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' SUBJECT MATTER ELIGIBILITY CONTENTIONS

1. Introduction

Pursuant to Local Patent Rules ("P.R.") 3-3 and 3-4, Judge Gilstrap's Standing Order Regarding Subject Matter Eligibility Contentions and the Court's Fourth Amended Docket Control Order (Dkt. 40), Defendants Samsung Electronics Co., Ltd. ("SEC") and Samsung Electronics America, Inc. ("SEA") (collectively, "Defendants" or "Samsung"), by their undersigned attorneys, hereby provide their Subject Matter Eligibility Contentions ("Eligibility Contentions").

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 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

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(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."

On August 15, 2025, just before Defendants' deadline to serve invalidity contentions, Plaintiff 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. Defendants thus understand that Plaintiff is not pursuing patent infringement claims with respect to the foregoing patent claims and that such allegations have been permanently dropped with prejudice. Out of an abundance of caution, Defendants have kept in its invalidity contentions certain contentions regarding this group of claims. For Defendants' Eligibility Contentions, Defendants have no longer included contentions regarding this group of claims in light of Plaintiff's confirmation that these claims have been permanently dropped.

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.

In its Infringement Contentions, Plaintiff identified the alleged priority date of the Asserted Patents as April 7, 2001.

2. Reservations

Consistent with the Court's Standing Order Regarding Subject-Matter Eligibility Contentions and Fed. R. Civ. P. 26(e), Defendants reserve the right to revise, amend, and

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supplement these Eligibility Contentions. The information and documents Defendants produce are provisional and subject to further revision. Defendants reserve the right to revise, amend, and supplement these disclosures in response to, *e.g.*, any claim construction ruling by the Court, and if Plaintiff should (1) provide any information that it failed to provide in its P.R. 3-1 and 3-2 disclosures; (2) amend its P.R. 3-1 or 3-2 disclosures in any way; or (3) attempt to rely upon any information at trial, in a hearing, or during a deposition that it failed to provide in its P.R. 3-1 and 3-2 disclosures.

Defendants provide the information below for the sole purpose of complying with the Court's Standing Order Regarding Subject-Matter Eligibility Contentions. The information provided shall not be deemed an admission regarding the scope of any claims or the proper construction of those claims or any terms contained therein. Nothing included within these Eligibility Contentions should be understood or deemed to be an express or implied admission or contention with respect to the proper construction of any terms in the Asserted Claims, or with respect to any alleged infringement of that claim. Nor shall anything provided herein be deemed an admission that any claim, claim term or limitation satisfies the requirements of 35 U.S.C. § 112 (pre-AIA). All statements herein relating to, *e.g.*, claim elements that were known and conventional as of the applicable priority dates are made solely for purposes of this disclosure, and only to the extent those claim elements can be understood to any degree in view of Plaintiff's Infringement Contentions and the patents' disclosures. Defendants expressly reserve the right to assert that any claim, claim term or limitation of the Asserted Claims fails to satisfy the requirements of 35 U.S.C. § 112 (pre-AIA), including without limitation for being indefinite, being unsupported by an adequate written description, and/or for lacking enablement. Defendants further expressly reserve the right to assert that any claim term is subject to 35 U.S.C. § 112 ¶ 6 (pre-AIA).

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Discovery has only recently begun, and Defendants' prior art investigation is not complete. Defendants have not yet taken the deposition of, *e.g.*, the named inventors of the Asserted Patents; Defendants have not yet taken discovery from third parties who may have information concerning prior art identified herein and/or additional prior art; and Defendants' investigation of prior art is ongoing. Defendants intend to diligently pursue discovery. Accordingly, Defendants reserve the right to revise, amend, and supplement these Eligibility Contentions, including to identify additional information supporting prior art identified herein, and/or additional prior art, to show the state of the art as of the priority dates as it receives information from these or other parties, consistent with the Patent Rules and the Federal Rules of Civil Procedure.

Defendants also reserve the right to revise, amend, and supplement these Eligibility Contentions if Plaintiff later attempts to provide any information that it failed to provide in its Infringement Contentions, or if Plaintiff attempts to amend, supplement, alter, or explain its disclosures in any way. In particular, Defendants note that Plaintiff's Infringement Contentions fail to provide sufficient detail concerning Plaintiff's infringement theory to determine what Plaintiff contends to be infringing functionality or how any product offered by Defendants satisfies any particular claim or claim limitation. Defendants provide these Eligibility Contentions consistent with the Court's Docket Control Order (Dkt. 40) currently in place but does so without waiving any right to receive from Plaintiff such full and complete specific infringement disclosures as should have been provided from the outset. Defendants' compliance with the current schedule should not be viewed as a waiver of any rights with respect to Plaintiff's Infringement Contentions. In view of such deficiencies, Defendants reserve the right to revise, amend, and supplement these Eligibility Contentions, including to identify additional information supporting prior art identified

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herein, and/or additional prior art, once Plaintiff's theories of infringement are meaningfully elucidated, to the extent permitted.

The parties have yet to begin the process of exchanging information regarding claim construction and the Court has not yet construed the claims of the Asserted Patents. Defendants therefore reserve the right to revise, amend, and supplement their Eligibility Contentions in view of the claim construction process and in particular after the Court's determination of the scope and meaning of any claim term or element. Defendants also reserve the right to revise, amend, and supplement these Eligibility 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.

In this document, Defendants use what they understand are Plaintiff's apparent constructions of the Asserted Claims as provided in Plaintiff's Infringement Contentions, to the extent Defendants can understand those Eligibility Contentions, because Plaintiff must use the same interpretation of its claims for infringement and validity. Nothing in this document should be taken as an admission that Defendants agree with Plaintiff on the scope or interpretation of the Asserted Claims or as reflecting Defendants' understanding of the scope or interpretation of the Asserted Claims. Defendants are not taking any claim construction positions via these Eligibility Contentions. Rather, Defendants offer these Eligibility Contentions without prejudice to any position they may ultimately take as to any claim construction issues, as to the non-infringement of any of Defendants' accused products, and as to the invalidity of the Asserted Claims on any ground. Accordingly, these Eligibility Contentions are made in the alternative, are not necessarily intended to be consistent with each other, and should not be otherwise construed. Defendants

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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 Eligibility Contentions.

Defendants further reserve the right to rely upon the prosecution histories of the Asserted Patents, prior art cited in the prosecution histories of the Asserted Patents, any applicable industry standards as well as the art and references identified in Defendants' Invalidity Contentions served simultaneously herewith, to show the state of the art at the relevant time. Defendants' Invalidity Contentions, and any amendments and/or supplementation thereto, are hereby expressly incorporated by reference as if fully set forth herein. Defendants further intend to rely on the patent applicants' admissions concerning the scope of the prior art relevant to the Asserted Patents found in, *inter alia*, the patent prosecution histories for the Asserted Patents; any deposition testimony of the named inventors of the Asserted Patents; and the papers filed and any evidence submitted by Plaintiff in connection with this litigation and any proceedings involving the Asserted Patents.

The case law cited herein is exemplary. Defendants reserve the right to rely on any relevant decisions concerning 35 U.S.C. § 101, whether or not expressly cited in these disclosures, including without limitation decisions that issue after services of these disclosures.

3. Invalidity Based on Unpatentable Subject Matter Under 35 U.S.C. § 101

Section 101 lists four broad categories of patent-eligible subject matter but is subject to "an important implicit exception" that "[l]aws of nature, natural phenomena, and abstract ideas," which form the "basic tools of scientific and technological work," are not eligible for patent protection. *Alice Corp. Pty. Ltd. v. CLS Bank Int'l*, 573 U.S. 208, 216 (2014) (internal quotation marks omitted). "The 'abstract ideas' category embodies 'the longstanding rule that an idea of itself is not patentable.'" *Id.* at 209 (quoting *Gottschalk v. Benson*, 409 U.S. 63, 67 (1972)). *Alice* sets forth a two-step inquiry.

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In the first step of a Section 101 analysis under *Alice*, "the claims are considered in their entirety to ascertain whether their character as a whole is directed to excluded subject matter." *Internet Patents Corp. v. Active Network, Inc.*, 790 F.3d 1343, 1346 (Fed. Cir. 2015). For electronic system claims, a "relevant inquiry at step one is to ask whether the claims are directed to an improvement to computer functionality versus being directed to an abstract idea." *In re TLI Commc'ns LLC Patent Litig.*, 823 F.3d 607, 612 (Fed. Cir. 2016) (internal quotations and citation omitted). The Step 1 analysis examines "whether the claims focus on a specific means or method that improves the relevant technology," which may pass muster under Section 101, or are "directed to a result or effect that itself is the abstract idea and merely invoke generic processes and machinery," which indicates that the claims are directed to an abstract idea. *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016) (internal quotations and citation omitted). While the Supreme Court has not "delimit[ed] the precise contours of the 'abstract ideas' category" (*Alice*, 134 S. Ct. at 2357), "courts have generally sought to 'compare claims at issue to those claims already found to be directed to an abstract idea in previous cases.'" *D&M Holdings Inc. v. Sonos, Inc.*, No. 16-141-RGA, 2017 WL 1395603, at *3 (D. Del. Apr. 18, 2017), quoting *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1334 (Fed. Cir. 2016).

In the second step of a Section 101 analysis under *Alice*, the claims "must include additional features" that "must be more than well-understood, routine, conventional activity." *Ultramercial*, 772 F.3d at 715 (quotation omitted).The second step of *Alice* "consider[s] the elements of each claim both individually and 'as an ordered combination' to determine whether the additional elements 'transform the nature of the claim' into a patent-eligible application." *Alice*, 134 S. Ct. at 2347 (quotation omitted). An inventive concept recited in the claims "cannot simply be an instruction to implement or apply the abstract idea on a computer." *Bascom Glob. Internet Servs.,*

Inc. v. AT&T Mobility LLC, 827 F.3d 1341, 1349 (Fed. Cir. 2016). The claims must recite an inventive concept that is "significantly more than the abstract idea itself." *Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1350 (Fed. Cir. 2021).

Here, the Asserted Claims are broadly generic and do not contain meaningful limitations that would restrict it to a non-routine, specific application of the abstract idea. They merely recite abstract ideas implemented using admittedly generic and conventional technology to "perform well-understood, routine, and conventional activities commonly used in the industry." *Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat'l Ass'n*, 776 F.3d 1343, 1348 (Fed. Cir. 2014). The Asserted Patents contain no inventive concept amounting to "significantly more" than the claimed abstract idea itself. *See Mayo*, 132 S. Ct. at 1294. The elements of the Asserted Claims, whether taken together or individually, are well-understood, routine, and conventional for purposes of subject matter eligibility. These elements provide no inventive concept because the functions performed by the recited hardware are "purely conventional." *Alice*, 134 S. Ct. at 2359 (quoting *Mayo*, 132 S. Ct. at 1298).

Defendants contend that all Asserted Claims are invalid as being directed to a patent-ineligible abstract idea without an inventive concept that would transform the claim into patent-eligible subject matter, in contravention of the requirements of 35 U.S.C. § 101. *See generally Alice Corp. v. CLS Bank Int'l*, 134 S. Ct. 2347 (2014).

