IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SOFTVIEW, LLC Plaintiff, v. SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC., Defendants.	Case No.: 2:25-cv-00246 **JURY TRIAL DEMANDED**

DEFENDANTS' JOINT P.R. 3-3 AND 3-4 DISCLOSURES

Pursuant to the Court's Docket Control Order dated June 30, 2025 (Dkt. 40) and Local Patent Rules ("P.R.") 3-3 and 3-4, Defendants Samsung Electronics Co., Ltd. ("SEC") and Samsung Electronics America, Inc. ("SEA") (collectively, "Defendants" or "Samsung") submit these Preliminary Invalidity Contentions ("Invalidity Contentions") and an accompanying production. These contentions set forth Defendants' Invalidity Contentions with respect to the claims that were identified by Plaintiff SoftView, LLC ("Plaintiff" or "SoftView") in its Local Patent Rule 3-1 Disclosure of Asserted Claims and Infringement Contentions, and subsequently narrowed through correspondence.

1. Scope and Reservation of Rights

According to Plaintiff's P.R. 3-1 and 3-2 Disclosure of Asserted Claims and Infringement Contentions, served on June 11, 2025, Plaintiff is asserting that Defendant Samsung allegedly infringes claims 11, 13–18, 20, 21, 30, 31, 35, 37, 38, 50, 53, 55, 69, 70, 87,88, 90, 92, 93, 95, 97, 98, 108, 111, 128, 129, 133, 134, 144, 145, 150, 151, 161, 162, 164, 168, 170, 171, 182, 185–187, 189, 193, 194, 196, 204, 206, 207, 209, 215, 216, 226–228, 233, 234, 236, 245, 246, 251, 253, 254, 257, 264, 265, 269, 270, 282, 285–287, 289, 293, 294, 296, 304, 306, 307, 318, and 319 of

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 1

U.S. Patent No. 7,461,353 (the "'353 Patent"), claims 1–3, 5, 13–20, 22, 23, 33–40, 108, 109, 114, and 115 of U.S. Patent No. 7,844,889 (the "'889 Patent"), claims 1–5 and 7–14 of U.S. Patent No. 8,533,628 (the "'628 Patent"), claims 1–5, 7–10, 13–18, 21, and 22 of U.S. Patent No. 9,519,729 (the "'729 Patent") and claims 13–23 and 25 of U.S. Patent No. 10,083,154 (the "'154 Patent") (collectively the "Asserted Claims"). The '353, '889, '628, '729 and '154 Patents are collectively referred to as the "Asserted Patents."

Because the Patent Rules require that a defendant accused of infringement set forth any invalidity contentions only with regard to the "asserted claims" (*see* P.R. 3-3), Defendants do not provide any patent ineligibility contentions regarding any claims not asserted against Defendants. To the extent that the Patent Rules and/or the Court permit Plaintiff to assert additional claims against Defendants in the future, Defendants reserve all rights to disclose new or supplemental contentions regarding such claims.

The Asserted Claims are neither novel nor non-obvious in view of the state of the prior art and the understanding of a person of ordinary skill in the art at the time of the alleged inventions. The Asserted Claims are also invalid for lack of written description, lack of enablement, and/or indefiniteness under 35 U.S.C. § 112 (pre-AIA), as explained herein.

Defendants' Invalidity Contentions are directed only to the Asserted Claims identified above (although Defendants reserve the right to seek invalidation of all claims of the Asserted Patents). On August 15, 2025, just before Samsung's deadline to serve invalidity contentions, SoftView confirmed that it has dropped the following claims of the '353 patent from this case: 13, 14, 15, 16, 17, 20, 21, 88, 90, 92, 93, 95, 97, 98, 108, 129, 162, 164, 170, 215, 226, 227, 228, 233, 234, 236, 245, 246, 251, 257, 265, 270, and 289. Samsung thus understands that SoftView is not pursuing patent infringement claims with respect to the foregoing patent claims and that such

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 2

allegations have been permanently dropped with prejudice. Out of an abundance of caution, Samsung has kept in its invalidity contentions certain contentions regarding this group of claims. For Samsung's Eligibility Contentions, Samsung has no longer included contentions regarding this group of claims in light of SoftView's confirmation that these claims have been permanently dropped. To the extent that Plaintiff is permitted to later alter this list of Asserted Claims, Defendants reserve the right to modify, amend, supplement, or otherwise alter their Invalidity Contentions accordingly.

Defendants' Invalidity Contentions do not address claim construction or non-infringement. Defendants reserve all rights with respect to such issues. These contentions are based on Defendants' current knowledge, understanding, and belief. Defendants have not yet completed their investigation, discovery, or analysis of information related to this action, and additional discovery (including from Plaintiff or any third-party) may require Defendants to supplement or amend their Invalidity Contentions.[1] Defendants reserve the right to amend or supplement their contentions accordingly, consistent with P.R. 3-6.

The parties have yet to begin the process of exchanging information regarding claim construction and the Court has not yet construed the Asserted Claims. Defendants therefore reserve the right to revise, amend, and supplement these Invalidity Contentions in view of the claim construction process and in particular after the Court's determination of the scope and meaning of

[1] For example, Defendants may issue subpoenas to third parties believed to have knowledge, documentation, and/or corroborating evidence concerning some of the prior art listed below, and/or additional prior art. These third parties include, without limitation, the authors, inventors, or assignees of the references and/or the sellers, manufacturers, or distributors of the products/systems listed in these disclosures. Discovery is ongoing and Defendants have not yet had an opportunity to depose any SoftView witnesses or the purported inventors of the Asserted Patents. Accordingly, Defendants reserve the right to raise these and other challenges as discovery progresses on these issues.

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 3

any claim term or element. Defendants also reserve the right to revise, amend, and supplement these contentions, including to identify additional information supporting prior art identified herein, and/or additional prior art, depending upon the positions that Plaintiff or its expert witnesses may take concerning claim interpretation, infringement, and/or invalidity issues.

Defendants further reserve the right to amend, supplement, or materially modify these Invalidity Contentions (i) in response to any claim construction, infringement and/or invalidity positions that Plaintiff has or may take in this case or in any related past or future litigation involving one or more Asserted Patent(s); and/or (ii) in response to any attempt by Plaintiff to alter its Infringement Contentions in any way.

These Invalidity Contentions are not intended to be, and are not, an admission that the Asserted Claims are infringed, that any particular feature or aspect of the Accused Products practice any elements of the Asserted Claims, or that any of Plaintiff's proposed or implied constructions are correct. Defendants deny that they infringe any claim of the Asserted Patents. Defendants do not agree with, and do not adopt, the apparent constructions adopted by Plaintiff in its Infringement Contentions. Further, Defendants note that Plaintiff's Infringement Contentions are vague, do not comply with the requirements set forth in the Patent Rules, and fail to provide sufficient detail concerning Plaintiff's infringement theories to determine what Plaintiff contends to be infringing functionality or how any product or service offered by Defendants would satisfy any particular claim or claim limitation. Put another way, Defendants attempted as best they could to understand Plaintiff's infringement theories and rely on this understanding in setting forth these Invalidity Contentions. But because Plaintiff's Infringement Contentions are so vague and incomplete, Defendants are not entirely sure how Plaintiff is interpreting the claims, nor are

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 4

Defendants entirely sure what Plaintiff's infringement theories are, which may have impacted Defendants' search for prior art and interpretation of any art located.

Any use of or reference to the apparent constructions adopted by Plaintiff in its Infringement Contentions, including in the accompanying charts, is made solely to demonstrate that even under Plaintiff's improper understanding of the Asserted Claims, the Asserted Claims are invalid. Such arguments are made in the alternative, and Defendants expressly reserve the right to assert different claim constructions from those apparently adopted by Plaintiff in its Infringement Contentions, including with respect to claim construction and noninfringement. To the extent that any prior art reference identified by Defendants contains a claim element that is the same as or similar to an element in an Accused Product, based on a claim construction inferred from Plaintiff's Infringement Contentions, inclusion of that reference in Defendants' Invalidity Contentions shall not be deemed a waiver by Defendants of any claim construction or non-infringement position. Defendants expressly reserve the right to contest any claim constructions asserted by Plaintiff and expressly reserve all non-infringement arguments. Defendants further expressly reserve the right to take positions with respect to future claim construction or non-infringement issues that are inconsistent with, or even contradictory to, the claim construction or non-infringement positions expressed or implied in these Invalidity Contentions. Defendants' compliance with the current schedule should not be viewed as a waiver of any rights with respect to Plaintiff's Infringement Contentions.

Depending on positions that Plaintiff or its expert witness(es) may take concerning claim interpretation, infringement, and/or invalidity issues, different ones of the charted prior art references in Defendants' claim charts, or otherwise identified herein, may be of greater or lesser relevance and different combinations of these references may be implicated. Given this

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 5

uncertainty, the charts may reflect alternative applications of the prior art against the Asserted Claims. Nothing stated herein shall be construed as an admission or a waiver of any particular construction of any claim term. Defendants also reserve all of their rights to challenge any of the claim terms herein under 35 U.S.C. § 112 (pre-AIA), including by arguing that they are indefinite, not supported by the written description, and/or not enabled. Accordingly, nothing stated herein shall be construed as a waiver of any argument available under 35 U.S.C. § 112 (pre-AIA). To the extent that accompanying charts identify claim elements present in the prior art, such identification is made only to the extent that such claim elements can be understood, and/or based on Plaintiff's apparent interpretation of such claim elements in its Infringement Contentions. Defendants also expressly incorporate herein their Subject Matter Eligibility Contentions served on April 25, 2025.

To the extent that Plaintiff attempts to assert that any prior art cited herein (included any reference or product prior art) does not qualify as prior art, including without limitation based on the public use, sale or availability of such prior art, Defendants expressly reserve the right to introduce new and/or additional evidence in rebuttal to such arguments to demonstrate that any such prior art does qualify as prior art.

Defendants provide the information below and in the attached charts and document production in order to comply with P.R. 3-3 and 3-4. Defendants reserve the right to prove the invalidity or unenforceability of the Asserted Claims on bases other than those required to be disclosed in these Invalidity Contentions pursuant to P.R. 3-3. For instance, Defendants reserve the right to prove equitable defenses.

Pursuant to the provisions of P.R. 3-3, Defendants identify specific portions of prior art references that disclose the elements of the Asserted Claims. Although Defendants have identified exemplary disclosures for each reference, each and every disclosure in the reference is not

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 6

necessarily identified. The lack of a citation for an element should not be deemed an admission that the element is not disclosed or is not inherent in the reference. In an effort to focus the issues, Defendants identify only exemplary portions of cited references. It should be recognized that persons of ordinary skill in the art generally read a prior art reference as a whole and in the context of other publications and literature and in light of the knowledge of one of ordinary skill in the art.

To understand and interpret any specific statement or disclosure within a prior art reference, such persons would rely on other information within the reference, along with other publications and their scientific or engineering knowledge. Defendants consequently reserve the right to rely upon other unidentified portions of the prior art references and on other publications and expert testimony as to the knowledge of a person of ordinary skill to provide context, and as aids to understanding and interpreting the portions of that art identified. Defendants also reserve the right to rely on other portions of the prior art references, other publications, and the testimony of experts to establish that a person of ordinary skill in the art would have been motivated to modify or combine certain of the cited references so as to render the claims obvious. Further, where Defendants identify a particular figure in a prior art reference, the identification should be understood to encompass the caption and description of the figure and any text relating to the figure in addition to the figure itself. Similarly, where an identified portion of text refers to a figure, the identification should be understood to include the figure as well. Defendants further reserve the right to rely upon any applicable industry standards and prior art cited to the USPTO as invalidating references or to show the state of the art.

Prior art not included in these Invalidity Contentions, whether known or unknown to Defendants, may become relevant based on subsequent events. In particular, Defendants are currently unaware of the extent, if any, to which Plaintiff will contend that limitations of the

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 7

Asserted Claims are not disclosed in the prior art identified by Defendants. To the extent that such an issue arises, Defendants reserve the right to identify other known references that would disclose or render obvious the allegedly missing limitation(s) of the Asserted Claims.

Because Defendants are continuing their search for and analysis of relevant prior art, including by investigating system art relating to browser software and handheld devices, Defendants reserve the right to seek to amend or supplement the information provided herein, including identifying, charting, or relying upon additional prior art references, relevant disclosures, and bases for Invalidity Contentions. Additional prior art and disclosures, whether or not cited in this disclosure and whether known or not known to Defendants, may become relevant as investigation, analysis, and discovery continue, particularly into prior art browsers, devices, and rendering engines such as the Mozilla Rendering Engine, and as Defendants secure additional translations of foreign language prior art references. Defendants incorporate by reference, and intend to rely on, each reference, disclosure, or argument served in any prior or concurrent matter involving the same patents but not yet produced to Defendants by Plaintiff.

