devices (PDAs, mobile telephones, etc.). The user interface 32 is preferably implemented as a collection of web pages, but may more generally be implemented using any platform that supports interactive browsing (e.g., online services networks, voice-based browsing systems, interactive television systems, etc.).

Id., 3:18-27. A RSS feed is a standardized XML file format that enables users to receive updates from various websites, blogs, podcasts, and news outlets.

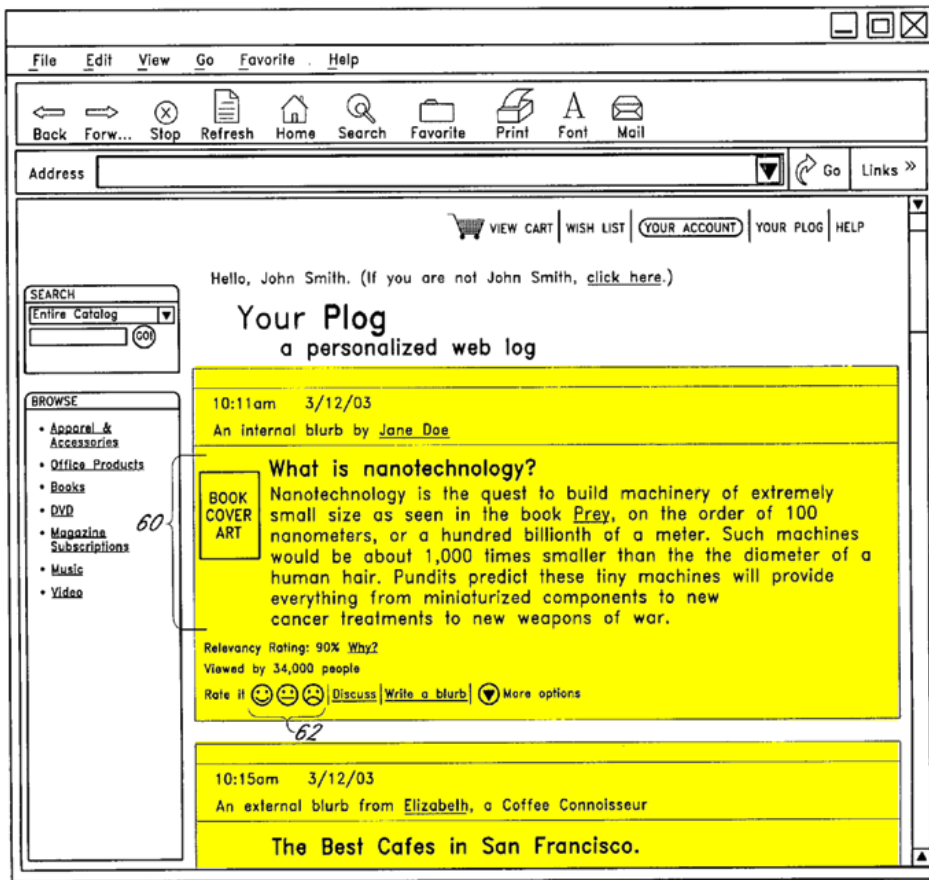
55. McQueen teaches that each blurb may include a title, relevant graphics or images, and a hyperlink:

“FIG. 4 illustrates a portion of an example plog page, with a single plog entry (blurb) **60** shown in its entirety. Each entry within the plog is a blurb that was selected for the target user (the plog's “owner”) by the personalized blurb selection component **52**. The plog is presented in reverse chronological order such that the most recent entries appear at the top of the page. The blurb **60** is displayed together with the following information: the date and time of creation, the name of the author (displayed as a link to the author's blog page), a graphic of the referenced item, an indication of the number of users who have viewed the blurb **60**, and a relevancy rating reflective of a score generated by a personalized selection algorithm.”

Id., 8:4-16; *see also* 5:52-6:3, 7:55-64.

56. Figure 4 (below) exemplifies first and second (partial) blurb posts in yellow below.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141



Id., FIG. 4.

57. As shown above, users can view their own “[p]log[s]” (personalized logs), which serve customized feeds of content relevant to a user’s interests. *Id.*, Abstract. A user can also view “author-specific blogs.” *Id.* Because blurbs are centrally managed in database 44, the same content can appear in multiple contexts—whether on an author’s original page or within another user’s view. *Id.*, 4:28-38, 4:54-5:3.

58. McQueen’s interface provides several tools for interacting with blurbs. Users viewing a blurb can click on a hyperlink to visit the “originating site” or an

“author’s blog page.” *Id.*, 5:67-6:3 (“...excerpt of each external blurb may be displayed (e.g., the title plus the first twenty words), together with a link to the originating site”), 8:10-16. The system incorporates a rating mechanism, allowing users to evaluate the quality of content by casting votes (e.g., rating an item as “good” or “poor”). *Id.*, Indeed, McQueen specifically states:

“As depicted by the “blurb voting” component **54** in FIG. 1, users are preferably given the option to rate some or all of the blurbs they review by casting votes. The votes may be cast according to a specified rating scale (e.g., “poor,” “average,” and “good”), and may be based on quality, relevance, or any other appropriate criteria. The option to vote on a blurb may be presented whenever that blurb is displayed, or may be presented only when the blurb is displayed as the result of a selection algorithm. Each vote is preferably recorded in the blurbs database **44**, and preferably affects the frequency with which the corresponding blurb is subsequently selected to present to other users. Although the votes are preferably blurb-specific, the system may additionally or alternatively allow users to vote on an entire blog that contains many blurbs from the same author. Further, As I discussed below, implicit forms of voting may be used.”

Id., 6:14-23; *see also id.*, claim 2.

A “Discuss” link enables group conversations. *Id.*, FIG. 4. McQueen supports social distribution: a user viewing an interesting blurb can choose to forward or send it to a friend, thereby moving a copy of that entry into another user’s stream. *Id.*, McQueen explains:

“With further reference to FIG. 4, a “more options” drop down menu allows the plog’s owner to access other options, such as an option to send the blurb to a friend, and an option to create a new blurb that references the displayed blurb **60**. Certain types of user actions, such as sending the blurb to a friend, may optionally be treated as votes in favor of the blurb (i.e., implicit voting may be supported). The plog page also includes a search engine box and various links for searching and browsing the catalog.”

Id., 8:24-33 , *see also* 10:36-47.

59. McQueen also discloses a pipeline for authoring blurbs, including instructions, a formatted page for authoring/editing content, and a preview page. The preview page allows the author to view the blurb as it will appear to other users before continuing to post the blurb. McQueen explains:

“FIGS. 2 and 3 illustrate two example screens of the blurb authoring pipeline **40**. The first screen (FIG. 2) provides instructions for creating a blurb, and includes an area for entering the headline and body of the blurb. In this example, blurb authors are encouraged to add links to specific items in the catalog, and are provided with a tool for doing so. The author can also insert links to other web sites. a search engine box and various links for searching and browsing the catalog.

Once the blurb text has been entered, the author selects the “preview” button to view a “preview your blurb” screen of the type shown in FIG. 3. In this example, the author has added a link to a particular catalog item, and more specifically, to a particular book title. A graphic associated with this book title has automatically been added to the display.”

Id., 7:47-60 , *see also* FIGS. 2 & 3.

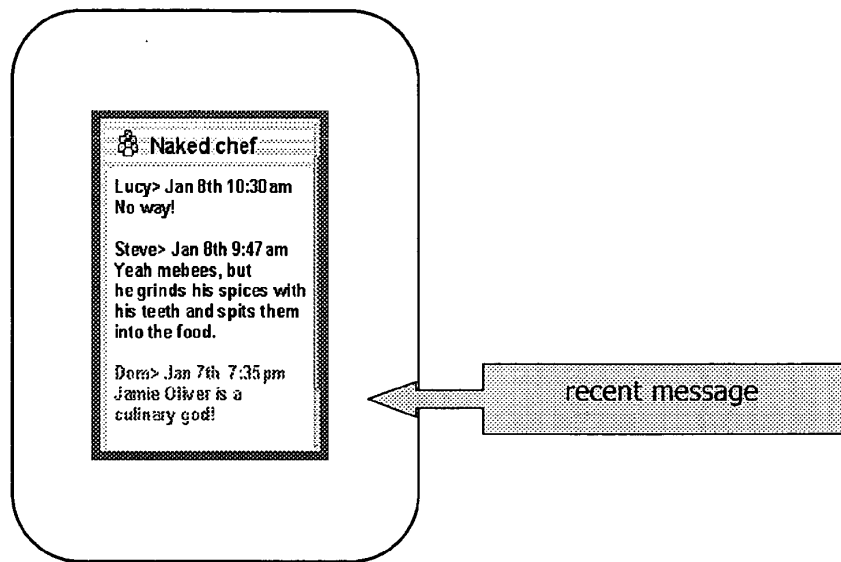
60. By integrating content gathering with personalized organization and social tools, it is my opinion that McQueen provides a framework for collaborating with user-generated content.

B. Forsyth (Ex. 1006)

61. Based on my review of U.S. Patent No. 7,047,030 to Forsyth (“Forsyth”), it is my opinion that Forsyth discloses systems and methods for facilitating group communications about specific posts and interests using smart phones and other wireless information devices connected the Internet. *See, e.g.*, Ex.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
1006, 1:15-23 (“smart phones”), 3:2-18 (“groups sharing common interests” over
“internet”), 6:27-52. The systems can work with a variety of different applications
and contexts—“whenever an application designer wishes to include some kind of
group communication functionality.” *Id.*, 5:55-60.

62. Forsyth teaches “Forums”, a structure for user interactions ranging
across a wide array of content, including social events, shared photographs, book or
music recommendations, common interests, etc. *Id.*, 5:27-30, 7:19-43, 9:36-45,
10:14-19. Forum messages (e.g., for a “Naked chef” topic) are organized
chronologically, showing the author, date, and message body for each entry. *Id.*,
6:27-58, FIG. 7.



Id., FIG. 7.

63. Like McQueen’s “Discuss” link for a blurb, Ex. 1005, FIG. 4, Forsyth
discloses that users can access a discussion Forum by clicking on a link. *Id.*, 6:27-

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

52 (“After clicking on a Forum title ... the user is shown the messages posted to that Forum, as shown in FIG. 7.”). Forums can also be searched and accessed, or even socially browsed to pass time, similar to McQueen’s blurb posts. *Id.*, 10:14-19, 17:5-29. Forsyth’s system supports then-“current and very popular internet type services,” with a focus on “instant messaging” and “comments.” *Id.*, FIG. 7, 2:40-53, 4:9-23.

C. Csaszar (Ex. 1014)

64. Based upon my review of U.S. Patent Application No. 2003/0233422 to Csaszar (“Csaszar”), it is my opinion that Csaszar discloses a tool for information publishing and personal communication. Ex. 1014, Abstract. Csaszar’s tool displays a primary source and editable fields that allow a user to experience publicly available content, known as Primary Objects, and capture relevant characteristic attributes such as location pointers, headlines, or text excerpts to create a Derivative Digital Object. *Id.*, [0025]. Csaszar’s teachings, similar to McQueen’s framework for collaborating with user-generated content, provide a “multi-purpose collaborative information platform” where users are able to share information. *Id.*, [0051]. Like McQueen’s “plogs,” Csaszar discloses “Flyers,” which are digital objects that organize components such as the one illustrated below in Figure 7. *Id.*, [0211-0212], claim 1; Csaszar describes Fig. 7 as follows:

“FIG. 7 is a schematic representation of a compound digital object according to the invention. A key component of this embodiment of the invention is the

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

compound digital object 10, referred to herein as a Flyer, and formed by digital components that comprise any of descriptive text elements, illustrative images, numeric descriptors, and other digital elements. The Flyer comprises, for example, a Primary Link which is used to direct a recipient to referred content, such as a Web page or file. The Flyer itself thus presents a visual collection of digital components, organized around a common metaphor, such as a handbill, and generalizable for any desired communication.”

Id., [0209].

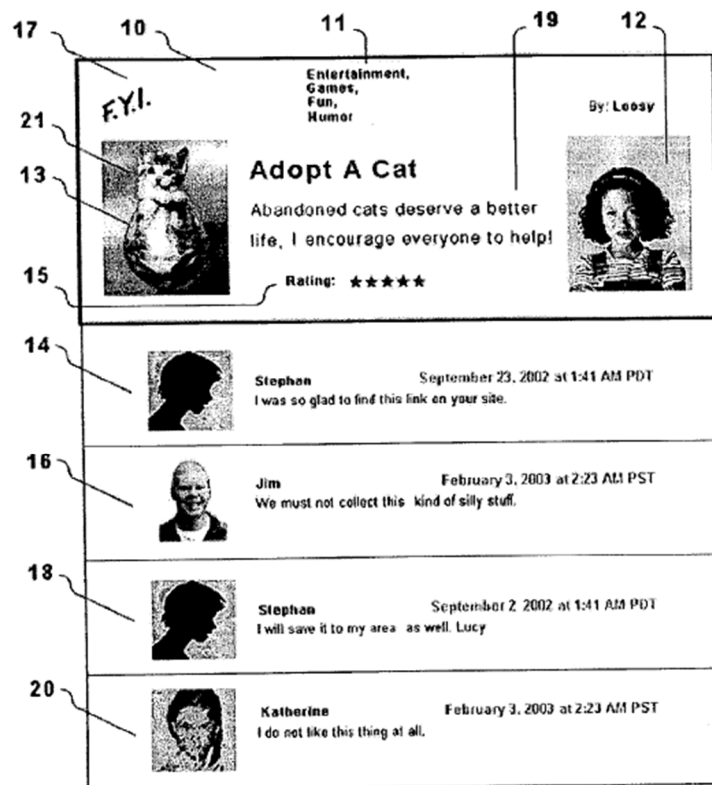


Fig. 7

Id., Fig. 7.

65. A user is shown the option to “MAKE FLYER” when moving a cursor over a web page. *Id.*, [0243]-[0247]. When creating the Derivative Digital Object

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
from the Primary Object, Csaszar's system automatically captures "relevant
characteristic attributes, for instance pointers to the location of the Primary Digital
Object, its name or headline, text excerpt, illustration, audio sample, or other
representative component." *Id.*, [0047]-[0048]. Like McQueen's "preview"
function, Csaszar teaches editable fields such as modifying a title or adding personal
comments. *Id.*, [0126] ("the user can alter, i.e. change, delete from or add to, the
text displayed. The user may, for instance, modify the title of the Primary Object, its
text description, its universal resource locator (URL) or other components"). In fact,
like McQueen, Csaszar teaches comments and quality rating measures, like votes.
Id.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

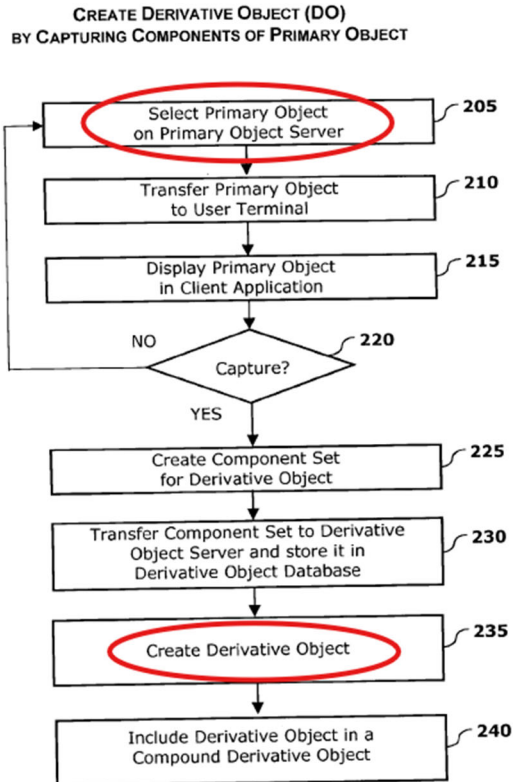


FIG. 3

Ex. 1014, Fig. 3 (annotated).

66. Csaszar's Flyers, similar to McQueen's blurb posts, are configured into a digital uniform format, "shaped by the system in such a way that they fit the capabilities of a communication channel used for the distribution." *Id.*, [0233], [0126]. These Flyers have interactive user functionality such as messaging, annotations, and forwarding. *Id.*, [0211] ("Each recipient may annotate the Flyer 14, 16, 18, 20 such that the Flyer becomes a dynamic bulletin board which... can be forwarded endlessly from user to user, accumulating annotations in the process.

Recipients may also rate the information, and a cumulated rating 15 is displayed for use by further recipients in evaluating the information.”).

D. Briggs (Ex. 1015)

67. Based upon my review of U.S. Patent No. 7,080,139 to Briggs (“Briggs”), it is my opinion that Briggs discloses a method for passively tracking and sharing user experiences, such as internet browsing and physical location visits across communication devices. Ex. 1015, Abstract. Briggs teaches the collection of URLs visited, ratings, emoticons, and comments. *Id.*, 2:50-55. Other data collected includes a Visited URL Database (VUD) that stores URLs visited by users alongside metadata. *Id.*, 2:49-51; 2:60-67. Collected data can be gathered passively via browser plugin. *Id.*, 11:2-5. Users can selectively share the collected data with “buddies,” similar to Forsyth’s focus on user interactions around groups sharing common interests. *Id.*, 2:28; Ex. 1006, 6:27-52. Said data may be annotated “with a history of users who forwarded the information” such that they can see the “diffusion information and the velocity at which it is disseminated.” Ex. 1015, 19:25-27, 19:31-36. Briggs’ method discloses aggregation of data into reports that “can cover the analysis of interactions among participants and spreading of information from one user to others.” *Id.*, 5:30-32.

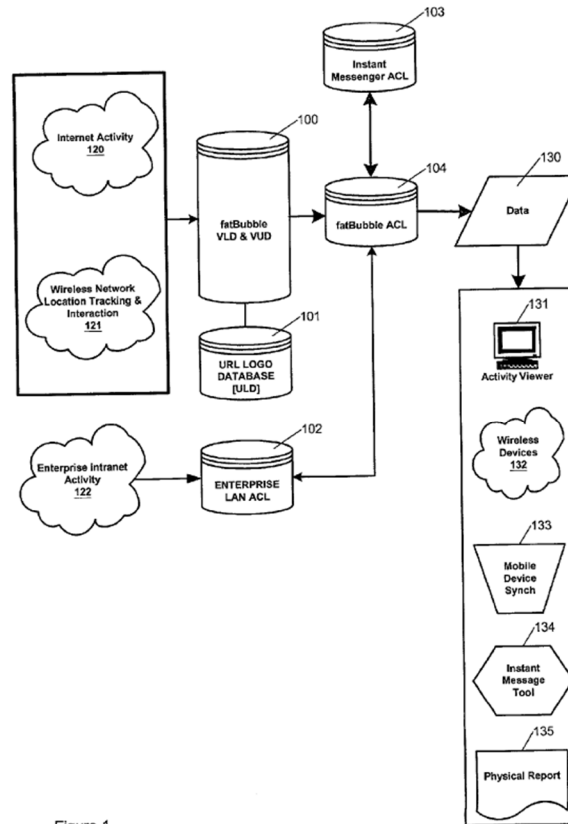
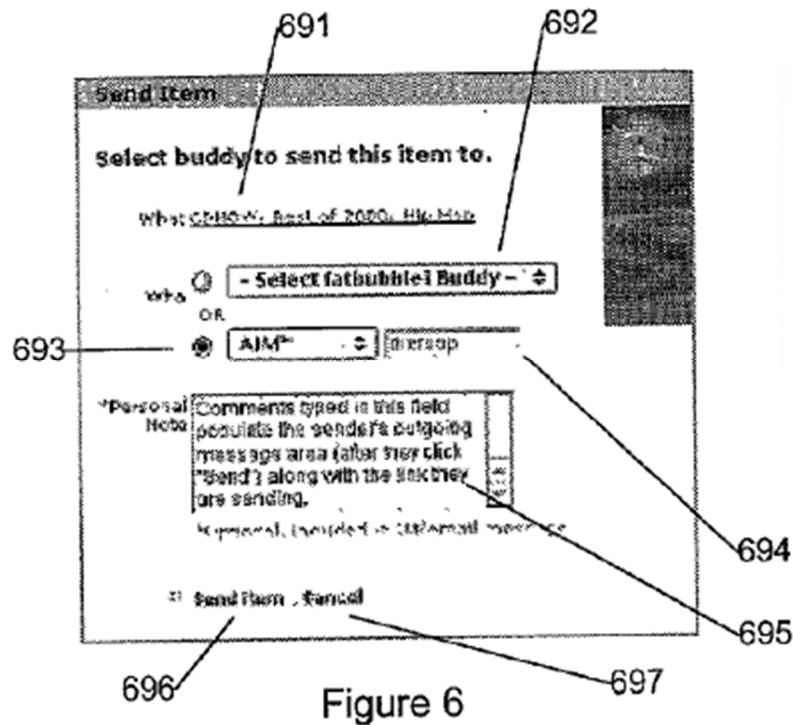


Figure 1

Id., FIG. 1.

68. Briggs teaches graphical selective functionality within its user interfaces. For example, Briggs teaches that a user has various “[r]ow select commands” for information prior to sharing. *Id.*, 9:55-57. Row select commands refer to user interface actions such as mouse clicks or keyboard combinations that are utilized to identify and choose one or more data entries within a list prior to performing a subsequent action, such as sending or forwarding items. Indeed, Briggs teaches that this system is integrated with messaging systems, as shown below.



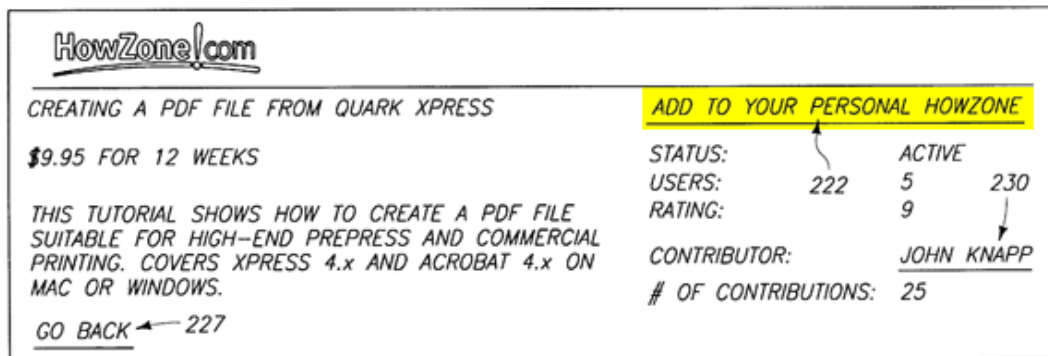
Ex. 1015, Fig. 6.

E. Knapp (Ex. 1017)

69. Based upon my review of U.S. Patent No. 6,769,010 to Knapp (“Knapp”), it is my opinion that Knapp discloses a graphical user interface that allows a user to select “content objects” authored by various parties, such as experts seeking to share information with customers. Ex. 1017, 6:53-7:2, 24:62-25:21. Before a selection is made, the system represents these objects in a summary view using snippets of information like titles, ratings, and costs. *Id.*, FIGs. 6-7, 9, 11-12, 16-17. By clicking an associated link or a “clickable icon or graphic,” the user

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
navigates to a content detail page that presents detailed information of an object
alongside additional interaction options. *Id.*, 19:50-67, 28:3-45, FIGs. 6-7, 11, 16.

70. Knapp teaches copying a GUI object to a user's personal page via a
graphically entered copy command. *Id.*, 23:36-24:3, 25:31-56, 28:31-44. For
instance, a user may click an "add to personal HowZone" link to duplicate a third-
party content object into their own personalized digital space. *Id.*, 23:36-24:3,
25:31-56, 28:31-44, 6:53-7:2, FIGs. 9, 12, 17. This "personal HowZone" functions
as a personal website that aggregates various content objects, a structure similar to
the personal "plog" page disclosed by McQueen. *Id.*, 23:3-17, 25:39-55, FIG. 8.



Ex. 1017, FIG. 17 (annotated).

IX. CLAIM CONSTRUCTION

71. I have applied the plain meaning of the terms and phrases in the claims
in my analysis, as a person of ordinary skill in the art would have understood those
terms and phrases at the relevant time (around 2004). I understand that the Board
will construe the claims using the same claim construction standard that would be

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
used in district courts. My declaration will establish that the prior art meets each of
the claim limitations under any reasonable construction. I have not been asked to
consider any express constructions.