Other decisions relevant to the following analyses include without limitation: *Parker v. Flook*, 437 U.S. 584 (1978); *Diamond v. Diehr*, 450 U.S. 175 (1981); *Bilski v. Kappos*, 561 U.S. 593 (2010); *CyberSource Corp. v. Retail Decisions, Inc.*, 654 F.3d 1366 (Fed. Cir. 2011); *Dealertrack, Inc. v. Huber*, 674 F.3d 1315, 1334 (Fed. Cir. 2012); *Bancorp Servs. L.L.C. v. Sun Life Assur. Co.*, 687 F.3d 1266 (Fed. Cir. 2012); *Mayo Collaborative Servs. v. Prometheus Labs.,*

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Inc., 132 S. Ct. 1289 (2012); *Alice Corp. v. CLS Bank Int'l*, 573 U.S. 208 S. Ct. 2347 (2014); *Ultramercial, Inc. v. Hulu, LLC*, 772 F.3d 709 (Fed. Cir. 2014); *buySAFE, Inc. v. Google, Inc.*, 765 F.3d 1350 (Fed. Cir. 2014); *Morales v. Square, Inc.*, 75 F.Supp.3d 716, 726 (W.D. Tex. 2014); *Amdocs (Israel) Ltd. v. Openet Telecom, Inc.*, 841 F.3d 1288 (Fed. Cir. 2016); *In re TLI Communications LLC Patent Litigation*, 823 F.3d 607 (Fed. Cir. 2016); *Intellectual Ventures I LLC v. Symantec Corp.*, 838 F.3d 1307 (Fed. Cir 2016); *Multimedia Plus, Inc. v. Playerlync, LLC*, 198 F.Supp.3d 264 (S.D.N.Y. 2016); *Synopsys, Inc. v. Mentor Graphics Corp.*, 839 F.3d 1138, 1151 (Fed. Cir. 2016); *Apple, Inc. v. Ameranth, Inc*., 842 F.3d 1229 (2016); *FairWarning IP, LLC v. Iatric Systems, Inc.*, 839 F.3d 1089 (Fed. Cir. 2016); *Smart Systems Innovations, LLC v. Chicago Transit Authority*, 873 F.3d 1364 (Fed. Cir. 2017); *Phoenix Licensing, L.L.C. v. Consumer Cellular, Inc.*, No. 2:16-cv-152-JRG-RSP, 2017 WL 1065938 (E.D. Tex. Mar. 8, 2017); Prism Techs LLC v. T-Mobile U.S., Inc., 696 F. App'x ___ (Fed. Cir. 2017); *Secured Mail Solutions LLC v. Universal Wilde, Inc.*, 873 F.3d 905 (Fed. Cir. 2017); *Uniloc USA, Inc. v. ADP, LLC*, 279 F.Supp.3d 736 (E.D. Tex. 2017); *Ancora Technologies, Inc. v. HTC America, Inc.*, 908 F.3d 1343 (Fed. Cir. 2018); *Aatrix Software, Inc. v. Green Shades Software, Inc.*, 882 F.3d 1121 (Fed. Cir. 2018); *BSG Tech LLC v. Buyseasons, Inc.*, 899 F.3d 1281 (Fed. Cir. 2018); *Finjan, Inc. v. Blue Coat Sys., Inc*., 879 F.3d 1299 (Fed. Cir 2018); *Core Wireless Licensing S.A.R.L. v. LG Elect., Inc.*, 880 F.3d 1356 (2018); *Interval Licensing LLC v. AOL, Inc.*, 896 F.3d 1335 (Fed Cir. 2018); *The Chamberlain Grp., Inc. v. Techtronic Indus. Co.*, 935 F.3d 1341 (Fed. Cir. 2019); *ChargePoint, Inc. v. Sema-Connect, Inc.*, 920 F.3d 759 (Fed. Cir. 2019); *First-Class Monitoring, LLC v. UPS of Am., Inc.*, 389 F.Supp.3d 456 (E.D. Tex. 2019); *PPS Data, LLC v. Jack Henry & Assocs., Inc.*, 404 F.Supp.3d 1021 (E.D. Tex. 2019); *Specialized Monitoring Solutions, LLC v ADT LLC*, 367 F.Supp.3d 575 (E.D. Tex. 2019); *Dropbox, Inc. v. Synchronoss Techs., Inc.*, 815 F. App'x 529 (Fed. Cir. 2020); *In re*

Rosenberg, 813 F. App'x 594 (Fed. Cir. 2020); *Electronic Comm. Techs., LLC v. Shopperschoice.com*, 958 F.3d 1178 (Fed. Cir. 2020); *Ericsson Inc. v. TCL Comm. Tech. Holdings Ltd.*, 955 F.3d 1317 (2020); *CardioNet, LLC v. InfoBionic*, *Inc.*, No. 20-2123, 2021 WL 5024388 (Fed. Cir. Oct. 29, 2021); *Health Discovery Corp. v. Intel Corp.*, 577 F.Supp.3d 570 (W.D. Tex. 2021); *Mentone Solutions LLC v. Digi International Inc.*, No. 21-1202, 2021 WL 5291802 (Fed. Cir. Nov. 15, 2021); *Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342 (Fed. Cir. 2021); *Cosmokey Solutions GMBH v. Duo Security LLC*, 15, F.4th 1091 (2021); *Miller Mendel, Inc. v. City of Anna, Texas*, 598 F.Supp.3d 486 (E.D. Tex. 2022); *Repifi Vendor Logistics v. IntelliCentrics, Inc.*, No. 21-1906, 2022 WL 794981 (Fed. Cir. Mar. 15, 2022); *In the Matter of Certain Smart Thermostat Systems, Smart HVAC Systems, Smart HVAC Control Systems, and Components Thereof*, No. 337-TA-1258, Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond (I.T.C. Apr. 4, 2022); *International Business Machines Corporation v. Zillow Group, Inc.*, 50 F.4th 1371 (Fed. Cir. 2022); *In re Killian*, 45 F.4th 1372 (Fed. Cir. 2022); *ChromaDex, Inc. v. Elysium Health, Inc.*, 59 F.4th 1280 (Fed. Cir. 2023); *Hawk Technology Systems, LLC v. Castle Retail, LLC*, 60 F.4th 1349 (Fed. Cir. 2023); *Sanderling Management Ltd. v. Snap Inc.*, 65 F.4th 698 (Fed. Cir. 2023); *Trinity Info Media, LLC v. Covalent, Inc.*, 72 F.4th 1355 (Fed. Cir. 2023); *Samsung Elect. Co., Ltd. v Blaze Mobile, Inc*., 673 F.Supp.3d 1066 (N.D. Cal. 2023); *Chewy, Inc. v. International Business Machines Corporation*, 94 F.4th 1354 (Fed. Cir. 2024); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F.4th 1371 (Fed. Cir. 2024); *Beteiro, LLC v. DraftKings Inc.*, 104 F.4th 1350 (Fed. Cir. 2024); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F.4th 1280 (Fed. Cir. 2024); *Broadband iTV, Inc. v. Amazon.com, Inc.*, 113 F.4th 1359 (Fed. Cir. 2024).

In accordance with footnote 5 of the Court's Docket Control Order (Dkt. 40), incorporated herein is the following:

1) A chart identifying each exception to eligibility (*e.g.*, abstract idea, law of nature, and natural phenomenon) to which each Challenged Claim is directed and the factual and legal basis therefor. The chart shall also identify whether one or more of the Challenged Claims are representative of any other Challenged Claims.

2) A chart identifying the following:

   a) A description of the industry, at the relevant time, in which the Challenged Claims are alleged to be well understood, routine, and conventional, and the factual and legal basis therefor;

   b) A description of how each element of each Challenged Claim, both individually and in combination with the other elements of that claim, was:

      i. well understood;/

      ii. routine; and

      iii. conventional,

   in the relevant industry at the relevant time, and the legal and factual basis therefor.

3) A chart identifying any other factual or legal basis for how the Challenged Claims are otherwise ineligible for patent protection.

3.1. '353 Patent

3.1.1. A chart identifying each exception to eligibility (*e.g.*, abstract idea, law of nature, and natural phenomenon) to which each Challenged Claim is directed and the factual and legal basis therefor.

'353 Patent Claim[1]	Exception to Eligibility	Factual and Legal Basis	Representative Claim
1	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	1

[1] On August 15, 2025, Plaintiff voluntarily withdrew its infringement allegations for claims 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 against the Defendants.

’353 Patent Claim[1]	Exception to Eligibility	Factual and Legal Basis	Representative Claim
11, 30, 31, 35	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	1
36	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	36
37, 38, 48, 50, 53, 55, 69	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	36
70	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	36
87	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	87
111	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	87
118	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	1
128, 133, 134, 144, 145	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	1
149	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	36
150, 151, 161, 168, 171, 182	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	36
185	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	87

’353 Patent Claim[1]	Exception to Eligibility	Factual and Legal Basis	Representative Claim
186, 187, 189, 193, 194, 196, 204, 206, 207	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	87
209	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	209
216	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	1
252	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	36
253, 254, 264, 269, 282	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	36
285	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	87
286, 287, 293, 294, 296, 304, 306, 307	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	87
317	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	317
318, 319	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	317

3.1.2. Factual and Legal Basis for Subject Matter Ineligibility

3.1.2.1 *Alice* Step One: The Asserted Claims Are Directed to the Abstract Ideas of Receiving Web Pages Comprised of HTML Content and Converting Said Web Pages Into Scalable Vectors

In all claims discussed for the '353 Patent, some form of a "Web page" is either directly recited or inferred through dependency to another claim. For example:

> "the Web page comprising HTML-based Web content having an original format defining an original width and height of the Web page and an original page layout, functionality, and design of content on the Web page" (claims 1, 118, 216).
>
> "Web page comprising HTML-based Web content defining an original page layout, functionality, and design of content on the Web page" (claims 36, 70, 87, 149, 185, 252, 285).
>
> "Web page comprising HTML-based Web content defining an original page layout, functionality, and design of content on the Web page" (claim 209).
>
> "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" (claim 317).

None of the various recitations of "Web page" discloses anything other than conventional and generic web page components, *e.g.*, "HTML-based Web content." None of the recited web page components is an improvement to HTML-based web pages that result in improved storage or operation. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016) ("In sum, the self-referential table recited in the claims on appeal is a specific type of data structure designed to improve the way a computer stores and retrieves data in memory."). These recitations of Web pages throughout the claims of the '353 Patent contain the original formatting information of the retrieved Web page(s), which is related to the conventional and generic concept of arrangement of information on a display. *See Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1354 (Fed. Cir. 2016); *Content Extraction*, 776 F.3d at 1347. Thus, in all the claims of the '353 Patent, the Web pages are comprised of conventional and generic elements, and their specific structures are not patent-eligible.

3.1.2.1.1 Independent Claim 1

Representative claim 1 of the ’353 Patent recites as follows (emphasis added):

1. A wireless device, comprising:

> processing means; wireless communications means, to facilitate wireless communication with a network that supports access to the Internet; a display; memory; and storage means, in which a plurality of instructions are stored that when executed by the processing means enable the wireless device to perform operations including,
>
> ***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 having an original format defining an original width and height of the Web page and an original page layout, functionality, and design of content on the Web page;
>
> in response to a user request to access the Web page, ***retrieving the Web page via the wireless communication means***, and ***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*** that ***preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered***; and
>
> ***scaling the scalable content to render the Web page*** on the display such that a width of the Web page is rendered to fit across the display.

The PTAB found that claim 1 of the ’353 Patent was unpatentable in IPR2013-00007, -00256. The Federal Circuit confirmed the PTAB’s findings in *SoftView LLC v. Kyocera Corp.*, 592 F. App’x 947 (Fed. Cir. 2015). The IPR Trial Certificate issued on January 12, 2016 confirms the cancellation of this claim.