Furthermore, Defendants are diligently seeking and will continue to diligently seek documents from third parties in discovery to demonstrate such third parties' earlier dates of invention under 35 U.S.C. § 102(g) (pre-AIA) and/or prior art offers for sale and public uses of products embodying the claimed invention under 35 U.S.C. § 102(b) (pre-AIA) or under 35 U.S.C. § 102(a) (pre-AIA). Defendants therefore reserve the right to present additional prior art references or disclosures under 35 U.S.C. §§ 102(a), (b), (e), (f), or (g), or § 103 (pre-AIA), located during the course of discovery or further investigation, and to assert invalidity under 35 U.S.C. §§ 102(c), (d), or (f) (pre-AIA), if future discovery or investigation yields information that supports additional bases of invalidity.

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 8

Defendants further reserve the right to amend these contentions under the full extent granted by this Court's local patent rules.

2. Local Patent Rule 3-3(a): Identification of Prior Art

Defendants contend that the following prior art references—including those described and charted in Exhibits A1–13, B1–B13, C1–C13, D1–D13, and E1–E13 (collectively, "Invalidity Contentions Charts") and Appendix A ("Obviousness Combinations"), as well as Addenda A–G to Defendants' Subject Matter Eligibility Contentions—invalidate, either alone or in combination with the knowledge of a person of ordinary skill in the art ("POSITA") and/or one or more references cited therein and/or below, one or more of the Asserted Claims. The references cited in the Invalidity Contentions Charts may disclose the limitations of the Asserted Claims expressly and/or inherently. In these Invalidity Contentions, including the exhibits, any citation to a printed publication or other reference describing a prior art system should also be construed to include a reference to the prior art system itself. Each listed document or item became prior art at least as early as the dates set forth herein and in the accompanying charts.

The references discussed in the claim charts identified above or elsewhere may disclose the elements of the Asserted Claims explicitly and/or inherently, and/or they may be relied upon to show the state of the art in the relevant time frame. The Invalidity Contentions Charts identified above or elsewhere cite to particular teachings and disclosures of the prior art applied to features of the Asserted Claims. However, a person having ordinary skill in the art may view an item of prior art generally in the context of other publications, literature, products, and understanding of those skilled in the art. Accordingly, the cited portions are only examples, and Defendants reserve the right to rely on uncited portions of the prior art references and on other publications and expert testimony as aids in understanding and interpreting the cited portions, as providing context, in response to any characterization of the prior art by Plaintiff, including in response to these

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 9

Invalidity Contentions, and as additional evidence that a claim limitation is known or disclosed. Citations to figures are inclusive of all discussion of those figures, and citations to discussion of figures are inclusive of those figures. Defendants reserve the right to rely on information generally known to those skilled in the art and/or common sense as well as additional publications, materials, and testimony that are not yet currently identified for purposes other than as prior art, including but not limited to background, state of the art in the relevant time frame, level of ordinary skill in the art, and motivation to combine. Moreover, for any items of prior art that are identified in this submission that are not included as reference that anticipates or renders obvious an Asserted Claim, Defendants intend to rely on these references as background and as evidence of the state of the art at the time of Plaintiff's alleged inventions and the level of skill and knowledge of a person of ordinary skill in the art at that time.

Moreover, the suggested obviousness combinations in Appendix A are in the alternative to Defendants' contentions regarding anticipation. These obviousness combinations should not be construed to suggest that any reference included in any combination is not anticipatory in its own right. The motivations to modify or combine references in Appendix A may come from, for example, the knowledge of the person of ordinary skill themselves, or from known problems and predictable solutions as embodied in those references.

Defendants further identify the inventor admissions concerning the scope of the prior art relevant to the Asserted Patents found in, *inter alia*: the specifications and figures of the Asserted Patents; the patent prosecution histories for the Asserted Patents and related patents, patent applications, and/or post-grant proceedings, and any deposition testimony of the named inventors on the Asserted Patents. All this information is deemed part of the common knowledge known to

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 10

a person having ordinary skill in the art before the alleged inventions claimed in the Asserted Patents (the "Admitted Prior Art").

Defendants expressly incorporate and identify the disclosures of the Asserted Patents concerning prior art and the generic and/or conventional nature of any claim element, every reference cited by the applicant or the examiner or otherwise identified during prosecution of the applications leading to the Asserted Patents, as well as the grounds of rejections set forth therein. Defendants incorporate by reference the prosecution history of the Asserted Patents in full and any invalidity arguments and references cited during any proceeding or action related to the Asserted Patents. Defendants further expressly incorporate by reference as if fully set forth herein any and all grounds for invalidity set forth in any petition filed with the USPTO challenging the validity of any Asserted Claim, including without limitation any grounds set forth in any petition for *inter partes* review and/or request for reexamination, and all exhibits thereto, particularly those grounds and documents contained in the following proceedings: *Inter Partes* Review No. IPR2013-00007; *Inter Partes* Review No. IPR2013-00256; *Ex Parte* Reexamination No. 90009994; *Inter Partes* Reexamination No. 95/000634; *Inter Partes* Reexamination No. 95/002132, and all related appeals. Defendants further expressly incorporate by reference as if fully set forth herein, depositions, arguments, declarations, and positions submitted by or on behalf of patentee in the prosecution history, *inter partes* review and/or request for reexamination, including multiple declarations by Wolf (formerly Scott Collins).

2.1. Patent or Patent Application References

Defendants identify below the patent references presently known to it that anticipate and/or render obvious the Asserted Claims. Defendants incorporate by reference all prior art references cited in the patents listed herein and/or their file histories, as well as all references incorporated by reference into the references disclosed below and in the accompanying charts. Defendants reserve

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 11

the right to rely upon foreign counterparts of the references identified in these Invalidity Contentions, U.S. counterparts of foreign patents and foreign patent applications identified in these Invalidity Contentions, U.S. and foreign patents and patent applications corresponding to articles and publications identified in these Invalidity Contentions, issued patents corresponding to published patent applications identified in these Invalidity Contentions, published patent applications corresponding to issued patents identified in these Invalidity Contentions, and any systems, products, or prior inventions related to any of the references identified in these Invalidity Contentions.

The following patents and patent application publications, in addition to those identified and cited in the Invalidity Contentions Charts served herewith, are prior art to the Asserted Claims under at least one or more of 35 U.S.C. §§ 102(a), (b), (e), (g), and/or 103 (pre-AIA).

Patent, Publication, or Application No.	Country of Origin	Date of Publication or Issue	Prior Art Classification
7,412,644	United States	1/31/2001	35 U.S.C. §§ 102(a), (e)
6,518,957	United States	08/08/2000	35 U.S.C. §§ 102(a), (e)
H10-326169A	Japan	12/8/1998	35 U.S.C. §§ 102(a), (e)
H10-21224	Japan	1/23/1998	35 U.S.C. §§ 102(a), (e)

2.2. Other References/Publications

Defendants identify below the publications presently known to it that anticipate and/or render obvious the Asserted Claims. Defendants incorporate by reference all prior art references cited in the publications listed herein. To the extent the following publications disclose and describe particular products that were publicly known and/or in public use prior to the priority date of the Asserted Patents, in addition to each publication itself serving as a prior art reference under

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 12

35 U.S.C. § 102 (pre-AIA), the various products described in the publications may also serve as grounds for invalidity under 35 U.S.C. § 102 (pre-AIA) because they were in public use, in which case it would have been obvious to a person of ordinary skill in the art to combine the actual systems in public use with the published documents describing those systems because the documents described the systems in public use and refer to them throughout.

The following publications, in addition to those identified and cited in the claim chart exhibits served herewith, are prior art to the Asserted Claims under at least one or more of 35 U.S.C. §§ 102(a), (b), (e), (g), and/or 103 (pre-AIA).

Title	Date of Publication	Author(s)	Prior Art Classification
Nokia Unveils World's First All-in-One Communicator for the Americas	9/19/1996		35 U.S.C. §§ 102(a), (b)
How to Make the Most of the Power Zaurus	4/14/1998	Watanbe & Mituyoshi	35 U.S.C. §§ 102(a), (b)
Power Zaurus Specifications: User Manual - Mobile Business Tool – Model MI-106 / MI-106M / MI-110M	11/1997		35 U.S.C. §§ 102(a), (b)
Power Zaurus MI-110 / M106 / M106 Brochure	12/1997		35 U.S.C. §§ 102(a), (b)
Power Zaurus MI-610/DC Brochure	6/1998		35 U.S.C. §§ 102(a), (b)
Power Zaurus MI-504/ MI-506/ MI-506DC Brochure	7/1997		35 U.S.C. §§ 102(a), (b)
Power Zaurus Article, PCWatch	11/18/1997		35 U.S.C. §§ 102(a), (b)
Pad++: A Zoomable Graphical Interface System	5/1995	Benjamin B. Bederson & James D. Hollan	35 U.S.C. §§ 102(a), (b)
Space-Scale Diagrams: Understanding Multiscale Interfaces	5/1995	George W. Furnas & Benjamin B. Bederson	35 U.S.C. §§ 102(a), (b)

Title	Date of Publication	Author(s)	Prior Art Classification
A Zooming Web Browser	1996	Benjamin B. Bederson et al.	35 U.S.C. §§ 102(a), (b)
Implementing a Zooming User Interface: Experience Building Pad++	8/1998	Ben Bederson & Jon Meyer	35 U.S.C. §§ 102(a), (b)
Pad++: A Zoomable Graphical Sketchpad for Exploring Alternate Interface Physics	1996	Benjamin B. Bederson et al.	35 U.S.C. §§ 102(a), (b)
Pad++ Reference Manual Version 0.2.7	7/9/1996		35 U.S.C. §§ 102(a), (b)
Pad++ Programmer's Guide Version 0.2.7	6/10/1996		35 U.S.C. §§ 102(a), (b)
A Brief Tour Through Pad++	4/1997	Jonathan Meyer	35 U.S.C. §§ 102(a), (b)
Scalable Vector Graphics Requirements: W3C Working Draft	10/29/1998	Jon Ferraiolo	35 U.S.C. §§ 102(a), (b)
Specification for the Simple Vector Format (SVF) v1.1, SoftSource, available at http://www.softsource.com/svf/spec.html	01/16/1995		35 U.S.C. §§ 102(a), (b)
Specification for the Simple Vector Format (SVF) v2.0, SoftSource, available at http://www.softsource.com/svf.org/spec.html	12/06/2000		35 U.S.C. §§ 102(a), (b)
Specification for the Simple Vector Format v. 1.1	1/16/1995		35 U.S.C. §§ 102(a), (b)
New CAD System Works With AutoCAD Drawings Without Translation, SoftSource, available at https://web.archive.org/web/19961019052917/http://softsource.com/net-news.html	03/04/1996		35 U.S.C. §§ 102(a), (b)
SoftSource Plug-ins Bring New CAD Viewing Power to the Internet, SoftSource, available at https://web.archive.org/web/19961019052917/http://softsource.com/net-news.html	06/17/1996		35 U.S.C. §§ 102(a), (b)
New CAD System Works With AutoCAD Drawings Without Translation	6/17/1996		35 U.S.C. §§ 102(a), (b)

Title	Date of Publication	Author(s)	Prior Art Classification
Bring New CAD Viewing Power to the Internet	3/4/1996		35 U.S.C. §§ 102(a), (b)
Vector Markup Language, World Wide Web Consortium Note, Note VML 19980513	5/13/1998	Matthews et al.	35 U.S.C. §§ 102(a), (b)
3Com Announces the Palm VII Connected Organizer, the First Handheld Solution for Out-of-the-Box Wireless Internet Access	12/2/1998		35 U.S.C. §§ 102(a), (b)
Apple Outlines Plethora of Newton Wireless Communications Solutions at MessagePad 120 Launch	1/30/1995		35 U.S.C. §§ 102(a), (b)
Locatio Beginner's Guide (and English translation thereof)	7/30/1999		35 U.S.C. §§ 102(a), (b)
XML Support in IE5: XML in XML	3/18/1999	Tim Bray	35 U.S.C. §§ 102(a), (b)
Experience with Top Gun Wingman: A Proxy-Based Graphical Web Browser for the 3Com PalmPilot	6/22/1998	Armando Fox et al.	35 U.S.C. §§ 102(a), (b)
HTML 3.2 Reference Specification, W3C Recommendation, available at https://www.w3.org/TR/2018/SPSD-html32-20180315/	01/14/1997		35 U.S.C. §§ 102(a), (b)
HTML 4.0 Specification W3C Recommendation, available at https://www.w3.org/TR/1998/REC-html40-19980424/html40.pdf	04/24/1998		35 U.S.C. §§ 102(a), (b)
Fujitsu Features and Benefits	1999		35 U.S.C. §§ 102(a), (b)
Marshall, Review: Federal Computer Week	06/07/1999		35 U.S.C. §§ 102(a), (b)
Fujitsu Stylistic 2300	1996		35 U.S.C. §§ 102(a), (b)
Fujitsu Stylistic 2300 Technical Reference Guide	1998		35 U.S.C. §§ 102(a), (b)
Ericsson Mobile Companion MC 218 Reference Information, Ericsson Mobile Communications AB (1st ed.)	June 1999		35 U.S.C. §§ 102(a), (b)