**X. OPINIONS ON GROUND 1: CLAIMS 1-3, 5, 12-20, AND 22 ARE
OBVIOUS IN VIEW OF MCQUEEN AND FORSYTH**

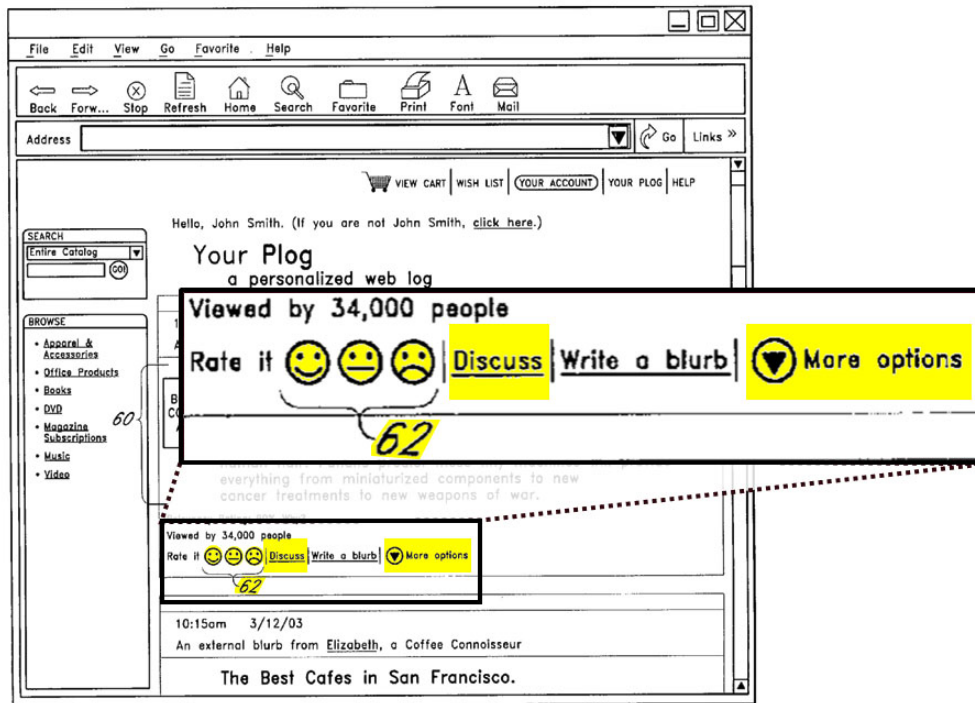
A. A POSITA Would Have Been Motivated to Combine

72. It would have been obvious to a person of ordinary skill in the art to
modify McQueen to incorporate Forsyth’s threaded comment, new comment count,
and related features. At the relevant time, integrating real-time communication tools
into content-sharing platforms was a standard industry practice to drive user
retention and enhance user experience. It also would have been obvious for
McQueen’s blurbs to display a “current tally of the votes submitted on a particular
review,” as disclosed by McQueen and a “typical” configuration at the relevant time.
See Ex. 1005, 1:34-53. This offers users visual cues relating to new activity and the
relative importance of content without requiring additional action from a user. It is
my opinion that the combination would have resulted in McQueen’s blurbs including
a comment function and a corresponding blurb discussion forum, as well as
indicators for the number of new comments and votes.

**1. Blurb posts with comment forums and a related new
comment count indicator (Claims 1[b], 1[f], 15-17)**

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

73. It is my opinion that a person of ordinary skill in the art would have had ample reason to combine McQueen with Forsyth. McQueen seeks to facilitate user interaction with each blurb by including voting icons 62, a “More options” drop-down menu, and a “Discuss” element. Ex. 1005, FIG. 4, 8:24-33. A person of ordinary skill in the art would have recognized that the “Discuss” link in McQueen could serve advanced communication protocols like the threaded and real-time messaging protocols as disclosed in Forsyth.



Ex. 1005, FIG. 4 (annotated).

74. It is my opinion that incorporating Forsyth’s “chat/instant messaging” and corresponding comment features, which were a “current and very popular

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
internet type service,” Ex. 1006, 5:3-14; 5:27-43, for the “[D]iscuss” feature or as
an additional aspect of McQueen’s “More options” drop-down menu (as detailed
below (§X.C.3)) would have been an obvious and predictable combination of known
elements to a person of ordinary skill in the art for known improvements and/or
benefits. *See* Ex. 1006, 4:18-34 (“All linked (e.g. threaded) communications, such
as replies and comments, then become part of the same communication object and,
like any object are treated as a discrete entity. Hence, the entire communication
object can be sent to a new person, or be archived etc.”), 5:3-14; 5:27-43, 7:19-43
 (“They can make comments ... and the group members can again discuss and deride
the content.”), FIG. 7. Indeed, it is my opinion that a person of ordinary skill in the
art would have had good reason to include chat/messaging in the context of
discussion tools given the interactive user-to-user functionality.

75. A person of ordinary skill in the art would have also recognized that
implementing the discussion feature as a comment function would enhance user
experience with the blurbs by allowing for real-time, dynamic interaction between
mobile devices. Ex. 1006, FIGs. 1, 6-7, 2:40-53, 5:8-24, 6:27-57. The modification
would “handle effectively” the communications McQueen suggests, especially in
context of mobile device communications. Ex. 1006, 2:40-47. It would offer group,
push, and threaded conversation benefits over state-of-the-art technology like web
bulletins and group e-mail. *Id.*, FIG. 1 (below).

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

Capability:	Can you create a discussion between group members on your own device? (Important since it facilitates setting up a group discussion)	Push delivery? (Push is more convenient to mobile users)	Is it possible to retain a long term record of exchanges between group members? (An important attribute for many new kinds of services)	Can you deliver messages to all members of a group, or is it restricted to one to one? (Clearly critical to group based messaging)	Do all group members see the same, unitary message thread, or are there instead many separate individual messages? (A single, unitary message entity (e.g. a thread) makes message organisation and navigation far easier.)	If a recipient is off-line (e.g. messaging app not open), are they alerted anyway? Potentially very important for mobile usage because of the high proportion of time users may not be on-line (i.e. actively using their messaging application).
Web bulletin board	No	No	Yes	Yes	Yes	No
Chat/instant messaging	Yes	Yes	No	Yes	Awkward	No
Group e-mail	Yes	No	Awkward	Yes	No	No
SMS	Awkward	Yes	No	Awkward	No	Yes
Forums	Yes	Yes	Yes	Yes	Yes	Yes

76. The communications would have made it “far easier for people to reach similar individuals than ever before” and provided a “foundation stone for building applications which enable a huge range of new group based communication/interaction functions,” increasing user social engagement and collaboration. *Id.*, 3:3-18. In fact, Forsyth explicitly acknowledges benefits offered by providing an “easy to understand messaging tool that facilitates *open discussion*.” *Id.*, 5:28-29. A person of ordinary skill in the art would have seen the “group object” in Forsyth as a portable data structure that could manage the lists of “buddies” or similar authors identified in McQueen to facilitate open discussion. Ex. 1006, 5:27-30.

77. Displaying a number of new comments associated with a discussion would have helped the user understand if new comments existed for purposes such as increased convenience and usability. Forsyth teaches,

“Discrete communication objects can arise whenever there are linked/related messages relating to communications between members of a group object on the same subject and can hence arise in any of the different applications which can use group objects. A diary event (e.g. lunch at 1 pm on Friday 18 January) can become a communication object and all messages relating to that event (and also other diary events) can all become part of the same communication objects.”

Ex. 1006, 4:26-34.

78. At the time of the invention, message indicators were well-understood and routine. *See, e.g.*, Ex. 1029, Abstract, (“[I]ndicia displaying the number of responses to each of the listed topics on ... each day, week, month, or year designated.”), (“The report view 208 also includes indicia 240 indicating the number of responses to the topic 201....An unread only button may also be included to display unread responses only.”) 8:11-24, FIG. 6; Ex. 1028, [0040] (“[A] field 337 that indicates how many posts are listed within each thread.”); Ex. 1030, 1:13-20 (“It is common to provide a count of unread messages.”); Ex. 1011 (“Client machine 220 also presents a number after the Inbox, indicating the number of new messages that have not yet been viewed.”); Ex. 1012, [0058] (“Visual display 222 also displays an indication of the number of new messages received at the mobile device.”), FIG. 8; Ex. 1013, [0033] (“The text of this link will also include the number of unread

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

messages that are waiting.”). A person of ordinary skill in the art would have known that a numeric indicator is an efficient way to communicate newness in a user interface, and such a person of ordinary skill in the art would have been motivated to provide such unread counts to incentivize users to engage with threads.

2. **Blurb posts with a vote count indicator (Claims 12-14)**

79. A person of ordinary skill in the art also would have had good reason to modify McQueen to display the number of votes for a given blurb. For instance, McQueen discloses that a set of “icons 62 for voting on [a] blurb,” with the system tracking “the total number of votes cast on such blurbs,” and that “[a] current tally of the votes submitted on a particular review is typically displayed to assist readers in assessing the review.” Ex. 1005, 1:32-43, 8:17-24, FIG. 4. In fact, McQueen notes:

“An author's reputation may be represented as a reputation score or grade that is based on the following and/or other criteria, the number of blurbs written, the total number of votes cast on such blurbs, and the average rating of such votes. Author vote and reputation data is preferably maintained for all authors of internal blurbs, and may also be maintained for authors of external blurbs.”

Id., 6:42-48.

Displaying the number of votes for user-generated content, such as McQueen’s blurb posts, would have assisted readers in assessing the blurb and any corresponding review. *Id.* The vote display also would have allowed a user to “take into consideration the reputation of the associated reviewer,” which is an additional

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
beneficial form of feedback as a user browses blurbs. Ex. 1005, 1:32-43. In all, it
would have been an obvious and predictable combination of known elements to a
person of ordinary skill in the art for known improvements and/or benefits.

80. Furthermore, users faced a high volume of information in such a system
designed to aggregate large amounts of content via RSS feeds, etc. Ex. 1005, 4:53-
58. As such, a person of ordinary skill in the art would have been motivated to
implement features to better streamline and display information to improve user
experience. Displaying a vote indicator would have also provided an immediate
visual metric of quality or popularity, enabling users to quickly distinguish between
“good” and “poor” content without needing to open or read every individual blurb
would be one such feature. Ex. 1005, 6:14-30. McQueen notes:

“As depicted by the “blurb voting” component **54** in FIG. 1, users are
preferably given the option to rate some or all of the blurbs they review by
casting votes. The votes may be cast according to a specified rating scale (e.g.,
“poor,” “average,” and “good”), and may be based on quality, relevance, or
any other appropriate criteria. The option to vote on a blurb may be presented
whenever that blurb is displayed, or may be presented only when the blurb is
displayed as the result of a selection algorithm. Each vote is preferably
recorded in the blurbs database **44**, and preferably affects the frequency with
which the corresponding blurb is subsequently selected to present to other
users. Although the votes are preferably blurb-specific, the system may
additionally or alternatively allow users to vote on an entire blog that contains
many blurbs from the same author.”

Id.

Further, as I discuss below, a person of ordinary skill would recognize a vote indicator would further provide a pre-filtered viewing experience based upon community input.

81. Additionally, total vote displays for boosting user engagement and simplifying content navigation were a standard feature by the early 2000s. A person of ordinary skill in the art would have appreciated that showing a “total vote tally,” Ex. 1007, [0050], for instance, would have provided immediate social information, allowing users to instantly gauge the popularity of a post. A total vote tally would have helped users filter through noise by providing high level information about a post, thus bettering user experience. Indeed, by highlighting “more popular proposals,” such systems “increase the likelihood” that the most relevant and helpful content is prioritized and considered. *See, e.g.*, Ex. 1009, [0055].

B. A POSITA Would Have Had a Reasonable Expectation of Success

82. It is my opinion that a person of ordinary skill in the art would have had a reasonable expectation of success modifying McQueen at least given its interoperability considerations. For example, Forsyth teaches:

“Each group exists as an application independent object and can hence be accessed by different applications and used for a wide variety of purposes—whenever an application designer wishes to include some kind of group communication functionality.”

Ex. 1006, 5:55-60.

A person of ordinary skill in the art would have recognized that Forsyth's communication features would have been readily applicable to McQueen, which can operate with any "web site, an online services network, or any other type of multi-user system," Ex. 1005, 7:38-45. Given the applicability of interoperable communication features, integration would have been a routine exercise in database and/or GUI design and/or software integration.

83. Additionally, group commenting was a "current and very popular" service at the time. Ex. 1006, 5:8-14. Given its popularity, a person of ordinary skill in the art could easily have implemented such functionality. Similar, vote tally display features were conventional and "typical" in group messaging:

"A current tally of the votes submitted on a particular review is typically displayed to assist readers in assessing the review. The vote tallies may also be used to inhibit the display of poor quality reviews. In addition, the votes are used in some systems to generate and display ratings of specific reviewers, such that the readers of a given review can take into consideration the reputation of the associated reviewer."

Ex. 1005, 1:32-43. The protocols and programming techniques required to implement chat interfaces or comment threads (e.g., storing timestamps, author IDs, and message text) were also well-known standard practices which a person of ordinary skill in the art would have known to implement. Thus, it is my opinion that the McQueen-Forsyth system would have been a predictable combination of known components according to known methods (e.g., communication and GUI methods), and would have produced predictable display and communication results.

C. Claim 1

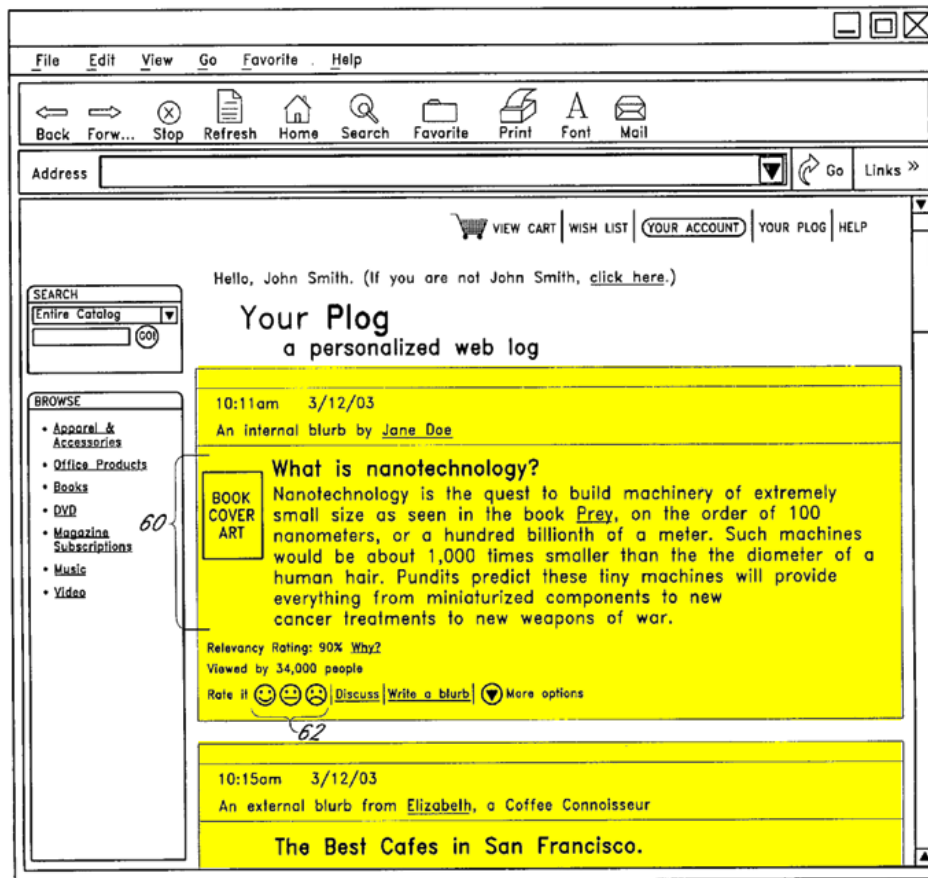
- 1. 1[Preamble]: “A computer-implemented method, in which at least one computer initiates execution of software instructions to perform computer processes, the method being for interacting with at least one data item obtained from at least one source, the computer processes comprising:”**

84. I have been asked to assume a scenario where the preamble is limiting.

As to that scenario, it is my opinion that McQueen discloses it.

85. McQueen discloses a system for managing and interacting with digital content. Ex. 1005; §VIII.A. The system ingests data from various sources—such as blogs and RSS feeds—into a central database 44 comprising formatted “blurbs.” *See, e.g.*, Ex. 1005, Abstract, 4:53-58. These blurbs comprise units of information including titles, graphics, hyperlinks, etc. that appear within personalized “plogs” or author-specific blogs. *Id.*, 1:54-63, 7:55-64. McQueen’s interface enables user engagement through “Discuss” links, navigation to originating sites, and a rating mechanism for casting votes on content quality. *Id.*, 6:61-7:2, 6:14-23, FIG. 4.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141



Id., FIG. 4 (annotated).

86. As to the *computer-implemented method...* and *software...processes* claim limitations, McQueen details that its functionality “may be implemented within executable software that runs on one or more general purpose computers.” Ex. 1005, 7:37-45.¹ A person of ordinary skill in the art would have understood that such a general purpose computer would execute the software to *initiate[] execution*

¹ All emphasis is added unless otherwise noted in this declaration. ***Bold-italicized language*** is intended to denote claim language.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
of software instructions to perform the *computer processes* and methods disclosed
by McQueen. By the relevant time period, it was well understood in the field that
such general-purpose computers perform “processes” or “methods” when
corresponding program instructions are loaded into memory and executed by the
system’s processor. Thus, when McQueen describes particular functions—such as
presenting information objects, receiving user inputs, or generating and posting
blurbs—a POSITA would have recognized that these operations are implemented
through corresponding executable software that, once launched, initiates execution
of the programmed instruction sequences required to carry out the disclosed
computer processes. In other words, the described computer executes the associated
software to perform the recited steps. A person of ordinary skill in the art would
recognize that McQueen’s “Catalog System 30” functions through a standard
distributed architecture where a Webserver 70 coordinates with service applications
such as the Blurbs Service App 74 and User Accounts Service App 76 to manage
data flow as depicted below.

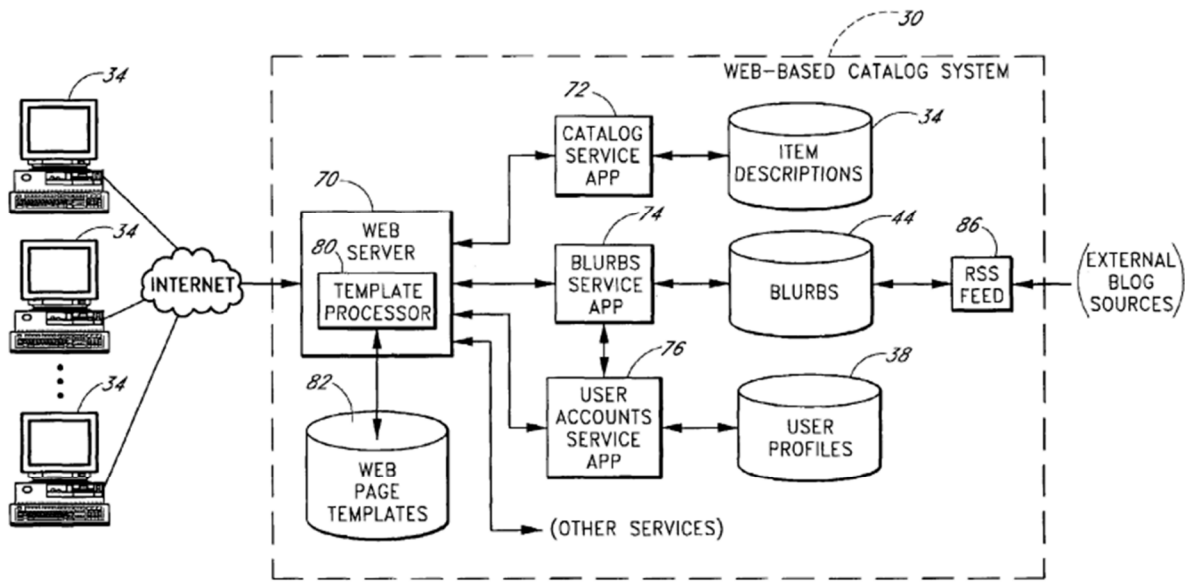
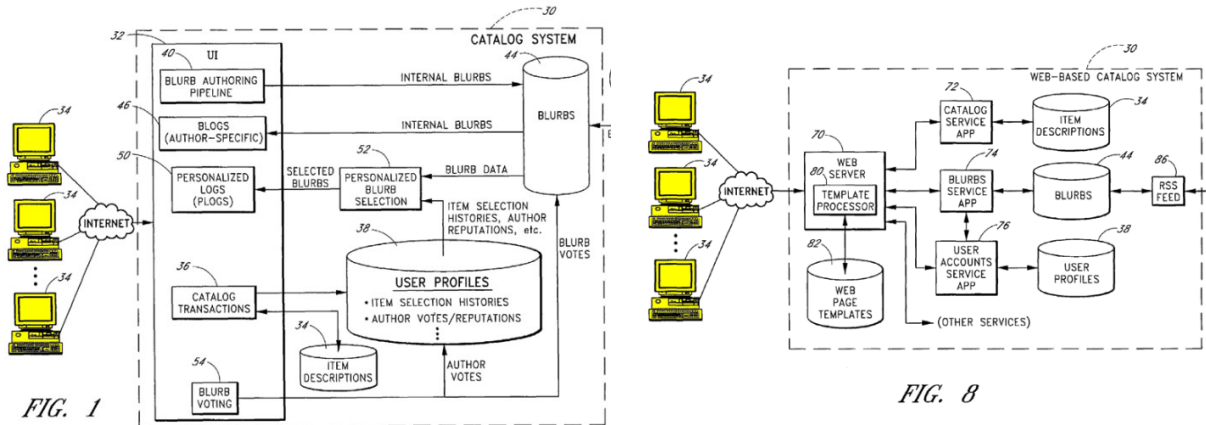


FIG. 8

Ex. 1005, Fig. 8.

87. McQueen moreover discloses that its method and processes may run on general purpose computers as shown in Figures 1 and 8 below. McQueen's catalog system 30 stores blurbs and related information, and targets users with blurbs. §VIII.A; Ex. 1005, FIGs. 1, 4. Figure 8 describes an architecture used to implement such a system, which "run[s] on general purpose computers" like computers 34. Ex. 1005, 7:37-45, 12:11-13, FIG. 8. Figure 1 likewise illustrates the system runs using computers 34. Ex. 1005, FIG. 1, 3:17-27, 7:37-45.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141



Ex. 1005, FIGs. 1 (annotated), 8 (annotated).

88. Upon my review of McQueen’s computer-implemented system and method, *at least one data item* broadly encompasses blogs, blog entries, news, hyperlinks, and other custom online content, etc. *See, e.g.,* Ex. 1010, 201 (explaining “data items” include “feeds” and “custom content”). McQueen discloses that users and their corresponding computers can view and edit various “blogs” and blog entries, which are both *data items*, thereby *interacting with data item[s]*:

“An electronic catalog system provides an interface for users to author and post pieces of content, referred to as “blurbs,” for viewing by other users. The blurbs submitted by a particular author are made available for viewing in an author-specific blog (web log) format. Blurbs may also be obtained from external sources, such as from blogs hosted by various web sites. A personalized blurb selection component selects blurbs to present to users based on histories of catalog items selected by such users, and/or based on various other criteria. The blurbs selected for a particular user are presented within a personal log or “plog,” which may be updated daily and will typically contain entries from many different authors. User feedback provided on specific blurbs is taken into consideration by the personalized blurb selection algorithms.”