The first limitation of claim 1 is directed to a collection of circuitry and other hardware (*e.g.*, processing means, wireless communications means, display, memory, storage means) that interoperate to perform the operations limitations of claim 1. It is well-established that simply implementing an abstract idea on a computer (or computer-like device) does not, without more, confer patent eligibility on that abstract idea. *Alice*, 134 S. Ct. at 2359 (citations omitted). That the web page processing is implemented in a particular technological environment does not alone

confer eligibility, as the mere implementation of using conventional processors and memory does not make it any less abstract. *See Alice*, 573 U.S. at 225; *Intellectual Ventures I LLC v. Symantec Corp.*, 838 F.3d 1307, 1315 (Fed. Cir 2016) ("Claims that 'amount to nothing significantly more than an instruction to apply [an] abstract idea ... using some unspecified, generic computer' and in which 'each step does no more than require a generic computer to perform generic /computer functions' do not make an abstract idea patent-eligible") (citation omitted); *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("limiting the claims to [a] particular technological environment ... is, without more, insufficient to transform them into patent-eligible applications of the abstract idea at their core.").

The next limitation of claim 1 recites "***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 having an original format defining an original width and height of the Web page and an original page layout, functionality, and design of content on the Web page." At best, all this limitation discloses is the wireless device has sufficient hardware resources to render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the '353 Patent, implementing a browser on a wireless device was conventional. The claim limitation does not require any specific arrangement of the components of the wireless device, nor does the claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the wireless device. This type of functional information display requirement, without more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 1 recites "in response to a user request to access the Web page, ***retrieving the Web page via the wireless communication means***." Well before the priority date of

the ’353 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the ’353 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the “retrieving” step, even when triggered by a user request to access a web page, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 1 recites “***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.***” As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) (“The claims in this case do not even require a new source or type of information, or new techniques for analyzing it”). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown translation process that takes the original format of a portion of a Web page and creates “scalable content that supports a scalable resolution-independent representation” of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) (“The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—‘concrete’ and at most recite abstract data manipulation.”); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed.

Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "translating" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the translation process is merely a format conversion, the "***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***" limitation is abstract. In addition, the claim limitation requires that the "***translating***" be performed such that it "***preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered***." Again, the claim limitation does not recite a specific solution with respect to preservation of the Web page content for the same reasons as the claim limitation does not recite any specific solutions with

respect to "translation." This limitation is abstract, and the recitation of generic computer hardware in claim 1 does make the limitation patent-eligible.

The next limitation of claim 1 is "***scaling the scalable content to render the Web page***" on the display. The claim limitation does not recite any specific solution (either hardware or software) that is utilized with the "scalable content" to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."). This limitation is abstract, and the recitation of generic computer hardware in claim 1 does make the limitation patent-eligible.

3.1.2.1.2 Dependent Claim 11

Dependent claim 11 of the '353 Patent recites as follows (emphasis added):

> 11. The wireless device of claim 1, wherein execution of the instructions performs further operations comprising ***enabling a user to zoom on a column 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 column is enlarged***.

The PTAB found that claim 11 of the '353 Patent was unpatentable in *Inter Partes* Reexamination Control No. 95/000,634 ("'634 IPRx"). The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 11 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 11 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that

utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 11 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 11 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 11 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected column" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.3 Dependent Claim 18

Dependent claim 18 of the '353 Patent recites as follows (emphasis added):

> 18. The wireless device of claim 1, wherein execution of the instructions performs further operations comprising ***enabling a user to zoom on a paragraph*** 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 paragraph is enlarged***.

The PTAB found that claim 18 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 18 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 18 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 18 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display (*e.g.*, a paragraph) is enlarged is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 18 is directed to the result of the abstract idea of rendering a display element (*e.g.*, a

paragraph) by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 18 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected paragraph" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.4 Dependent Claim 30

Dependent claim 30 of the '353 Patent recites as follows (emphasis added):

30. The wireless device of claim 1, wherein the device comprises a ***mobile phone***.

The PTAB found that claim 30 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of a mobile phone does not impart patent eligibility. Instead, dependent claim 30 adds a further variation on the abstract ideas of claim 1, but the addition of a mobile phone is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.5 Dependent Claim 31

Dependent claim 31 of the '353 Patent recites as follows (emphasis added):

31. The wireless device of claim 1, wherein the device comprises one of a ***Personal Digital Assistant (PDA) or hand-held computer***.

The PTAB found that claim 31 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of a Personal Digital Assistant (PDA) or hand-held computer does not impart patent eligibility. Instead, dependent claim 31 adds a further variation on the abstract ideas of claim 1, but the addition of a Personal Digital Assistant (PDA) or hand-held computer is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.6 Dependent Claim 35

Dependent claim 35 of the '353 Patent recites as follows (emphasis added):

> 35. The wireless device of claim 1, wherein the device ***enables a user to 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.

The PTAB found that claim 35 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 35 is directed to the result of the abstract ideas of browsing, zooming, and panning a particular web page (one of billions of web pages) such that the browsing, zooming, and panning functions maintain the original layout, functionality, and design of the HTML content on that particular web page. Claim 35 does not, however, disclose or invoke any specific processes or circuitry to accomplish that rendering result, especially for, at a minimum, a billion web pages. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 35 does not recite any specific algorithms or specialized computer circuitry directed to the browsing, zooming, and panning of billions of web pages. Without more, the "browse, zoom, and pan" ability recited in claim 35 is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.7 Independent Claim 36

Independent claim 36 of the '353 Patent recites as follows (emphasis added):

36. A mobile hand-held device, comprising:

> a processor, a wireless communications device, to facilitate wireless communication with a network that supports access to the Internet; a display; and flash memory, operatively coupled to the processor, in which a plurality of instructions are stored that when executed by the processor enable the mobile hand-held device to perform operations including,
>
> ***rendering a browser interface*** via which a user is enabled to request access to a Web page comprising HTML-based Web content defining an original page layout, functionality, and design of content on the Web page;
>
> ***retrieving the Web page via the wireless communications device***, and ***processing HTML-based Web content to produce scalable content***; and
>
> ***employing at least one of the scalable content or data*** derived therefrom to, render the Web page on the display; and
>
> ***re-render the display*** in response to associated user inputs ***to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web page content*** at each zoom level and panned view.

The PTAB found that claim 36 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The first limitation of claim 36 is directed to a collection of circuitry and other hardware (*e.g.*, processor, a wireless communications device, display, flash memory) that interoperate to perform the operations limitations of claim 36. It is well-established that simply implementing an abstract idea on a computer (or computer-like device) does not, without more, confer patent eligibility on that abstract idea. *Alice*, 134 S. Ct. at 2359 (citations omitted). That the web page processing is implemented in a particular technological environment does not alone confer eligibility, as the mere implementation of using conventional processors and memory does not make it any less abstract. *See Alice*, 573 U.S. at 225; *Intellectual Ventures I LLC v. Symantec Corp.*, 838 F.3d 1307, 1315 (Fed. Cir 2016) (“Claims that ‘amount to nothing significantly more than an

instruction to apply [an] abstract idea ... using some unspecified, generic computer' and in which 'each step does no more than require a generic computer to perform generic /computer functions' do not make an abstract idea patent-eligible") (citation omitted); *Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1354 (Fed. Cir. 2016) ("limiting the claims to [a] particular technological environment ... is, without more, insufficient to transform them into patent-eligible applications of the abstract idea at their core.").

The next limitation of claim 36 recites "***rendering a browser interface*** via which a user is enabled to request access to a Web page comprising HTML-based Web content defining an original page layout, functionality, and design of content on the Web page." At best, all this limitation discloses is the mobile hand-held device has sufficient hardware resources to render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the '353 Patent, implementing a browser on a mobile hand-held device was conventional. The claim limitation does not require any specific arrangement of the components of the [wireless device], nor does the claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the mobile hand-held device. This type of functional information display requirement, without more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 36 recites "***retrieving the Web page via the wireless communications device***." Well before the priority date of the '353 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the '353 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retrieving" step, when

executed by the mobile hand-held device, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 36 recites "***processing HTML-based Web content to produce scalable content.***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown "processing" step that takes the original format of a portion of a Web page and creates "scalable content that supports a scalable resolution-independent representation" of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using

nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the "processing" step is merely a format conversion, the "***processing HTML-based Web content to produce scalable content***" limitation is abstract. This limitation is abstract, and the recitation of generic computer hardware in claim 36 does make the limitation patent-eligible.

The next limitation of claim 36 is "***employing at least one of the scalable content or data***" to render a Web page on the display. The claim limitation does not recite any specific solution (either hardware or software) that is "employed" with the "scalable content" to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim

about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *see also Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); This limitation is abstract, and the recitation of generic computer hardware in claim 36 does make the limitation patent-eligible.

The last limitation of claim 36 requires data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the display be re-rendered "***to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web page content"*** at different unknown zoom levels and panned views. Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the Web page content"***). Inherent in this limitation of claim 36 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a

method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 36 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the conventional hand-held device hardware is insufficient to convert the abstract concepts recited in claim 36 into patentable subject matter. Thus, claim 36 is abstract and patent-ineligible.

3.1.2.1.8 Dependent Claim 37

Dependent claim 37 of the '353 Patent recites as follows (emphasis added):

> 37. The mobile hand-held device of claim 36, wherein the device comprises a ***mobile phone***.

The PTAB found that claim 37 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of a mobile phone does not impart patent eligibility. Instead, dependent claim 37 adds a further variation on the abstract ideas of claim 36, but the addition of a mobile phone is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.9 Dependent Claim 38

Dependent claim 38 of the '353 Patent recites as follows (emphasis added):

> 38. The mobile hand-held device of claim 36, wherein the device comprises one of a ***Personal Digital Assistant (PDA) or hand-held computer***.

The PTAB found that claim 38 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of a Personal Digital Assistant (PDA) or hand-held computer does not impart patent eligibility. Instead, dependent claim 38 adds a further variation on the abstract ideas of claim 36, but the addition of a Personal Digital Assistant (PDA) or hand-held computer is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.10 Dependent Claim 48

Dependent claim 48 of the ’353 Patent recites as follows (emphasis added):

> 48. The mobile hand-held device of claim 36, wherein execution of the instructions performs further operations comprising e***nabling 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***.

The PTAB found that claim 48 of the ’353 Patent was unpatentable in IPR2013-00007, -00256. The Federal Circuit confirmed the PTAB’s findings in *SoftView LLC v. Kyocera Corp.*, 592 F. App’x 947 (Fed. Cir. 2015). The IPR Trial Certificate issued on January 12, 2016 confirms the cancellation of this claim.

Claim 48 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 48 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for*

Imaging, Inc. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 48 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display fits across the width of the display is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 48 is directed to the result of the abstract idea of rendering a display element to fit within the parameters of a display, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 48 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected column" for re-rendering. The "re-rendered" step, even when triggered by a user request, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.11 Dependent Claim 50

Dependent claim 50 of the '353 Patent recites as follows (emphasis added):

> 50. The mobile hand-held device of claim 48, wherein the corresponding u***ser input comprises tapping on the column*** via the display.

The PTAB found that claim 50 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The tapping on a column of displayed content to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on a column is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341.

3.1.2.1.12 Dependent Claim 53

Dependent claim 53 of the ’353 Patent recites as follows (emphasis added):

> 53. The mobile hand-held device of claim 36, wherein execution of the instructions performs further operations comprising ***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 rendered to fit across a display area of the display***.

The PTAB found that claim 53 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 53 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 53 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978)

("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 53 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display (*e.g.*, a paragraph) is enlarged is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 53 is directed to the result of the abstract idea of rendering a display element (*e.g.*, a paragraph) by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 53 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected paragraph" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.13 Dependent Claim 55

Dependent claim 55 of the '353 Patent recites as follows (emphasis added):

> 55. The mobile hand-held device of claim 53, wherein the corresponding ***user input comprises tapping on the paragraph*** via the display.