Title	Date of Publication	Author(s)	Prior Art Classification
mCommerce Now a Reality on Psion Platform, Opera Press, Psion PLC, available at https://press.opera.com/2000/03/31/mcommerce-now-a-reality-on-psion-platform/	03/31/2000		35 U.S.C. §§ 102(a), (b)
Opera 3.60 Help Combined HTML	May 1999		35 U.S.C. §§ 102(a), (b)
Opera Web Browser for Dummies, IDG Books Worldwide, Inc.	2000	Brian Underdahl	35 U.S.C. §§ 102(a), (b)
Opera for EPOC Beta Released Today, Opera Press, available at https://press.opera.com/2000/02/28/opera-for-epoc-beta-released-today/	02/28/2000		35 U.S.C. §§ 102(a), (b)
Opera Software – Features, available at https://web.archive.org/web/20000303005958/http://www.opera.com/features.html	03/03/2000		35 U.S.C. §§ 102(a), (b)
Opera Software – Opera for EPOC, available at https://web.archive.org/web/20000511233302/http://www.opera.com/epoc/index.html	05/11/2000		35 U.S.C. §§ 102(a), (b)
Opera Software and Ericsson Today Announce Agreement, Opera Press, available at https://press.opera.com/2000/02/25/opera-software-and-ericsson-today-announce-agreement/	02/25/2000		35 U.S.C. §§ 102(a), (b)
Opera Software Releases 3.60, Opera Press, available at https://press.opera.com/1999/05/12/opera-software-releases-3-60/	05/12/1999		35 U.S.C. §§ 102(a), (b)
Opera's CSS Support Rated Best, Opera Press, available at https://press.opera.com/1999/03/24/operas-css-support-rated-best	03/24/1999		35 U.S.C. §§ 102(a), (b)
Opera 3.62 Help – Printable Compilation	1999		35 U.S.C. §§ 102(a), (b)
PSION netBook User Guide, Version 1.0, Psion PLC	September 1999		35 U.S.C. §§ 102(a), (b)

Title	Date of Publication	Author(s)	Prior Art Classification
PSION Series 5mx User Guide, Version 1.1, Psion PLC	1999		35 U.S.C. §§ 102(a), (b)
PSION Series 7 User Guide, Version 1.0, Psion PLC	August 1999		35 U.S.C. §§ 102(a), (b)

For all the references listed above, Defendants contend that they qualify as prior art for the Asserted Patents as of their earliest relevant 35 U.S.C. § 102 (pre-AIA) date, such as their earliest publication or use date. Defendants reserve the right to claim the benefit of prior provisional applications for any of the above identified patent, patent publications, and patent applications.

To the extent the alleged inventions identified in the patents, publications, systems, and other prior art to the Asserted Patents identified in these Invalidity Contentions were conceived by another and diligently reduced to practice before the alleged conception and reduction to practice of the Asserted Claims by the named inventors of those patents, such prior art invalidates the Asserted Patents under 35 U.S.C. § 102(f) and/or (g) (pre-AIA). In addition, discovery is ongoing, and Defendants reserve the right to assert any subsequently discovered items of prior art under 35 U.S.C. § 102(a), (b), (e), or (g), and § 103 (pre-AIA), located during the course of discovery or further investigation.

2.3. Prior Art Systems under 35 U.S.C. §§ 102(a), (b), and (g) and 103

Defendants identify the following systems as prior art references to the asserted patents. Defendants contend that the references in the table below independently anticipate the asserted claims under 35 U.S.C. § 102, as set forth in the claim charts and related documents attached hereto. Additionally, Defendants contend that each of these references independently or in combination with others renders obvious all the asserted claims under 35 U.S.C. § 103. To the extent that the claim charts and related documents attached hereto do not set forth where in the

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 17

prior art certain claim elements may be found, Defendants contend that meeting such claim elements would have been obvious to one of ordinary skill in the art. Defendants' contentions that the references in this section render the asserted claims of the asserted patents obvious under 35 U.S.C. § 103 are in no way an admission or suggestion that each reference does not independently anticipate the asserted claims under 35 U.S.C. § 102.

Each system was at least (1) known or used in this country before the alleged invention of the claimed subject matter of an asserted patent, and/or (2) was in public use and/or on sale in this country more than one year before the filing date of the application for an asserted patent, and/or (3) was invented and not abandoned, suppressed, or concealed prior to the alleged invention of an asserted patent. Many of the publications listed in Section B above describe systems that Defendants believe are also prior art under §§ 102(a), 102(b), 102(g)(2) and 103.

Prior Art System	**Developer/Owner/Marketer**	**Circumstances surrounding making, sale, offer for sale, and/or use**
Pad++	Benjamin Bederson et al.	In public use by 1998
Power Zaurus	Sharp Corp.	In public use by 1997
Palm VII Connected Organizer	Palm Computing, Inc.	In public use by 1998
Newton	Apple Inc.	In public use by 1998
Nokia 9000 Communicator	Nokia Corp.	In public use by 1996
Locatio	Kaoru Misaki et al.	In public use by 1999
Fujitsu Stylistic 2300	Fujitsu Ltd.	In public use by 1996
Opera Web Browser	Opera	In public use by 1999

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 18

3. Local Patent Rule 3-3(b): Whether Each Prior Art Reference Anticipates or Renders Obvious the Asserted Claims

3.1. Priority

In its Infringement Contentions, Plaintiff identified the alleged priority date of the Asserted Patent as April 7, 2001. Defendants agree that the Asserted Claims are not entitled to a priority date earlier that April 7, 2001.

3.2. The Asserted Claims Are Anticipated and Obvious

3.2.1. Anticipation

Some or all of the Asserted Claims of the Asserted Patents are invalid as anticipated under 35 U.S.C. § 102 (pre-AIA) in view of the prior art references identified above and in the Invalidity Contentions Charts (*see* Exhibits A1–13, B1–B13, C1–C13, D1–D13,and E1–E13), which identify specific non-limiting examples of where each limitation of the Asserted Claims can be found in a single prior art reference, either expressly or inherently. As explained above, the cited portions of prior art references identified in the attached claim charts are exemplary only and representative of the content and teaching of the prior art references and should be understood in the context of the reference as a whole and as they would be understood by a person having ordinary skill in the art.

3.2.2. Obviousness

Each anticipatory prior art reference identified above (A1–13, B1–B13, C1–C13, D1–D13, and E1–E13), either alone or in combination with other prior art, also renders the Asserted Claims invalid as obvious under 35 U.S.C. § 103 (pre-AIA). The fact that prior art is identified to anticipate the Asserted Claims does not prevent Defendants from also relying on the same reference as rendering the Asserted Claims invalid as obvious. *In re Meyer*, 599 F.2d 1026, 1031 (C.C.P.A. 1979) (holding that "a rejection for obviousness under § 103 can be based on a reference

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 19

which happens to anticipate the claimed subject matter"). Plaintiff has not yet responded to these Invalidity Contentions or made any such arguments, and therefore Defendants expressly reserve the right to argue and demonstrate that any purported differences between the identified prior art and the Asserted Claims would have been obvious to a person having ordinary skill in the art based on each anticipatory prior art reference alone, including for reasons beyond any examples of obviousness contained herein and in the claim charts.

Defendants also contend that the Asserted Claims would have been obvious over the Anticipation References (A1–13, B1–B13, C1–C13, D1–D13, and E1–E13) in combination with other references, including the other Anticipation References, and/or one or secondary references identified in Addenda A–G to Defendants' Subject Matter Eligibility Contentions and/or the knowledge of someone skilled in the art. *See* Addenda A–G to Defendants' Subject Matter Eligibility Contentions. In particular, in addition to being obvious over each individual Anticipation Reference, the Asserted Claims also would have been obvious over at least the following prior art references combinations, which generally consist of combinations of the Anticipation References, including combinations with various secondary prior art references. *See* Addenda A–G to Defendants' Subject Matter Eligibility Contentions.

If any cited prior art item in A1–13, B1–B13, C1–C13, D1–D13, and E1–E13, as well as Addenda A–G to Defendants' Subject Matter Eligibility Contentions does not fully disclose a limitation of an Asserted Claim or is alleged by Plaintiff to not disclose a limitation, the limitation is present and identified in another prior art item, as set forth in Addenda A–G to Defendants' Subject Matter Eligibility Contentions. Any of the references disclosed above may be combined to render obvious (and therefore invalid) each of Plaintiff's Asserted Claims. Defendants may rely upon all or a subset of the references identified above, including all references addressed in the

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 20

Invalidity Contentions Charts, for purposes of obviousness depending on the Court's claim construction, positions taken by Plaintiff during this litigation or in any related past or future litigations (including in response to these or other Invalidity Contentions), and further investigation and discovery. Defendants may rely on combinations with any reference in the Invalidity Contentions Charts for each respective Asserted Patents, and any of the other references disclosed herein with respect to the Asserted Patents, including combinations with any of the patents, publications or systems identified herein as prior art to the Asserted Patents. Combining the references disclosed in herein and in the Invalidity Contentions Charts would have been obvious, as the references identify and address the same technical issues and suggest similar solutions to those issues. Defendants reserve the right to amend or supplement these Invalidity Contentions to identify additional reasons that combining the references would be obvious to a person having ordinary skill in the art, including with expert testimony to be disclosed in accordance with the rules of this Court.

A person of ordinary skill in the art would have been motivated to combine of the references in the combinations above, as well as the prior art references identified in Exhibits A1–13, B1–B13, C1–C13, D1–D13, and E1–E13, as well as Addenda A–G to Defendants' Subject Matter Eligibility Contentions. *See* Appendix A. Such combinations would be achieved, for example, by merely combining the disclosures described in the respective claim charts for each reference.

In *KSR Int'l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1731 (2007), the Supreme Court clarified and expanded upon the standard for what types of inventions are patentable. *See id* at 1739 ("the combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results"). In particular, *KSR* emphasizes that inventions arising from

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 21

ordinary innovation, ordinary skill or common sense should not be patentable. *See id.* at 1732, 1738-39, 1742-43, 1746. Because the Asserted Patents simply combines elements well known in the art in a straightforward fashion to achieve a well-known and obvious result and thus yield no more than one skilled in the art would expect from such combinations, the claims of the Asserted Patents are obvious. The Asserted Claims are therefore invalid under 35 U.S.C. § 103 (pre-AIA) because they do nothing more than combine known techniques and apparatuses according to their known and ordinary uses to yield predictable results.

The Supreme Court further held that "[w]hen a work is available in one field of endeavor, design incentives and other market forces can prompt variations of it, either in the same field or a different one. If a person of ordinary skill can implement a predictable variation, § 103 likely bars its patentability. For the same reason, if a technique has been used to improve one device, and a person of ordinary skill in the art would recognize that it would improve similar devices in the same way, using the technique is obvious unless its actual application is beyond his or her skill…." *See id.* at 1740. Moreover, no showing of a specific motivation to combine prior art is required to combine the references disclosed above and in the attached charts, as each combination of art would have no unexpected results, and at most would simply represent a known alternative to one of skill in the art. *See id.* at 1739-41 (rejecting the Federal Circuit's "rigid" application of the teaching, suggestion, or motivation to combine test, instead espousing an "expansive and flexible" approach). Indeed, the Supreme Court held that a person of ordinary skill in the art is "a person of ordinary creativity, not an automaton" and "in many cases a person of ordinary skill in the art will be able to fit the teachings of multiple patents together like pieces of a puzzle." *Id.* at 1742. Nevertheless, in addition to the information contained elsewhere in these contentions, Defendants hereby identify motivations and reasons to combine the cited art.