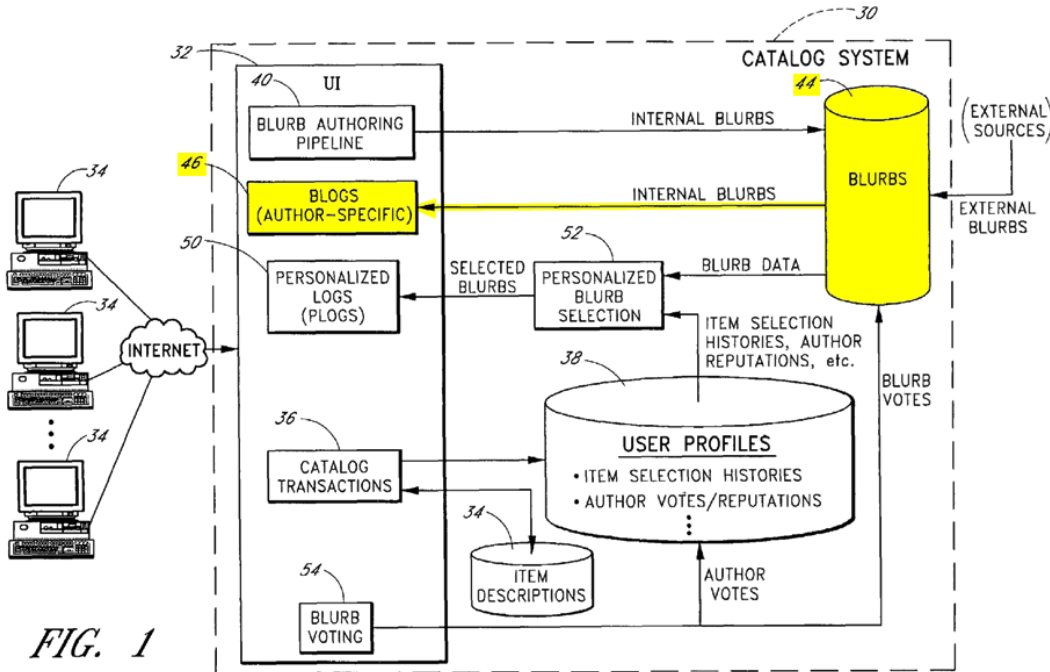
Ex. 1005, Abstract, *see also* 4:28-43, 5:4-18 (“[U]sers of the system 30 can edit their blogs, and/or add new blog entries (blurbs), using web services.”), 7:26-36,

7:37-45. Users *interact[] with data item[s]* by voting on the content, commenting, etc. when the data items are configured into information objects and displayed to users for the reasons explained below. *Id.*; *below at §§X.C.2-4.*

89. The blog and blog entry *data items* are *obtained from at least one source* such as an “external source.” Ex. 1005, Abstract, FIG. 1, 1:61-63 (“Blurbs may also be obtained from other, independent sources, such as through RSS feeds from external web sites that host blogs.”), 4:53-5:3 (“external sources”), 11:35-52. They or corresponding “blurbs” can be viewed, displayed, and edited. *Id.* Indeed, McQueen teaches:

“As depicted in FIG. 1, the blurbs database **44** may also be populated with blurbs obtained from one or more external sources. For example, in the preferred embodiment, blurbs are periodically uploaded to the database **44** via RSS feeds from various external web sites that host blogs, newsletters, and/or other forms of user-created content. An RSS feed is generally an RSS-format web page that is used as a recurring source of content. Each such RSS page may is preferably retrieved periodically, such as several times a day, to check for new items (blog entries, news articles, etc.). Some or all of the new items located through this process are added to the blurbs database **44** as blurbs. New RSS feeds are preferably discovered using a spider program that starts with a known list of RSS feeds (e.g., from a known RSS feed aggregator), retrieves RSS pages from such feeds, and scans these pages for references to other feeds. The user interface **32** may also include a form for enabling users to specify the locations of RSS feeds.”

Id., 4:28-5:8. Figure 1 likewise illustrates that the “blogs” and corresponding entries can be accessed via database 44, for instance from one or more computers 34. *Id.*, FIG. 1.



Id., FIG. 1 (annotated).

2. 1[a]: “responsive to a user selection of the at least one data item:”

90. In my opinion, McQueen discloses this limitation.

91. As I discussed above, McQueen discloses a blogging system comprising “blogs” and blog entries, which are both *data items*. §§VIII.A, X.C.1. McQueen discloses that a user selects blogs and blog entries (*a user selection of the at least one data item*) to upload to the system by specifying the RSS location of the blogs and blog entries. Ex. 1005, 4:53-5:3 (“[B]lurbs are periodically uploaded to the database 44 via RSS feeds from various external web sites that host blogs, newsletters, and/or other forms of user-created content. ... The user interface 32 may also include a form for enabling users to specify the locations of RSS feeds.”). From

there, the system serves users with targeted blurb posts and corresponding information objects generated based on the users' selection of blogs and blog entries:

“The blurbs selected to present to a target user are preferably presented in the form of a personalized log or “plog.” As with blogs, plogs are preferably in the form of chronological sequences of blurbs. Unlike a blog, a plog will typically contain entries (blurbs) from many different authors, and will be specific to a particular target user (i.e., plogs generally are not publicly accessible). A selected number of new blurbs (e.g., ten or twenty) may be added to each user's plog periodically, such as once per day. In one embodiment, each user of the system **30** can access a plog page to view his or her plog (see FIG. 4, discussed below). A condensed representation of the plog may also be displayed on a home or gateway page of the catalog system (see FIG. 5), and possibly on other types of pages associated with the catalog.”

Ex. 1005, 5:47-61; *see also id.*, FIGs. 1, 4, 6-7, 4:53-5:3, 8:61-10:47, 10:48-11:35; *below at* §X.C.2.b.

92. In my opinion, McQueen's selection of data items parallels the disclosure of the '141 Patent, which similarly discloses that a selection of data via an RSS URL or location causes the system to generate multiple information objects

Ex. 1001, 16:33-48 (“Users can add RSS files by simply dropping an IO or an RSS URL onto a row.”), 12:60-65 (“Automated IO creation ... allows a user ... to specify a ... URL or database identity and the system can traverse records, documents, web pages, files and the like within the specified path... and can convert each record, file or page into an IO for use in the system.”), 25:35-40 (“As an example, entire databases or file systems or all documents below or within a certain URL or domain on the Internet can automatically be converted into IOs....”), 26:6-17 (“The user can

drag one or more RSS URLs onto a News View row which will add and displays the content of RSS URLs on the News View row as a sequence of IOs.”).

93. Alternatively, or additionally, McQueen also discloses user-selectable links that can be used to view the personal log or “plog,” where the plog contains a “personalized log[s] of selected blurbs,” or set of data items. Ex. 1005, 6:4-5.

“The blurbs selected to present to a target user are preferably presented in the form of a personalized log or “plog.” As with blogs, plogs are preferably in the form of chronological sequences of blurbs. Unlike a blog, a plog will typically contain entries (blurbs) from many different authors, and will be specific to a particular target user (i.e., plogs generally are not publicly accessible). A selected number of new blurbs (e.g., ten or twenty) may be added to each user's plog periodically, such as once per day. In one embodiment, each user of the system 30 can access a plog page to view his or her plog (see FIG. 4, discussed below). A condensed representation of the plog may also be displayed on a home or gateway page of the catalog system (see FIG. 5), and possibly on other types of pages associated with the catalog.”

Ex. 1005, 5:47-61.

94. McQueen's Fig. 4, shown below, displays the user's plog page, containing a set of data items, and Fig. 5, also shown below, contains user-selectable links (highlighted) for displaying the plog page.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

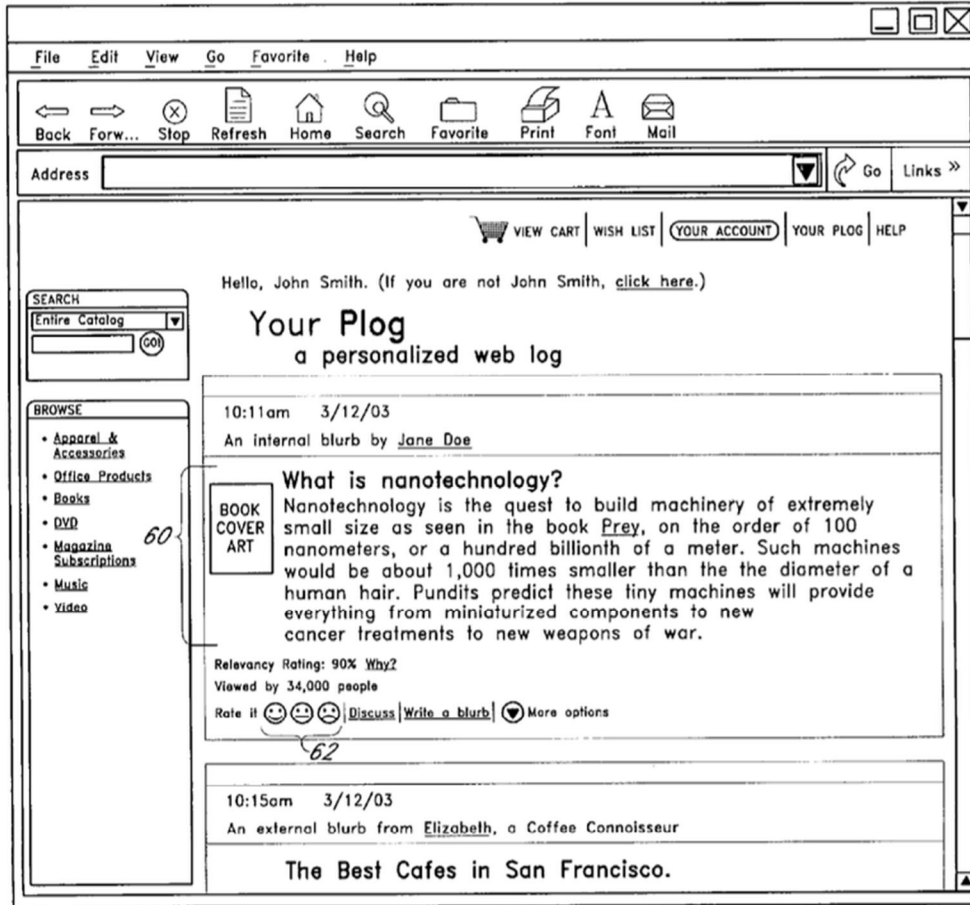


FIG. 4

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

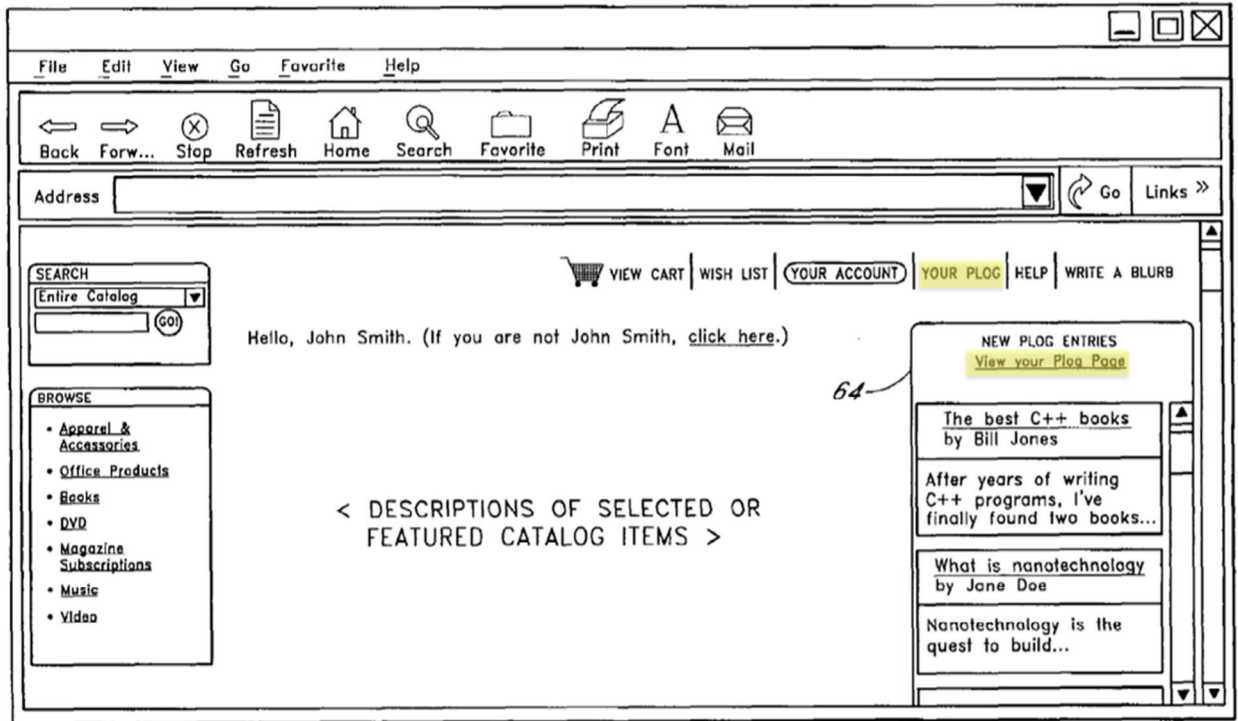


FIG. 5

95. Based on McQueen’s selection of data items, the method and system causes the configuring of the data items into information objects and storing them as I explained in the following section. §X.C.2.a. The method and system also displays the configured information objects responsive to the selection. §X.C.2.a.

- a. **1[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;”**

96. In my opinion, McQueen discloses this limitation. Based on McQueen’s selection of data items as I discussed previously, the McQueen method

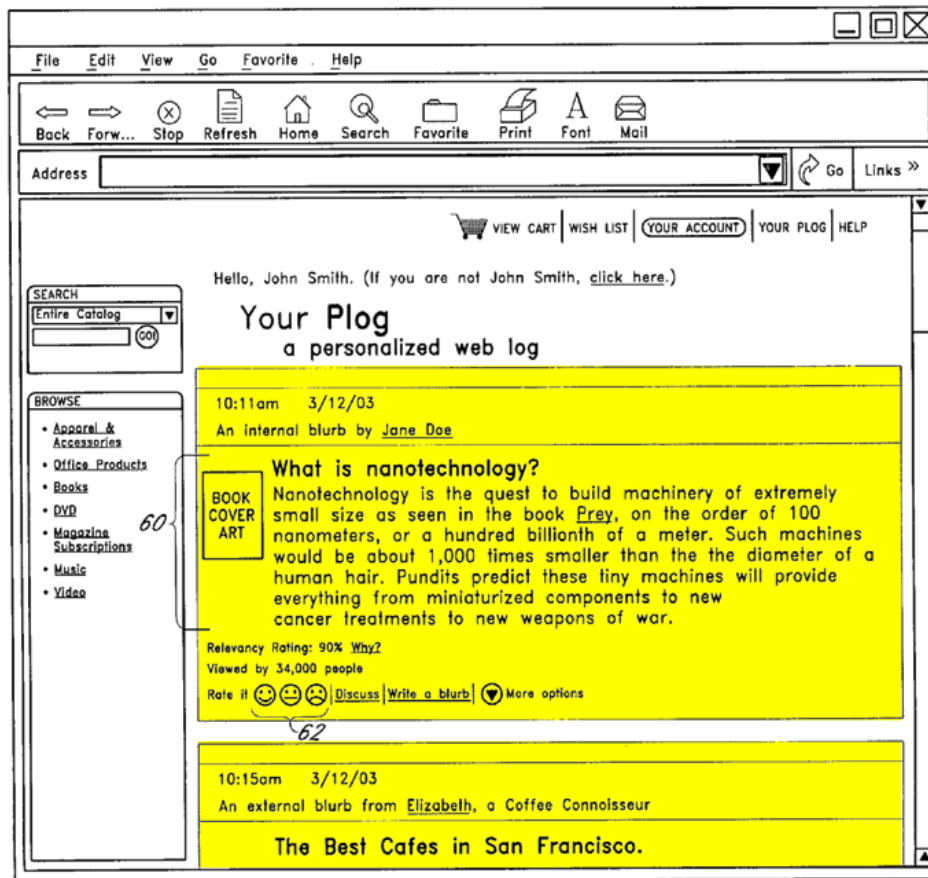
and system causes the configuring of the data items into information objects and storing them. §X.C.2.a.

97. McQueen discloses *causing configuring of each of* its blog *data items* (§X.C.1) *into a distinct information object* because its system converts or saves each “blog,” which may be in a different “RSS” format, as one or more “blurbs” or blurb posts:

“As depicted in FIG. 1, the blurbs database 44 may also be populated with blurbs obtained from one or more external sources. For example, in the preferred embodiment, blurbs are periodically uploaded to the database 44 via RSS feeds from various external web sites that host blogs, newsletters, and/or other forms of user-created content. An RSS feed is generally an RSS-format web page that is used as a recurring source of content. Each such RSS page may is preferably retrieved periodically, such as several times a day, to check for new items (blog entries, news articles, etc.). Some or all of the new items located through this process are added to the blurbs database 44 as blurbs. New RSS feeds are preferably discovered using a spider program that starts with a known list of RSS feeds (e.g., from a known RSS feed aggregator), retrieves RSS pages from such feeds, and scans these pages for references to other feeds. The user interface 32 may also include a form for enabling users to specify the locations of RSS feeds.”

Ex. 1005, 4:44-5:3; *see also* FIG. 4. Blog entry *data items* (§X.C.1) are similarly converted or saved to blurbs or blurb posts, and thereby *configur[ed] ... into a distinct information object*. Ex. 1005, 4:44-5:3. Moreover, the blog and blog entries are “new items” that “are added to the blurbs database 44 as blurbs.” *Id.* Figure 4 (below) exemplifies first and second (partial) blurb posts (*distinct information object*).

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141



Id., FIG. 4.

98. McQueen also discloses that its blogs and blog entries (*data items*) are configured into one or more blurbs or associated posts (*information object*) by *extracting, from each data item, extracted data including a picture, a heading, and a link to the data item.*

99. For instance, blurbs include “images” or a “graphic” (*picture*) and “other types of content”:

“As further illustrated in FIG. 1, the user interface **32** preferably also includes a blurb authoring pipeline **40** through which users can author and submit pieces of content called “blurbs.” The blurbs are typically in the form of text, although images and other types of content may also be supported. The blurb

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

authoring pipeline **40** may include one or more tools for assisting blurb authors in adding references to specific items or item categories of the catalog. For example, a link generation tool may be provided for creating and inserting links to specific item detail pages and browse node pages. A tool may also be provided for looking up the unique IDs of specific items. The blurb authoring pipeline **40** may require users to log in before posting a blurb, such that the blurbs can be reliably attributed to their respective authors.”

Ex. 1005, 4:13-27, 7:55-64, 8:4-16. They include a title (*heading*) and “a *link* to the originating site” and/or “a *link* to the author’s blog page,” which is or includes the *data item*. *Id.*, 5:52-6:3, 8:4-16; *see also* FIG. 2 (“Headline”). Figure 4 below, for example, likewise illustrates one such blurb post including a “BOOK COVER ART” *picture*, a “What is nanotechnology?” *heading*, and a *link* to the blog of “Jane Doe.”

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

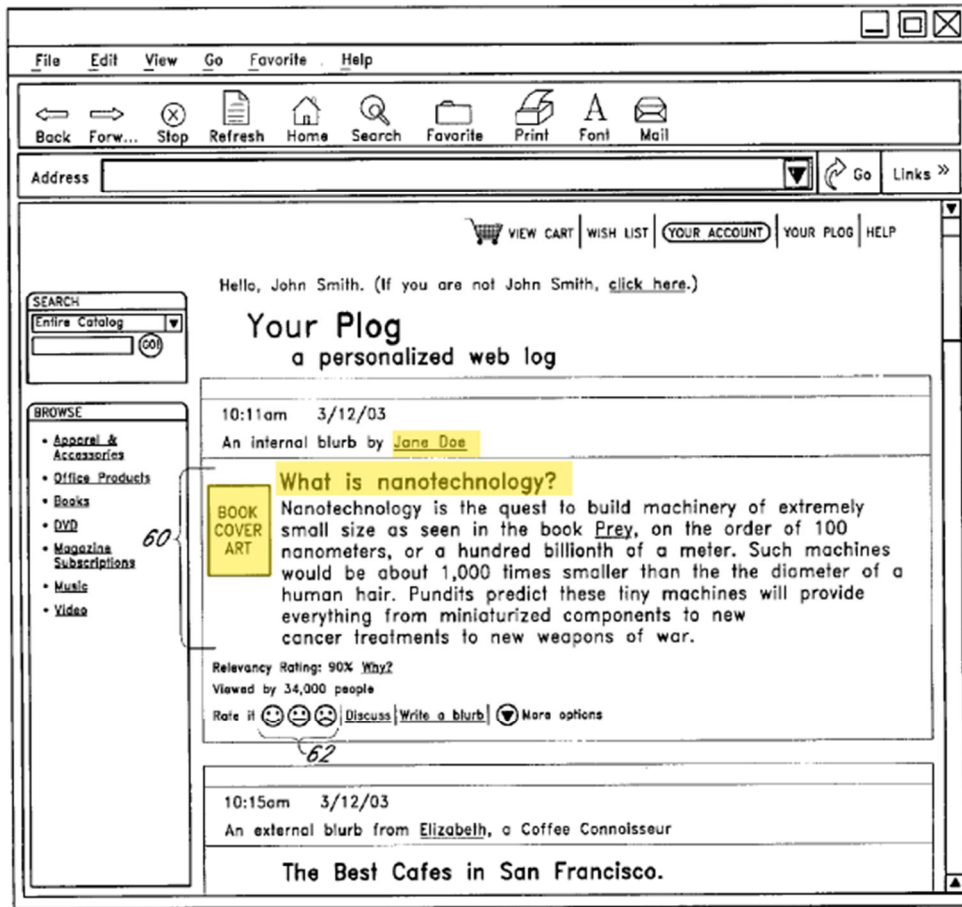


FIG. 4

Id., FIG. 4 (annotated).

100. The picture, heading, and link elements are *extract[ed] from each* blog and blog entry *data items* because, as discussed I discussed previously (§§X.C.1-2), the system converts or saves each blog and blog entry, which may be in an RSS format, from an external source as one or more “blurbs”:

“As depicted in FIG. 1, the blurbs database 44 may also be populated with blurbs obtained from one or more external sources. For example, in the preferred embodiment, blurbs are periodically uploaded to the database 44 via RSS feeds from various external web sites that host blogs, newsletters, and/or

other forms of user-created content. An RSS feed is generally an RSS-format web page that is used as a recurring source of content. Each such RSS page may be preferably retrieved periodically, such as several times a day, to check for new items (blog entries, news articles, etc.). Some or all of the new items located through this process are added to the blurbs database **44** as blurbs. New RSS feeds are preferably discovered using a spider program that starts with a known list of RSS feeds (e.g., from a known RSS feed aggregator), retrieves RSS pages from such feeds, and scans these pages for references to other feeds. The user interface **32** may also include a form for enabling users to specify the locations of RSS feeds.”

Ex. 1005, 4:44-5:3. Indeed, the information is sourced from the “blogs” and blog entry *data items*, and thus *extract[ed]* therefrom. Ex. 1005, 4:13-5:3, 5:52-6:3, 7:55-64, 8:4-16, FIG. 1.

101. McQueen further discloses *causing storing of data* for each blurb (including with related post data) and *corresponding to each of the information objects* is “stored in” or “added to” database 44 with “associated data,” thereby *causing storing data...in the database system*. Ex. 1005, 4:29-5:3, 7:3-17, FIG. 1.

- b. **1[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:”**

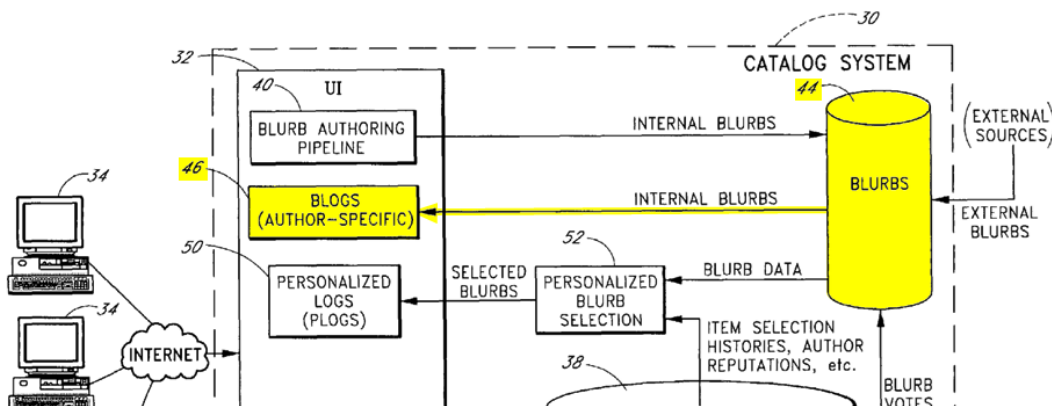
102. In my opinion, McQueen discloses this limitation.

103. Based on McQueen’s selection of data items, the method and system displays representations of the configured information object as follows. §X.C.2.