The PTAB found that claim 55 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The tapping on a paragraph of displayed content to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on a paragraph is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341.

3.1.2.1.14 Dependent Claim 69

Dependent claim 69 of the ’353 Patent recites as follows (emphasis added):

> 69. The mobile device of claim 36, wherein the device ***enables a user to browse, zoom, and pan*** billions of Web pages in a manner that preserves the original layout, functionality, and design of the HTML-based Web a e content of each Web page.

The PTAB found that claim 69 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 69 is directed to the result of the abstract ideas of browsing, zooming, and panning a particular web page (one of billions of web pages) such that the browsing, zooming, and panning functions maintain the original layout, functionality, and design of the HTML content on that particular web page. Claim 69 does not, however, disclose or invoke any specific processes or circuitry to accomplish that rendering result, especially for, at a minimum, a billion web pages. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 35 does not recite any specific algorithms or specialized computer circuitry directed to the browsing, zooming, and panning of billions of web pages. Without more, the “browse, zoom, and pan” ability recited in claim 69 is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.15 Independent Claim 70

Independent claim 70 of the ’353 Patent recites as follows (emphasis added):

70. A mobile device, comprising:

> processing means; wireless communications means, to facilitate wireless communication with a network that supports access to the Internet; a display, to facilitate user input and display rendered content; and storage means, in which a plurality of instructions are stored, wherein, upon execution of the instructions by the processing means, the mobile device is enabled to perform operations, including,
>
> ***rendering a browser interface*** via which a user is enabled to request access to a Web page comprising HTML-based Web content defining an original page layout, functionality, and design of content on the Web page;
>
> ***retrieving the Web page via the wireless communications means***, and ***processing at least a portion of the HTML-based Web content to produce scalable content***; and
>
> ***employing at least one of the scalable content or data*** derived therefrom to, render the Web page on the display; and
>
> ***re-render the display*** in response to associated user inputs made via the display ***to enable the Web page to be browsed at various zoom levels and panned views 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.

The PTAB found that claim 70 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The first limitation of claim 70 is directed to a collection of circuitry and other hardware (*e.g.*, processing means, wireless communications means, display, storage means) that interoperate to perform the operations limitations of claim 70. It is well-established that simply implementing an abstract idea on a computer (or computer-like device) does not, without more, confer patent eligibility on that abstract idea. *Alice*, 134 S. Ct. at 2359 (citations omitted). That the web page processing is implemented in a particular technological environment does not alone confer eligibility, as the mere implementation of using conventional processors and memory does not make it any less abstract. *See Alice*, 573 U.S. at 225; *Intellectual Ventures I LLC v. Symantec Corp.*, 838 F.3d 1307, 1315 (Fed. Cir 2016) ("Claims that 'amount to nothing significantly more than an

instruction to apply [an] abstract idea ... using some unspecified, generic computer' and in which 'each step does no more than require a generic computer to perform generic /computer functions' do not make an abstract idea patent-eligible") (citation omitted); *Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1354 (Fed. Cir. 2016) ("limiting the claims to [a] particular technological environment ... is, without more, insufficient to transform them into patent-eligible applications of the abstract idea at their core.").

The next limitation of claim 70 recites "***rendering a browser interface*** via which a user is enabled to request access to a Web page comprising HTML-based Web content defining an original page layout, functionality, and design of content on the Web page." At best, all this limitation discloses is the mobile device has sufficient hardware resources to render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the '353 Patent, implementing a browser on a mobile device was conventional. The claim limitation does not require any specific arrangement of the components of the mobile device, nor does the claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the mobile device. This type of functional information display requirement, without more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 70 recites "***retrieving the Web page via the wireless communications means***." Well before the priority date of the '353 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the '353 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retrieving" step, when executed by the mobile device, is not a technological advancement. *See, e.g., Universal Secure*

Registry LLC v. Apple Inc., 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 70 recites "***processing at least a portion of the HTML-based Web content to produce scalable content.***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown "processing" step that takes the original format of a portion of a Web page and creates "scalable content that supports a scalable resolution-independent representation" of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer

components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the "processing" step is merely a format conversion, the "***processing at least a portion of the HTML-based Web content to produce scalable content***" limitation is abstract. This limitation is abstract, and the recitation of generic computer hardware in claim 70 does make the limitation patent-eligible.

The next limitation of claim 70 is "***employing at least one of the scalable content or data***" to render a Web page on the display. The claim limitation does not recite any specific solution (either hardware or software) that is "employed" with the "scalable content" to render the Web

page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). This limitation is abstract, and the recitation of generic computer hardware in claim 70 does make the limitation patent-eligible.

The last limitation of claim 70 requires data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the display be re-rendered "***to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web page content"*** at different unknown zoom levels and panned views. Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the Web page content"***). Inherent in this limitation of claim 70 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent

eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 70 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the conventional hand-held device hardware is insufficient to convert the abstract concepts recited in claim 70 into patentable subject matter. Thus, claim 70 is abstract and patent-ineligible.

3.1.2.1.16 Independent Claim 87

Independent claim 87 of the '353 Patent recites as follows (emphasis added):

87. A mobile hand-held device, comprising:

> a processor, a wireless communications interface, to facilitate wireless communication with a network that supports access to the Internet; a display; and non-volatile memory, operatively coupled to the processor, in which a plurality of instructions are stored that when executed by the processor enable the mobile hand-held device to perform operations including,
>
> ***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 defining an original page layout, functionality, and design of content on the Web page;
>
> in response to a user request of the Web page, ***retrieving the Web page via the wireless communications interface***;
>
> ***rendering the Web page such that a width of the Web page is rendered to fit across the display***; and
>
> ***re-rendering the display*** in response to associated user inputs ***to enable the Web page to be browsed at various zoom levels and panned views while preserving the***

> ***original page layout, functionality, and design of the Web content*** at each zoom level and panned view.

The PTAB found that claim 87 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The first limitation of claim 87 is directed to a collection of circuitry and other hardware (*e.g.*, processor, wireless communications interface, display, non-volatile memory) that interoperate to perform the operations limitations of claim 87. It is well-established that simply implementing an abstract idea on a computer (or computer-like device) does not, without more, confer patent eligibility on that abstract idea. *Alice*, 134 S. Ct. at 2359 (citations omitted). That the web page processing is implemented in a particular technological environment does not alone confer eligibility, as the mere implementation of using conventional processors and memory does not make it any less abstract. *See Alice*, 573 U.S. at 225; *Intellectual Ventures I LLC v. Symantec Corp.*, 838 F.3d 1307, 1315 (Fed. Cir 2016) (“Claims that ‘amount to nothing significantly more than an instruction to apply [an] abstract idea ... using some unspecified, generic computer’ and in which ‘each step does no more than require a generic computer to perform generic /computer functions’ do not make an abstract idea patent-eligible”) (citation omitted); *Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1354 (Fed. Cir. 2016) (“limiting the claims to [a] particular technological environment ... is, without more, insufficient to transform them into patent-eligible applications of the abstract idea at their core.”).

The next limitation of claim 87 recites “***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 defining an original page layout, functionality, and design of content on the Web page.” At best, all this limitation discloses is the mobile hand-held device has sufficient hardware resources to

render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the ’353 Patent, implementing a browser on a mobile hand-held device was conventional. The claim limitation does not require any specific arrangement of the components of the mobile hand-held device, nor does the claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the mobile hand-held device. This type of functional information display requirement, without more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 87 recites “in response to a user request of the Web page, ***retrieving the Web page via the wireless communications interface***.” Well before the priority date of the ’353 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the ’353 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the “retrieving” step, even when triggered by a user request to access a web page, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 87 is “***rendering the Web page such that a width of the Web page is rendered to fit across the display.***” The claim limitation does not recite any specific solution (either hardware or software) that is utilized to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) (“The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing

those functions."). This limitation is abstract, and the recitation of generic computer hardware in claim 87 does make the limitation patent-eligible.

The last limitation of claim 87 requires data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the display be re-rendered "***to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web page content"*** at different unknown zoom levels and panned views. Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the Web page content"***). Inherent in this limitation of claim 87 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 87 necessarily uses unknown

mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the conventional hand-held device hardware is insufficient to convert the abstract concepts recited in claim 87 into patentable subject matter. Thus, claim 87 is abstract and patent-ineligible.

3.1.2.1.17 Dependent Claim 111

Dependent claim 111 of the ’353 Patent recites as follows (emphasis added):

> 111. The mobile hand-held device of claim 87, wherein the device ***enables a user to 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.

The PTAB found that claim 111 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 111 is directed to the result of the abstract ideas of browsing, zooming, and panning a particular web page (one of billions of web pages) such that the browsing, zooming, and panning functions maintain the original layout, functionality, and design of the HTML content on that particular web page. Claim 111 does not, however, disclose or invoke any specific processes or circuitry to accomplish that rendering result, especially for, at a minimum, a billion web pages. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 35 does not recite any specific algorithms or specialized computer circuitry directed to the browsing, zooming, and panning of billions of web pages. Without more, the “browse, zoom, and pan” ability recited in claim 111 is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.18 Independent Claim 118

Independent claim 118 of the ’353 Patent recites as follows (emphasis added):

118. A method, comprising:

> ***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 having an original format defining an original width and height of the Web page and an original page layout, functionality, and design of content on the Web page;
>
> in response to a user request to access the Web page,
>
> ***retrieving the Web page via the device***, and ***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*** that ***preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered***; and
>
> ***scaling the scalable content to render the Web page*** on the display such that a width of the Web page is rendered to fit across the display.

The PTAB found that claim 118 of the '353 Patent was unpatentable in IPR2013-00007, -00256. The Federal Circuit confirmed the PTAB's findings in *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015). The IPR Trial Certificate issued on January 12, 2016 confirms the cancellation of this claim.

The first limitation of claim 118 recites "***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 having an original format defining an original width and height of the Web page and an original page layout, functionality, and design of content on the Web page." At best, all this limitation discloses is the display device has sufficient hardware resources to render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the '353 Patent, implementing a browser on a display device was conventional. The claim limitation does not require any specific arrangement of the components of the display device, nor does the claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the display device. This type of functional information display requirement, without

more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 118 recites "in response to a user request to access the Web page, ***retrieving the Web page via the device***." Well before the priority date of the '353 Patent, retrieval of a web page was conventional technology. Nothing in the '353 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retrieving" step, even when triggered by a user request to access a web page, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 118 recites "***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***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown translation process that takes the original format of a portion of a Web page and creates "scalable content that supports a scalable resolution-independent representation" of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech.*

Sys. LLC v. Castle Retail, LLC, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "translating" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). The "translating" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when

considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the translation process is merely a format conversion, the "***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***" limitation is abstract. In addition, the claim limitation requires that the "***translating***" be performed such that it "***preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered***." Again, the claim limitation does not recite a specific solution with respect to preservation of the Web page content for the same reasons as the claim limitation does not recite any specific solutions with respect to "translation." This limitation is abstract, and the recitation of generic computer hardware in claim 118 does make the limitation patent-eligible.

The next limitation is "***scaling the scalable content to render the Web page***" on the display. The claim limitation does not recite any specific solution (either hardware or software) that is utilized with the "scalable content" to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."). This limitation is abstract, and the recitation of generic computer hardware in claim 118 does make the limitation patent-eligible.

3.1.2.1.19 Dependent Claim 128

Dependent claim 128 of the '353 Patent recites as follows (emphasis added):

> 128. The method of claim 118, further comprising ***enabling a user to zoom on a column 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 column is rendered to fit across the display***.