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 22

Here, one or more combinations of the prior art references identified would have been obvious to one of ordinary skill in the art because these references would have been combined using: known methods to yield predictable results; known techniques in the same way; a simple substitution of one known, equivalent element for another to obtain predictable results; and/or a teaching, suggestion, or motivation in the prior art generally results.

Under *KSR*, a claim may be obvious based on the following rationales:

(A) Combining prior art elements according to known methods to yield predictable results;

(B) Simple substitution of one known element for another to obtain predictable results;

(C) Use of known techniques to improve similar devices (methods, or products) in the same way;

(D) Applying a known technique to a known device (method, or product) ready for improvement to yield predictable results;

(E) "Obvious to try" – choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success;

(F) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art;

(G) 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.

See 72 Fed. Reg. 57526.

These rationales apply in rendering obvious the Asserted Claims. Here, the state of the art at the relevant time expressly taught and suggested various methods for rendering internet content, including methods for rendering scalable internet content on mobile devices. As a result, as further elaborated in Addenda A–G to Defendants' Subject Matter Eligibility Contentions, one skilled in the art would have known to combine or modify references that described known systems and methods which one of skill in the art would have recognized as offering improvements to solutions at that time. Each of the prior art references identified herein and in the Invalidity Contentions

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 23

Charts describes systems and methods that were known to offer such improvements, and, accordingly, one of skill in the art would have been motivated to combine or modify the references as described herein. Indeed, a person having ordinary skill in the art would have recognized that the prior art disclosed and relied upon in these Invalidity Contentions involve the same or similar technology (*i.e.*, systems, components and methods for rendering internet content, including rendering scalable internet content on mobile devices), and that modifying the specific features disclosed in the prior art in the exemplary manner set forth in, *e.g.*, Exhibits A1–13, B1–B13, C1–C13, D1–D13, and E1–E13, as well as Addenda A–G to Defendants' Subject Matter Eligibility Contentions, would have been obvious, including in view of known benefits that include, *e.g.*, design and operation efficiency, reducing necessary hardware and/or software, browser and rendering engine design preferences, and design choice, among other things. *See* Appendix A. No new or materially different hardware components would be necessary to carry out the identified modifications, and the claims do not require any particular software to carry out the claim limitations. Thus, carrying out the modifications would have simply been a design choice, one of a finite number of predictable solutions, and would not have required undue experimentation. Therefore, for any limitations not expressly or inherently disclosed by a particular reference, a person having ordinary skill in the art would have found such limitation obvious in view of the reference alone, or in combination with one or more of the other references disclosed herein and/or cited in the Invalidity Contentions Charts.

In accordance with P.R. 3-3(b), prior art references rendering the Asserted Claims of the Asserted Patents obvious, alone or in combination with other references, are discussed and listed above and included in Exhibits A1–13, B1–B13, C1–C13, D1–D13, and E1–E13, as well as Addenda A–G to Defendants' Subject Matter Eligibility Contentions.

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 24

These exhibits include exemplary claim charts for the Asserted Patents that refer to combinations of references, including citations to relevant disclosures in those references, where indicated. Defendants may rely on a combination of identified references, such as those identified in the Invalidity Contentions Charts, and one or more of the references identified those exhibits, in Addenda A–G of Defendant's Subject Matter Eligibility Contentions, Appendix A ("Obviousness Combinations"), and/or any references identified herein. To the extent any claim limitations are found to be missing from the references identified the Invalidity Contentions Charts, in addition to the references designated for combination with these references, described in Appendix A, it would have been obvious to a person having ordinary skill in the art to add the missing limitation based on the corresponding disclosure of that limitation in the Invalidity Contentions Charts and the state of prior art as described in Addenda A–G of Defendant's Subject Matter Eligibility Contentions.

Defendants are presently unaware of any evidence of secondary considerations that are relevant to the Asserted Patents. Plaintiff has not yet cited any secondary considerations of nonobviousness. In the event Plaintiff cites to, asserts, or relies on evidence of any alleged secondary considerations, Defendants reserve the right to supplement these Invalidity Contentions to address the same.

4. Local Patent Rule 3-3(c): Charts Identifying Specifically Where and How in Each Prior Art Each Asserted Claim is Found

Pursuant to P.R. 3-3(c), charts identifying where specifically in each alleged item of prior art each limitation of each Asserted Claim is found are attached in the Invalidity Contentions Charts (Exhibits A1–13, B1–B13, C1–C13, D1–D13, and E1–E13, as well as Addenda A–G to Defendants' Subject Matter Eligibility Contentions). The contents of these exhibits, in combination with the foregoing patents, publications, and systems, anticipate and/or render

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 25

obvious the Asserted Claim under 35 U.S.C. § 102 (pre-AIA), either expressly or inherently, and under 35 U.S.C. § 103 (pre-AIA), in each case, as understood by a person having ordinary skill in the art.

Exhibit	Prior Art Reference for ’353 Patent
A1	Invalidity in view of Japanese Application Publication H10-326169 to Hara, et al. published December 8, 1998 (“Hara”)
A2	Invalidity in view of Japanese Application No. H10-21224 to Tsutsumitake et al., January 23, 1998 (“Tsutsumitake”)
A3	Invalidity in view of Bederson, Benjamin B. and James D. Hollan, *Pad++: A Zoomable Graphical Interface System*, CHI ‘95 Mosaic of Creativity, May 1995 (“Bederson-1”); Bederson, Benjamin B. and George W. Furnas, *Space-Scale Diagrams: Understanding Multiscale Interfaces*, CHI ‘95 Proceedings, 1995 (“Bederson-2”); Bederson, Benjamin B., et al, *A Zooming Web Browser*, SPIE, Vol. 2667, 260-271, May 1996 (“Bederson-3”); Bederson, Ben and Jon Meyer, *Implementing a Zooming User Interface: Experience Building Pad ++*, Software-Practice and Experience, Vol. 28(1), 1101-1135, August 1998 (“Bederson-4”); Bederson, Benjamin B., et al., *Pad++: A Zoomable Graphical Sketchpad for Exploring Alternate Interface Physics*, Journal of Visual Languages and Computing, Vol. 7, 3-31, 1996 (“Bederson-5”); Pad++ Reference Manual Version 0.2.7, published July 9, 1996 (“Reference Manual”); Pad++ Programmer’s Guide version 0.2.7, published June 10, 1996 (“Programmer’s Guide”); Meyer, Jonathan, “A Brief Tour Through Pad++,” published April 1997 (“Tour”) (collectively, the “Pad++ References)
A4	Invalidity in view of Fujitsu Features and Benefits (“Fujitsu-1); Marshall, Review: Federal Computer Week (“Fujitsu-2); Fujitsu Stylistic 2300 (“Fujitsu-3”); Fujitsu Stylistic 2300 Technical Reference Guide (“Fujitsu-4) (collectively, the “Fujitsu References”)
A5	Invalidity in view of the Bray, Tim, "XML Support in IE5," http://www.xml.com/pub/a/l 999/03/ie5/first-x.html, March 18, 1999 (Bray”)
A6	Invalidity in view of Nokia Unveils World's First All-In-One Communicator for the Americas, Nokia Press Release, Sept. 19, 1996 (“Nokia”), U.S. Patent No. 6,518,957 to Nokia (“’957 Patent”), 3Com Announces the Palm VII Connected Organizer, the First Handheld Solution for Out-of-the box Wireless Internet Access, Palm™ press release, Dec. 2, 1998 (“Palm”), Robles, Emilio, et al., Apple Outlines Plethora of Newton Wireless Communications Solutions at MessagePad 120 Launch, Jan. 30, 1995 (“Newton”), Locatio Beginner's Guide, July 30, 1999 (“Locatio”) (collectively, “Mobile Communication Devices”)
A7	Invalidity in view of Scalable Vector Graphics (SVG) Requirements: W3C Working Draft, 29 Oct 1998, published on October 29, 1998, available at http://www.w3.org/TR/1998/WD-SVGReq-19981029 (“SVG”)

Exhibit	Prior Art Reference for ’353 Patent
A8	Invalidity in view of Ericsson Mobile Companion MC 218 Reference Information, Ericsson Mobile Communications AB (1st ed.) (“Ericsson MC 218 Reference”) published June 1999, “mCommerce Now a Reality on Psion Platform,” Opera Press, Psion PLC, available at https://press.opera.com/2000/03/31/mcommerce-now-a-reality-on-psion-platform/ published March 31, 2000, Opera 3.60 Help Combined HTML (“Opera 3.60 Help Combined HTML”) published May 1999, Underdahl, Brian, Opera Web Browser for Dummies, IDG Books Worldwide, Inc. (“Opera for Dummies”) published 2000, “Opera for EPOC Beta Released Today,” Opera Press, available at https://press.opera.com/2000/02/28/opera-for-epoc-beta-released-today/ published February 28, 2000, “Opera Software – Features,” available at https://web.archive.org/web/20000303005958/http://www.opera.com/features.html published March 3, 2000, “Opera Software – Opera for EPOC,” available at https://web.archive.org/web/20000511233302/http://www.opera.com/epoc/index.html published May 11, 2000, “Opera Software and Ericsson Today Announce Agreement,” Opera Press, available at https://press.opera.com/2000/02/25/opera-software-and-ericsson-today-announce-agreement/ published February 25, 2000, “Opera Software Releases 3.60,” Opera Press, available at https://press.opera.com/1999/05/12/opera-software-releases-3-60/ published May 12, 1999, Opera Browser Series 2–4 Executables for Windows and EPOC published between 1997-2000, “Opera’s CSS Support Rated Best,” Opera Press, available at https://press.opera.com/1999/03/24/operas-css-support-rated-best/ published March 24, 1999, “Opera 3.62 Help – Printable Compilation” (“Opera 3.62 Help”) published 1999, PSION netBook User Guide, Version 1.0, Psion PLC published September 1999, PSION Series 5mx User Guide, Version 1.1, Psion PLC published 1999, PSION Series 7 User Guide, Version 1.0, Psion PLC published August 1999 (collectively, “Opera References”)
A9	Invalidity in view of Matthews, et al., Vector Markup Language (VML), World Wide Web Consortium Note, Note-VML-19980513, http:..www.w3.org/TR/1998/Note-VMK 19980513 (“VML”)

Exhibit	Prior Art Reference for ’353 Patent
A10	Invalidity in view of “Specification for the Simple Vector Format (SVF) v1.1” (“SVF 1.1”), SoftSource, published January 16, 1995, available at http://www.softsource.com/svf/spec.html, “Specification for Simple Vector Format (SVF) v2.0” (“SVF 2.0”), SoftSource, published December 6, 2000, available at http://www.softsource.com/svf.org/spec.html, “SVF XML” (“SVF XML”), SoftSource, available at http://www.softsource.com/svf.org/svfxml.html, “Changes to SVF” (“Changes to SVF”), SoftSource, available at http://www.softsource.com/svf.org/diff.html, “Information Disclosure Statement by Applicant,” U.S. Patent Appl. No. 11/045,757, submitted May 6, 2007, identifying SVF 1.1, SVF 2.0, SVF XML, and Changes to SVF, “New CAD System Works With AutoCAD Drawings Without Translation,”(“SVF Press 1”), SoftSource, published March 4, 1996, available at https://web.archive.org/web/19961019052917/http://softsource.com/net-news.html, “SoftSource Plug-ins Bring New CAD Viewing Power to the Internet,” (“SVF Press 2”), SoftSource, published June 17, 1996, available at https://web.archive.org/web/19961019052917/http://softsource.com/net-news.html (collectively, “SVF References”)
A11	Invalidity in view of HTML 3.2 Reference Specification, W3C Recommendation, published January 14, 1997, available at https://www.w3.org/TR/2018/SPSD-html32-20180315/ (“HTML 3.2”), HTML 4.0 Specification W3C Recommendation, published on April 24, 1998, available at https://www.w3.org/TR/1998/REC-html40-19980424/html40.pdf (“HTML 4.0”) (collectively, “HTML Standards”)
A12	Invalidity in view of Watanabe, Mituyoshi, How to Make the Most of the Power Zaurus, Computing Communication Multimedia Mobile - Computing Communication Multimedia, April 14, 1998 (“Zaurus_1”); Power Zaurus Specifications: User Manual - Mobile Business Tool – Model MI-106 / MI-106M / MI-110M, November 1997 (“Zaurus_2”); Power Zaurus MI-110 / M106 / M106 Brochure, December 1997 (“Zaurus_3”); Power Zaurus MI-610/DC Brochure, June 1998 (“Zaurus_4”); Power Zaurus MI-504/ MI-506/ MI-506DC Brochure, July 1997 (“Zaurus_5”); Power Zaurus Article, PCWatch, November 18, 1997 (“Zaurus_6”) (collectively, “Zaurus”)
A13	Invalidity in view of U.S. Patent No. 7,412,644 (“Kieffer”)