104. McQueen *display[s] a representation of each of at least two of the information objects in the database system* by pulling blurbs from database 44 and the corresponding extracted data (§§X.C.1-2.a) to display blurbs and corresponding data to a user:

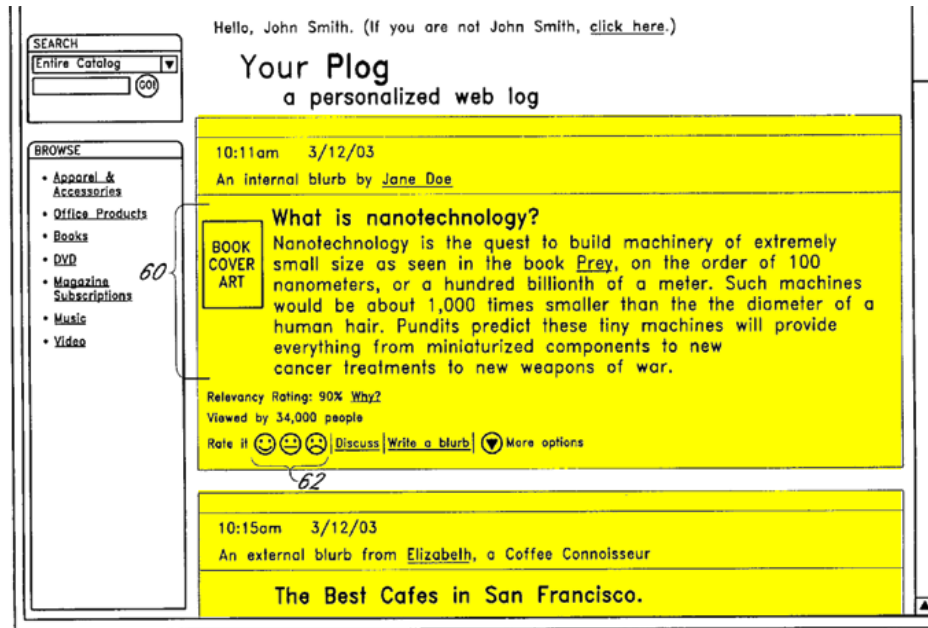
“Blurbs created via the blurb authoring pipeline 40 are referred to herein as “internal blurbs,” and blurbs obtained from other sources are referred to as “external blurbs.” An external blurb may be represented within the blurbs database 44 without actually copying over the entire blurb to the database 44. Although both internal and external blurbs are used in the preferred embodiment, as will be recognized, the invention may be practiced using only one type of blurb (internal or external) and not the other. Further, the system may 30 include an API (application program interface) through which users of the system 30 can edit their blogs, and/or add new blog entries (blurbs), using web services. A web service is typically in the form of machine-readable SOAP (Simple Object Access Protocol) message.”

Ex. 1005, 4:28-43 (“blurbs are selected from this database 44 to present to specific users”), *see also* 5:19-33 (“blurbs are ... selected from the database 44”), FIG. 4. The display may be organized in “chronological order,” *id.*, 8:4-16, FIG. 4, to which a person of ordinary skill in the art would understand to thereby display *at least two* such blurbs.



Id., FIG. 1 (annotated).

105. First and second example blurbs with related information are highlighted below in yellow, which a user can browse using the scroll bar/function.



Ex. 1005, FIG. 4 (annotated). The displayed blurbs are “selected” from the database 44, again with *at least two of the information objects* displayed. Ex. 1005, 4:28-43, 5:19-33.

106. McQueen’s blurbs displayed in consistent rectangular fashion are in a *representation being in a uniform format, wherein the format includes a card.*

Blurbs are presented in a *uniform format* including, among other features:

“FIG. 4 illustrates a portion of an example plog page, with a single plog entry (blurb) 60 shown in its entirety. Each entry within the plog is a blurb that was selected for the target user (the plog’s “owner”) by the personalized blurb selection component 52. The plog is presented in reverse chronological order such that the most recent entries appear at the top of the page. The blurb 60 is displayed together with the following information: the date and time of creation, the name of the author (displayed as a link to the author’s blog page),

a graphic of the referenced item, an indication of the number of users who have viewed the blurb **60**, and a relevancy rating reflective of a score generated by a personalized selection algorithm.

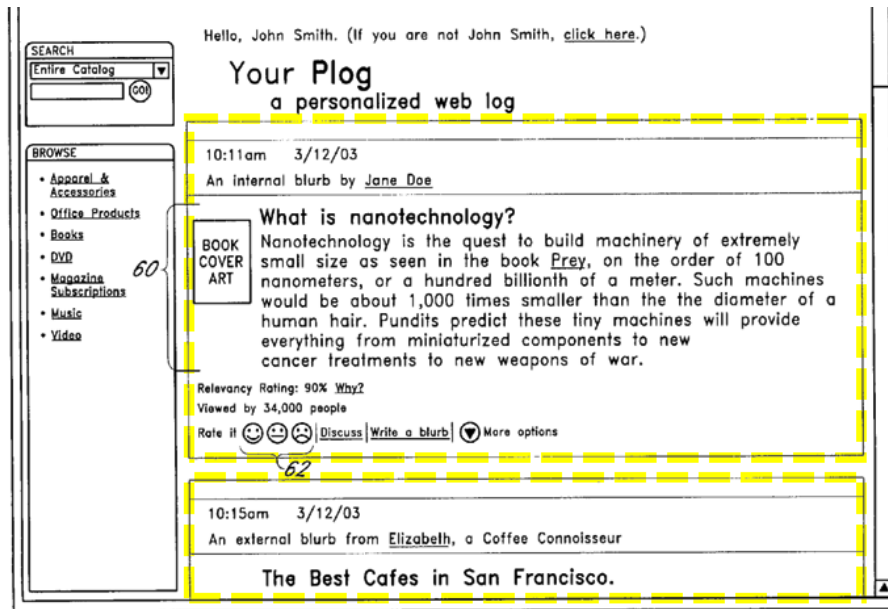
Also displayed is a set of icons **62** for voting on the blurb. In this example, three rating levels are supported: good, neutral, and poor. The voting interface may alternatively use a different number of rating levels. For example, a 2-level scale may be used in which users are asked whether they liked the blurb, or a 5-level scale may be used in which users are asked to rate the blurb on a scale of 1-5.

With further reference to FIG. 4, a “more options” drop down menu allows the plog's owner to access other options, such as an option to send the blurb to a friend, and an option to create a new blurb that references the displayed blurb **60**. Certain types of user actions, such as sending the blurb to a friend, may optionally be treated as votes in favor of the blurb (i.e., implicit voting may be supported). The plog page also includes a search engine box and various links for searching and browsing the catalog.”

Ex. 1005, 8:4-33, *see also* FIG. 4. Indeed, a person of ordinary skill in the art would recognize that the consistent layout illustrated above in Figure 4 allows users to scan posts efficiently. *Id.*

107. The “blurb” representation described by McQueen constitutes the “*card*.” For instance, it is a distinct, rectangular container of information as highlighted below in yellow, like the layout of “index cards, credit cards. ... and postcards” as disclosed by the ’141 Patent. Ex. 1005, 8:4-33, FIG. 4; Ex. 1001, 11:14-20. The *card* also includes McQueen’s “drop down menu” for the blog post, which can be shown when a user selects the “More options” menu of the post. Ex. 1005, 8:24-33, FIG. 4; Ex. 1031, FIGs. 1-2, [0043], [0051]; Ex. 1032, FIGs. 3-4, [0079], [0086].

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

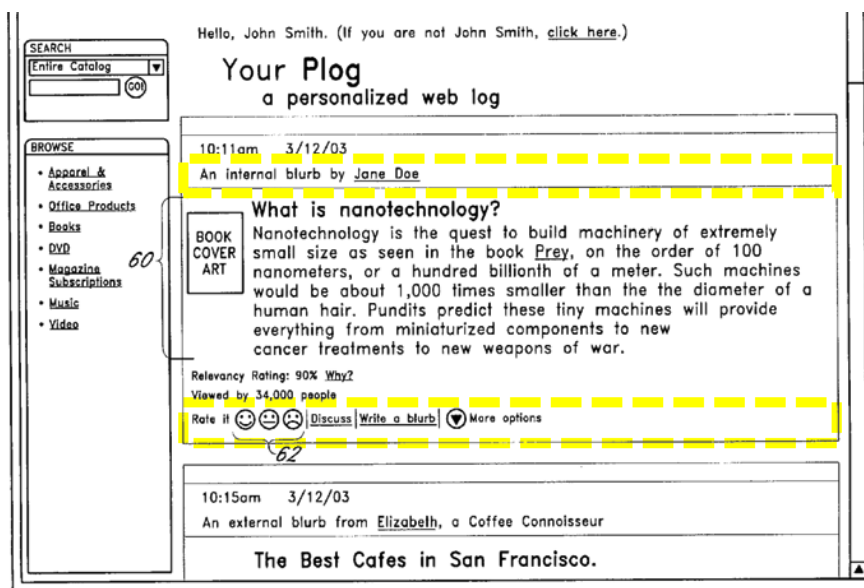


Ex. 1005, FIG. 4 (annotated) (highlighting *card* format).

108. McQueen displays *within the card, in uniform locations thereof, the picture, the heading, a set of indicators*. Within McQueen's *card* highlighted above, McQueen displays in consistent and structured fashion: "a graphic" (*picture*) (e.g., "BOOK COVER ART"); the *heading* of the entry (e.g., "Best Cafes in San Francisco," the banner including date, time, and author information); and a *set of indicators* in uniform locations, including "the date and time of creation" banner (including the text who authored the blurb), "an indication of the number of users who have viewed the blurb 60," any location data in the title field (e.g., "San Francisco," and "a relevancy rating." Ex. 1005, FIGs. 2, 4, 4:13-27, 5:52-6:3, 7:55-64, 8:4-16. Users can create the blurbs of the cards and populate heading fields. Ex. 1005, 4:45-64, FIGs. 2-3. And the system "automatically" adds the graphic and

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
organizes the heading and related indicators for display consistently. *Id.*; *id.*, 8:4-33, FIG. 4.

109. McQueen also displays *within the card, in uniform locations thereof, ... a set of graphically accessible functions*. For instance, McQueen's cards include a portion that consistently and uniformly includes voting icons 62, "Discuss," "link," and "More options" items that themselves or their corresponding actions constitute *a set of graphically accessible functions ... within the card*. Ex. 1005, 8:4-33, FIG. 4. The options inside the "More options" drop down menu are likewise consistently and uniformly *within the card* and provide additional *graphically accessible functions* of the set, including a "send" function. *Id.* McQueen moreover tracks when blurb posts are sent to a friend for implicit vote tracking, such that the send function is invoked and displayed repeatedly. Ex. 1005, 6:14-29, 8:4-33, 10:36-55, FIG. 1, 4.

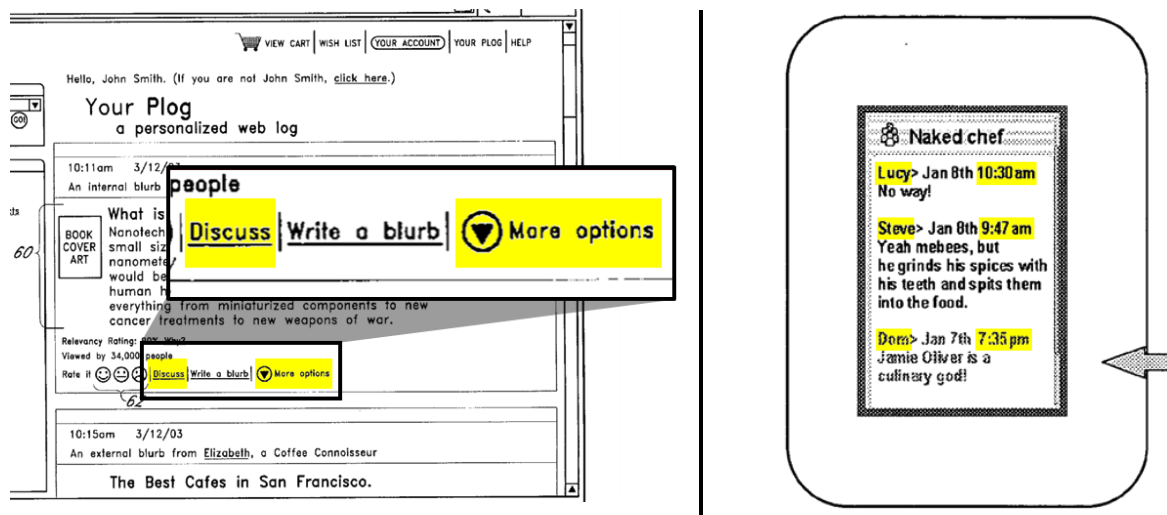


Ex. 1005, FIG. 4 (annotated).

3. 1[b]: “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;”

110. In my opinion, McQueen in view of Forsyth renders this limitation obvious.

111. McQueen’s graphically accessible functions include a “Discuss” function. §X.C.2.b. And as I explained previously, it would have been obvious to modify McQueen to incorporate Forsyth’s comment function and related features for McQueen’s “Discuss” function link or as an additional aspect in the “More options” drop-down menu. §§X.A-B.



Ex. 1005, FIG. 4 (left) (annotated); Ex. 1006, FIG. 7 (right) (annotated).

112. The combination would result in McQueen’s system and operation method including a link to a *comment function* for a blurb post, such as the one

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
illustrated in Forsyth's Figure 7. Ex. 1006, FIG. 7, 2:40-53, 4:18-34 (“All linked
(e.g. threaded) communications, such as replies and comments, then become part of
the same communication object and, like any object are treated as a discrete entity.
Hence, the entire communication object can be sent to a new person, or be archived
etc.”), 5:3-43, 6:27-57, 7:19-43 (“They can make comments ... and the group
members can again discuss and deride the content.”). Forsyth's time-stamped
comments are threaded together as one communication object to avoid multiple
“dozens” of individual messages:

“A further aspect covers a wireless information device programmed to
perform the above method.

In one implementation, the group object is used to define the addresses of
multiple recipients for a message created on a wireless communication device.
That message can subsequently be treated as a single ‘communication object’.
All linked (e.g. threaded) communications, such as replies and comments,
then become part of the same communication object and, like any object are
treated as a discrete entity. Hence, the entire communication object can be
sent to a new person, or be archived etc. Discrete communication objects can
arise whenever there are linked/related messages relating to communications
between members of a group object on the same subject and can hence arise
in any of the different applications which can use group objects. A diary event
(e.g. lunch at 1 pm on Friday 18th January) can become a communication
object and all messages relating to that event (and also other diary events) can
all become part of the same communication objects.”

Ex. 1006, 4:17-34, *see also* 7:25-42.

113. *Users having access to the card comment function* (for instance,
because the underlying content was “made available” or “license[d]” (Ex. 1005,
4:44-52, 5:62-6:3)) would click the discuss link or option and would *exchange*

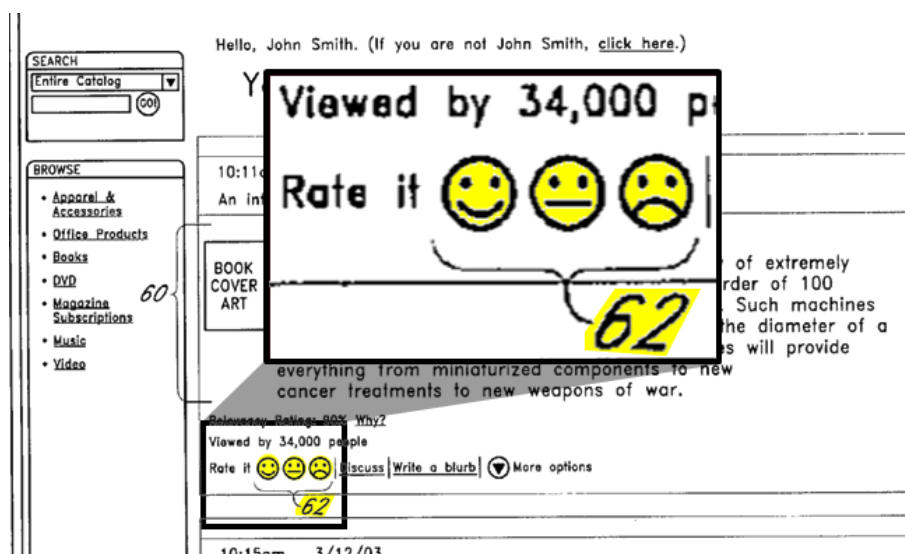
Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
comments like those also highlighted above (e.g., “Lucy,” “9:47 am”). Ex. 1006,
FIG. 7, 2:40-53, 5:8-24, 6:27-57.

114. The linked thread of the McQueen-Forsyth system (and method) and corresponding comments would *relat[e] to the card*, consistent with McQueen’s disclosure that individual posts and each corresponding card include a “Discuss” link and Forsyth’s disclosure that custom forums are for individual topics, postings, etc. Ex. 1005, FIG. 4; Ex. 1006, FIGs. 6-7, 4:9-15, 4:18-34 (“[A]ll messages relating to that ... diary event ... can all become part of the same communication objects.”), 6:28-57, 7:19-43, 9:5-10:19. Likewise, *such comments* would *be[] associated with the information object represented by the card* given the linked structure for a specific post that a user with access can access and click upon viewing. Ex. 1005, FIG. 4; Ex. 1006, FIGs. 6-7, 4:9-15, 4:18-34, 6:28-57, 7:19-43, 9:5-10:19.

4. 1[c]: “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;”

115. In my opinion, McQueen discloses this limitation. Specifically, McQueen’s *graphically accessible functions* include a set of “icons 62 for voting” on a blurb that allows the user to select a rating level for a specific blurb (*a vote function*). Ex. 1005, 8:17-23 (“Also displayed is a set of icons **62** for voting on the blurb. In this example, three rating levels are supported: good, neutral, and poor. The voting interface may alternatively use a different number of rating levels. For

example, a 2-level scale may be used in which users are asked whether they liked the blurb, or a 5-level scale may be used in which users are asked to rate the blurb on a scale of 1-5.”), FIG. 4; §X.C.2.b.



Ex. 1005, FIG. 4 (annotated).

116. A vote option is made available for the displayed card to users viewing the blurb and the corresponding card (*by which users having access to the card vote function can vote for the card*). Ex. 1005, 6:14-29, 8:17-23, FIG. 4; §X.C.2.b. McQueen also discloses that access to blurbs and their corresponding vote functions can be “made available” or “license[d],” wherein *each user having access to the card* can cast a vote:

“If author-specific blogs are provided, each such blog may be published using RSS (“RDF Site Summary” or “Rich Site Summary”)—an XML format for syndicating web content—so that blog aggregators and other types of web sites can re-publish the content contained in such blogs. The use of RSS to share and license web content across web sites is well known in the art. User's

may also be given the option to control whether their respective blogs are to be made available via RSS.”

Ex. 1005, 4:44-52, *see also* 5:62-6:3, 8:17-23, 6:14-29. McQueen’s ***such votes*** are ***being associated with the information object represented by the card*** because they are for the content of the blurb and its corresponding information object that is packaged and displayed to a user as a ***card***. Ex. 1005, FIG. 4, 6:14-29, 8:17-23; §X.C.2.b.

5. 1[d]: “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”

117. In my opinion, McQueen discloses this limitation.

118. As I discussed previously, McQueen’s ***graphically accessible functions*** include a “More options” menu and its corresponding features and functions. §X.C.2.b. McQueen’s drop-down More options menu of the ***card*** provides or gives access to a “***copy function***” that allows a user who has access to an information object (blurb/card) to copy it by “forward[ing]” or “send[ing]” it to a second collection of another user or friend. Ex. 1005, 8:24-33 (“With further reference to FIG. 4, a ‘more options’ drop-down menu allows the plog’s owner to access other options, such as an option to send the blurb to a friend...”), 10:36-47, FIG. 4, 2:7-12. When this function is invoked ***by which users having access to the card copy function*** because the blurb and its corresponding card is made available

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
or “license[d],” Ex. 1005, 4:44-52, 5:62-6:3, the card from *a first collection* (the
user’s view and/or plog) *appear[s] in a second collection of cards* (the friend’s view,
plog, shared, and/or cards the second user can view and access). Ex. 1005, 8:24-33,
10:36-47, FIG. 4, 2:7-12.

119. The system and method also *can cause the card to appear in a second collection of cards* of another user (or users) because the send function from *a first collection* (the user’s view and/or plog) “implicitly” votes for the blurb post. Ex. 1005, 6:22-48, 8:25-31, 10:48-11:35, FIG. 7. Consequently, the system copies the voted-on blurb post to the plog of one or more users:

“Each vote is preferably recorded in the blurbs database **44**, and preferably affects the frequency with which the corresponding blurb is subsequently selected to present to other users. Although the votes are preferably blurb-specific, the system may additionally or alternatively allow users to vote on an entire blog that contains many blurbs from the same author. Further, as discussed below, implicit forms of voting may be used.

As depicted by the arrow labeled “author votes” in FIG. 1, a vote on an internal blurb (or blog) also preferably serves as a vote on the corresponding author, and is thus recorded by the blurb voting component **54** in association with the author's user ID. Authors of blurbs can thus develop “reputations” over time, which may in turn be taken into consideration by the personalized blurb selection component **52**. For example, when an author creates a new blurb, the author's reputation may be used to select an initial injection rate for injecting the blurb into the plogs of users; thereafter, the injection rate may be adjusted based on feedback (votes) from readers of the blurb. An author's reputation may be represented as a reputation score or grade that is based on the following and/or other criteria, the number of blurbs written, the total number of votes cast on such blurbs, and the average rating of such votes. Author vote and reputation data is preferably maintained for all authors of internal blurbs, and may also be maintained for authors of external blurbs.”

Ex. 1005, 6:22-48. McQueen also notes:

“With further reference to FIG. 4, a “more options” drop down menu allows the plog's owner to access other options, such as an option to send the blurb to a friend, and an option to create a new blurb that references the displayed blurb **60**. Certain types of user actions, such as sending the blurb to a friend, may optionally be treated as votes in favor of the blurb (i.e., implicit voting may be supported). The plog page also includes a search engine box and various links for searching and browsing the catalog.”

Id., 8:25-31 (“[S]ending the blurb to a friend, may optionally be treated as votes in favor of the blurb (i.e., implicit voting may be supported).”), *see also* 10:48-11:35, FIG. 7.

6. 1[e]: “a link function, by which users having access to the card link function can invoke the link to the data item; and”

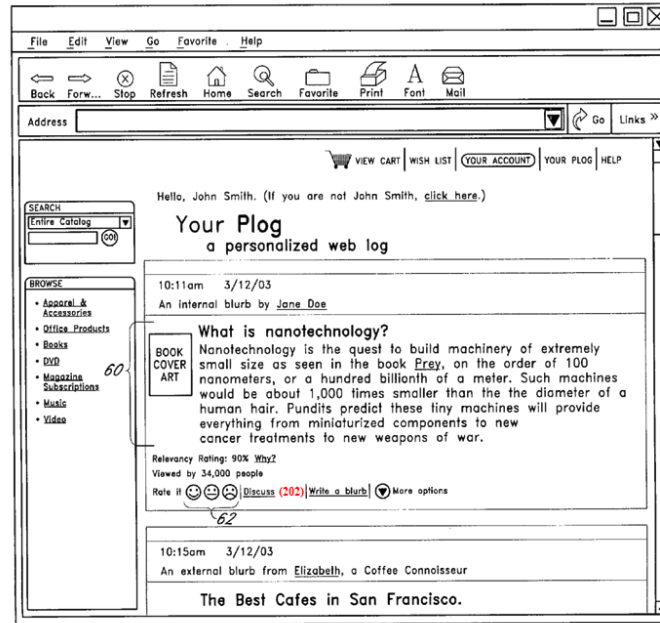
120. In my opinion, McQueen discloses this limitation. As I discussed previously, McQueen’s interface gives graphical access to a “link” function. §X.C.2.a. Such a ***link function*** may allow access to “the originating site” or the “author’s blog page” and corresponding blog and blog entries ***data item[s]***. Ex. 1005, 5:62-6:3, 8:4-16, FIG. 4; §X.C.1. By displaying these elements as active links, McQueen’s ***users having access to the card link function can invoke the link to the data item***. Ex. 1005, 4:44-52, 5:62-6:3, 8:4-16.