The PTAB found that claim 128 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 128 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 128 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) (“If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory.”); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art.”). Claim 128 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display fits across the width of the display is conventional. Well before the priority date of the ’353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 128 is directed to the result of the abstract idea of rendering a display

element to fit within the parameters of a display, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 128 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected column" for re-rendering. The "re-rendered" step, even when triggered by a user request, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.20 Dependent Claim 133

Dependent claim 133 of the '353 Patent recites as follows (emphasis added):

> 133. The method of claim 118, further comprising ***enabling a user to zoom on a paragraph*** 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 paragraph is rendered to fit across the display***.

The PTAB found that claim 133 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 133 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 133 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even

if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 133 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display (*e.g.*, a paragraph) is enlarged is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 133 is directed to the result of the abstract idea of rendering a display element (*e.g.*, a paragraph) by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 133 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected paragraph" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.21 Dependent Claim 134

Dependent claim 134 of the '353 Patent recites as follows (emphasis added):

> 134. The method of claim 133, wherein the corresponding ***user input comprises tapping on the paragraph*** via the display.

The PTAB found that claim 134 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The tapping on a paragraph of displayed content to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on a paragraph is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341.

3.1.2.1.22 Dependent Claim 144

Dependent claim 144 of the ’353 Patent recites as follows (emphasis added):

144. The method of claim 118, wherein the device comprises a ***mobile phone***.

The PTAB found that claim 144 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of a mobile phone does not impart patent eligibility. Instead, dependent claim 144 adds a further variation on the abstract ideas of claim 118, but the addition of a mobile phone is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.23 Dependent Claim 145

Dependent claim 145 of the ’353 Patent recites as follows (emphasis added):

145. The method of claim 118, wherein the device comprises a ***hand-held device***.

The PTAB found that claim 145 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of the device being hand-held does not impart patent eligibility. Instead, dependent claim 145 adds a further variation on the abstract ideas of claim 118, but the

requirement that the device be hand-held is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.24 Independent Claim 149

Independent claim 149 of the '353 Patent recites as follows (emphasis added):

149. A method, comprising:

> ***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 defining an original page layout, functionality, and design of content on the Web page;
>
> ***retrieving the Web page via the hand-held device***, and ***processing HTML-based Web content to produce scalable content***; and
>
> ***employing at least one of the scalable content or data*** derived therefrom to, render the Web page on a display of the hand-held device; and
>
> ***re-render the display*** in response to associated user inputs ***to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web page content*** at each zoom level and panned view.

The PTAB found that claim 149 of the '353 Patent was unpatentable in IPR2013-00007, -00256. The Federal Circuit confirmed the PTAB's findings in *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015). The IPR Trial Certificate issued on January 12, 2016 confirms the cancellation of this claim.

The first limitation of claim 149 recites "***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 defining an original page layout, functionality, and design of content on the Web page." At best, all this limitation discloses is the hand-held device has sufficient hardware resources to render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the '353 Patent, implementing a browser on a hand-held device was conventional. The claim limitation does not

require any specific arrangement of the components of the hand-held device, nor does the claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the hand-held device. This type of functional information display requirement, without more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 149 recites "***retrieving the Web page via the hand-held device***." Well before the priority date of the '353 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the '353 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retrieving" step, when executed by the hand-held device, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 149 recites "***processing HTML-based Web content to produce scalable content.***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown "processing" step that takes the original format of a portion of a Web page and creates "scalable content that supports a scalable resolution-independent representation" of that Web page portion. The claim limitation does not recite a specific solution

to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the "processing" step is merely a format conversion, the "***processing HTML-based Web content to produce scalable content***" limitation is abstract. This

limitation is abstract, and the recitation of generic computer hardware in claim 149 does make the limitation patent-eligible.

The next limitation of claim 149 is "***employing at least one of the scalable content or data***" to render a Web page on the display. The claim limitation does not recite any specific solution (either hardware or software) that is "employed" with the "scalable content" to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). This limitation is abstract, and the recitation of generic computer hardware in claim 149 does make the limitation patent-eligible.

The last limitation of claim 149 requires data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the display be re-rendered "***to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web page content"*** at different unknown zoom levels and panned views. Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Instead, the claim limitation just recites the

results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the Web page content"***). Inherent in this limitation of claim 149 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 149 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the conventional hand-held device hardware is insufficient to convert the abstract concepts recited in claim 149 into patentable subject matter. Thus, claim 149 is abstract and patent-ineligible.

3.1.2.1.25 Dependent Claim 150

Dependent claim 150 of the '353 Patent recites as follows (emphasis added):

150. The method of claim 149, wherein the hand-held device comprises a ***mobile phone***.

The PTAB found that claim 150 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of a mobile phone does not impart patent eligibility. Instead, dependent claim 150 adds a further variation on the abstract ideas of claim 149, but the addition

of a mobile phone is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.26 Dependent Claim 151

Dependent claim 151 of the ’353 Patent recites as follows (emphasis added):

> 151. The method of claim 149, wherein the hand-held device comprises one of a ***Personal Digital Assistant (PDA) or hand-held computer***.

The PTAB found that claim 151 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of a Personal Digital Assistant (PDA) or hand-held computer does not impart patent eligibility. Instead, dependent claim 151 adds a further variation on the abstract ideas of claim 149, but the addition of a Personal Digital Assistant (PDA) or hand-held computer is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.27 Dependent Claim 161

Dependent claim 161 of the ’353 Patent recites as follows (emphasis added):

> 161. The method of claim 149, further comprising ***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 enlarged***.

The PTAB found that claim 161 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 161 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each

zoom and pan view setting. Inherent in this limitation of claim 161 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 161 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 161 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 161 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected column" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.28 Dependent Claim 168

Dependent claim 168 of the '353 Patent recites as follows (emphasis added):

> 168. The method of claim 149, further comprising ***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***.

The PTAB found that claim 168 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 168 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 168 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 168 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display (*e.g.*, a paragraph) is enlarged is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display

arts. Claim 168 is directed to the result of the abstract idea of rendering a display element (*e.g.*, a paragraph) by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 168 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected paragraph" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.29 Dependent Claim 171

Dependent claim 171 of the '353 Patent recites as follows (emphasis added):

> 171. The method of claim 168, wherein the corresponding ***user input comprises tapping on the paragraph*** via the display.

The PTAB found that claim 171 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The tapping on a paragraph of displayed content to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on a paragraph is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341.

3.1.2.1.30 Dependent Claim 182

Dependent claim 182 of the '353 Patent recites as follows (emphasis added):

> 182. The method of claim 149, wherein 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.

The PTAB found that claim 182 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The inclusion of cascaded style sheet data within the HTML-based content of a web pages is simply a disclosure of conventional and generic web page components. The inclusion of cascaded style sheet data is not an improvement to HTML-based web pages that resulted in improved storage or operation – it was already well-known and generic technology. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016) (“In sum, the self-referential table recited in the claims on appeal is a specific type of data structure designed to improve the way a computer stores and retrieves data in memory.”).

In addition, claim 182 lacks any disclosure regarding the preservation of the cascaded style sheet data at each zoom level and panned view. Claim 182 claims the result of the preservation, but lacks any description of how the preservation is implemented.

3.1.2.1.31 Independent Claim 185

Independent claim 185 of the ’353 Patent recites as follows (emphasis added):

185. A method, comprising:

> ***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 defining an original page layout, functionality, and design of content on the Web page;
>
> in response to a user request of the Web page via the browser interface,
>
> ***retrieving the Web page via the device***;
>
> ***rendering the Web page via the device such that a full width of the Web page is rendered on the display***; and
>
> ***re-rendering the Web page*** in response to associated user inputs to the hand-held device ***to enable the Web page to be browsed at various zoom levels and panned views 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,

> wherein the method enables a user of the device to 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.

The PTAB found that claim 185 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The first limitation of claim 185 recites “***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 defining an original page layout, functionality, and design of content on the Web page.” At best, all this limitation discloses is the display device has sufficient hardware resources to render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the ’353 Patent, implementing a browser on a display device was conventional. The claim limitation does not require any specific arrangement of the components of the display device, nor does the claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the display device. This type of functional information display requirement, without more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 185 recites “in response to a user request of the Web page via the browser interface, ***retrieving the Web page via the device***.” Well before the priority date of the ’353 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the ’353 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the “retrieving” step, even when triggered by a user request to access a web page, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed.

Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 185 is "***rendering the Web page via the device such that a full width of the Web page is rendered on the display.***" The claim limitation does not recite any specific solution (either hardware or software) that is utilized to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."). This limitation is abstract, and the recitation of generic computer hardware in claim 185 does make the limitation patent-eligible.

The next limitation of claim 185 requires data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the display be re-rendered "***to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web page content"*** at different unknown zoom levels and panned views. Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the Web page content"***). Inherent in this limitation of claim 185 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to

manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 185 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the conventional device hardware (*i.e.*, "display of a device") is insufficient to convert the abstract concepts recited in claim 185 into patentable subject matter. Thus, claim 185 is abstract and patent-ineligible.

The last limitation of claim 185 is directed to the result of the abstract ideas of browsing, zooming, and panning a particular web page (one of billions of web pages) such that the browsing, zooming, and panning functions maintain the original layout, functionality, and design of the HTML content on that particular web page. The last limitation of claim 185 does not, however, disclose or invoke any specific processes or circuitry to accomplish that rendering result, especially for, at a minimum, a billion web pages. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, the last limitation of claim 185 does not recite any specific algorithms or specialized computer circuitry directed to the browsing, zooming, and panning of billions of web pages. Without more, the "browse, zoom, and pan" ability recited in the last limitation of claim 185 is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.32 Dependent Claim 186

Dependent claim 186 of the ’353 Patent recites as follows (emphasis added):

> 186. The method of claim 185, further comprising ***enabling a user to zoom on a column 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 column is enlarged***.

The PTAB found that claim 186 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 186 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 186 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) (“If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory.”); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art.”). Claim 186 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the ’353 Patent, adjusting image sizing

to fit within the limitations of a particular display were well-known within the display arts. Claim 186 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 186 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected column" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.33 Dependent Claim 187

Dependent claim 187 of the '353 Patent recites as follows (emphasis added):

> 187. The method of claim 186, wherein the corresponding ***user input comprises tapping on the column*** via the display.

The PTAB found that claim 186 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The tapping on a column of displayed content to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on a column is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341.

3.1.2.1.34 Dependent Claim 189

Dependent claim 189 of the '353 Patent recites as follows (emphasis added):

> 189. The method of claim 186, wherein the display is ***re-rendered such that content corresponding to the selected column is rendered to fit across the display***.

The PTAB found that claim 189 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The rendering of a particular portion of a display such that an element of the display fits across the width of the display is conventional. Well before the priority date of the ’353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 189 is directed to the result of the abstract idea of rendering a display element to fit within the parameters of a display, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 189 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the “selected column” for re-rendering. The “re-rendered” step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.35 Dependent Claim 193

Dependent claim 193 of the ’353 Patent recites as follows (emphasis added):

> 193. The method of claim 185, further comprising ***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***.

The PTAB found that claim 193 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 193 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each

zoom and pan view setting. Inherent in this limitation of claim 193 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 193 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display (*e.g.*, a paragraph) is enlarged is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 193 is directed to the result of the abstract idea of rendering a display element (*e.g.*, a paragraph) by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 193 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected paragraph" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.36 Dependent Claim 194

Dependent claim 194 of the '353 Patent recites as follows (emphasis added):

194. The method of claim 193, wherein the corresponding ***user input comprises tapping on the paragraph*** via the display.

The PTAB found that claim 194 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The tapping on a paragraph of displayed content to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on a paragraph is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341.