Exhibit	Prior Art Reference for ’889 Patent
B1	Invalidity in view of Japanese Application Publication H10-326169 to Hara, et al. published December 8, 1998 (“Hara”)
B2	Invalidity in view of Japanese Application No. H10-21224 to Tsutsumitake et al., January 23, 1998 (“Tsutsumitake”)

Exhibit	Prior Art Reference for ’889 Patent
B3	Invalidity in view of Bederson, Benjamin B. and James D. Hollan, *Pad++: A Zoomable Graphical Interface System*, CHI ‘95 Mosaic of Creativity, May 1995 (“Bederson-1”); Bederson, Benjamin B. and George W. Furnas, *Space-Scale Diagrams: Understanding Multiscale Interfaces*, CHI ‘95 Proceedings, 1995 (“Bederson-2”); Bederson, Benjamin B., et al, *A Zooming Web Browser*, SPIE, Vol. 2667, 260-271, May 1996 (“Bederson-3”); Bederson, Ben and Jon Meyer, *Implementing a Zooming User Interface: Experience Building Pad ++*, Software-Practice and Experience, Vol. 28(1), 1101-1135, August 1998 (“Bederson-4”); Bederson, Benjamin B., et al., *Pad++: A Zoomable Graphical Sketchpad for Exploring Alternate Interface Physics*, Journal of Visual Languages and Computing, Vol. 7, 3-31, 1996 (“Bederson-5”); Pad++ Reference Manual Version 0.2.7, published July 9, 1996 (“Reference Manual”); Pad++ Programmer’s Guide version 0.2.7, published June 10, 1996 (“Programmer’s Guide”); Meyer, Jonathan, “A Brief Tour Through Pad++,” published April 1997 (“Tour”) (collectively, the “Pad++ References)
B4	Invalidity in view of Fujitsu Features and Benefits (“Fujitsu-1); Marshall, Review: Federal Computer Week (“Fujitsu-2); Fujitsu Stylistic 2300 (“Fujitsu-3”); Fujitsu Stylistic 2300 Technical Reference Guide (“Fujitsu-4) (collectively, the “Fujitsu References”)
B5	Invalidity in view of the Bray, Tim, "XML Support in IE5," http://www.xml.com/pub/a/l 999/03/ie5/first-x.html, March 18, 1999 (Bray”)
B6	Invalidity in view of Nokia Unveils World's First All-In-One Communicator for the Americas, Nokia Press Release, Sept. 19, 1996 (“Nokia”), U.S. Patent No. 6,518,957 to Nokia (“’957 Patent”), 3Com Announces the Palm VII Connected Organizer, the First Handheld Solution for Out-of-the box Wireless Internet Access, Palm™ press release, Dec. 2, 1998 (“Palm”), Robles, Emilio, et al., Apple Outlines Plethora of Newton Wireless Communications Solutions at MessagePad 120 Launch, Jan. 30, 1995 (“Newton”), Locatio Beginner's Guide, July 30, 1999 (“Locatio”) (collectively, “Mobile Communication Devices”)
B7	Invalidity in view of Scalable Vector Graphics (SVG) Requirements: W3C Working Draft, 29 Oct 1998, published on October 29, 1998, available at http://www.w3.org/TR/1998/WD-SVGReq-19981029 (“SVG”)

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B9	Invalidity in view of Matthews, et al., Vector Markup Language (VML), World Wide Web Consortium Note, Note-VML-19980513, http:..www.w3.org/TR/1998/Note-VMK 19980513 (“VML”)

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B13	Invalidity in view of U.S. Patent No. 7,412,644 (“Kieffer”)

Exhibit	Prior Art Reference for ’154 Patent
C1	Invalidity in view of Japanese Application Publication H10-326169 to Hara, et al. published December 8, 1998 (“Hara”)
C2	Invalidity in view of Japanese Application No. H10-21224 to Tsutsumitake et al., January 23, 1998 (“Tsutsumitake”)

Exhibit	Prior Art Reference for ’154 Patent
C3	Invalidity in view of Bederson, Benjamin B. and James D. Hollan, *Pad++: A Zoomable Graphical Interface System*, CHI ‘95 Mosaic of Creativity, May 1995 (“Bederson-1”); Bederson, Benjamin B. and George W. Furnas, *Space-Scale Diagrams: Understanding Multiscale Interfaces*, CHI ‘95 Proceedings, 1995 (“Bederson-2”); Bederson, Benjamin B., et al, *A Zooming Web Browser*, SPIE, Vol. 2667, 260-271, May 1996 (“Bederson-3”); Bederson, Ben and Jon Meyer, *Implementing a Zooming User Interface: Experience Building Pad ++*, Software-Practice and Experience, Vol. 28(1), 1101-1135, August 1998 (“Bederson-4”); Bederson, Benjamin B., et al., *Pad++: A Zoomable Graphical Sketchpad for Exploring Alternate Interface Physics*, Journal of Visual Languages and Computing, Vol. 7, 3-31, 1996 (“Bederson-5”); Pad++ Reference Manual Version 0.2.7, published July 9, 1996 (“Reference Manual”); Pad++ Programmer’s Guide version 0.2.7, published June 10, 1996 (“Programmer’s Guide”); Meyer, Jonathan, “A Brief Tour Through Pad++,” published April 1997 (“Tour”) (collectively, the “Pad++ References)
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E13	Invalidity in view of U.S. Patent No. 7,412,644 (“Kieffer”)

Defendants also identify exemplary references in Addenda A–G to Defendants’ Subject Matter Eligibility Contentions. To the extent that any reference in Exhibits A1–13, B1–B13, C1–C13, D1–D13, or E1–E13 is deemed not to by itself render obvious a claim for failing to teach or suggest one or more limitations of that claim, the claim would nonetheless have been obvious to a person of ordinary skill in the art at the time of the invention by the combination of the reference

with one or more other references as described in Appendix A, and/or the knowledge of someone skilled in the art disclosed in the missing claim, as illustrated in the references contained in Addenda A–G to Defendants' Subject Matter Eligibility Contentions. For example, a person having ordinary skill in the art would have been motivated to combine any reference in Exhibits A1–13, B1–B13, C1–C13, D1–D13, and E1–E13 as listed in the table above alone or in combination with one or more references as mentioned in Addenda A–G to Defendants' Subject Matter Eligibility Contentions. Addenda A–G to Defendants' Subject Matter Eligibility Contentions and Appendix A provide detailed explanations of the references and the motivations for combining them in relation to the Asserted Claims. The explicit combinations of references are presented in the table listing combinations of prior art references in Appendix A.

5. Local Patent Rule 3-3(d): Other Grounds for Invalidity

5.1. Ineligibility Under 35 U.S.C. § 101 (pre-AIA)

Defendants contend that the Asserted Claims are patent ineligible for failing to claim patentable subject matter. Defendants hereby incorporate by reference their Subject Matter Eligibility Contentions that were concurrently served on August 20, 2025, and any amendments and/or supplementations thereto.

5.2. Invalidity Based on Enablement and/or Written Description under 35 U.S.C. § 112, ¶ 1 (pre-AIA)

Section 112, paragraph 1 (pre-AIA) requires that the specification contain a written description of the invention. "[T]he hallmark of written description is disclosure." *Boston Scientific Corp. v. Johnson & Johnson*, 647 F.3d 1353, 1361-62 (Fed. Cir. 2011) (citation omitted). The test for whether a specification adequately describes an invention is "whether the disclosure of the application relied upon reasonably conveys to those skilled in the art that the inventor had possession of the claimed subject matter as of the filing date . . . [T]he test requires an objective

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 41

inquiry into the four corners of the specification from the perspective of a person of ordinary skill in the art . . . [It] is a question of fact." *Ariad Pharms., Inc. v. Eli Lilly and Co*., 598 F.3d 1336, 1351 (Fed. Cir. 2010) (en banc). The written description requirement ensures "that the inventor actually invented the invention claimed," *Amgen Inc. v. Sanofi*, 872 F.3d 1367, 1373 (Fed. Cir. 2017), and that "the scope of the right to exclude, as set forth in the claims, does not overreach the scope of the inventor's contribution to the field as described in the patent specification." *Ariad Pharms., Inc*., 598 F.3d at 1353-54. A patent claim is therefore invalid for lack of written description when the specification reflects that the inventor lacked possession of the full scope of what is claimed. *See, e.g., id.*

Section 112 paragraph 1 also requires that the patent specification enable "those skilled in the art how to make and use the full scope of the claimed invention without 'undue experimentation.'" *Genentech, Inc. v. Novo Nordisk A/S*, 108 F.3d 1361, 1365 (Fed. Cir. 1997) (*quoting In re Wright*, 999 F.2d 1557, 1561 (Fed. Cir. 1993)); *see also Amgen Inc. v. Sanofi*, 598 U.S. 594, 610 (2023) ("the specification must enable the *full scope* of the invention as defined by its claims." (emphasis added)). "[T]he scope of the claims must be less than or equal to the scope of the enablement." *Nat'l Recovery Tech., Inc. v. Magnetic Separation Sys., Inc.,* 166 F.3d 1190, 1196 (Fed. Cir. 1999).

Pursuant to P.R. 3-3(d), and subject to Defendants' reservation of rights, Defendants Identify below the grounds upon which Defendants currently contend the Asserted Claims are invalid for lack of written description and/or enablement under 35 U.S.C. § 112, ¶ 1 (pre-AIA). The disclosures below do not attempt to identify all recitations of a given term or phrase in each claim. Where Defendants have identified an instance of a term or limitation in a particular claim that renders the claim invalid under Section 112, Defendants contend that every instance of the

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 42

challenged term or limitation, or similar term or limitation, in the claim renders the claim invalid for the same reasons. Furthermore, where a particular claim term or limitation is identified with respect to one or more particular claims, Defendants contend that each other Asserted Claim that recites the same claim term or limitation, or similar claim term or limitation, is subject to the same Section 112 defect. Defendants also reserves the right to assert additional Section 112 defenses as discovery progresses.

In addition, the specification fails to enable, or show that the inventors had possession of, the full scope of the claimed subject matter. *See, e.g., Sitrick v. Dreamworks*, LLC, 516 F.3d 993, 1000 (Fed. Cir. 2008) ("Because the asserted claims are broad enough to cover both movies and video games, the patents must enable both embodiments."); *Liebel-Flarsheim Co. v. Medrad, Inc*., 481 F.3d 1371, 1380 (Fed. Cir. 2007) (Full scope of claims not enabled when the claims read on an injector system with and without a pressure jacket, but specification did not teach how to implement an injection system without a pressure jacket).