7. 1[f]: “wherein the set of indicators includes: an indicator reflecting commenting activity associated with the card; and”

121. In my opinion, McQueen in view of Forsyth renders this limitation obvious.

122. Each of McQueen's cards includes a *set of indicators* such as "the date and time of creation." §X.C.2.b. But McQueen does not limit its indicators to just time and date information. And, as I explained previously, it would have been obvious to modify McQueen to incorporate Forsyth's "graphical indication of the number of unread (new) messages" for the system's discussion and corresponding messaging features. Ex. 1006, 6:28-36; §§X.A-B, C.2.b. The display of the "number of unread" or "new" messages for a given blurb discussion shows commenting activity (e.g., that users have commented, new comments) for a blurb's discussion, and accordingly is *an indicator ... of the set of indicators ... reflecting commenting activity associated with the card*. Ex. 1006, 6:28-36; §§X.A, C.2.b. An example of such an implementation follows with the added number of comments in red.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141



Ex. 1005, FIG. 4 (annotated); Ex. 1006, 6:28-36 (“After a user receives notification of a Forum message, he can check the status of his Forums, as shown in FIG. 6. This view distinguishes Forums with unread (new) messages from those with read (old) ones. The new Forum (subject: Naked Chef is therefore shown highlighted, although colour may not be enough to act as the only distinguishing attribute. There may also be some graphical indication of the number of unread (new) messages.”), FIGs. 6-7.

8. **1[g]: “wherein the database system has been configured to allow (i) each user to have at least one user-selected collection of cards representing information objects in the database system and (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.”**

123. In my opinion, McQueen discloses this limitation.

124. Blogs generated by each user and stored in McQueen's database 44

(§§X.C.1-2) *allow* the *database system* which *has been configured* with corresponding control and software (*id.*) to perform the following actions.

125. *(i) User-Selected Collection[s]*: As described in McQueen, users submit/generate blurbs via an interface (FIGs. 2-3), which are then aggregated into a personal collection referred to as the user's "blog":

"FIGS. 2 and 3 illustrate two example screens of the blurb authoring pipeline **40**. The first screen (FIG. 2) provides instructions for creating a blurb, and includes an area for entering the headline and body of the blurb. In this example, blurb authors are encouraged to add links to specific items in the catalog, and are provided with a tool for doing so. The author can also insert links to other web sites.

Once the blurb text has been entered, the author selects the "preview" button to view a "preview your blurb" screen of the type shown in FIG. 3. In this example, the author has added a link to a particular catalog item, and more specifically, to a particular book title. A graphic associated with this book title has automatically been added to the display. Subsequent screens of the blurb authoring pipeline may allow the user to add one or more hints regarding the target audience for the blurb, as explained above. The author may also be required to log in before posting the blurb.

Once the blurb has been posted, it preferably appears on the author's publicly accessible blog page as an entry within a chronological log of entries. In addition, the blurb becomes available to the personalized blurb selection algorithms, and to any other selection algorithms used to select blurbs for display."

Ex. 1005, 7:46-8:3, *see also* FIGs. 2-3, Abstract, 4:28-43. Specifically, each user has a "chronological log of the blurbs submitted by that author," and "each submitted blurb... preferably becomes an entry within the corresponding author's publicly-

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

accessible blog.” *Id.* Such an “author-specific blog” generated by each user and stored in database 44 corresponds to *each user* having *at least one user-selected collection of cards representing information objects in the database system*. Ex. 1005, 4:29-5:3 (“Blurbs posted via the blurb authoring pipeline 40 are stored in a blurbs database 44.”), 7:3-17, FIG. 1; §X.C.2.a.

126. (ii) *Accessible and Copyable Across Card Collections*: McQueen further discloses that its blurbs and corresponding information formatted as a card with 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. §X.C.2.b.

127. Regarding *accessib[ility]*, McQueen configures the database system such that users can access card collections belonging to others. McQueen explains that:

“Blurbs posted via the blurb authoring pipeline 40 are stored in a blurbs database 44. As discussed below, blurbs are selected from this database 44 to present to specific users according to one or more personalized blurb selection algorithms. As depicted by the “blogs” user interface component 46 in FIG. 1, users of the system 30 can also preferably view the blurbs created via the authoring pipeline 40 in an author-specific blog format. For example, users may visit a page associated with a particular author to view a chronological log of the blurbs submitted by that author, or equivalently, to view that author's blog. Each blurb created using the blurb authoring pipeline 40 thus preferably becomes an entry within the corresponding author's publicly-accessible blog. Author-specific blogs may alternatively be omitted (i.e., blurbs created via the blurb authoring pipeline 40 need not be displayed as blog entries).”

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
Ex. 1005, 4:28-43, Abstract, 8:10-16, FIGs. 1, 4. Because the blurbs are part of a
“publicly-accessible blog,” they are accessible to users, with *at least some content
of cards including any associated picture and heading, regardless of the
collections in which they may have first appeared*, other than the creator with all
card elements (§X.C.2.b), allowing cross-collection viewing regardless of the origin
it first appeared. Ex. 1005, FIGs. 1, 4.

128. The card content is also *copyable*. As detailed in §X.C.5 (Copy
Function), McQueen allows users to copy cards into other collections. For example,
a user can “send the blurb to a friend” via the “more options” menu, or “forward[] a
particular blurb.” Ex. 1005, 8:24-33; 10:36-47, FIG. 4. This action copies the
card—originally appearing in the author’s collection—with all card elements (*at
least some content of cards, including any associated picture and heading,
regardless of the collections in which they may have first appeared*) into the
recipient’s collection (e.g., the friend’s view or shared card). *Id.*; §X.C.5. It also
causes the card and its content (*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 copied to others’ collections given an implicit vote for the
card. Ex. 1005, 8:24-33; 10:36-47, FIG. 4; §X.C.5. Thus, the card is also copyable
across collections regardless of its origin.

D. Claim 17

129. In my opinion, McQueen in view of Forsyth renders Claim 17 obvious for substantially the same reasons explained for Claim 1. §§X.A-C.

130. The only difference between Claim 1 and Claim 17 is that Claim 1 includes an additional “link function” limitation; Claim 17 repeats all of Claim 1 without “*a link function, by which users having access to the card link function can invoke the link to the data item; and*” as specified in Claim 1. See §X.C.6. Therefore, it is my opinion that the combination of McQueen and Forsyth renders Claim 17 obvious without the additional Claim 1 link function limitation, consistent with the Claim 1 analysis. §§X.A-C.

E. Dependent Claims 2, 3, 5, 12-16, 18-20, and 22

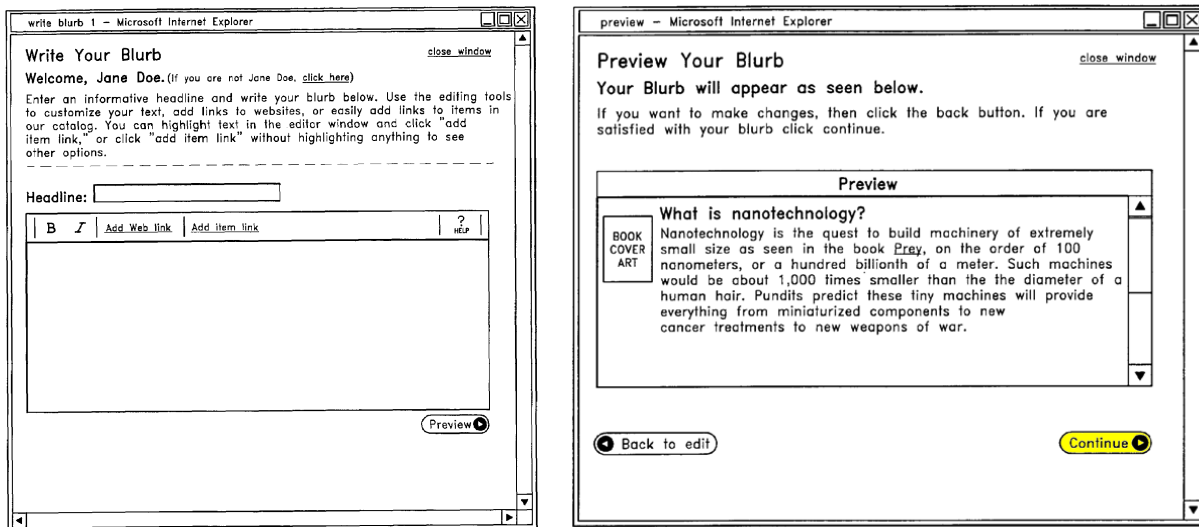
1. **Claim 2: “A method according to claim 1, the computer processes further comprising: displaying a graphical button, which, when invoked while content is being displayed, causes the displayed content to be handled as one of the data items, namely, by configuring the displayed content as a new information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

131. In my opinion, McQueen in view of Forsyth renders this limitation obvious.

132. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1, including methods for presenting users with various blurbs

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
(including *information object[s]*) and performing corresponding *computer processes*. See §X.C. The McQueen-Forsyth system and method also performs the following *computer processes* (see §X.C.1) that allow a user to click a button to save and post displayed content as a new blurb. Ex. 1005, FIGs. 2-4, 7:45-8:32.

133. With respect to Figures 2-3, McQueen discloses *displaying a graphical button* that can be *invoked while content is being displayed*. Ex. 1005, FIGs. 2-3, 7:45-8:32. The screen illustrated in Figure 2 allows a user to create a blurb by entering the “headline and body of the blurb,” etc. Ex. 1005, FIG. 2, 7:46-54. After the user presses a “Preview” button, the “Continue” *graphical button* can be pressed (*invoked*) as illustrated in Figure 3 while a screen *display[s]* the *content* of the blurb (e.g., headline, body, picture). Ex. 1005, FIGs. 2-3, 7:46-8:32.



Id., FIG. 2 (left), FIG. 3 (right) (annotated).

134. Pressing the “Continue” button, thereby *invoking* it, directly or indirectly *causes the displayed content to be handled as one of the* blog entry *data items* because thereafter the system saves the new post as a blurb in blurb database 44. Ex. 1005, FIGs. 1, 3, 2:64-67, 4:13-43, 7:46-8:3; §§X.C.2-3. This is done *namely, by* the system *configuring the displayed content as a new information object*, as previewed data displayed in Figure 3 is saved as a new blurb and a corresponding *new information object*. Ex. 1005, FIGs. 1, 3, 2:64-67, 4:13-43, 7:46-8:3; §§X.C.2-3. Indeed, McQueen’s Figure 4 discloses the blurb post that is authored and previewed in Figure 3. Ex. 1005, FIGs. 3-4, 7:46-8:32. And the Continue button causes this configuring to occur regardless of whether the system includes additional optional menus; without the Continue button press, the system configuring would not occur. Ex. 1005, FIGs. 2-4.

McQueen notes:

“FIGS. 2 and 3 illustrate two example screens of the blurb authoring pipeline **40**. The first screen (FIG. 2) provides instructions for creating a blurb, and includes an area for entering the headline and body of the blurb. In this example, blurb authors are encouraged to add links to specific items in the catalog, and are provided with a tool for doing so. The author can also insert links to other web sites.

Once the blurb text has been entered, the author selects the “preview” button to view a “preview your blurb” screen of the type shown in FIG. 3. In this example, the author has added a link to a particular catalog item, and more specifically, to a particular book title. A graphic associated with this book title has automatically been added to the display. Subsequent screens of the blurb authoring pipeline may allow the user to add one or more hints regarding the

target audience for the blurb, as explained above. The author may also be required to log in before posting the blurb.

Once the blurb has been posted, it preferably appears on the author's publicly accessible blog page as an entry within a chronological log of entries. In addition, the blurb becomes available to the personalized blurb selection algorithms, and to any other selection algorithms used to select blurbs for display.”

Id., 7:46-8:32.

135. Pressing McQueen’s “Continue” button illustrated in Figure 3 directly or indirectly *causes the displayed content to be handled as one of the data items, namely, by ... the system making a representation of the new information object available for display in the uniform format.* Ex. 1005, FIGs. 1, 3-4, 2:64-67, 4:13-43, 7:46-8:32; §§X.C.2-4. For instance, pressing the Continue button causes the system to display the formatted blurb to a user as illustrated in Figure 4. Ex. 1005, FIGs. 3-4, 2:64-67, 4:13-43, 7:46-8:32; §X.C.4. A user can also see the blurb post by going to an author-specific blog page. Ex. 1005, FIGs. 1, 3-4, 2:64-67, 4:13-43, 7:46-8:32. The blurb accordingly “becomes available” for such displays. Ex. 1005, 7:46-8:32.

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

136. In my opinion, McQueen in view of Forsyth renders this limitation obvious.

137. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1, including methods for presenting users with various blurbs (including *information object[s]*) and performing corresponding *computer processes*. See §X.C. McQueen's *card* is *formatted* such that it is "displayed together with ... the date and time of creation" *within the card*. Ex. 1005, 8:4-16, FIG. 4 (circled below).

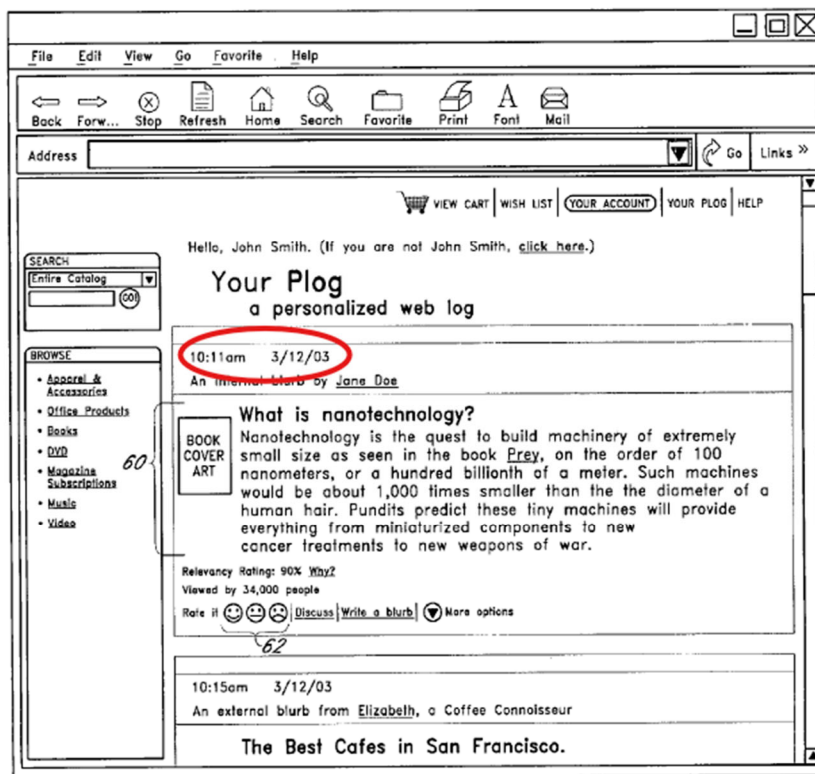


FIG. 4

Id., FIG. 4 (annotated).

This date information is integral to the organization of the card collection, as McQueen notes that "[t]he plog is presented in reverse chronological order." *Id.*, 8:4-16.

3. Claim 5: “A method according to claim 1, further comprising:”

138. In my opinion, McQueen in view of Forsyth renders this limitation obvious.

139. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1. *See* §X.C. As I explain below, McQueen describes that its system and method serves multiple distinct views to a user: a personalized view (the user’s own “plog”) and author-specific views (other users’ collections).

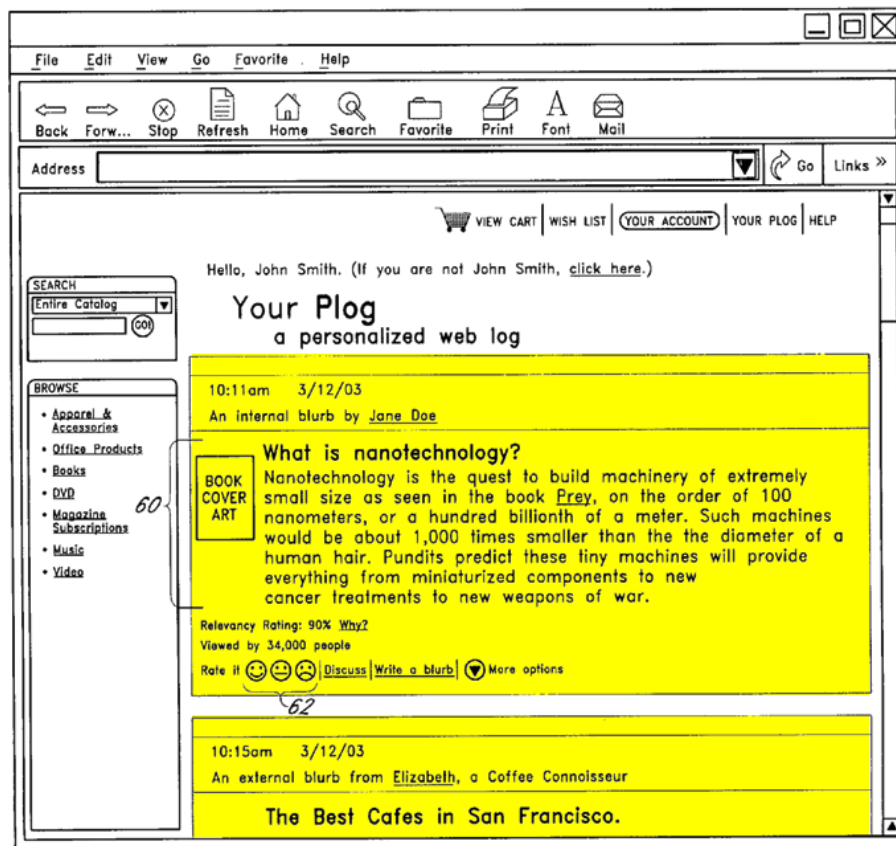
a. Claim 5[a]: “displaying in a computing device of a first user, a first view of a first set of cards that constitute a first collection of the first user;”

140. In my opinion, McQueen describes presenting blurbs to a user on their device (*displaying in a computing device of a first user*) in the form of a “personalized log or ‘plog,’” which is a customized collection for that user (*a first view of a first set of cards constitut[ing] a first collection of the first user*).

McQueen states:

“A vote cast in response to the personalized selection and display of a blurb may be treated as a vote on the quality of the particular selection algorithm used to select the blurb. For example, if several different competing selection algorithms are used (as discussed below), the associated blurb votes may be used over time to evaluate the relative accuracy of each such algorithm. Selection algorithms that perform poorly relative to the others may be dropped or modified, or may be accorded a lesser weight in selecting blurbs to present. Further, if a given user has consistently responded favorably to blurbs nominated by a particular selection algorithm, that selection algorithm may be treated as being more reliable for that particular user.”

Declaration of Andy Cockburn, Ph.D. in Support of
 Petition for *Inter Partes* Review USP No. 10,664,141
 Ex. 1005, 5:47-61. Figure 4 of McQueen illustrates this first view, showing “a
 portion of an example plog page, with a single plog entry (blurb) 60 shown in its
 entirety.” Ex. 1005, 8:4-16.



Id., FIG. 4 (annotated).

- b. **Claim 5[b]: “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.”**

141. In my opinion, McQueen also discloses *displaying in the same computing device of the first user, a second view of a second set of cards constitut[ing] a collection of a second user*. McQueen discloses that users can view blurb collections created by other authors on their device. Ex. 1005, 4:28-43 (“As

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

depicted by the ‘blogs’ user interface component 46 in FIG. 1, users of the system 30 can also preferably view the blurbs created via the authoring pipeline 40 in an author-specific blog format....[U]sers may visit a page associated with a particular author to view a chronological log of the blurbs submitted by that author... or equivalently, to view that author’s blog.”), 8:10-16 (“link to the author’s blog page”), 7:65-8:3. The system thus *serv[es]* an author-specific blog, which constitutes a *collection of a second user*, when the first user views the blog on their device. *Id.*

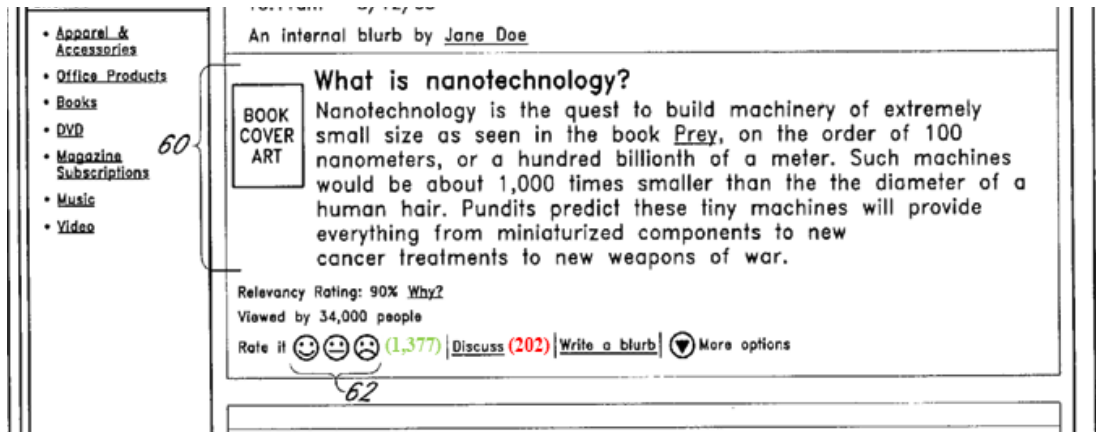
4. Claim 12: “A method according to claim 1, wherein the set of indicators includes: an indicator reflecting voting activity associated with the card.”

142. In my opinion, McQueen in view of Forsyth renders this limitation obvious.

143. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1. *See* §X.C. Each of McQueen’s cards includes a set of indicators such as “the date and time of creation.” §X.C.2.b. But McQueen does not limit its indicators to just time and date information. Consistent with that explained previously, it would have been obvious to display a “current tally of the votes,” which is *an indicator reflecting voting activity associated with the card* (e.g., that users have voted, new votes), as disclosed by McQueen with voting icons 62. *Ex.* 1005, 1:32-43, 6:42-46 (“An author's reputation may be represented as a reputation score or grade that is based on the following and/or other criteria, the number of

blurbs written, the total number of votes cast on such blurbs, and the average rating of such votes. Author vote and reputation data is preferably maintained for all authors of internal blurbs, and may also be maintained for authors of external blurbs”), 8:17-24 (“Also displayed is a set of icons **62** for voting on the blurb. In this example, three rating levels are supported: good, neutral, and poor. The voting interface may alternatively use a different number of rating levels. For example, a 2-level scale may be used in which users are asked whether they liked the blurb, or a 5-level scale may be used in which users are asked to rate the blurb on a scale of 1-5”), FIG. 4; §§X.A.2-B.

144. A person of ordinary skill in the art would recognize that when the current tally of votes changes, it would reflect an increase in the number of users who have voted, thereby assisting users in assessing the blurb and any corresponding review. Ex. 1005, 1:32-43; §X.A.2. A person of ordinary skill in the art would have appreciated that the configuration for displaying a “tally of the votes” for reviews as disclosed by McQueen would have just as easily and helpfully applied to a tally of total votes for a blurb (that includes or does not include a review). Ex. 1005, 1:32-43; §X.A.2. Thus, the display of the “current tally of the votes” for a given blurb discussion *reflect[s] voting activity associated with the card*. Ex. 1005, 1:32-43, 6:42-46, 8:17-24, FIG. 4; §X.A.2. An example of such an implementation follows with the added vote tally in green.



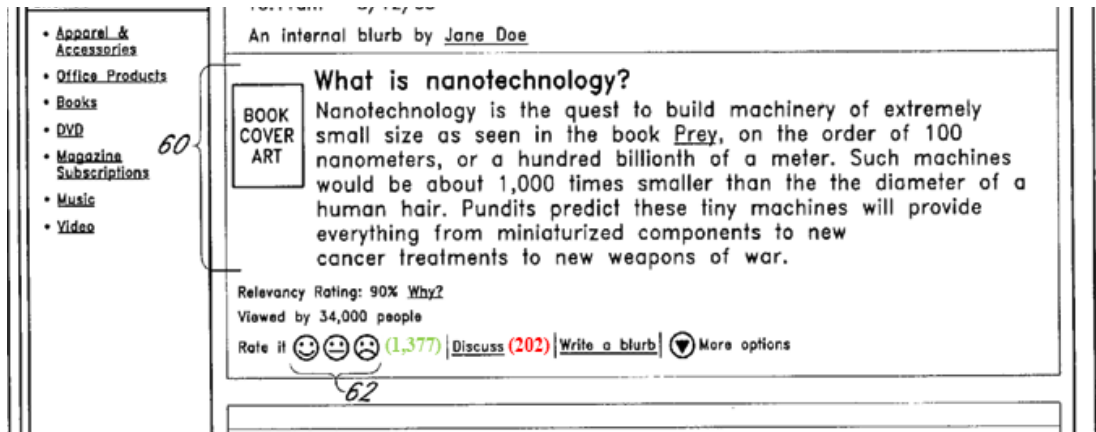
Ex. 1005, FIG. 4 (annotated).