3.1.2.1.37 Dependent Claim 196

Dependent claim 196 of the ’353 Patent recites as follows (emphasis added):

196. The method of claim 193, wherein the display is ***re-rendered such that content corresponding to the selected paragraph is rendered to fit across the display***.

The PTAB found that claim 196 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The rendering of a particular portion of a display such that an element of the display (*e.g.*, a paragraph) is enlarged is conventional. Well before the priority date of the ’353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 196 is directed to the result of the abstract idea of rendering a display element (*e.g.*, a paragraph) by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 196 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the “selected paragraph” for re-rendering. The

"re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.38 Dependent Claim 204

Dependent claim 204 of the '353 Patent recites as follows (emphasis added):

> 204. The method of claim 185, wherein 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.

The PTAB found that claim 204 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The inclusion of cascaded style sheet data within the HTML-based content of a web pages is simply a disclosure of conventional and generic web page components. The inclusion of cascaded style sheet data is not an improvement to HTML-based web pages that resulted in improved storage or operation – it was already well-known and generic technology. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016) ("In sum, the self-referential table recited in the claims on appeal is a specific type of data structure designed to improve the way a computer stores and retrieves data in memory.").

In addition, claim 182 lacks any disclosure regarding the preservation of the cascaded style sheet data at each zoom level and panned view. Claim 204 claims the result of the preservation, but lacks any description of how the preservation is implemented.

3.1.2.1.39 Dependent Claim 206

Dependent claim 206 of the '353 Patent recites as follows (emphasis added):

> 206. The method of claim 185, wherein the device comprises a **mobile phone**.

The PTAB found that claim 206 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of a mobile phone does not impart patent eligibility. Instead, dependent claim 206 adds a further variation on the abstract ideas of claim 185, but the addition of a mobile phone is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.40 Dependent Claim 207

Dependent claim 207 of the ’353 Patent recites as follows (emphasis added):

207. The method of claim 185, wherein the device comprises a ***hand-held device***.

The PTAB found that claim 207 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of the device being hand-held does not impart patent eligibility. Instead, dependent claim 207 adds a further variation on the abstract ideas of claim 185, but the requirement that the device be hand-held is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.41 Independent Claim 209

Independent claim 209 of the ’353 Patent recites as follows (emphasis added):

209. A method, comprising:

> ***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 having an original format including HTML code defining an original page layout, functionality, and design of corresponding content on the Web page;
>
> ***retrieving the Web page, via the device***, and ***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 that preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered***; and
>
> employing the scalable content to render the Web page on the display using a first scale factor; and
>
> enabling the Web page to be displayed at a different resolution by scaling the scalable content using a second scale factor to re-render the display,
>
> wherein the original page layout, functionality, and design of the Web page content are preserved under both the first and second scale factors.

The PTAB found that claim 209 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The first limitation of claim 209 recites "***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 having an original format including HTML code defining an original page layout, functionality, and design of corresponding content on the Web page." At best, all this limitation discloses is the display device has sufficient hardware resources to render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the '353 Patent, implementing a browser on a display device was conventional. The claim limitation does not require any specific arrangement of the components of the display device, nor does the claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the display device. This type of functional information display requirement, without more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 209 recites "***retrieving the Web page, via the device***." Well before the priority date of the '353 Patent, retrieval of a web page via wireless communications

was conventional technology. Nothing in the ’353 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the “retrieving” step, even when executed by the display device, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 209 recites “***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.***” As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) (“The claims in this case do not even require a new source or type of information, or new techniques for analyzing it”). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown translation process that takes the original format of a portion of a Web page and creates “scalable content that supports a scalable resolution-independent representation” of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) (“The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—‘concrete’ and at most recite abstract data manipulation.”); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim about how to create frames or virtual views, much

less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "translating" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the translation process is merely a format conversion, the "***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***" limitation is abstract. In addition, the claim limitation requires that the "***translating***" be performed such that it "***preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered***;." Again, the claim limitation does not recite a specific solution with respect to preservation of the Web page content for the same reasons as the claim limitation does not recite any specific solutions with respect to "translation." This

limitation is abstract, and the recitation of generic computer hardware in claim 209 does make the limitation patent-eligible.

The remaining limitations of claim 209 are as follows:

- ***employing the scalable content to render the Web page on the display using a first scale factor***; and
- enabling the Web page to be displayed at a different resolution by ***scaling the scalable content using a second scale factor to re-render the display***,
- wherein the ***original page layout, functionality, and design of the Web page content are preserved under both the first and second scale factors***.

The three limitations collectively use scalable content to render the Web page content using at least two scale factors. The claim limitations do not recite any specific solution (either hardware or software) that is "employed" with the "scalable content" to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *see also Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); These limitations are abstract, and the recitation of generic computer hardware (i.e., "display … of a device") in claim 209 does make the limitation patent-eligible.

The last group of limitations of claim 209 require data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the re-rendered display retains the "***original page layout, functionality, and design of the Web page content are preserved under both the first and second scale factors."*** Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the Web page content"***). Inherent in this limitation of claim 209 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 209 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the conventional device hardware (*i.e.*, "display

… of a device") is insufficient to convert the abstract concepts recited in claim 209 into patentable subject matter. Thus, claim 209 is abstract and patent-ineligible.

3.1.2.1.42 Independent Claim 216

Independent claim 216 of the '353 Patent recites as follows (emphasis added):

> 216. A machine-readable medium having a plurality of instructions tangibly stored thereon, which when executed enable a device to perform operations comprising:
>
> > ***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 having an original format defining an original width and height of the Web page and an original page layout, functionality, and design of content on the Web page;
> >
> > ***retrieving the Web page via the wireless communication means***, and ***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*** that ***preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered***; and
> >
> > ***scaling the scalable content to render the Web page*** on the display such that a width of the Web page is rendered to fit across the display.

The PTAB found that claim 216 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The first limitation of claim 216 recites "***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 having an original format defining an original width and height of the Web page and an original page layout, functionality, and design of content on the Web page." At best, all this limitation discloses is the device executing the plurality of instructions has sufficient hardware resources to render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the '353 Patent, implementing a browser on a device executing the plurality of instructions

was conventional. The claim limitation does not require any specific arrangement of the components of the device executing the plurality of instructions, nor does the claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the device executing the plurality of instructions. This type of functional information display requirement, without more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 216 recites "***retrieving the Web page via the wireless communication means***."[2] Well before the priority date of the '353 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the '353 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retrieving" step, even when the device performs operations to retrieve the web page, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 216 recites "***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***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not

[2] Claim 216 lacks any antecedent basis for "wireless communications means."

require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown translation process that takes the original format of a portion of a Web page and creates "scalable content that supports a scalable resolution-independent representation" of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "translating" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws

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were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the translation process is merely a format conversion, the "***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***" limitation is abstract. In addition, the claim limitation requires that the "***translating***" be performed such that it "***preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered***." Again, the claim limitation does not recite a specific solution with respect to preservation of the Web page content for the same reasons as the claim limitation does not recite any specific solutions with respect to "translation." This limitation is abstract, and the recitation of generic computer hardware in claim 216 does make the limitation patent-eligible.

The next limitation is "***scaling the scalable content to render the Web page***" on the display. The claim limitation does not recite any specific solution (either hardware or software) that is utilized with the "scalable content" to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."). This limitation is abstract, and the recitation of generic computer hardware in claim 216 does make the limitation patent-eligible.

3.1.2.1.43 Independent Claim 252

Independent claim 252 of the '353 Patent recites as follows (emphasis added):

> 252. A machine-readable medium having a plurality of instructions comprising a Web browser tangibly stored thereon, which when executed enable a device to perform operations comprising:

> ***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 defining an original page layout, functionality, and design of content on the Web page;
>
> ***retrieving the Web page*** and ***processing HTML-based Web content to produce scalable content***; and
>
> ***employing at least one of the scalable content or data*** derived therefrom to, render the Web page on the display; and
>
> ***re-render the display*** in response to associated user inputs ***to enable the Web page to be browsed at various zoom levels and panned views 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,
>
> wherein the Web browser enables a user of the device to 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 at each zoom level and panned view.

The PTAB found that claim 252 of the '353 Patent was unpatentable in IPR2013-00007, -00256. The Federal Circuit confirmed the PTAB's findings in *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015). The IPR Trial Certificate issued on January 12, 2016 confirms the cancellation of this claim.

The first limitation of claim 252 recites "***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 defining an original page layout, functionality, and design of content on the Web page." At best, all this limitation discloses is the device executing the plurality of instructions has sufficient hardware resources to render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the '353 Patent, implementing a browser on a device executing the plurality of instructions was conventional. The claim limitation does not require any specific arrangement of the components of the device executing the plurality of instructions, nor does the

claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the device executing the plurality of instructions. This type of functional information display requirement, without more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 252 recites "***retrieving the Web page***." Well before the priority date of the '353 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the '353 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retrieving" step, even when executed by the display device, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 252 recites "***processing HTML-based Web content to produce scalable content.***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown "processing" step that takes the original format of a portion of a Web page and creates "scalable content that supports a scalable resolution-independent representation" of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle*

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Retail, LLC, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the "processing" step is merely a format conversion, the "***processing HTML-based Web content to produce scalable content***" limitation is abstract. This limitation is abstract, and the recitation of generic computer hardware in claim 252 does make the limitation patent-eligible.

The next limitation of claim 252 is "***employing at least one of the scalable content or data***" to render a Web page on the display. The claim limitation does not recite any specific solution (either hardware or software) that is "employed" with the "scalable content" to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). This limitation is abstract, and the recitation of generic computer hardware in claim 252 does make the limitation patent-eligible.

The next limitation of claim 252 requires data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the display be re-rendered "***to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web page content"*** at different unknown zoom levels and panned views. Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the Web page content"***). Inherent in this

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limitation of claim 252 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 252 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the "display associated with the device" (*i.e.*, conventional device hardware) is insufficient to convert the abstract concepts recited in claim 252 into patentable subject matter. Thus, claim 252 is abstract and patent-ineligible.

The last limitation of claim 252 is directed to the result of the abstract ideas of browsing, zooming, and panning a particular web page (one of billions of web pages) such that the browsing, zooming, and panning functions maintain the original layout, functionality, and design of the HTML content on that particular web page. Claim 252 does not, however, disclose or invoke any specific processes or circuitry to accomplish that rendering result, especially for, at a minimum, a billion web pages. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 252 does not recite any specific algorithms or specialized computer circuitry directed to the browsing, zooming, and panning of billions of web pages. Without more, the

"browse, zoom, and pan" ability recited in claim 252 is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.44 Dependent Claim 253

Dependent claim 253 of the '353 Patent recites as follows (emphasis added):

> 253. The machine-readable medium of claim 252, wherein the device comprises a ***mobile phone***.

The PTAB found that claim 253 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of a mobile phone does not impart patent eligibility. Instead, dependent claim 253 adds a further variation on the abstract ideas of claim 252, but the addition of a mobile phone is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.45 Dependent Claim 254

Dependent claim 254 of the '353 Patent recites as follows (emphasis added):

> 254. The machine-readable medium of claim 252, wherein the device comprises a ***hand-held device***.

The PTAB found that claim 254 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of the device being hand-held does not impart patent eligibility. Instead, dependent claim 254 adds a further variation on the abstract ideas of claim 252, but the requirement that the device be hand-held is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.46 Dependent Claim 264

Dependent claim 264 of the ’353 Patent recites as follows (emphasis added):

> 264. The machine-readable medium of claim 252, wherein execution of the instructions performs further operations comprising ***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***.