5.2.1. '353 Patent

Defendants contend that the following claim limitations of the '353 Patent—which relate to the enumerated claims and all claims that depend from such enumerated claims—are not enabled or adequately described by the specification, as required by 35 U.S.C. § 112, ¶ 1 (pre-AIA), including in view of Plaintiff's apparent interpretation of these claim limitations set forth in its Infringement Contentions, to the extent that they can be understood:

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 43

’353 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 1	“processing means” “wireless communications means” “storage means” “processing means” “rendering a browser interface via which a user is enabled to request access to an original Web page, the Web page comprising HTML-based Web content” “translating at least a portion of the HTML-based Web content from its original format into scalable content that supports a scalable resolution-independent representation of the Web page . . . preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered” “scaling the scalable content to render the Web page on the display”
Asserted Claim 11	“enabling a user to zoom on a column of the Web page via a corresponding user input” “re-rendered”
Asserted Claim 14	“re-rendered”
Asserted Claim 15	“re-rendered such that the image is rendered to fit across the display”
Asserted Claim 18	“enabling a user to zoom of the Web content via a corresponding user input” “re-rendered” “enabling a user to zoom on a paragraph of the Web content”
Asserted Claim 21	“re-rendered”
Asserted Claim 30	“wherein the device comprises a mobile phone”
Asserted Claim 35	“preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page”
Asserted Claim 36	“enable the mobile hand-held device to perform operations” “processing HTML-based Web content to produce scalable content” “rendering a browser interface via which a user is enabled to request access to a Web page comprising HTML-based Web content” “while preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view”
Asserted Claim 37	“wherein the device comprises a mobile phone”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 38	“The mobile hand-held device of claim 36, wherein the device comprises one of a Personal Digital Assistant (PDA) or hand-held computer”
Asserted Claim 48	“enabling a user to zoom on a column of the Web content via a corresponding user input” “re-rendered”
Asserted Claim 50	“The mobile hand-held device of claim 48, wherein the corresponding user input comprises tapping on the column via the display.”
Asserted Claim 53	“enabling a user to zoom on a paragraph” “via a corresponding user input” “re-rendered”
Asserted Claim 55	“The mobile hand-held device of claim 53, wherein the corresponding user input comprises tapping on the paragraph via the display.”
Asserted Claim 69	“The mobile device of claim 36, wherein the device enables a user to browse, zoom, and pan billions of Web pages” “preserves the original layout, functionality, and design of the HTML-based Web a e content of each Web page”
Asserted Claim 70	“processing means” “wireless communications means” “storage means” “the mobile device is enabled to perform operations” “re-render” “rendering a browser interface via which a user is enabled to request access to a Web page comprising HTML-based Web content” “processing at least a portion of the HTML-based Web content” “while preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view of the Web page”
Asserted Claim 87	“rendering a browser interface on the display via which a user is enabled to request access to a Web page comprising HTML-based Web content” “rendering the Web page” “enable the mobile hand-held device to perform operations including” “re-rendering”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
	“while preserving the original page layout, functionality, and design of the Web a e content at each zoom level and panned view”
Asserted Claim 88	enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 92	“enabling a user to zoom on an image via a corresponding user input, wherein in response thereto, the display is re-rendered such that the image is enlarged”
Asserted Claim 95	“enabling a user to zoom on a paragraph of the Web page via a corresponding user input” “re-rendered”
Asserted Claim 98	“re-rendered”
Asserted Claim 108	“wherein the device comprises a mobile phone”
Asserted Claim 111	“The mobile hand-held device of claim 87, wherein the device enables a user to browse, zoom, and pan billions of Web pages” “preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page”
Claim 118	“rendering a browser interface on a display of a device via which a user is enabled to request access to a Web page, the Web page comprising HTML-based Web content” “translating at least a portion of the HTML-based Web content from its original format into scalable content that supports a scalable resolution-independent representation of the Web page . . . preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered” “scaling the scalable content to render the Web page on the display”
Asserted Claim 128	“enabling a user to zoom on a column of the Web page via a corresponding user input” “re-rendered”
Asserted Claim 133	“enabling a user to zoom on a paragraph of the Web content via a corresponding user input” “via a corresponding user input” “re-rendered” “such that content corresponding to the selected paragraph is rendered to fit across the display”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 134	“the corresponding user input comprises tapping on the paragraph via the display”
Asserted Claim 144	“wherein the device comprises a mobile phone”
Asserted Claim 145	“wherein the device comprises a hand-held device”
Asserted Claim 149	“rendering a browser interface on a hand-held device via which a user is enabled to request access to a Web page comprising HTML-based Web content” “render the Web page” “re-render” “preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view”
Asserted Claim 150	“wherein the hand-held device comprises a mobile phone.”
Asserted Claim 161	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 164	“re-rendered”
Asserted Claim 168	“enabling a user to zoom on a paragraph of the Web page via a corresponding user input, wherein in response thereto, the display is re-rendered such that content corresponding to the selected paragraph is enlarged”
Asserted Claim 170	“re-rendered”
Asserted Claim 171	“the corresponding user input comprises tapping on the paragraph via the display.”
Asserted Claim 182	“a portion of the HTML-based Web content comprises cascaded style sheet data defining aspects of the Web page design” “preserved at each zoom level and panned view”
Asserted Claim 185	“rendering a browser interface on a display of a device via which a user is enabled to request access to a Web page comprising HTML-based Web content” “preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view of the Web page” “re-rendering the Web page”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
	“preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page”
Asserted Claim 186	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 187	“the corresponding user input comprises tapping on the column via the display.”
Asserted Claim 189	“re-rendered” “such that content corresponding to the selected column is rendered to fit across the display”
Asserted Claim 193	“enabling a user to zoom on a paragraph of the Web page via a corresponding user input, wherein in response thereto, the display is re-rendered such that content corresponding to the selected paragraph is enlarged”
Asserted Claim 194	“wherein the corresponding user input comprises tapping on the paragraph via the display.”
Asserted Claim 196	“re-rendered”
Asserted Claim 204	“a portion of the HTML-based Web content comprises cascaded style sheet data defining aspects of the Web page design” “that are preserved at each zoom level and panned view”
Asserted Claim 206	“wherein the device comprises a mobile phone”
Asserted Claim 207	“wherein the device comprises a hand-held device.”
Asserted Claim 209	“rendering a browser interface on a display via which a user of a device is enabled to request access to a Web page, the Web page comprising HTML-based Web content” “translating at least a portion of the HTML-based Web content into scalable content that supports a scalable resolution-independent representation of the Web page . . . preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered” “employing the scalable content to render the Web page on the display using a first scale factor”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
	“enabling the Web page to be displayed at a different resolution by scaling the scalable content using a second scale factor” “re-render” “preserved under both the first and second scale factors”
Asserted Claim 215	“preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page”
Asserted Claim 216	“rendering a browser interface via which a user is enabled to request access to a Web page hosted by an Internet Web site, the Web page comprising HTML-based Web content” “translating at least a portion of the HTML-based Web content from its original format into scalable content that supports a scalable resolution-independent representation of the Web page . . . preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered” “scaling the scalable content to render the Web page on the display”
Asserted Claim 226	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 228	“re-rendered”
Asserted Claim 233	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 236	“re-rendered”
Asserted Claim 245	“wherein the device comprises a mobile phone”
Asserted Claim 251	“browse, zoom, and pan billions of Web pages in a manner that preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
Claim 252	“rendering a browser interface on a display associated with the device via which a user is enabled to request access to a Web page comprising HTML-based Web content” “processing HTML-based Web conten” “render the Web page on the display” “re-render” “while preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view of the Web page,” “preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page at each zoom level and panned view”
Asserted Claim 253	“wherein the device comprises a mobile phone”
Asserted Claim 254	“The machine-readable medium of claim 252, wherein the device comprises a hand-held device.”
Asserted Claim 257	“re-rendered”
Asserted Claim 264	“enabling a user to zoom on a column of the Web content via a corresponding user input, wherein in response thereto, the display is re-rendered such that content corresponding to the selected column is rendered to fit across the display.”
Asserted Claim 269	“enabling a user to zoom on a paragraph of the Web page via a corresponding user input” “via a corresponding user input” “re-rendered” “corresponding to the selected paragraph is rendered to fit across a browser display area of the display”
Asserted Claim 282	“a portion of the HTML-based Web content comprises cascaded style sheet data defining aspects of the Web page design that are preserved at each zoom level and panned view”
Asserted Claim 285	“rendering a browser interface on a display of the wireless device via which a user is enabled to request access to a Web page comprising HTML-based Web content” “rendering the Web page” “re-rendering the Web page” “while preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 286	“enabling a user to zoom on a column of the Web page via a corresponding user input” “via a corresponding user input” “re-rendered”
Asserted Claim 287	“the corresponding user input comprises tapping on the column via the display.”
Asserted Claim 289	“re-rendered”
Asserted Claim 293	“enabling a user to zoom on a paragraph of the Web page via a corresponding user input” “via a corresponding user input” “re-rendered”
Asserted Claim 294	“the corresponding user input comprises tapping on the paragraph via the display.”
Asserted Claim 296	“re-rendered such that content corresponding to the selected paragraph is rendered to fit across the display”
Asserted Claim 304	“wherein a portion of the HTML-based Web content comprises cascaded style sheet data” “data defining aspects of the Web page design that are preserved at each zoom level and panned view”
Asserted Claim 306	“wherein the wireless device comprises a mobile phone.”
Asserted Claim 307	“wherein the wireless device comprises a hand-held device.”
Asserted Claim 317	“rendering a browser interface on the display via which a user is enabled to request access to a Web page “ “including at least one image, at least one column, at least one hyperlink to an external reference and having a width and height;” “rendering the Web page on the display” “zoom in on an image of the Web page by tapping on the image via the display” “zoom in on a column of the Web page by tapping on the column via the display; and” “zoom out to a previous view of the Web page”
Asserted Claim 318	“wherein the Web page comprises HTML-based Web page content defining an original page layout, functionality, and design of the Web page content” “the browser renders the Web page such that the original page layout, functionality, and design of the Web page are preserved at any selectable zoom level”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 319	“browse, zoom, and pan billions of Web pages in a manner that preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page”

5.2.2. ’889 Patent

Defendants contend that the following claim limitations of the ’889 Patent—which relate to the enumerated claims and all claims that depend from such enumerated claims—are not enabled or adequately described by the specification, as required by 35 U.S.C. § 112, ¶ 1 (pre-AIA), including in view of Plaintiff’s apparent interpretation of these claim limitations set forth in its Infringement Contentions, to the extent that they can be understood:

’889 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 1	“processing, via the wireless hand-held device, the markup language-based Web content with a rendering engine to generate page layout information corresponding to the original page layout of content on the Web page as interpreted by the rendering engine” “employing the page layout information to generate scalable page layout information” “preserving the original page layout, functionality, and design of the content on the Web page defined by the markup language-based Web content” “processing, via the wireless hand-held device, the markup language-based Web content with a rendering engine” “views of the Web page generated in response to associated user inputs to enable a user to iteratively zoom in on a portion of the Web page while preserving the original page layout, functionality, and design of the content on the Web page defined by the markup language-based Web content,”
Asserted Claim 2	“re-rendering”
Asserted Claim 5	“parsing and processing markup language code with the rendering engine”
Asserted Claim 15	“enabling a user to zoom on a column of the Web content-via an associated user input” “re-rendered”
Asserted Claim 16	“the user input comprises tapping the column”

’889 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 17	“re-rendered”
Asserted Claim 18	“wherein the user input comprises tapping the image”
Asserted Claim 19	“enabling a user to zoom on a paragraph of the Web content via an associated user input, wherein in response to the user input, the view is re-rendered such that content corresponding to the selected paragraph is displayed to fit across the display”
Asserted Claim 20	“the user input comprises tapping the paragraph”
Asserted Claim 22	“scalable page layout information”
Asserted Claim 23	“parsing and processing with the rendering engine, markup language code corresponding to the received Web content to determine page layout information” “as interpreted by the rendering engine” “associating each object and its object layout information”
Asserted Claim 33	“comprising maintaining at least one instance of the page layout information in a manner that is independent of zoom levels used to view the web page”
Asserted Claim 34	“scalable page layout information”
Asserted Claim 35	“scalable vector-based page layout information”
Asserted Claim 37	” the markup language-based Web content includes cascading style sheet content defining layout and presentation attributes for the Web page”
Asserted Claim 38	“the markup language-based Web content comprises HTML-based web content that is processed by the rendering engine” “as interpreted by the rendering engine”
Asserted Claim 39	“generating page layout information”
Asserted Claim 40	“approximately proportional” “processing the HTML-based Web content with a rendering engine” “as interpreted by the rendering engine” “iterative zoom”
Asserted Claim 108	“in response to a request to access a Web page made via a mobile hand-held device,” “processing the HTML-based Web content with a rendering engine” “as interpreted by the rendering engine”

’889 Patent	
Claim	**Term(s) or Phrase(s)**
	“preserving the original page layout, functionality, and design of the content on the Web page defined by the HTML-based Web content” “on the mobile hand-held device”
Asserted Claim 109	“wherein the page layout information that is generated includes a bounding box for each of the plurality of images” “scaling content associated with the image”
Asserted Claim 114	“displaying a portion of the Web page that is entirely not shown in the current view,”
Asserted Claim 115	“a fraction of a second”

5.2.3. ’154 Patent

Defendants contend that the following claim limitations of the ’154 Patent—which relate to the enumerated claims and all claims that depend from such enumerated claims—are not enabled or adequately described by the specification, as required by 35 U.S.C. § 112, ¶ 1 (pre-AIA), including in view of Plaintiff’s apparent interpretation of these claim limitations set forth in its Infringement Contentions, to the extent that they can be understood:

’154 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 13	“A method performed by a mobile hand-held device including a touch-sensitive display and an HTML rendering engine” “processing the HTML document with the HTML rendering engine to render a first representation of the HTML document having an interpreted page layout, functionality, and design of the content associated with the HTML document that is in accordance with the HTML code and CSS code” “parsing the HTML document” “an interpreted page layout, functionality, and design of the content” “that is in accordance with the HTML code and CSS code” “logically grouping content” “generating page layout information”