5. **Claim 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.”**

145. In my opinion, McQueen in view of Forsyth renders this limitation obvious for substantially the same reasons explained above for claim 12. §X.E.4.

146. Consistent with that explained previously for Claim 12, it would have been obvious to display a “current tally of the votes” as disclosed by McQueen in conjunction, for instance, with voting icons 62. Ex. 1005, 1:32-43, 6:42-46, 8:17-24, FIG. 4; §§X.A.2-B, E.4. As such, the display of the “current tally of the votes” for a given blurb discussion is the *indicator* that *reflect[s] voting activity associated with the card* since the tally *provides a numeric count of the voting activity*. Ex. 1005, 1:32-43, 6:42-46, 8:17-24, FIG. 4; §VIII.A.2, E.4. Below, in green (“1,377”), is the *numeric count* of the *voting activity* as disclosed by McQueen.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141



Ex. 1005, FIG. 4 (annotated); *see also* §§X.A.2-B, E.4.

6. Claim 14: “A method according to claim 1, wherein the at least some content further includes the indicator reflecting voting activity.”

147. In my opinion, McQueen in view of Forsyth renders this limitation obvious.

148. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1, including cards including various *indicators* such as “the date and time of creation.” §X.C. But McQueen does not limit its indicators to just time and date information. Consistent with that explained previously, it would have been obvious to display McQueen’s “current tally of the votes” with voting icons 62. Ex. 1005, 1:32-43, 6:42-46, 8:17-24, FIG. 4; §§X.A.2-B.

149. A person of ordinary skill in the art would recognize that when the current tally of votes changes, it would reflect an increase in the number of users who have voted, thereby assisting users in assessing the blurb and any corresponding review. Ex. 1005, 1:32-43; §§X.A.2-B. In the combination, *at least some content*

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

of cards would include such vote counts, which reflect voting activity. Ex. 1005, 1:32-43; §§X.A.2-B. Likewise, McQueen’s uniform card format integrates the vote tally directly to “assist readers in assessing the review,” such that the voting activity is *at least some content* a user can access when reviewing a card. Ex. 1005, 1:36-40. Thus, the display of the “current tally of the votes” for a given blurb discussion *reflect[s] voting activity* (e.g., that users have voted, new votes). Ex. 1005, 1:32-43, 6:42-46 (“An author's reputation may be represented as a reputation score or grade that is based on the following and/or other criteria, the number of blurbs written, the total number of votes cast on such blurbs, and the average rating of such votes. Author vote and reputation data is preferably maintained for all authors of internal blurbs, and may also be maintained for authors of external blurbs”), 8:17-24 (“Also displayed is a set of icons 62 for voting on the blurb. In this example, three rating levels are supported: good, neutral, and poor. The voting interface may alternatively use a different number of rating levels. For example, a 2-level scale may be used in which users are asked whether they liked the blurb, or a 5-level scale may be used in which users are asked to rate the blurb on a scale of 1-5”), FIG. 4; §§X.A.2-B.

7. Claim 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.”

150. In my opinion, McQueen in view of Forsyth renders this limitation obvious.

151. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1. *See* §X.C.

152. Each of McQueen's cards includes a set of indicators such as "the date and time of creation." §X.C.2.b. But McQueen does not limit its indicators to just time and date information. And, as I explained previously, it would have been obvious to modify McQueen to incorporate Forsyth's "graphical indication of the number of unread (new) messages" for the system's discussion and corresponding messaging features. Ex. 1006, 6:28-36; §§X.A-B, C.2.b, C.7.

153. In combination, "number of unread" or "new" messages for a given discussion would have been ***a numeric count of the commenting activity***. Ex. 1006, 6:28-36; §§X.A-B, C.7. Forsyth teaches that time-stamped comments are threaded together to avoid cluttering the interface with "dozens" of individual messages for a common topic, instead grouping them into a discussion. Ex. 1006, 4:17-34, 7:25-42. Therefore, the display of the "number of unread" or "new" messages for a given blurb discussion is a message ***indicator*** that displays a number of instant comments associated with the card, ***reflecting commenting activity associated with the card***. Ex. 1006, 6:28-36 ("After a user receives notification of a Forum message, he can check the status of his Forums, as shown in FIG. 6. This view distinguishes Forums with unread (new) messages from those with read (old) ones. The new Forum (subject: Naked Chef is therefore shown highlighted, although colour may not be

enough to act as the only distinguishing attribute. There may also be some graphical indication of the number of unread (new) messages”); §§X.A, C.2.b, C.7.

8. Claim 16: “A method according to claim 1, wherein the at least some content further includes the indicator reflecting commenting activity.”

154. In my opinion, McQueen in view of Forsyth renders this limitation obvious.

155. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1. *See* §X.C.

156. Each of McQueen’s cards includes a set of indicators such as “the date and time of creation.” §X.C.2.b. But McQueen does not limit its indicators to just time and date information. And, as I explained previously, it would have been obvious to modify McQueen to incorporate Forsyth’s “graphical indication of the number of unread (new) messages” for the system’s discussion and corresponding messaging features. Ex. 1006, 6:28-36; §§X.A, C.2.b, C.7. McQueen identifies the “date and time of creation” as an indicator. Ex. 1005, 8:4-16, 7:3-17.

157. By incorporating Forsyth’s teachings, the card content is expanded to include additional graphical indication of the number of unread (new) messages. This “number of unread” or “new” messages for a given discussion would have been a numeric count of the commenting activity. Ex. 1006, 6:28-36. Thus, as an addition to the date and time of creation indicators in the McQueen-Forsyth system (and

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
method), ***at least some content*** presented to users on cards includes comment counts.

Ex. 1006, 6:28-36. Forsyth teaches that time-stamped comments are threaded together to avoid cluttering the interface with “dozens” of individual messages for a common topic, instead grouping them into a discussion. Ex. 1006, 4:17-34, 7:25-42. Therefore, the display of the “number of unread” or “new” messages for a given blurb discussion is a message ***indicator*** that displays a number of instant comments associated with the card, ***reflecting commenting activity***. Ex. 1006, 6:28-36 (“After a user receives notification of a Forum message, he can check the status of his Forums, as shown in FIG. 6. This view distinguishes Forums with unread (new) messages from those with read (old) ones. The new Forum (subject: Naked Chef is therefore shown highlighted, although colour may not be enough to act as the only distinguishing attribute. There may also be some graphical indication of the number of unread (new) messages”); §§X.A, C.2.b, C.7.

9. Claim 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.”

158. In my opinion, McQueen in view of Forsyth renders this limitation obvious.

159. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1, including methods for ***extract[ing] data*** and ***data item[s]*** via RSS. See §§X.C.1-2.a; Ex. 1005, 4:29-5:3, 7:3-17, FIG. 1.

160. McQueen discloses configuring blog data into distinct information objects by converting or saving “blogs” sourced from RSS feeds as one or more “blurbs” or “blurb posts.” §§X.C.1-2.a; Ex. 1005, 4:29-5:3, 7:3-17. These blurbs are configured into a uniform format that functions as a card, which is a rectangular container of information. §§X.C.1-2.a; Ex. 1005, 4:29-5:3, 7:3-17. Shown below, McQueen’s cards include extracted data (a picture, e.g., “BOOK COVER ART”, and a heading, e.g., “What is nanotechnology?”) from the source data item, uniform locations (where pictures, headings, and indicators are displayed in consistent and structured positions within the card), and functional access (where each card includes a function mechanism such as voting icons 62, “Discuss”, and “More options”) giving graphical access to specific functions. Ex. 1005, 4:13-27, 7:55-64, 5:52-6:3, 8:4-16, FIG. 4.

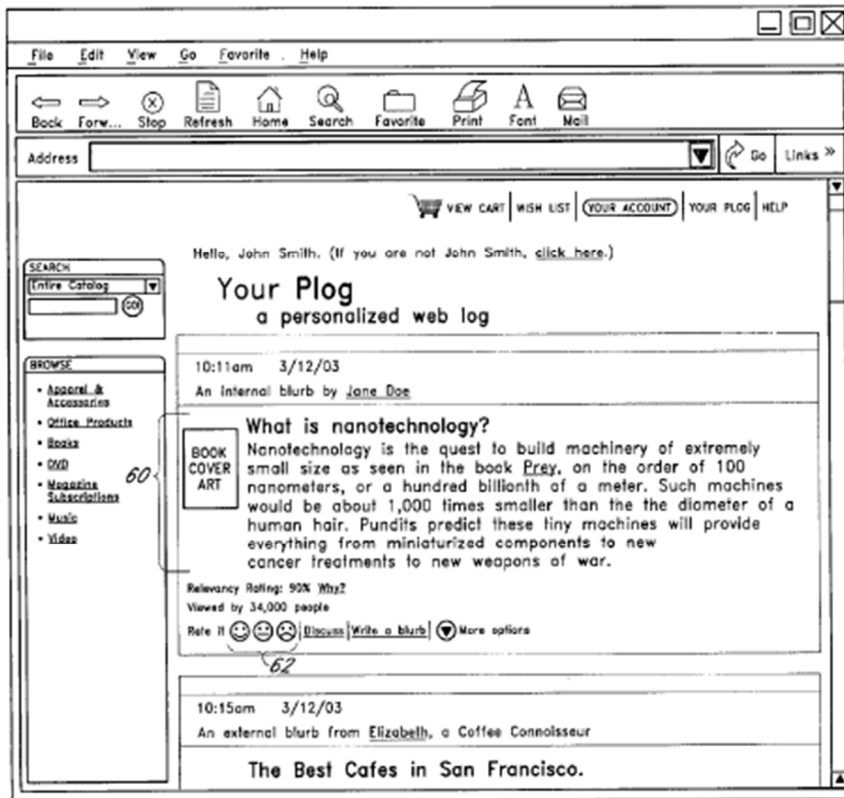


FIG. 4

Ex. 1005, Fig. 4.

161. The above elements are extracted from the blog and blog entry data items because the system converts or saves each external source, such as RSS feeds, into the blurb database. Indeed, McQueen explicitly teaches that data from RSS feeds—which includes *at least the picture[s] and the heading*—is retrieved and added to the database. Ex. 1005, 4:13-27, 7:55-64, 5:52-6:3, 8:4-16, FIG. 4. Within the consistent container of information, McQueen displays the extracted heading, *the extracted data from a data item*, in a structured and uniform location within card, thus *the heading is included within the card*. *Id.*

- 10. Claim 19: “A method according to claim 17, the computer process 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.”**

162. In my opinion, McQueen in view of Forsyth renders this limitation obvious for substantially the same reasons discussed for claims 2 and 17. §X.E.1.

- 11. Claim 20: “A method according to claim 17, wherein the format includes within the card an indication of a date of creation.”**

163. In my opinion, McQueen in view of Forsyth renders this limitation obvious for substantially the same reasons discussed for Claims 3 and 17. §X.E.2.

- 12. Claim 22: “A method according to claim 17, further comprising:”**

- a. Claim 22[a]: “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;”**
- b. Claim 22[b]: “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.”**

164. In my opinion, McQueen in view of Forsyth renders these limitations obvious for substantially the same reasons explained for Claims 5 and 17. §X.E.3.

XI. OPINIONS ON GROUND 2: CLAIMS 2 AND 19 ARE OBVIOUS IN VIEW OF MCQUEEN, FORSYTH, AND CSASZAR

A. A POSITA Would Have Been Motivated To Combine

165. It is my opinion that a person of ordinary skill in the art would have been motivated to modify McQueen-Forsyth’s blurb and blog publishing system with Csaszar’s one-click mechanism for converting a web page into an internet post. McQueen’s system and method allows users to create blurbs by manually “entering the headline and body of the blurb,” a “link,” etc. Ex. 1005, 7:47-54, FIGs. 2-3. And implementing Csaszar’s features would have reduced the amount of effort and time needed to create such blurb posts by “automatically captur[ing]” the appropriate title, heading, description element, image, etc. from a web page. Ex. 1014, [0014], [0243]-[0247], FIG. 7. A person of ordinary skill in the art would recognize that such streamlined blurb generation technology would have increased the usability and reach of the McQueen system. Ex. 1014, [0014], [0243]-[0247], FIG. 7. Csaszar’s functionality for capturing information in a uniform format and a collaborative user environment also would have increased readability and user experience. Ex. 1005, FIG. 4, 8:24-33; Ex. 1014, [0044].

166. A person of ordinary skill in the art would find that integrating Csaszar’s capture trigger with McQueen’s blurb posting system also to have been a straightforward application of known programming techniques, ultimately allowing users to “enable greater efficiency to experience and exchange information.” Ex.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
1014, [0044], [0053]. In my opinion, the modification would have been an obvious
and predictable combination of known elements to a person of ordinary skill in the
art for known improvements and/or benefits.

**B. A POSITA Would Have Had a Reasonable Expectation of
Success**

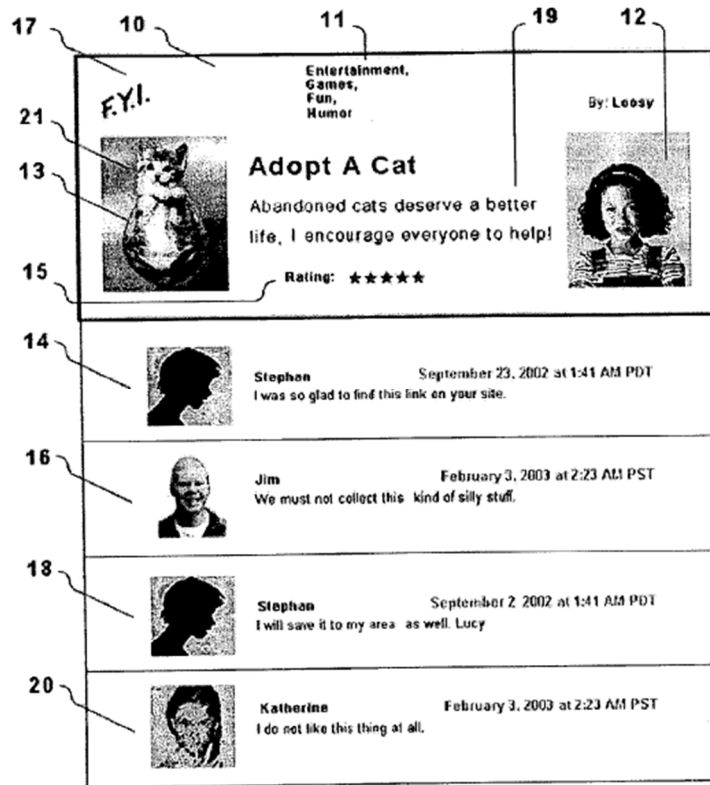
167. It is my opinion that a person of ordinary skill in the art would have had
a reasonable expectation of success in implementing Csaszar's teachings in the
McQueen-Forsyth system and method. For instance, Csaszar's automatic-capture
features would have been implemented using no more than known standard network
protocols and object-oriented data structures, which a person of ordinary skill would
have known to utilize. Ex. 1014, [0125-0130]. Moreover, both McQueen and
Csaszar use a centralized server-side database to store digital objects for client-side
retrieval, such that Csaszar's capture trigger with McQueen's display templates
would be a straightforward application of known programming techniques for GUI
and database design. Ex. 1014, [0125-0130], [0244]; Ex. 1005, 4:29-5:33.
McQueen and Csaszar both describe similar uniform objects including headings,
pictures, and links, such that integration into a single interface would have been well
within the technical skill of a person of ordinary skill in the art, considering the
overlap. Ex. 1005, 8:4-16; Ex. 1014, [0126]. Thus, the system and method would
have been a predictable combination of known components according to known

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
methods (e.g., communication and GUI methods), and would have produced
predictable display and communication results.

C. **Claim 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.”**

168. It is my opinion that McQueen and Forsyth in combination with Csaszar renders this limitation obvious.

169. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1, including methods for presenting users with various blurbs (including *information object[s]*) and performing corresponding *computer processes*. See §X.C. And like McQueen’s blog and blurb-posting interfaces, Csaszar contemplates “[w]eb log” and “blog” applications, as well as presenting user posts in a standard format, e.g., via a “flyer.” Ex. 1014, [0163], FIG. 7; §VIII.C. The Csaszar systems and methods, like McQueen’s systems and methods, may be performed using a “general purpose computer,” programs, and corresponding *computer processes*. Ex. 1014, [0043]-[0044], [0244].



Ex. 1014, Fig. 7 (illustrating a digital “flyer”).

170. Csaszar further discloses *displaying a graphical button*. For instance, Csaszar discloses that users can “move the[ir] cursor over a representative illustration on [a] Web page and click the Right Mouse Button,” which *display[s] a “MAKE FLYER” graphical button*. Ex. 1014, [0244]-[0247].

171. Csaszar discloses that its “MAKE” button, which, when invoked while content is being displayed, caus[es] the displayed content to be handled as one of the data items, namely, by configuring the displayed content as a new information object. Csaszar’s “MAKE” button can be invoked while the user is viewing a web page Primary Object, which is displayed content. Ex. 1014, [0244]-[0247] (“a representative illustration on the Web page”). When clicked, the “MAKE” button

caus[es] the system to “automatically capture[] the title and the URL...and...Web page element” and add a “thumbnail-size version of the selected image to [a] newly-made Flyer.” Id., [0247]. This “automatic[] capturing” of the selected web page causes the displayed content (the web page) to be handled as one of the data items, namely, by configuring the displayed content as a new information object because information such as the title, URL, web page element, and picture are captured and stored for packaged display. Id., [0244]-[0247], [0032] (“descriptive text elements”), [0207]-[0209], [0127], FIG. 7. Like McQueen, a database stores such content. Ex. 1014, [0127], FIG. 3; Ex. 1005, FIG. 1, 4:28-5:3 (“blurbs database 44”).

172. Indeed, the *displayed* web page *content* is *configured...as a new information object* because the system formats it as a newly-made card comprising a heading, description element, link, and picture. Ex. 1014, [0247], FIG. 7, [0032]. Csaszar likewise discloses *making a representation available for display in the uniform format* based on the MAKE button press. For instance, Csaszar’s new object *representation* is *available for display in the uniform format* known as the “flyer metaphor,” which like McQueen’s blurb posts, is a digital object that includes “descriptive text elements, illustrative images, numeric descriptors,” links, etc. that a user can view. Ex. 1014, [0244]-[0247], [0032], FIG. 7.

173. Invoking Csaszar’s “MAKE” function in the McQueen-Forsyth system and method would have “automatically capture[d] the title and the

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

URL...and...Web page element” (e.g., a description element) and add a “thumbnail-size version of the selected image to the newly-made” blurb for a web page. Ex. 1014, [0243]-[0247], [0032]. This capture mechanism triggered by a graphical button would cause the displayed content to be handled as a new data item by configuring it into a new information object available for display in the uniform card format. Such a configuration would have entailed McQueen’s *computer processes* further *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.*

D. Claim 19: “A method according to claim 1, 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.”

174. In my opinion, McQueen in view of Forsyth and Csaszar renders this limitation obvious for substantially the same reasons explained for Claims 2 and 17.

§§X.D, X.E.1.

**XII. OPINIONS ON GROUND 3: CLAIMS 4, 8, 9, 21, 25, AND 26 ARE
OBVIOUS IN VIEW OF MCQUEEN, FORSYTH, AND BRIGGS**

A. A POSITA Would Have Been Motivated to Combine

175. It is my opinion that a person of ordinary skill in the art would have been motivated to modify the McQueen-Forsyth system and method to incorporate Briggs' reporting and information-tracing features. A person of ordinary skill in the art would have recognized that implementing Briggs' reporting teachings (e.g., on tracking "velocity," "diffusion," and "spreading of information") in the system would have significantly enhanced a user's understanding of social influence and weight of posts. This would be a helpful addition to the McQueen-Forsyth system and method since it allows users to publish content and "forward" or "send" blurbs. Ex. 1015, 8:24-33, 9:25-27, 10:36-47, 19:5-36; Ex. 1005, FIGs. 2-4. Incorporating Briggs' reporting teachings similarly would have allowed users to know whether a given post could be trusted based on who forwarded the information. Ex. 1015, 9:25-27, 19:31-36.

176. Further, a person of ordinary skill in the art would have been motivated to implement Briggs' instant messaging and object sharing teachings in the McQueen-Forsyth system and method. For instance, a person of ordinary skill in the art would have appreciated that including Briggs' GUI and selection logic for an internet object in the McQueen-Forsyth system and method would have provided an

easy and efficient method for graphically selecting specific information to share with recipients, thereby enhancing user experience:

“FIG. 6 depicts an interface for sending an item to a buddy. This interface may be invoked, for instance, by selecting the send button **365**. The item being sent is identified **691**. The item identification **691** may be linked to the item, a pull-down menu of items recently viewed or recently sent, or to a dialogue for selecting an item to send. The user selects between sending the item, a link to the item or other item-related information to a buddy who has enrolled to share activity data or to a person listed as an instant messaging buddy. In an enterprise implementation, as described above, the user might select an addressee from a network registry of users or an e-mail list. A personal note **695** may be sent along with an item. The system may be configured so that the personal note is not retained on the tracking server or so that it is retained. The send item button **696** signals that the items should be sent. The cancel button **697** indicates that the item is not to be sent. Either the send or cancel button can be accompanied by a confirmation screen.”

Ex. 1015, 7:37-55, *see also* 9:16-57, Fig. 6. Thus, a person of ordinary skill in the art would have recognized that Briggs’ automated method of “evoking [a] user’s IM tool” would be an integrated and efficient bridge between the information object viewing taught by McQueen and its suggestion for sharing and forwarding such content. Ex. 1015, FIGs. 6, 9, 15:9-13; Ex. 1005, FIG. 4, 8:25-33, 10:40-47. A person of ordinary skill in the art also would have also recognized that adopting Briggs’ teachings would have improved the user experience by enabling selected information to be shared more clearly and easily. Ex. 1015, 9:15-57, 7:37-55, Fig. 6.

177. In all, it is my opinion that the modifications would have been obvious and predictable combinations of known elements to a person of ordinary skill in the art for known improvements and/or benefits.

B. A POSITA Would Have Had a Reasonable Expectation of Success

178. It is my opinion that a person of ordinary skill in the art would have had a reasonable expectation of success in combining the McQueen-Forsyth system and method with Briggs. The disclosures utilize similar and combinable object-oriented data structures to manage digital content; they disclose combinable centralized server-side database teachings for storing digital objects for client-side retrieval. Ex. 1005, 1:13-22, Fig. 1; Ex. 1006, 2:17-24; Ex. 1015, 2:45-49. Further, Briggs' teachings on forwarding history or calculating "velocity" would have been understood, standard implementations for software developers at the time. Ex. 1015, 19:25-27, 19:31-36. More specifically, Briggs states:

"Additional functionality of the system, which passively tracks activities of registered users may include tracing the flow of information or data among registered users. Information which is sent from a user to a buddy may be annotated with a history of users who forwarded the information. Alternatively, it may include a first user who forward the information and the immediately previous forwarding user. Or, it could identify a limited number of previous forwarding users. If less than a will history of users who forwarded the information is included with information sent from a user to a buddy, an analysis server may use a combination of timestamps and forwarding information to determine the dissemination or diffusion information and the velocity at which it is disseminated. Social network theory provides a number of metrics for evaluating the dissemination or diffusion of information. The tracking capabilities which are an aspect of the present invention can readily be adapted to quantifying the relative influence of one or another user on their buddies, including the strength, frequency, extent and relative value of their influence. Certain users may be selected for introduction to information or new product releases. Certain users may be selected and rewarded as a result of efficient dissemination of information through their social network."

Id., 19:24-46.