The PTAB found that claim 264 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 264 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 264 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) (“If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory.”); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art.”). Claim 264 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display fits across the width of the display is conventional. Well before the priority date of the ’353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 264 is directed to the result of the abstract idea of rendering a display element to fit within the parameters of a display, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 264 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the “selected column” for re-rendering. The “re-rendered” step, even when triggered by a user request, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.47 Dependent Claim 269

Dependent claim 269 of the ’353 Patent recites as follows (emphasis added):

> 269. The machine-readable medium of claim 252, wherein execution of the instructions performs further operations comprising ***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 rendered to fit across a browser display area of the display***.

The PTAB found that claim 269 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 269 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 269 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that

utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 269 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display (*e.g.*, a paragraph) is enlarged is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 269 is directed to the result of the abstract idea of rendering a display element (*e.g.*, a paragraph) by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 269 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected paragraph" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.48 Dependent Claim 282

Dependent claim 282 of the '353 Patent recites as follows (emphasis added):

> 282. The machine-readable medium of claim 252, wherein 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.

The PTAB found that claim 282 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The inclusion of cascaded style sheet data within the HTML-based content of a web pages is simply a disclosure of conventional and generic web page components. The inclusion of cascaded style sheet data is not an improvement to HTML-based web pages that resulted in improved storage or operation – it was already well-known and generic technology. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016) (“In sum, the self-referential table recited in the claims on appeal is a specific type of data structure designed to improve the way a computer stores and retrieves data in memory.”).

In addition, claim 282 lacks any disclosure regarding the preservation of the cascaded style sheet data at each zoom level and panned view. Claim 182 claims the result of the preservation, but lacks any description of how the preservation is implemented.

3.1.2.1.49 Independent Claim 285

Independent claim 285 of the ’353 Patent recites as follows (emphasis added):

> 285. A machine-readable medium having a plurality of instructions tangibly stored thereon, which when executed enable a wireless device to perform operations comprising:
>
> > ***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 defining an original page layout, functionality, and design of content on the Web page;
> >
> > in response to a user request of the Web page, ***retrieving the Web page via the wireless device***;
> >
> > ***rendering the Web page such that a width of the Web page is rendered to fit across the display***; and
> >
> > ***re-rendering the Web page*** in response to associated user inputs ***to enable the Web page to be browsed at various zoom levels and panned views while preserving the***

> ***original page layout,*** functionality***, and design of the Web page content*** at each zoom level and panned view.

The PTAB found that claim 285 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The first limitation of claim 285 recites “***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 defining an original page layout, functionality, and design of content on the Web page.” At best, all this limitation discloses is the wireless device executing the instructions has sufficient hardware resources to render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the ’353 Patent, implementing a browser on a wireless device executing the instructions was conventional. The claim limitation does not require any specific arrangement of the components of the wireless device executing the instructions, nor does the claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the wireless device executing the instructions. This type of functional information display requirement, without more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 285 recites “in response to a user request of the Web page, ***retrieving the Web page via the wireless device***.” Well before the priority date of the ’353 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the ’353 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the “retrieving” step, even when triggered by a user request to access a web page, is not a technological advancement. *See,*

e.g., Universal Secure Registry LLC v. Apple Inc., 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 285 is "***rendering the Web page such that a width of the Web page is rendered to fit across the display.***" The claim limitation does not recite any specific solution (either hardware or software) that is utilized to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."). This limitation is abstract, and the recitation of generic computer hardware in claim 285 does make the limitation patent-eligible.

The next limitation of claim 285 requires data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the display be re-rendered "***to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web page content"*** at different unknown zoom levels and panned views. Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the Web page content"***). Inherent in this limitation of claim 285 are mathematical processes for rendering the Web content (*i.e.*, pixel

interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 285 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the conventional device hardware (*i.e.*, "display of the wireless device") is insufficient to convert the abstract concepts recited in claim 285 into patentable subject matter. Thus, claim 285 is abstract and patent-ineligible.

3.1.2.1.50 Dependent Claim 286

Dependent claim 286 of the '353 Patent recites as follows (emphasis added):

> 286. The machine-readable medium of claim 285, wherein execution of the instructions performs further operations comprising ***enabling a user to zoom on a column 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 column is enlarged***.

The PTAB found that claim 286 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 286 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each

zoom and pan view setting. Inherent in this limitation of claim 286 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 286 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 286 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 286 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected column" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.51 Dependent Claim 287

Dependent claim 287 of the '353 Patent recites as follows (emphasis added):

> 287. The machine-readable medium of claim 286, wherein the corresponding ***user input comprises tapping on the column*** via the display.

The PTAB found that claim 287 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The tapping on a column of displayed content to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on a column is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341.

3.1.2.1.52 Dependent Claim 293

Dependent claim 293 of the ’353 Patent recites as follows (emphasis added):

> 293. The machine-readable medium of claim 285, wherein execution of the instructions performs further operations comprising ***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***.

The PTAB found that claim 293 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 293 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 293 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for*

Imaging, Inc. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 293 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display (*e.g.*, a paragraph) is enlarged is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 293 is directed to the result of the abstract idea of rendering a display element (*e.g.*, a paragraph) by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 293 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected paragraph" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.53 Dependent Claim 294

Dependent claim 294 of the '353 Patent recites as follows (emphasis added):

> 294. The machine-readable medium of claim 293, wherein the corresponding ***user input comprises tapping on the paragraph*** via the display.

The PTAB found that claim 294 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The tapping on a paragraph of displayed content to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on a paragraph is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341.

3.1.2.1.54 Dependent Claim 296

Dependent claim 296 of the ’353 Patent recites as follows (emphasis added):

> 296. The machine-readable medium of claim 293, wherein the display is ***re-rendered such that content corresponding to the selected paragraph is rendered to fit across the display***.

The PTAB found that claim 296 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The rendering of a particular portion of a display such that an element of the display (*e.g.*, a paragraph) is enlarged is conventional. Well before the priority date of the ’353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 296 is directed to the result of the abstract idea of rendering a display element (*e.g.*, a paragraph) by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 296 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the “selected paragraph” for re-rendering. The

"re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.55 Dependent Claim 304

Dependent claim 304 of the '353 Patent recites as follows (emphasis added):

> 304. The machine-readable medium of claim 285, wherein 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.

The PTAB found that claim 304 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The inclusion of cascaded style sheet data within the HTML-based content of a web pages is simply a disclosure of conventional and generic web page components. The inclusion of cascaded style sheet data is not an improvement to HTML-based web pages that resulted in improved storage or operation – it was already well-known and generic technology. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016) ("In sum, the self-referential table recited in the claims on appeal is a specific type of data structure designed to improve the way a computer stores and retrieves data in memory.").

In addition, claim 304 lacks any disclosure regarding the preservation of the cascaded style sheet data at each zoom level and panned view. Claim 182 claims the result of the preservation, but lacks any description of how the preservation is implemented.

3.1.2.1.56 Dependent Claim 306

Dependent claim 306 of the '353 Patent recites as follows (emphasis added):

> 306. The machine-readable medium of claim 285, wherein the wireless device comprises a ***mobile phone***.

The PTAB found that claim 306 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of a mobile phone does not impart patent eligibility. Instead, dependent claim 306 adds a further variation on the abstract ideas of claim 285, but the addition of a mobile phone is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.57 Dependent Claim 307

Dependent claim 307 of the ’353 Patent recites as follows (emphasis added):

> 307. The machine-readable medium of claim 285, wherein the wireless device comprises a ***hand-held device***.

The PTAB found that claim 307 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

The additional limitation of the device being hand-held does not impart patent eligibility. Instead, dependent claim 307 adds a further variation on the abstract ideas of claim 285, but the requirement that the device be hand-held is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.1.2.1.58 Independent Claim 317

Independent claim 317 of the ’353 Patent recites as follows (emphasis added):

> 317. A hand-held wireless device, comprising:
>
> a processor,
>
> a wireless communications interface, to facilitate wireless communication with a network that supports access to the Internet;
>
> a display; and

non-volatile memory, operatively coupled to the processor, in which software comprising a browser is stored, the browser comprising a plurality of instructions that when executed by the processor enable the device to perform operations including,

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;

retrieving the Web page via the wireless communications interface;

rendering the Web page on the display such that at least one of the width and height of the Web page is fully displayed; and

enabling the user to zoom and pan a view of the Web page;

activate a currently displayed hyperlink to an external reference while at a given zoom level and panned view, wherein in response to an activation of a hyperlink to an external reference, Web content associated with the external reference is retrieved and rendered 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.

The PTAB found that claim 317 of the '353 Patent was unpatentable in IPR2013-00007, -00256. The Federal Circuit confirmed the PTAB's findings in *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015). The IPR Trial Certificate issued on January 12, 2016 confirms the cancellation of this claim.

The first group of limitations of claim 317 is directed to a collection of circuitry and other hardware (*e.g.*, processor, a wireless communications device, display, non-volatile memory) that interoperate to perform the operations limitations of claim 317. It is well-established that simply implementing an abstract idea on a computer (or computer-like device) does not, without more, confer patent eligibility on that abstract idea. *Alice*, 134 S. Ct. at 2359 (citations omitted). That the web page processing is implemented in a particular technological environment does not alone confer eligibility, as the mere implementation of using conventional processors and memory does

not make it any less abstract. *See Alice*, 573 U.S. at 225; *Intellectual Ventures I LLC v. Symantec Corp.*, 838 F.3d 1307, 1315 (Fed. Cir 2016) ("Claims that 'amount to nothing significantly more than an instruction to apply [an] abstract idea ... using some unspecified, generic computer' and in which 'each step does no more than require a generic computer to perform generic /computer functions' do not make an abstract idea patent-eligible") (citation omitted); *Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1354 (Fed. Cir. 2016) ("limiting the claims to [a] particular technological environment ... is, without more, insufficient to transform them into patent-eligible applications of the abstract idea at their core.").

The next limitation of claim 317 recites "***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." At best, all this limitation discloses is the hand-held wireless device has sufficient hardware resources to render a browser interface that can request access to a web page that comprises conventional and generic code, text, content, and/or hyperlinks. Well before the priority date of the '353 Patent, implementing a browser on a hand-held wireless device was conventional. The claim limitation does not require any specific arrangement of the components of the hand-held wireless device, nor does the claim limitation recite any specific technique, improved or otherwise, for rendering the browser on the display of the hand-held wireless device. This type of functional information display requirement, without more, has been found to be an abstract idea. *See Elec. Power Grp.,* 830 F.3d at 1354; *Content Extraction*, 776 F.3d at 1347.

The next limitation of claim 317 recites "***retrieving the Web page via the wireless communications interface***." Well before the priority date of the '353 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the '353 Patent

specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retreiving" step, even when executed by the hand-held wireless device, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The following limitations for claim 317 are related to each other with respect to the ability to zoom in/out of a rendering of a Web page:

- ***enabling the user to zoom and pan a view of the Web page***;
- ***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***.

For each of the above limitations, claim 317 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in these limitations of claim 317 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or

virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). These limitations of claim 317 necessarily use an unknown mathematical equation to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '353 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 317 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016).

3.1.2.1.59 Dependent Claim 318

Dependent claim 318 of the '353 Patent recites as follows (emphasis added):

> 318. The hand-held wireless device of claim 317, wherein the Web page comprises HTML-based Web page content defining an original page layout, functionality, and design of the Web page content, and wherein 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***.

The PTAB found that claim 318 of the '353 Patent was unpatentable in the '634 IPRx. The Federal Circuit remanded the '634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 318 recites the rendering of "***the Web page such that the original page layout, functionality, and design of the Web page are preserved at any selectable zoom level.***" As noted previously, the format of the retrieved Web page is conventional and generic and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for

analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled to the selected zoom level. *Id*. The claim limitation simply recites the result of an unknown translation process that takes the original format of a Web page and creates a zoomed version of the Web page. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). Claim 318 is abstract, and the recitation of generic computer hardware in claim 318 does make the limitation patent-eligible.