’154 Patent	
Claim	**Term(s) or Phrase(s)**
	“translating the first representation of the HTML document” “scalable vector representation” “render the scalable vector representation of the HTML document on the touch-sensitive display” “one or more respective scale factors” “the interpreted page layout, functionality, and design of the content associated with the HTML document is preserved at each of the first zoom level and the one or more user-defined zoom levels” “to generate a scalable vector representation of the HTML document” “render the scalable vector representation of the HTML document on the touch-sensitive display”
Asserted Claim 14	“wherein the mobile hand-held device is a mobile phone”
Asserted Claim 15	“wherein the mobile hand-held device is a hand-held computer”
Asserted Claim 16	“a user-selectable portion of a view of the HTML document”
Asserted Claim 17	“views of the HTML document are rendered in real-time” “time to effect zooming operations”
Asserted Claim 18	“effected in a fraction of a second”
Asserted Claim 19	“generating a vector-based display list” “employing the vector-based display list” “scalable vector representation” “employing the vector-based display list to render views of the HTML document on the touch-sensitive display at different scale factors to effect zooming operations.”
Asserted Claim 20	“the HTML document is an HTML parent document for a Web page”
Asserted Claim 21	“The mobile hand-held device of claim 20, wherein the HTML document includes references to a plurality of images, each reference comprising a respective Universal Resource Locators (URLs), and wherein execution of the instructions performs further operations comprising:” “employing the respective bounding boxes to scale images in the rendered views of the HTML document”
Asserted Claim 22	“the CSS code includes CSS code defining how the table and its associated content is to be rendered”
Asserted Claim 23	“HTML elements includes an HTML table having a plurality of cells”

’154 Patent	
Claim	**Term(s) or Phrase(s)**
	“employing the respective bounding boxes to scale images in the rendered views of the HTML document”

5.2.4. ’628 Patent

Defendants contend that the following claim limitations of the ’628 Patent—which relate to the enumerated claims and all claims that depend from such enumerated claims—are not enabled or adequately described by the specification, as required by 35 U.S.C. § 112, ¶ 1 (pre-AIA), including in view of Plaintiff’s apparent interpretation of these claim limitations set forth in its Infringement Contentions, to the extent that they can be understood:

’628 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 1	“Web page comprises HTML-based content and cascading style sheet (CSS) content defining a page layout and design of display content on the Web page” “retrieving HTML-based content and the CSS content corresponding to the Web page and processing the HTML-based content and CSS content with the Web browser rendering engine to interpret the page layout and design of the display content on the Web page at a first scale” “in a manner that replicates browsing the Web page on a desktop Web browser” “enabling a user of the mobile device to zoom in on an image via a user input to a touchscreen display” “page layout and design of display content” “multiple scale factors; and” “at multiple zoom levels . . . corresponding views of the Web page on the hand-held device under which the page layout and design of the display content is retained relative to the interpretation of the page layout and design of the display content at the first scale”
Asserted Claim 2	“to effect scaling of the display content as interpreted at the first scale” “vector-based rendering engine”

’628 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 3	“from among billions of Web pages” “in a manner that replicates browsing of those Web pages on a desktop Web browser”
Asserted Claim 4	“enabling the user to perform zooming operations using tap-based user input detected by the touchscreen display and within the content display area”
Asserted Claim 5	“generating a scaled view of the Web page” “the scaled view of the Web page comprises a magnified view of the Web page as interpreted at the first scale”
Asserted Claim 8	“enabling a user to zoom on a column of content displayed in a current view of the Web page by tapping, via the touchscreen display, within a portion of the column” “enabling a user to zoom” “a zoom level, offset, and view of the Web page is updated” “within a portion of the column, wherein in response thereto, a zoom level, offset, and view of the Web page is updated such that a width of the column is displayed to fit across a width of the content display area in the updated view”
Asserted Claim 9	“enabling a user to zoom on an image displayed in a current view of the Web page by tapping, via the touchscreen display, within the image,” “enabling a user to zoom” “a zoom level, offset, and view of the Web page”
Asserted Claim 10	“zoom on a paragraph displayed in a current view of the Web page by tapping, via the touchscreen display, on text content within the paragraph” “enabling a user to zoom” “a zoom level, offset, and view of the Web page”
Asserted Claim 11	“generating scaled display content in accordance with the current zoom level and pan offset” “wherein a resolution of the display limit bounding box is the same as a resolution of the content display area” “the scaled display content”
Asserted Claim 13	“where the hand-held wireless device comprises a mobile phone.”
Asserted Claim 14	“wherein the hand-held wireless device is configured to be held in the palm of a user”

5.2.5. ’729 Patent

Defendants contend that the following claim limitations of the ’729 Patent—which relate to the enumerated claims and all claims that depend from such enumerated claims—are not enabled or adequately described by the specification, as required by 35 U.S.C. § 112, ¶ 1 (pre-AIA), including in view of Plaintiff’s apparent interpretation of these claim limitations set forth in its Infringement Contentions, to the extent that they can be understood:

’729 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 1	“requesting through a mobile device having a touch-sensitive display a Web page comprising HTML-based Web content” “retrieving and processing at the mobile device the HTML-based Web content including the HTML code for the at least one form and the multiple columns and the CSS content” “rendering the Web page on the touch-sensitive display utilizing the scalable vector representation to produce a first view of the Web page at a first zoom level that preserves the original page layout, functionality and design defined by the HTML-based Web content including the at least one form and the multiple columns and the CSS content relative to the original page layout, functionality and design defined by the HTML-based Web content including the at least one form and the multiple columns and the CSS content when rendered by the commercially available desktop browser;” “original page layout, functionality, and design for viewing” “generate a scalable vector representation of the Web page” “the scalable vector representation” “preserves the original page layout, functionality and design” “relative to the original page layout, functionality and design” “re-rendering” “scalable vector representation” “iteratively zoom” “multiple different zoom levels”

’729 Patent	
Claim	**Term(s) or Phrase(s)**
	“preserving the original page layout, functionality, and design” “relative to the original page layout, functionality and design” “enabling a user to zoom” “re-rendered”
Asserted Claim 2	“wherein the mobile device comprises a mobile phone”
Asserted Claim 3	“via the touch-sensitive display”
Asserted Claim 4	“re-rendered”
Asserted Claim 5	“retrieving and processing HTML-based Web content and the CSS content associated with the hyperlink to translate the HTML-based Web content and the CSS content associated with the hyperlink into an additional scalable vector representation” “render the Web content and the CSS content” “an additional scalable vector representation”
Asserted Claim 6	“touch sensitive display”
Asserted Claim 7	“enabling a user to zoom in on a first of the multiple columns by tapping on the first column via the touch-sensitive display, wherein in response thereto,” “enabling a user to zoom” “re-rendered” “the display is re-rendered such that the first column is displayed to fit a width of a display area of the touch-sensitive display, the display area used for displaying Web page content and the CSS content”
Asserted Claim 8	“enabling a user to zoom on an image by tapping on the image via the touch-sensitive display”

’729 Patent	
Claim	**Term(s) or Phrase(s)**
	“the HTML-based Web content includes at least one image, “ “enabling a user to zoom” “re-rendered” “for displaying the HTML-based Web content”
Asserted Claim 9	“interpreting the HTML code to determine the Web page width”
Asserted Claim 10	“under the first view the Web page width is rendered to fit across the width of the display area of the touch-sensitive display, the display area used for displaying the HTML-based Web content.”
Asserted Claim 11	“the HTML-based Web content further includes HTML code defining the layout for at least one table.”
Asserted Claim 13	“enabling a user to zoom on the at least one paragraph by tapping on the at least one paragraph via the touch-sensitive display” “enabling a user to zoom” “re-rendered”
Asserted Claim 14	“requesting through a mobile device having a touch-sensitive display a Web page comprising HTML-based Web content including HTML code for at least multiple columns and Cascading Style Sheets (CSS) content;” “retrieving and processing the HTML-based Web content including the HTML code for the at least multiple columns and the CSS content at the mobile device to generate a scalable vector representation of the Web page;” “rendering the Web page on the touch-sensitive display utilizing the scalable vector representation to produce a first view of the Web page at a first zoom level that preserves the original page layout, functionality and design defined by the HTML-based Web content including the at least multiple columns and the CSS content relative to the original page layout, functionality and design defined by the HTML-based Web content including the at least multiple columns and the CSS content when rendered by a commercially available desktop browser;” “to generate a scalable vector representation of the Web page” “in response to a tap on a first of the multiple columns via the touch-sensitive display, re-rendering the Web page on the touch-sensitive display such that the first of the multiple

’729 Patent	
Claim	**Term(s) or Phrase(s)**
	columns is displayed to fit a width of a display area of the touch-sensitive display” “preserves the original page layout, functionality and design” “relative to the original page layout, functionality and design” “re-rendering” “iteratively zoom” “multiple different zoom levels . . . preserving the original page layout, functionality, and design” “relative to the original page layout, functionality and design” “re-rendering”
Asserted Claim 15	“wherein the mobile device comprises a mobile phone”
Asserted Claim 16	“enabling a user to zoom”
Asserted Claim 17	“retrieving and processing HTML-based Web content associated with the hyperlink to translate the HTML-based Web content into an additional scalable vector representation” “employing the additional scalable vector representation and/or data derived therefrom to render the HTML-based Web content associated with the hyperlink on the touch-sensitive display.” “scalable vector representation”
Asserted Claim 18	“the HTML-based Web content includes at least one image, the method further comprising enabling a user to zoom on an image by tapping on the image via the touch-sensitive display, wherein in response thereto, the display is re-rendered such that the image is displayed to fit the width of the display area of the touch-sensitive display, the display area used for displaying the HTML-based Web content.” “enabling a user to zoom” “re-rendered”
Asserted Claim 19	“wherein the HTML-based Web content further includes HTML code for at least one table.”
Asserted Claim 21	“an original page layout” “logically grouping selected content”
Asserted Claim 22	“the HTML-based Web content further includes HTML code for at least one form”

5.3. Invalidity Based on Indefiniteness under pre-AIA 35 U.S.C. § 112, ¶ 2 and/or ¶ 6

As detailed below, the Asserted Claims are indefinite under 35 U.S.C. § 112, ¶ 2 and/or ¶ 6 (pre-AIA). The Court's Docket Control Order contemplates that all indefiniteness issues be brought to the Court's attention through the *Markman* briefing process (*see* Dkt. 40 at 6), which has not yet begun. Defendants' detailed arguments as to indefiniteness will be presented at that time, through the *Markman* meet and confer and briefing process.

Subject to Defendants' reservation of rights, and based on Defendants' present understanding of Plaintiff's infringement contentions (and their apparent construction of the claims, to the extent they can be understood), at least one or more of these claim terms/phrases/limitations are indefinite because they, read in light of the specification and the prosecution history, fail to inform with reasonable certainty those skilled in the art about the scope of the invention, and are therefore invalid for indefiniteness under 35 U.S.C. § 112, ¶ 2 (pre-AIA). *See Nautilus, Inc. v. Biosig Instruments, Inc*., 134 S. Ct. 2120 (2012). Although the question of whether a given claim term is indefinite may turn on claim construction positions (including claim construction positions advocated by Plaintiff),[2] Defendants allege that at least the following claims, and all claims dependent from the identified claims, are invalid because they include limitations and/or claim terms that fail to satisfy the definiteness requirement of 35 U.S.C. § 112, ¶ 2 (pre-AIA). In addition, to the extent that any of the nonce terminology in the Asserted Claims are held to constitute means plus function terms under 35 U.S.C. § 112, ¶ 6 (pre-AIA), one or more claims would also be invalid for indefiniteness because the specification does not disclose adequate

[2] As a consequence, Defendants reserve the right to identify additional indefinite terms as part of the claim construction process. Defendants' contention that one or more of the terms identified herein is indefinite depends, at least in part, on claim construction positions ostensibly advanced by SoftView through its Infringement Contentions, to the extent they can be understood, and may be revised as the claim construction process proceeds.

corresponding structure, material, or acts for claim terms reciting functional language subject to 35 U.S.C. § 112, ¶ 6 (pre-AIA).

As will be more fully developed through the *Markman* meet and confer and briefing process, the specification and the prosecution history of the Asserted Patents, fail to inform with reasonable certainty those skilled in the art about the scope of the invention.