A person of ordinary skill in the art would have known that by capturing metadata such as timestamps and user identifiers during a “send” and “forward” even would have been standard implementations for software developers at the time. Further, a person of ordinary skill would have recognized that such data points could be used together to calculate the information dissemination path or calculate the speed of social spread. Briggs details one potential implementation or aspect of McQueen’s share/forwarding feature, confirming that the two technologies were compatible. *Id.*

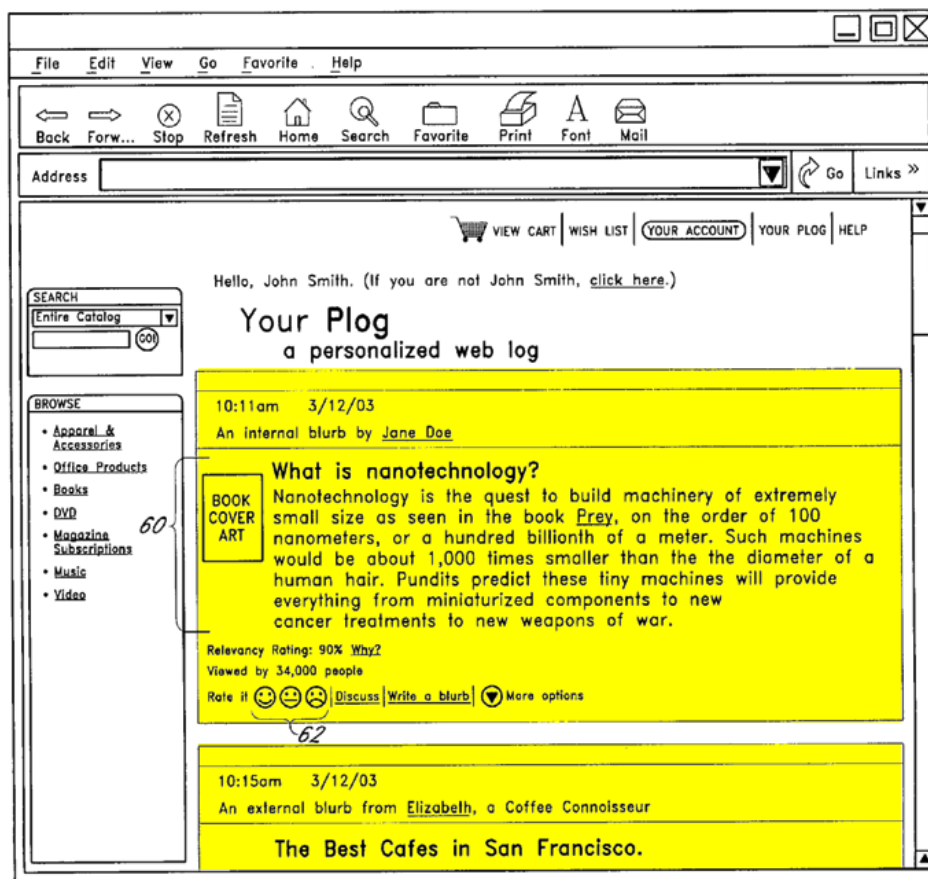
179. Thus, the system and method would have been a predictable combination of known components according to known methods (*e.g.*, data collection, communication, and GUI methods) and would have produced predictable display and communication results.

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

180. In my opinion, McQueen and Forsyth in combination with Briggs renders this limitation obvious.

181. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1, including methods for presenting users with various blurb posts (including *information object[s]*) in a uniform *format*. See §X.C.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141



Ex. 1005, FIG. 4 (annotated).

182. Briggs further discloses *a user-accessible report relating to users who copied an information object*. For instance, Briggs discloses sending information that is “annotated with a history of users who forwarded the information”, thereby copying it, or a subset of users that forwarded the information. Ex. 1015, 19:25-27. Such “[t]racking data can be posted...for buddies to access according to their defined access rights.” Ex. 1015, 19:5-6. Moreover, Briggs even details that such aggregated data is “reported”:

“FIG. 1 is a block diagram of interrelated components of systems practicing aspects of the present invention. Tracked activity may include Internet activity **120**, wireless network location track and interaction

activity **121** and enterprise intranet activity **122**. Activities tracked in these domains may include view, listen, rate, comment, assign emoticon, send, watch, download, bookmark or visit. A user views a URL, watches a visual presentation and listens to an audio presentation. A user visits a restaurant or other location. A user who views, watches, listens or visits may respond to their experience. A user's response may be to rate, comment, assign an emoticon, send information to a buddy, download data or bookmark an item for later access.

Data stored regarding an experience may include VUD, VLD or VXD databases **100**, a logo database for URLs, locations or items **101** and a variety of ACL databases. The access control lists can be maintained at the service provider level **104**, the enterprise level **102** or the individual user level **103**.

Data **130** reflecting individual experiences and aggregated experiences can be accessed or reported in a variety of ways. An activity viewer running on a user's system **131**, either fixed or portable, can appear in a window. Reports on locations, either the experiences of others visiting the location or the proximity of buddies or buddies of buddies can be reported automatically to Bluetooth enabled wireless devices **132** when such devices reach a location or are in contact with a location-sponsored Bluetooth access point. Wireless devices can be synchronized **133** when reasonable bandwidth is available to retain data that would be too voluminous to access via a low bandwidth connection. The interfaces of instant message tools **134** can serve as an output channel, as licensing arrangements become available. Physical reports **135** can be printed for analysis. These reports can cover analysis of interactions among participants and spreading of information from one user to others.”

Id., 4:64-5:32. The annotations thus constitute a ***user-accessible report*** to those with access to the information or who receive the information; the report is accessible to users, and not restricted to administrators or logs. Ex. 1015, 19:5-46.

183. The “history of users who forwarded the information” ***relat[es] to users who copied*** an ***information object*** because it denotes who copied the information to another user previously. Ex. 1015, 4:64-5:32, 19:5-46. And various information

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
may be sent, including the “full text index of items viewed,” “a limited number of
previous forwarding users,” etc. Ex. 1015, 19:16-46. Indeed, “[t]he computer user
experiences tracked could include viewing URLs, downloading files, listening to
songs, viewing videos, making purchases, sending items from a user to their buddies,
or general messaging between the user and buddies.” *Id.*, 18:53-57. Further, Briggs
specifies that when “[o]ne or more items in the current context are sent to a buddy,”
the “activity of sending the items is reported to a tracking server to be recorded in
the VUD.” *Id.*, 12:5-8.

184. Invoking Briggs’ tracking and reporting functionality within the
McQueen-Forsyth system and method would likewise have resulted in “a history of
users who forwarded the information” to be included on shared information, that is
McQueen’s shared or forwarded blurb posts. Ex. 1015, 19:5-46; *id.*, 4:64-5:32; Ex.
1005, FIG. 4; *see also id.*, Ex. 1015, 5:30-32 (“[t]hese reports can cover analysis of
interactions among participants and spreading of information from one user to
others”). Such a configuration would have entailed *the format includ[ing] a user-
accessible report relating to users who copied the information object.*

**D. Claim 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.”**

185. In my opinion, McQueen and Forsyth in combination with Briggs
renders this limitation obvious.

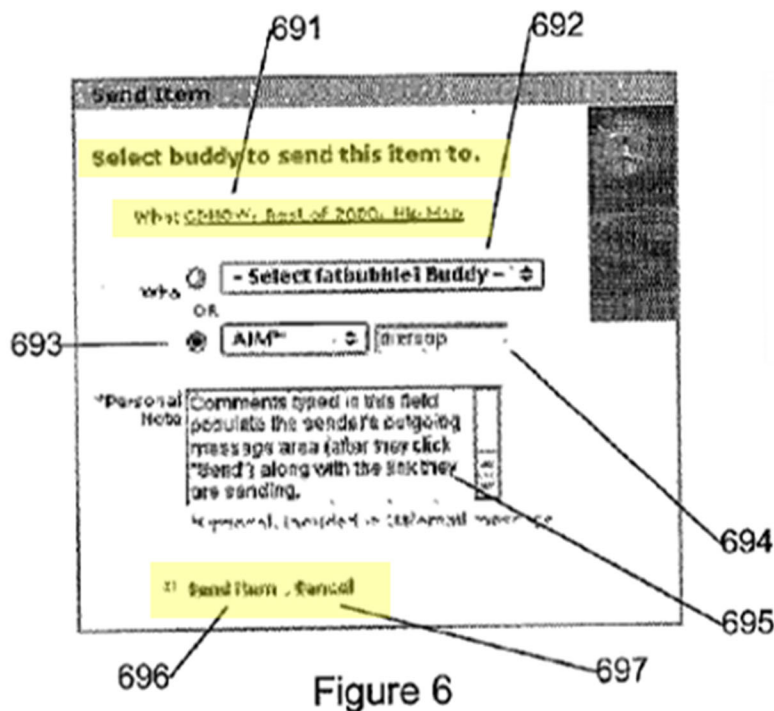
186. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1, including methods for presenting users with various blurb posts (including *card[s]*). §X.C. McQueen further discloses that users can share and forward such blurb posts to their friends, thereby *causing a card to be shared with another user* via a copy function. See §X.C.5.

187. Briggs similarly discloses *a user-entered command* that *caus[es] a card to be shared with another user*. Briggs discloses that users initiate the sharing of data by selecting specific controls within a messaging interface, which is *a user-entered command*. Ex. 1015, 7:37-55, 9:15-57. Specifically, Briggs teaches that a user can initiate transfer by selecting a “send item button 696” or by using “[r]ow select commands, such as mouse-click, shift mouse-click and control mouse-click can be used to select one or more rows prior to selecting the send button” to prepare data for transmission. Ex. 1015, Fig. 6 (below), 7:37-55, 9:55-57.

188. A user *caus[es] a card to be shared with another user* upon hitting send because the selected content by “evoking user’s IM tool and populating the message field” with the selected content. Ex. 1015, 7:37-55, 7:39 (“the item being sent is identified 691”), 7:51-52 (“[t]he send item button 696 signals that the items should be sent”), Figs. 6, 19. Briggs teaches that sent information “may be data such as multimedia files, XML documents, database searches or virtually any other material.” Ex. 1015, 3:41-43. Further, Briggs teaches that the recipient of the shared

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
information is a “buddy,” which is *another user*. *Id.*, Fig. 6 (depicting how user
can send information to another user by selecting a buddy).

189. Briggs further discloses sending the content to the other user *when the card and the other user have been graphically selected*. Indeed, Briggs specifically enables a user to “Select buddy to send this item to” from a list of contacts maintained by integrated messaging tools such as AIM (*the other user have been graphically selected*). *Id.*, Fig. 6 (highlighted), 7:37-55. Likewise, the user selects what is being sent to the other user using item identification 691, which may be “any ... material” such as a *card*. *Id.*



Ex. 1015, Fig. 6 (highlighted).

190. When combined, the modified McQueen system and method would allow a user to graphically select a blurb post and buddy to send it to a buddy,

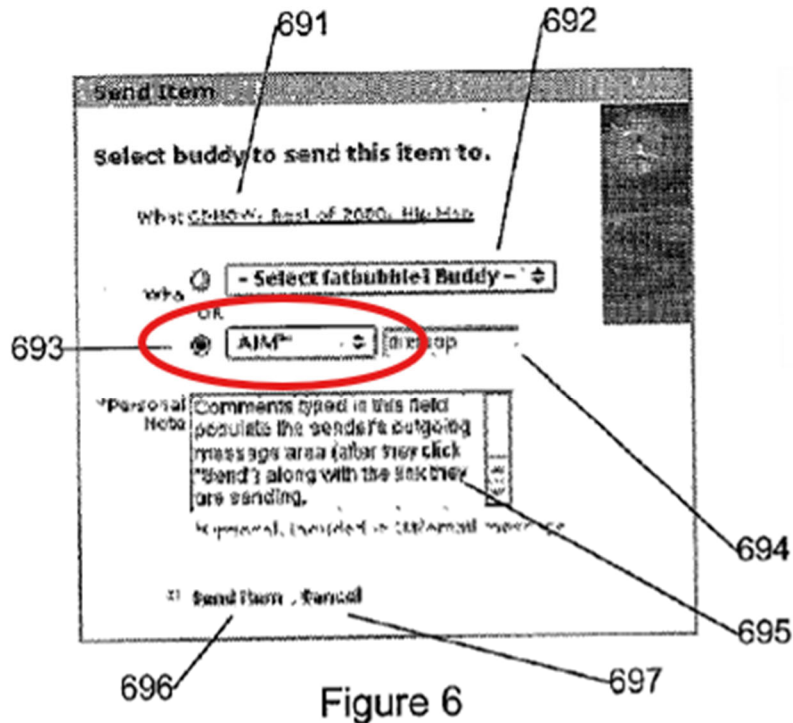
Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
consistent with McQueen’s function for sending and forwarding blurbs to friends.
More specifically, McQueen teaches a “more options” drop down menu, which is a
list that allows the plogs’ owners to access other options such as sending a blurb to
a friend. Ex. 1005, Fig. 4, 8:24-33, 10:36-47. Briggs’ teachings enable a detailed
selection of such a card to be sent to a specific recipient. Ex. 1015, 9:55-57 (“[r]ow
select commands... can be used to select... prior to selecting the send button”), 7:37-
55 (“the item being sent is identified 691”), Fig. 6. Such a configuration in
combination would have entailed *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.*

E. Claim 9: “A method according to claim 8, 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.”

191. In my opinion, McQueen and Forsyth in combination with Briggs renders this limitation obvious.

192. As I discussed previously, McQueen in view of Forsyth renders obvious Claim 1, including methods for presenting users with various blurb posts (including *card[s]*). See §X.C. McQueen further discloses that users can share and forward such blurb posts to their friends, thereby *causing a card to be shared with another user* via a copy function. See §X.C.5.

193. For similar reasons to those discussed above for Claim 8, McQueen in view of Forsyth and Briggs renders obvious the remaining limitations of Claim 9. §XII.D. Briggs discloses *on a user-entered command, a card to be shared with another user* as I discussed previously. *Id.* Briggs further discloses that such user-entered command sharing occurs *via an instant message sent through an integrated messaging system*. For instance and as I discussed above, Briggs teaches that upon a user's selection of an item and the activation of a "send" command, the system "evok[es] [the] user's IM tool and populat[es] the message field" with the selected content for transmission to another user. Ex. 1015, 7:39-46, Figs. 6, 19. AIM was an *integrated messaging system* where users could send such instant messages to each other. Ex. 1015, Fig. 6 (circled below); 4:42-47, 7:39-46.



Ex. 1015, Fig. 6 (circled).

194. Thus, upon a user hitting “send,” an instant message of the selected item is sent *as a result of graphical selection by a first user* (e.g., selecting the information object, user, and/or sending) as I discussed previously. *Id.*, 7:39-46, Fig. 6; §§X.A-B, D. And it would have been obvious to incorporate such features in the McQueen-Forsyth system and method to send information objects as I discussed previously. §§X.A-B, D.

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

195. In my opinion, McQueen in view of Forsyth and Briggs renders this limitation obvious for substantially the same reasons explained for Claims 4 and 17.

§§XII.C, X.D.

G. Claim 25: “A method according to claim 17, 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”

196. In my opinion, McQueen in view of Forsyth and Briggs renders this limitation obvious for substantially the same reasons explained for Claims 8 and 17.

§§XII.D, X.D.

H. Claim 26: “A method according to claim 17, 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.”

197. In my opinion, McQueen in view of Forsyth and Briggs renders this limitation obvious for substantially the same reasons explained for Claims 9 and 17.

§§XII.E, X.D.

XIII. OPINIONS ON GROUND 4: CLAIMS 6, 7, 10, 11, 23, 24, 27, AND 28 ARE OBVIOUS IN VIEW OF MCQUEEN, FORSYTH, AND KNAPP

A. A POSITA Would Have Been Motivated to Combine

198. It is my opinion that a person of ordinary skill in the art would be motivated to modify the McQueen-Forsyth system and method to allow a user to

copy a selected blog post of another author to the user's plog in view of Knapp.

Knapp identifies a specific technical challenge within distributed networks like McQueen's, where a "syndrome that can best be characterized as 'sipping information from a fire hose'" due to excessive data availability. Ex. 1017, 1:20-43. This high volume of data leads to a recognized failure where users "either fail to find the information they seek or they lose track of the information," and consequently, "they cannot find it again at a later point in time." *Id.* By applying Knapp's solution—which is configured to allow a user to select content objects to add to a personalized website—to the McQueen-Forsyth system and method, a person of ordinary skill in the art would recognize the functional benefit of allowing a user to add (by copying) external posts into a centralized, stable website to ensure easier and robust access and organization, as well as to mitigate issues associated with losing information. *Id.*; Ex. 1017, FIGs. 9, 12, and 17.

199. A person of ordinary skill would have had good reason to integrate Knapp's add feature into McQueen's blurb pages because it would have helped transition the user from a passive reader to an active curator, significantly enhancing utility and user engagement with plogs. Ex. 1017, FIGs. 9, 12, and 17. The select-then-display configuration of Knapp discussed below also would have allowed system operators to earn money on posts while increasing interest in the content by first having the user select the content. Ex. 1017, 23:35-24:3, 25:30-56, 28:31-44,

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
FIGs. 6-9, 11-12, 16-17. Further, such features would have streamlined the reuse of
valuable content and reduced duplication of effort across user pages. Ex. 1017, FIGs.
9, 12, and 17. Thus, it is my opinion that modifying McQueen’s user blurb pages
and system would have predictably “improv[ed] ... the way in which users access
desired information” in several ways. Ex. 1017, 2:15-20.

**B. A POSITA Would Have Had a Reasonable Expectation of
Success**

200. It is my opinion that a person of ordinary skill in the art would have had
a reasonable expectation of success modifying the McQueen-Forsyth combination
in view of Knapp. Specifically, Knapp and McQueen both disclose graphical user
interface (GUI) configurations designed for browsing and interacting with internet-
based content. Furthermore, both references expressly contemplate the distribution
of content for e-commerce applications. Ex. 1005, 1:5-11 (“provide personalized
content to users of [catalog systems]”), 1:54-64 (“blurbs may...be associated with
specific items in the electronic catalog”), 9:29-50 (“Item-referencing blurbs”),
 (“credit card transaction screen”), FIG. 4; Ex. 1017, 1:10-18 (“electronic commerce
and business....and distributing content objects”), FIGs. , 6-9, 11-12, and 16-17;
§VIII.

201. Knapp and McQueen also contemplate compatible configurations
where partial content is displayed, for instance because of licensing requirements,
via a scrollable window where more information about the content is displayed

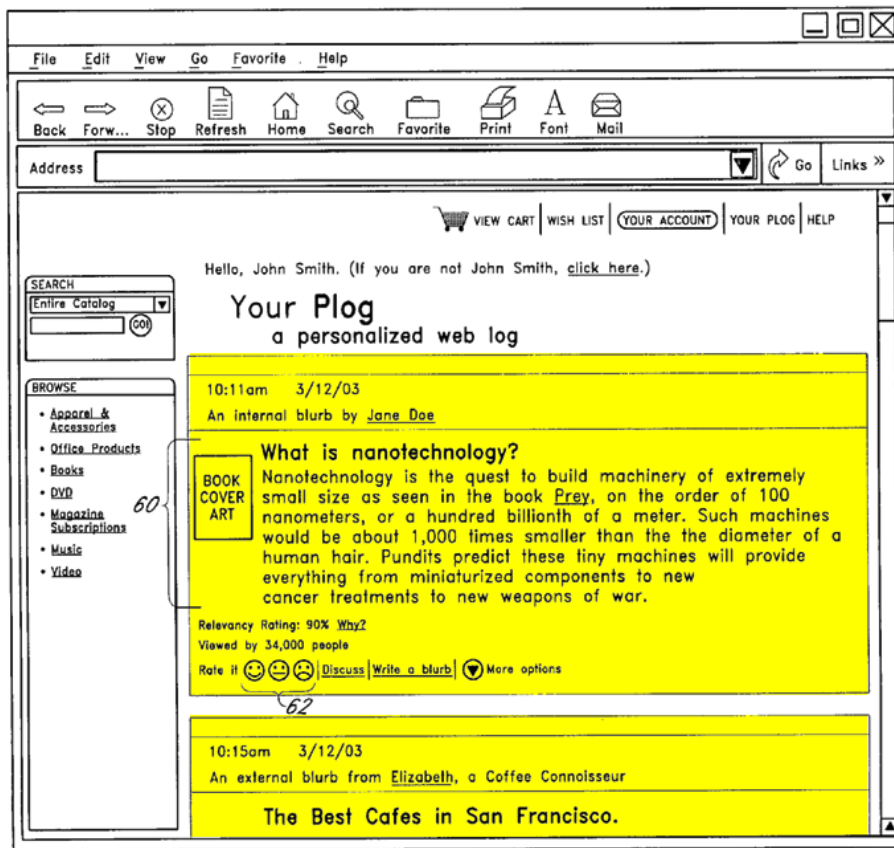
Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
thereafter once the content is selected. Ex. 1005, FIG. 4, 5:61-6:3; Ex. 1017, FIGs.
6-9, 11-12, and 16-17. Both references disclose compatible content configurations
that can link to other options and detailed pages. Ex. 1005, 7:48-54; Ex. 1017, FIGs.
6, 11, 16. In all, the McQueen-Forsyth-Knapp system and method would have been
a predictable combination of known components according to known methods (*e.g.*,
communication and GUI methods), and would have produced predictable display
and communication results.

C. Claim 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.”

202. In my opinion, McQueen in view of Forsyth and Knapp renders this limitation obvious.

203. McQueen in view of Forsyth renders obvious Claim 5, including a system and method wherein a *first user* can view blurb posts (including *card[s]*) of a second user *in a second view* by loading an “author-specific” page. §X.E.5. The *first user* similarly has their own “plog” page, which, as illustrated below, includes a personalized blurb feed presented in a *first view*. §X.E.5.

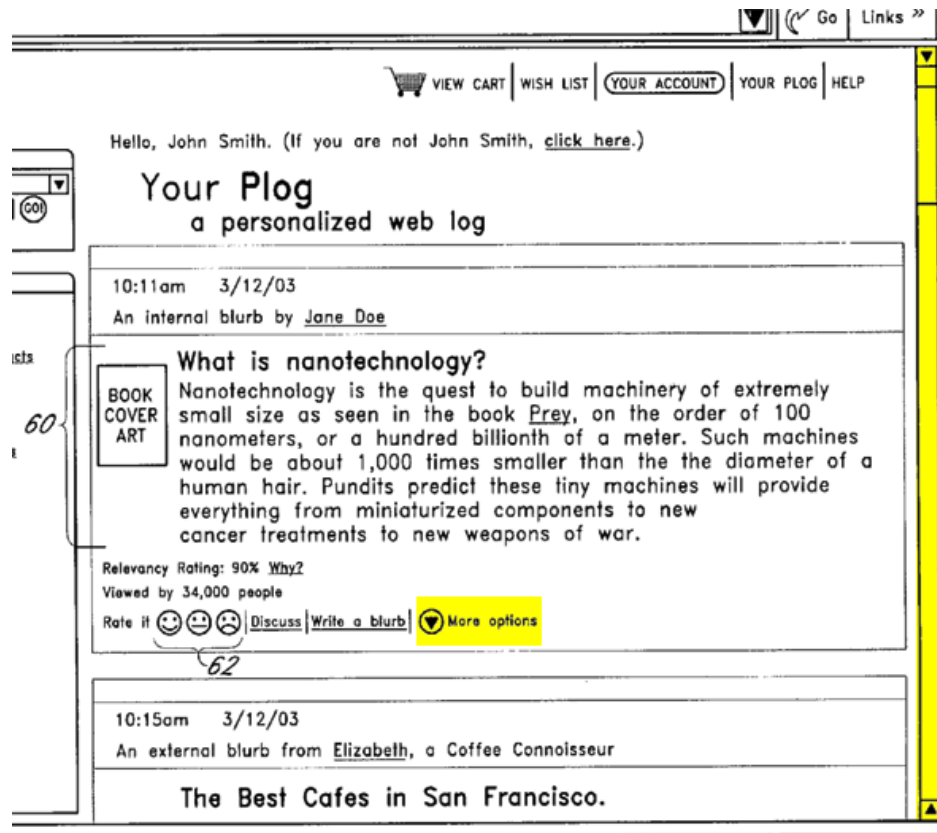
Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141



Id., FIG. 4 (blurb posts highlighted).