5.3.1. '353 Patent

Defendants contend that the following claim limitations of the '353 Patent—which relate to the enumerated claims and all claims that depend from such enumerated claims—fail to satisfy the definiteness requirement of 35 U.S.C. § 112, ¶ 2 (pre-AIA), including in view of Plaintiff's apparent interpretation of these claim limitations set forth in its Infringement Contentions, to the

'353 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 1	"processing means" "wireless communications means" "the wireless communication means" "storage means" "processing means" "translating at least a portion of the HTML-based Web content from its original format into scalable content that supports a scalable resolution-independent representation of the Web page . . . preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered" "scaling the scalable content to render the Web page on the display"
Asserted Claim 11	"enabling a user to zoom on a column of the Web page via a corresponding user input" "re-rendered"
Asserted Claim 14	"re-rendered"
Asserted Claim 15	"re-rendered such that the image is rendered to fit across the display"
Asserted Claim 18	"enabling a user to zoom of the Web content via a corresponding user input" "re-rendered"

’353 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 21	“re-rendered”
Asserted Claim 30	“wherein the device comprises a mobile phone”
Asserted Claim 35	“preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page”
Asserted Claim 36	“processing HTML-based Web content to produce scalable content” “while preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view”
Asserted Claim 37	“wherein the device comprises a mobile phone”
Asserted Claim 48	“enabling a user to zoom on a column of the Web content via a corresponding user input” “re-rendered”
Asserted Claim 53	“enabling a user to zoom on a paragraph” “via a corresponding user input” “re-rendered”
Asserted Claim 69	“The mobile device” “preserves the original layout, functionality, and design of the HTML-based Web a e content of each Web page”
Asserted Claim 70	“processing means” “wireless communications means” “storage means” “re-render” “while preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view of the Web page”
Asserted Claim 87	“re-rendering” “while preserving the original page layout, functionality, and design of the Web a e content at each zoom level and panned view”
Asserted Claim 88	enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 92	“enabling a user to zoom on an image via a corresponding user input, wherein in response thereto, the display is re-rendered such that the image is enlarged”
Asserted Claim 95	“enabling a user to zoom on a paragraph of the Web page via a corresponding user input” “re-rendered”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 98	“re-rendered”
Asserted Claim 108	“wherein the device comprises a mobile phone”
Asserted Claim 111	“preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page”
Asserted Claim 118	“translating at least a portion of the HTML-based Web content from its original format into scalable content that supports a scalable resolution-independent representation of the Web page . . . preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered” “scaling the scalable content to render the Web page on the display”
Asserted Claim 128	“enabling a user to zoom on a column of the Web page via a corresponding user input” “re-rendered”
Asserted Claim 133	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 144	“wherein the device comprises a mobile phone”
Asserted Claim 149	“re-render” “preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view”
Asserted Claim 161	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 164	“re-rendered”
Asserted Claim 168	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 170	“re-rendered”
Asserted Claim 182	“preserved at each zoom level and panned view”
Asserted Claim 185	“the hand-held device” “preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view of the Web page” “preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 186	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 189	“re-rendered”
Asserted Claim 193	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 196	“re-rendered”
Asserted Claim 204	“that are preserved at each zoom level and panned view”
Asserted Claim 206	“wherein the device comprises a mobile phone”
Asserted Claim 209	“translating at least a portion of the HTML-based Web content into scalable content that supports a scalable resolution-independent representation of the Web page . . . preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered” “employing the scalable content to render the Web page on the display using a first scale factor” “re-render” “preserved under both the first and second scale factors”
Asserted Claim 215	“wireless communication means” “preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page” “the display”
Asserted Claim 216	“translating at least a portion of the HTML-based Web content from its original format into scalable content that supports a scalable resolution-independent representation of the Web page . . . preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered” “scaling the scalable content to render the Web page on the display”
Asserted Claim 226	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 228	“re-rendered”
Asserted Claim 233	“enabling a user to zoom” “via a corresponding user input” “re-rendered”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 236	“re-rendered”
Asserted Claim 245	“wherein the device comprises a mobile phone”
Asserted Claim 251	“browse, zoom, and pan billions of Web pages in a manner that preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page”
Asserted Claim 252	“re-render” “while preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view of the Web page,” “preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page at each zoom level and panned view”
Asserted Claim 253	“wherein the device comprises a mobile phone”
Asserted Claim 257	“re-rendered”
Asserted Claim 264	“enabling a user to zoom” via a corresponding user input” “re-rendered”
Asserted Claim 269	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 282	“cascaded style sheet data defining aspects of the Web page design that are preserved at each zoom level and panned view”
Asserted Claim 285	“re-rendering” “while preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view”
Asserted Claim 286	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 289	“re-rendered”
Asserted Claim 293	“enabling a user to zoom” “via a corresponding user input” “re-rendered”
Asserted Claim 296	“re-rendered”
Asserted Claim 304	“data defining aspects of the Web page design that are preserved at each zoom level and panned view”

’353 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 317	“zoom in on an image of the Web page by tapping on the image via the display” “zoom in on a column of the Web page by tapping on the column via the display; and” “zoom out to a previous view of the Web page”
Asserted Claim 318	“the browser renders the Web page such that the original page layout, functionality, and design of the Web page are preserved at any selectable zoom level”
Asserted Claim 319	“browse, zoom, and pan billions of Web pages in a manner that preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page”

5.3.2. ’889 Patent

Defendants contend that the following claim limitations of the ’889 Patent—which relate to the enumerated claims and all claims that depend from such enumerated claims—fail to satisfy the definiteness requirement of 35 U.S.C. § 112, ¶ 2 (pre-AIA), including in view of Plaintiff’s apparent interpretation of these claim limitations set forth in its Infringement Contentions, to the extent that they can be understood:

’889 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 1	“processing, via the wireless hand-held device, the markup language-based Web content with a rendering engine to generate page layout information corresponding to the original page layout of content on the Web page as interpreted by the rendering engine” “employing the page layout information to generate scalable page layout information” “preserving the original page layout, functionality, and design of the content on the Web page defined by the markup language-based Web content”
Asserted Claim 2	“re-rendering”
Asserted Claim 5	“parsing and processing markup language code with the rendering engine”
Asserted Claim 15	“re-rendered” “selected column”

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 68

’889 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 17	“re-rendered”
Asserted Claim 19	“re-rendered”
Asserted Claim 22	“scalable page layout information”
Asserted Claim 23	“parsing and processing” “the received Web content” “as interpreted by the rendering engine” “associating each object and its object layout information”
Asserted Claim 34	“scalable page layout information”
Asserted Claim 35	“scalable vector-based page layout information” “the location of a point prior to transformation”
Asserted Claim 37	“layout and presentation attributes”
Asserted Claim 38	“processed by the rendering engine” “as interpreted by the rendering engine”
Asserted Claim 39	“the Web page content”
Asserted Claim 40	“approximately proportional” “the zoom level of the view” “processing the HTML-based Web content with a rendering engine” “as interpreted by the rendering engine” “iterative zoom”
Asserted Claim 108	“processing the HTML-based Web content with a rendering engine” “as interpreted by the rendering engine” “preserving the original page layout, functionality, and design of the content on the Web page defined by the HTML-based Web content”
Asserted Claim 109	“scaling content associated with the image”
Asserted Claim 114	“displaying a portion of the Web page that is entirely not shown in the current view,”
Asserted Claim 115	“a fraction of a second”

5.3.3. ’154 Patent

Defendants contend that the following claim limitations of the ’154 Patent—which relate to the enumerated claims and all claims that depend from such enumerated claims—fail to satisfy the definiteness requirement of 35 U.S.C. § 112, ¶ 2 (pre-AIA), including in view of Plaintiff’s apparent interpretation of these claim limitations set forth in its Infringement Contentions, to the extent that they can be understood:

’154 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 13	“an interpreted page layout, functionality, and design of the content” “that is in accordance with the HTML code and CSS code” “logically grouping content” “generating page layout information” “scalable vector representation” “render the scalable vector representation of the HTML document on the touch-sensitive display” “one or more respective scale factors” “the interpreted page layout, functionality, and design of the content associated with the HTML document is preserved at each of the first zoom level and the one or more user-defined zoom levels”
Asserted Claim 17	“wherein the views” “time to effect zooming operations”
Asserted Claim 18	“effected in a fraction of a second”
Asserted Claim 19	“generating a vector-based display list” “employing the vector-based display list”
Asserted Claim 21	“The mobile hand-held device of claim 20” “wherein execution of the instructions performs” “a respective Universal Resource Locators (URLs)” “the image” “the URL” “employing the respective bounding boxes to scale images in the rendered views of the HTML document”
Asserted Claim 23	“respective Universal Resource Locators (URLs)” “the image” “the URL”

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 70

’154 Patent	
Claim	**Term(s) or Phrase(s)**
	“employing the respective bounding boxes to scale images in the rendered views of the HTML document”
Asserted Claim 25	“the vectors”

5.3.4. ’628 Patent

Defendants contend that the following claim limitations of the ’628 Patent—which relate to the enumerated claims and all claims that depend from such enumerated claims—fail to satisfy the definiteness requirement of 35 U.S.C. § 112, ¶ 2 (pre-AIA), including in view of Plaintiff’s apparent interpretation of these claim limitations set forth in its Infringement Contentions, to the extent that they can be understood:

’628 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 1	“in a manner that replicates browsing the Web page on a desktop Web browser” “page layout and design of display content” “the Web browser rendering engine” “multiple scale factors; and” “the mobile device” “at multiple zoom levels . . . corresponding views of the Web page on the hand-held device under which the page layout and design of the display content is retained relative to the interpretation of the page layout and design of the display content at the first scale”
Asserted Claim 2	“vector-based rendering engine”
Asserted Claim 3	“from among billions of Web pages” “in a manner that replicates browsing of those Web pages on a desktop Web browser”
Asserted Claim 5	“generating a scaled view of the Web page”
Asserted Claim 7	“the presentation of text content”
Asserted Claim 8	“enabling a user to zoom” “a zoom level, offset, and view of the Web page is updated” “the updated view”
Asserted Claim 9	“enabling a user to zoom” “a zoom level, offset, and view of the Web page”

’628 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 10	“enabling a user to zoom” “a zoom level, offset, and view of the Web page”
Asserted Claim 11	“in accordance with the current zoom level and pan offset” “wherein a resolution of the display limit bounding box is the same as a resolution of the content display area”

5.3.5. ’729 Patent

Defendants contend that the following claim limitations of the ’729 Patent—which relate to the enumerated claims and all claims that depend from such enumerated claims—fail to satisfy the definiteness requirement of 35 U.S.C. § 112, ¶ 2 (pre-AIA), including in view of Plaintiff’s apparent interpretation of these claim limitations set forth in its Infringement Contentions, to the extent that they can be understood:

’729 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 1	“original page layout, functionality, and design for viewing” “generate a scalable vector representation of the Web page” “the scalable vector representation” “preserves the original page layout, functionality and design” “relative to the original page layout, functionality and design” “re-rendering” “scalable vector representation” “iteratively zoom” “multiple different zoom levels” “preserving the original page layout, functionality, and design” “relative to the original page layout, functionality and design” “enabling a user to zoom” “re-rendered”
Asserted Claim 5	“an additional scalable vector representation”
Asserted Claim 7	“enabling a user to zoom” “re-rendered”

’729 Patent	
Claim	**Term(s) or Phrase(s)**
Asserted Claim 8	“enabling a user to zoom” “re-rendered”
Asserted Claim 13	“enabling a user to zoom” “re-rendered”
Asserted Claim 14	“to generate a scalable vector representation of the Web page” “preserves the original page layout, functionality and design” “relative to the original page layout, functionality and design” “re-rendering” “iteratively zoom” “multiple different zoom levels . . . preserving the original page layout, functionality, and design” “relative to the original page layout, functionality and design” “re-rendering”
Asserted Claim 16	“enabling a user to zoom”
Asserted Claim 17	“scalable vector representation”
Asserted Claim 18	“enabling a user to zoom” “re-rendered”
Asserted Claim 21	“an original page layout” “logically grouping selected content”

6. Local Patent Rule 3-4 Production

Defendants are concurrently producing or has already produced documents required by P.R. 3-4(a) and (b), including documents stamped with Bates Nos. PRIORART_00000001 – PRIORART_00008357. Defendants will produce the system prior art identified in these contentions as identified in the accompanying charts.

* * *

SoftView EX2006
Google v. SoftView, IPR2026-00281
Page 74

Date: August 20, 2025

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document and its accompanying Exhibits A1–A13, B1–B13, C1–C13, D1–D13, E1–E13, and Appendix A were served upon counsel of record for Plaintiff on August 20, 2025 via sftp electronic service.

/s/ Julie R. Romanow