204. McQueen further discloses graphically selecting blurb posts when viewing another author's page in two ways (***responsive to (i) a graphical selection, by the first user, of a card in the second view***). First, the ***first user*** graphically clicks on a "More options" link of a blurb post displayed in the second view, thereby selecting the card in the second view. Ex. 1005, FIG. 4, 4:28-43, 8:24-34, 10:36-48. Such card interfaces were known to be selected by triggering a menu to appear. *See, e.g.*, Ex. 1018, [0086] ("The user terminal 111 recognizes a card selected by a user 110...and displays a card menu on the recognized card."), [0062]. Second, the ***first***

Declaration of Andy Cockburn, Ph.D. in Support of
 Petition for *Inter Partes* Review USP No. 10,664,141
user graphical[ly] select[s] a blurb post by loading it on their screen using a scroll
 function. Ex. 1005, FIG. 4, 2:6-14, 4:28-43, 7:65-8:16, 10:36-48.



Ex. 1005, FIG. 4 (annotated).

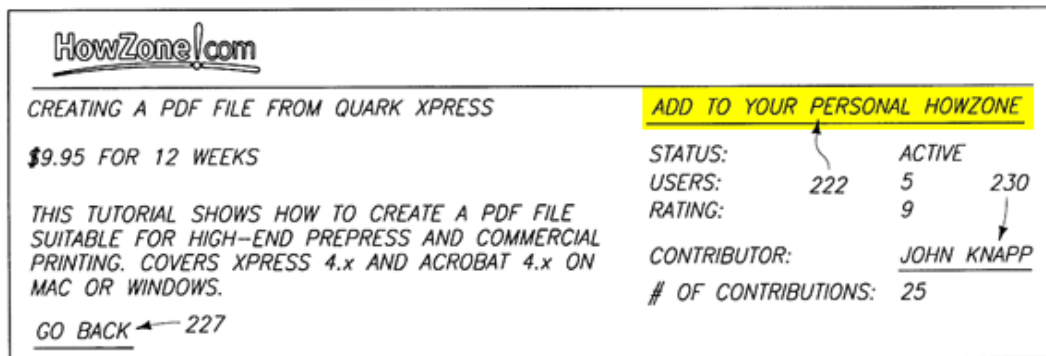
205. Once the first user selects an author's given blurb post, McQueen does not explicitly disclose that the blog post can be copied to the first user's plog. That is, McQueen does not explicitly disclose *causing the selected card to be copied from the second view to the first view, so that the selected card in the collection of the second user appears in the first collection of the first user responsive to* (i) the user's graphical selection and *(ii) a copy command that has been graphically entered by the first user.*

206. But as I explained previously it would have been obvious to modify the McQueen-Forsyth system and method to allow a user to copy a selected blog post of another author to the user's plog in view of Knapp. §§XIII.A-B.

207. Among other features, Knapp discloses *(i) a graphical selection, by [a] first user* of a “content object” by clicking on an associated link or a “clickable icon or graphic.” Ex. 1017, 19:50-66 (system “tracks the number of users that have selected the content object represented by link 176”), 24:62-25:21 (“[T]he user is able to select any content object they desire, and view the corresponding content detail pages.”), 28:3-45 (“[T]he user selects a link corresponding with a content object which shows a content detail page.”), FIGs. 6-7, 11, 16.² Before the user clicks to select a content object, the system represents content objects by listing snippets of information (e.g., a title, rating, link, cost) in a *second view*; additional options for the content object are presented once a user selects a content object. Ex. 1017, FIGs. 6-7, 9, 11-12, 16-17. The content object can be authored by various parties (e.g., John Knapp). *Id.*; *id.*, 6:53-7:2 (“content objects are provided by experts who desire to share information with such customers”).

² To the extent the Board finds McQueen does not disclose that a first user can select another's blog post as claimed, Knapp does and the feature would have been obvious in combination.

208. Knapp also discloses copying a GUI object to their personal page via *(ii) a copy command that has been graphically entered by the first user.* For instance, Knapp discloses adding a third-party generated content object to a user's "personal HowZone" website by clicking on an "add to personal HowZone" link after the user selected the content object. Ex. 1017, 6:53-7:2, 23:35-24:3, 25:30-56, 28:31-44, FIGs. 9, 12, 17. Clicking on the "add" link results in the user entering a copy command that duplicates the content object in the user's own personal page. Ex. 1017, 6:53-7:2, 23:35-24:3, 25:30-56, 28:31-44, FIGs. 9, 12, 17. The personal HowZone is a "personal web site" constituting a collection of various other content objects, similar to a user's personal plog page disclosed by McQueen. Ex. 1017, FIG. 8, 23:3-17, 25:39-55 ("[A]n actual content object is added to the user's personal web page.").



Ex. 1017, FIG. 17 (annotated).

209. Combined, McQueen-Forsyth system and method would similarly allow a user to select a blurb post of another author (via a "More options," scroll, or heading/graphic click) and copy it to their own personal plog, consistent with

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

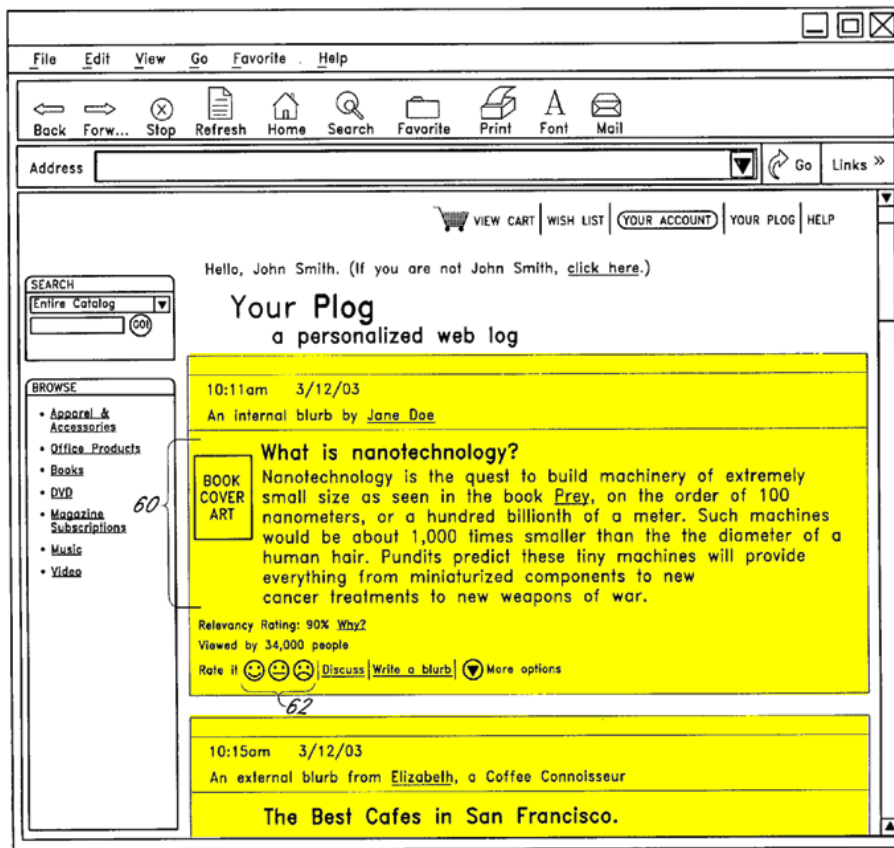
Knapp’s disclosure of selecting a content object authored by a third-party to add the “actual content object” to the “user’s personal web page.” §XIII. Such a configuration would have entailed *causing the selected card to be copied from the second view to the first view, so that the selected card in the collection of the second user appears in the first collection of the first user ... responsive to (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.* §XIII.

D. Claim 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”

210. In my opinion, McQueen in view of Forsyth and Knapp renders this limitation obvious.

211. As I explained previously, McQueen in view of Forsyth renders obvious Claim 5, including a system and method wherein a *first user* can view blurb posts (including *card[s]*) of a second user *in a second view* by loading an “author-specific” page. §X.E.5. The *first user* similarly has their own “plog” page, which, as illustrated below, includes a personalized blurb feed presented in a *first view*. §X.E.5.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

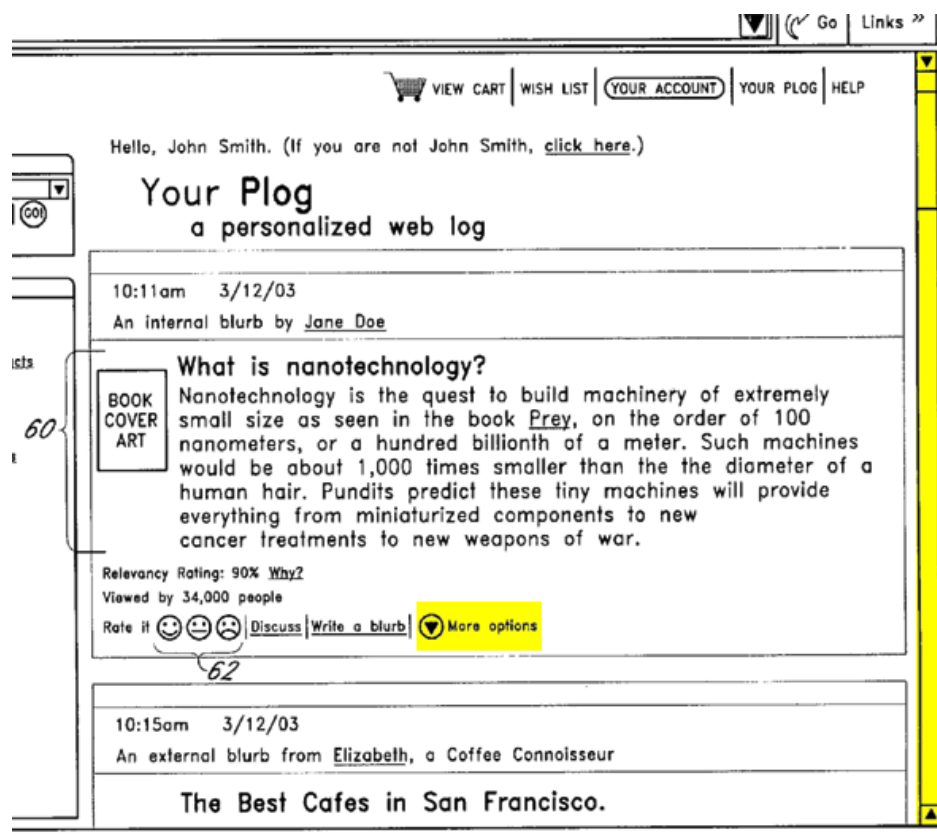


Id., FIG. 4 (blurb posts highlighted).

212. McQueen serves a **first view** (a blog or “plog”) containing **card[s]** to a **first user**. §X.E.5. McQueen further discloses a method for sending these objects to the **second user** via graphical selection and commands entered by the user.

213. Specifically, the McQueen-Forsyth system and method (including as modified by Knapp) renders obvious **(i) a graphical selection, by the first user, of a card in the first view**. Consistent with that explained previously for Claim 6, users can **graphical[ly] select[]** blurb post **cards** via a “More options” selection of a blurb post or selectively displaying the blurb on their screen. §XIII.C. It also would have been obvious for the user to click on a blurb post heading/graphic link consistent

Declaration of Andy Cockburn, Ph.D. in Support of
 Petition for *Inter Partes* Review USP No. 10,664,141
 with Knapp's disclosure. *Id.* These selections can occur when the user views their
 plog *in the first view*. Ex. 1005, FIG. 4; §XIII.C.



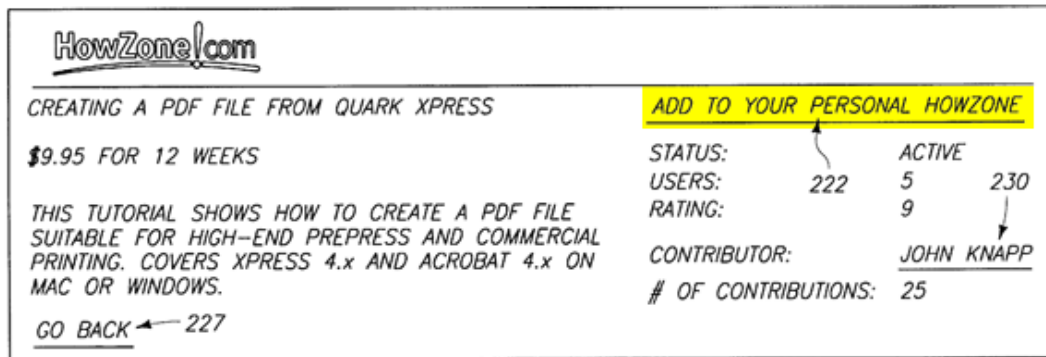
Ex. 1005, FIG. 4 (annotated).

214. McQueen further discloses *causing the selected card to be sent to the second user ... responsive to the (i) graphical selection and (ii) a send command* that has been *graphically entered by the first user*. Within the “More options” menu once the user selected a blurb post (*responsive to (i)*), *the first user can (ii) graphically enter[] a send command*), as McQueen explicitly describes “an option to send the blurb to a friend.” Ex. 1005, 8:25-33, 10:35-47 (“user forwards a

particular blurb to a friend”), FIG. 4. This “send to a friend” option is or triggers a send command that was graphically entered via the first user’s interaction with the GUI to send the blurb, and thereby caus[es] the selected card to be sent to the second user (e.g., a blog author). Ex. 1005, 8:25-33, 10:35-47 (“This algorithm may also be used to personalize the selection of other types of content items, such as blogs, music files, product descriptions, or web sites. Further, rather than solely using explicit votes, the algorithm may additionally or alternatively use implicit votes on the blurb or other content item. For instance, when a user forwards a particular blurb to a friend or responds to the blurb by selecting the author's blog for viewing, the user may be deemed to have cast a favorable vote on the blurb. The algorithm may also be appropriately modified to rely solely on favorable votes, or possibly to rely solely on unfavorable votes”), FIG. 4.

215. Although McQueen does not explicitly disclose that the card sent 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, this feature would have been obvious for reasons similar to those discussed for claim 6; it would have been obvious to a person of ordinary skill in the art to modify the McQueen-Forsyth system and method to allow a user to copy a selected blog post of another author to the user’s plog or blog in view of Knapp.

216. Knapp discloses GUI objects wherein the object *is made available to the second user to be included in the collection of the second user*. Explained previously, an “add” link for an object allows a content object that is displayed to a *second user* to be added to their personal page comprising a *collection of the second user*. Ex. 1017, 6:53-7:2, 23:35-24:3, 25:30-56, 28:31-44, FIGs. 9, 12, 17; §XIII.C.



Ex. 1017, FIG. 17 (annotated).

217. In combination, and consistent with the reasons discussed previously, the card would be sent as taught by McQueen *so that the selected card in the collection of the first user* that the first sends to another author or second user *is made available to the second user to be included in the collection of the second user* by adding it to their personal plog or blurb page. §XIII.A-C.

E. **Claim 10:** “A method according to claim 1, further comprising:”

1. **Claim 10[a]:** “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;”

218. In my opinion, McQueen in view of Forsyth and Knapp renders this limitation obvious for substantially the same reasons explained for Claim 5. §X.E.

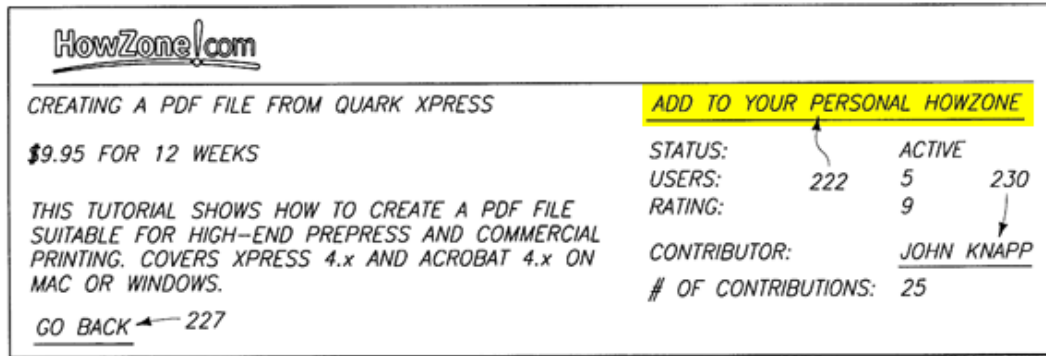
2. **Claim 10[b]: “also displaying in the computing device of the first user, a second view of a second set of cards, outside of the first collection, wherein any given member of the second set of cards is both included in a collection of another user and the other user has been selected by the first 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.”**

219. In my opinion, McQueen in view of Forsyth and Knapp likewise renders obvious *also displaying in the computing device of the first user, a second view of a second set of cards* for substantially the same reasons explained for Claim 5 and its “author-specific” blog analysis. §X.E; Ex. 1005, 4:28-43, 7:65-8:3, 8:10-16. Blurb posts from such an author-specific page are *outside of the first collection* of a user (the user’s plog; §X.E) when the user’s plog does not include blurbs from the author, for instance if their plog lacks blurbs from that author in the event the user has not yet paid for the blurb post, if there is no shared item selection history, or if the author's blurbs fail to reference items the user previously selected. Ex. 1005, 1:64-2:16, 9:50-10:47. *[A]ny given member of the second set of cards* from the author-specific blog *is ... included in a collection of another user* because it is a part of the author-specific blog collection rather than the user’s collection. Ex. 1005, 4:28-43, 7:65-8:3, 8:10-16. And users load the author-specific page by clicking on

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141
the author's link, such that *the other user has been selected by the first user*. *Id.*
(“a link to the author's blog page”).

220. Although McQueen does not explicitly disclose *wherein each of the cards in the second view can, on a user-entered command, be caused to be copied to the first view*, this feature would have been obvious for reasons similar to those discussed for Claim 6; it would have been obvious to a person of ordinary skill in the art to modify the McQueen-Forsyth system and method to allow a user to copy a selected blog post of another author to the user's plog in view of Knapp.

221. Knapp discloses GUI objects wherein each of the ... cards in [a] second view can, on a user-entered command, be caused to be copied to [a] first view. Explained previously, clicking on an “add” link results in a user-entered command that duplicates the content object in the user's own personal page and corresponding first view. Ex. 1017, 6:53-7:2, 23:35-24:3, 25:30-56, 28:31-44, FIGs. 9, 12, 17; §XIII.C. The “add” option maintains the second view of any displayed objects because the system presents the add option in a “pop-up window.” Ex. 1017, 23:35-24:3, 25:30-56, 28:31-44, 43:7-25 (“[U]sers can read content descriptions in a pop-up window, then users can click on the ‘Add to your personal HowZone’ link.”), 43:14-18, FIGs. 9, 12, 17.



Ex. 1017, FIG. 17 (annotated).

222. In combination, and consistent with the reasons discussed previously, *each of the cards in the second view* for an author's blurbs as disclosed by McQueen thus *can, on a user-entered command, be caused to be copied to the first view* comprising the user's plog view. §XIII.A-C.

F. Claim 11: “A method according to claim 10, 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.”

223. In my opinion, McQueen in view of Forsyth and Knapp renders this limitation obvious.

224. For instance, McQueen discloses that author-specific blurbs are displayed “chronological[ly]” based on when the blurb posts are submitted by the author, such that *the cards in the second view [are] displayed in an order determined by a criterion ... selected from the group consisting of the information object's creation time*. Ex. 1005, 4:13-43 (“[U]sers may visit a page associated with a particular author to view a chronological log of the blurbs submitted by that author,

or equivalently, to view that author's blog."), 7:65-8:3 ("Once the blurb has been posted, it preferably appears on the author's publicly accessible blog page as an entry within a chronological log of entries.").

- G. Claim 23: "A method according to claim 22, 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."**

225. In my opinion, McQueen in view of Forsyth and Knapp renders this limitation obvious for substantially the same reasons explained for Claim 6.

§XIII.C.

- H. Claim 24: "A method according to claim 22, 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."**

226. In my opinion, McQueen in view of Forsyth and Knapp renders this limitation obvious for substantially the same reasons explained for Claims 7 and 22.

§§XIII.D, X.E.12.

I. Claim 27: “A method according to claim 17, further comprising:”

227. In my opinion, McQueen in view of Forsyth and Knapp renders this limitation obvious for substantially the same reasons explained for Claims 10 and 17. §§XIII.E, X.D.

1. Claim 27[a]: “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;”

228. In my opinion, McQueen in view of Forsyth and Knapp renders this limitation obvious for substantially the same reasons explained for Claims 10 and 17. §XIII.E, X.D.

2. Claim 27[b]: “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.”

229. In my opinion, McQueen in view of Forsyth and Knapp renders this limitation obvious for substantially the same reasons explained for Claims 10 and 17. §XIII.E, X.D.

- J. Claim 28: “A method according to claim 27, 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.”**

230. In my opinion, McQueen in view of Forsyth and Knapp renders this limitation obvious for substantially the same reasons explained for Claim 11.

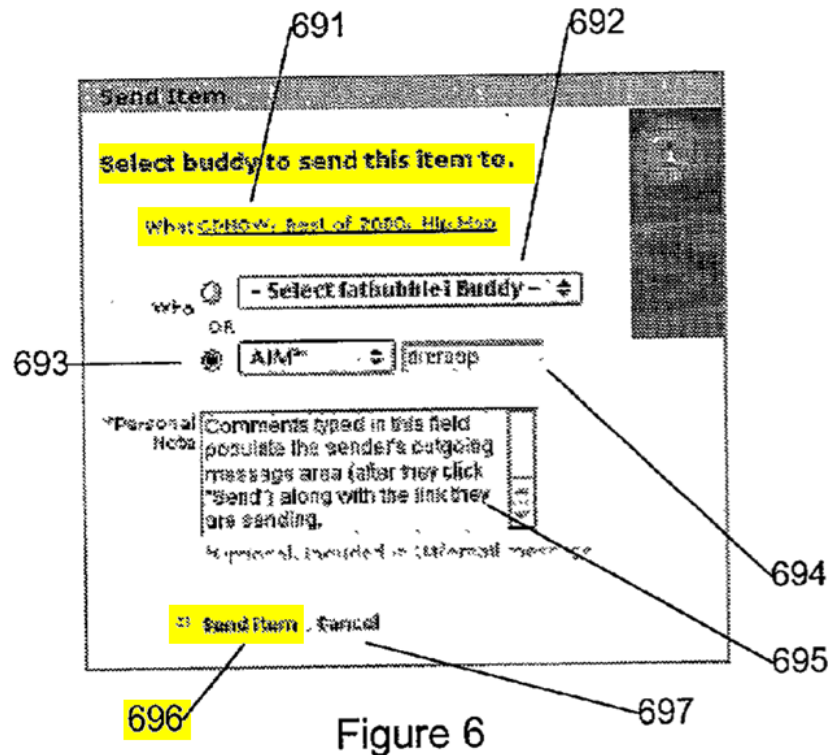
§XIII.F.

XIV. OPINIONS ON GROUND 5: CLAIMS 7 AND 24 ARE OBVIOUS IN VIEW OF MCQUEEN, FORSYTH, BRIGGS, AND KNAPP

- A. Claim 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.”**

231. To the extent the above Claim 7 mapping (§XIII.D) for *causing [a] selected card to be sent to the second user ... 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* is misplaced (which it is my opinion it is not), it is my opinion that these features would have been obvious in view of Briggs for substantially the same reasons discussed for Claims 8 and 9. §§XII.D-E. Indeed, sending a *graphical[ly] select[ed] card* via instant messaging as I discussed (§§XII.D-E) would have constituted a *first user graphically enter[ing] a send*

Declaration of Andy Cockburn, Ph.D. in Support of
 Petition for *Inter Partes* Review USP No. 10,664,141
command via, e.g., a “send item button 696,” as disclosed by Briggs. Ex. 1015,
 7:37-55, FIG. 6; §§XII.D-E.



Ex. 1015, FIG. 6 (annotated). Once the *card* is sent via instant messaging, the remaining features of Claim 7 would have been obvious for substantially the same reasons discussed above in Claim 7. §XIII.D.

- B. Claim 24: “A method according to claim 22, 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.”**

232. In my opinion, McQueen in view of Forsyth, Briggs, and Knapp renders this limitation obvious for substantially the same reasons explained for Claims 7 and 22. §XIII.D, X.E.12.

XV. CONCLUSION

233. For all the reasons stated above, it is my opinion that the challenged claims of the '141 patent are unpatentable.

This declaration and my opinions are made to the best of my knowledge and understanding, and based on the material available to me at the time of signing this declaration. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true. Further, I am aware that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001. I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Declaration of Andy Cockburn, Ph.D. in Support of
Petition for *Inter Partes* Review USP No. 10,664,141

Executed this 25th day of February 2026 in Lyttelton, New Zealand.