3.1.2.1.60 Dependent Claim 319

Dependent claim 319 of the '353 Patent recites as follows (emphasis added):

> 319. The hand-held wireless device of claim 318, wherein the ***user is enabled to 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.

The PTAB found that claim 319 of the ’353 Patent was unpatentable in the ’634 IPRx. The Federal Circuit remanded the ’634 IPRx back to the Patent Office for further review in *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024).

Claim 319 is directed to the result of the abstract ideas of browsing, zooming, and panning a particular web page (one of billions of web pages) such that the browsing, zooming, and panning functions maintain the original layout, functionality, and design of the HTML content on that particular web page. Claim 319 does not, however, disclose or invoke any specific processes or circuitry to accomplish that rendering result, especially for, at a minimum, a billion web pages. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 35 does not recite any specific algorithms or specialized computer circuitry directed to the browsing, zooming, and panning of billions of web pages. Without more, the “browse, zoom, and pan” ability recited in claim 319 is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

In sum, the Asserted Claims are easily distinguishable from the types of claims that the Federal Circuit has held to be eligible, which typically disclose specific means for improving specific computer technology itself or solving specific computer problems. *See, e.g., Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1336 (Fed. Cir. 2016) (improved computer database structure); *McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299, 1307-08 (Fed. Cir. 2016) (specific improvement to lip synch animation based on particular “output morph weight set stream” and “transition parameters”); *Visual Memory LLC v. NVIDIA Corp.*, 867 F.3d 1253, 1260 (Fed. Cir. 2017) (“new, improved and more efficient memory system”); *Finjan, Inc. v. Blue Coat Sys., Inc.*, 879 F.3d 1299, 1303-05 (Fed. Cir. 2018) (“specific” improved “‘behavior-based’ virus scan”).

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3.1.2.1 *Alice* Step Two: The Asserted Claims Contain No "Inventive Concept" Sufficient to Render Them Patent Eligible

As noted above, the second step of a Section 101 analysis under *Alice* requires the consideration of each claim element individually and "as an ordered combination" to determine whether there are additional elements present in the claim that "transform the nature of the claim" into a patent-eligible application." *Alice*, 134 S. Ct. at 2347 (quotation omitted). Turning to representative claim 1, first the claim elements will be examined individually, and then claim elements as an "ordered combination" will be examined.

The Asserted Claims of the '353 Patent simply invoke well-understood, routine, and conventional software methods and techniques to achieve the multiple abstract ideas interspersed throughout the Asserted Claims. The claim limitations directed to the receipt of a Web page with HTML-based Web content, the processing of the Web page to manipulate and create scalable content data that is representative of the Web page, and use the scalable content data to render a version of the Web page on a display screen are well-known to one of ordinary skill in the art of software development for computing devices. *See, e.g.*, '353 Patent at 1:60–66; *see also* prior art referenced in Section 3.1.4 and Defendants' Invalidity Contentions (including invalidity claim charts included therewith). Turning to the '353 Patent specification, it states that conventional computers and software coding techniques can be used to implement these claim elements:

> The present invention includes various operations, which will be described below. The operations of the present invention may be performed by hardware components or may be embodied in machine-executable instructions, which may be used to cause a general-purpose or special-purpose processor or logic circuits programmed with the instructions to perform the operations. Alternatively, the operations may be performed by a combination of hardware and software.
>
> '353 Patent at 4:16–23.
>
> As will be recognized by those skilled in the art, the functions performed in blocks 150, 152, and 154 are commonly performed by conventional browsers during a pre-rendering process. In some browsers, these functions are performed by the Mozilla rendering engine,

> which comprises open source software that is readily available for use by developers. At present, the software for the Mozilla rendering engine may be accessed via the Internet at www.mozilla.org. Accordingly, in one embodiment, the present invention uses core functionality provided by the Mozilla rendering engine source code to perform the functions of block 150, 152, and 154.

’353 Patent at 17:31–41.

As discussed in detail in the preceding Section, the Asserted Claims of the ’353 Patent are directed to the processing of a Web page comprising HTML-based Web content (*i.e.*, HTML code) to calculate data points for an alternative representation of that Web page (*i.e.*, scalable content data), and then displaying that alternative representation on a touchscreen display, all of which are patent ineligible. *See, e.g., Elec. Pwr. Grp. v. Alstom SA*, 830 F.3d 1350, 1354 (Fed. Cir. 2016) (“And we have recognized that merely presenting the results of abstract processes of collecting and analyzing information, without more (such as identifying a particular tool for presentation.”); *Digitech Image Techs., LLC v. Elecs. For Imaging, Inc.*, 758 F.3d 1344, 1351 (Fed. Cir. 2014) (“Without additional limitations, a process that employs mathematical algorithms to manipulate existing information to generate additional information is not patent eligible.”). The downloading of the Web page comprising HTML-based Web content and manipulating the data within the downloaded Web page for display purposes is the normal and expected manner of operation for a computing device that processes Web pages and the HTML-based Web content therein for display. *See, e.g., DDR Holdings, LLC v. Hotels.com*, 773 F.3d 1245, 1258–59 (Fed. Cir 2014) (Clicking of hyperlink “overrides the routine and conventional sequence of events ordinarily triggered by the click of a hyperlink). The inclusion of physical hardware in the Asserted Claims of the ’353 Patent does not make the claims patent-eligible, as the recited hardware is generic and conventional. For example, the ’353 Patent discloses that the machine-readable mediums for storing instructions “may include, but is not limited to, floppy diskettes, optical disks, CD-ROMs, and magneto-optical disks, ROMs, RAMs, EPROMs, EEPROMs, magnetic or optical cards, flash

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memory, or other type of media/machine-readable medium suitable for storing electronic instructions." *See* '353 Patent at 4:29–34. Representative claim 1 of the '353 Patent states that method is performed on a "wireless device" with a display. Several of the machine-readable mediums recited above are incompatible with the device recited in claim 1. Moreover, the '353 Patent describes the physical hardware as "general-purpose or special-purpose processor or logic circuits programmed with the instructions to perform the operations." *See id*. at 4:17–22. The '353 Patent further discloses generic and conventional computer architecture for use in implementing the method recited in the Asserted Claims. *See id*. at 21:15–46; Figure 10. As the Federal Circuit has held, "claims are not saved from abstraction merely because they recite components more specific than a generic computer." *BSG Tech LLC v. Buyseasons, Inc.*, 899 F.3d 1281, 1286 (Fed. Cir. 2018). Here, in the '353 Patent, the hardware is generic and conventional, and hand-held devices with displays (touchscreen or otherwise) were known in the prior art. *See, e.g.*, U.S. Patent No. 6,518,957 to Lehtinen.

As noted earlier, Plaintiff alleges that the invention claimed in the '353 Patent would allow a web page designed for a desktop computer to be "rapidly panned and zoomed to facilitate use on devices with smaller screens, different resolutions, or different aspect ratios." *See, e.g.*, Compl. at ¶ 149. The Asserted Claims of the '353 Patent themselves, however, provide no specific technological solution to these purported problems but instead simply disclose the abstract ideas of retrieving the Web page with the markup language (*i.e.*, HTML code), and manipulating the page layout data of that retrieved Web page to display the Web page in its now manipulated form, which moreover would be well-known to one of ordinary skill in the art of software development as shown by the extensive prior art already applied to the '353 Patent. *See, e.g.*, *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024); see also *Inter Partes* Reexamination Control

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No. 95/000,634. Furthermore, none of the Asserted Claims of the ’353 Patent has any language that links the purported technological advancements recited in the Asserted Claims to “devices with smaller screens, different resolutions, or different aspect ratios” as stated in the Complaint. For example, the ’353 Patent fails to disclose any pixel interpolation techniques that would be necessary for the proper scaling of text, images, and other structures present in the HTML document. The ’353 Patent does admit, however, that scaling techniques were already known in the prior art. *See, e.g.*, ’353 Patent at 20:32–38.

Turning to representative claim 1, the “rendering,” “retrieving,” “translating,” “scaling,” and “rendering” claim elements do not specify how the markup language of the Web page is manipulated to achieve the result of “scalable content.” None of the language in the identified limitations of claim 1 recites any specific algorithm or tool that creates the “scalable content.” The processing of the HTML-based Web content of the Web page was routine and conventional well before the applicable priority date of the application that issued as the ’353 Patent. These claim elements simply recite abstract ideas implemented using generic and conventional technology to “perform well-understood, routine, and conventional activities commonly used in the industry.” *See, e.g., Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat’l Ass’n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) (“The concept of data collection, recognition, and storage is undisputedly well-known.”). Claim 1 provides no details on the implementation of all these steps, but instead just claims the result. *See, e.g., Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016) (internal quotations and citation omitted). The final claim element is “scaling the scalable content to render the Web page on the display such that a width of the Web page is rendered to fit across the display.” As noted above, hand-held devices with touch screens were conventional technology prior to the earliest priority date of the ’353 Patent. The use of

conventional computer equipment and software techniques does not convert the abstract idea of processing the markup language of the Web page for display into something other than what is "well-understood, routine, and conventional activities commonly used in the industry."

Turning to representative claim 36, the "rendering," "retrieving," and "processing" claim elements do not specify how the HTML-based Web content of the Web page is manipulated to achieve the result of "scalable content." The final claim elements are "employing at least one of the scalable content or data derived therefrom to, render the Web page on the display" and "re-render the display" at various zoom levels and panned views. None of the language in the identified limitations of claim 36 recites any specific algorithm or tool that creates the "scalable content" or performs the zoom and panning calculations. The processing of the HTML-based Web content of the Web page was routine and conventional well before the applicable priority date of the application that issued as the '353 Patent. These claim elements simply recite abstract ideas implemented using generic and conventional technology to "perform well-understood, routine, and conventional activities commonly used in the industry." *See, e.g., Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat'l Ass'n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) ("The concept of data collection, recognition, and storage is undisputedly well-known."). Claim 36 provides no details on the implementation of all these steps, but instead just claims the result. *See, e.g., Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016) (internal quotations and citation omitted). As noted above, hand-held devices with touch screens were conventional technology prior to the earliest priority date of the '353 Patent. The use of conventional computer equipment and software techniques does not convert the abstract idea of processing the markup language of the Web page for display into something other than what is "well-understood, routine, and conventional activities commonly used in the industry."

Turning to representative claim 36, the "rendering," "retrieving," and "processing" claim elements do not specify how the HTML-based Web content of the Web page is manipulated to achieve the result of "scalable content." The remaining claim elements are "employing at least one of the scalable content or data derived therefrom to, render the Web page on the display" and "re-render the display" at various zoom levels and panned views. None of the language in the identified limitations of claim 36 recites any specific algorithm or tool that creates the "scalable content" or performs the zoom and panning calculations. The processing of the HTML-based Web content of the Web page was routine and conventional well before the applicable priority date of the application that issued as the '353 Patent. These claim elements simply recite abstract ideas implemented using generic and conventional technology to "perform well-understood, routine, and conventional activities commonly used in the industry." *See, e.g., Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat'l Ass'n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) ("The concept of data collection, recognition, and storage is undisputedly well-known."). Claim 36 provides no details on the implementation of all these steps, but instead just claims the result. *See, e.g., Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016) (internal quotations and citation omitted). As noted above, hand-held devices with touch screens were conventional technology prior to the earliest priority date of the '353 Patent. The use of conventional computer equipment and software techniques does not convert the abstract idea of processing the markup language of the Web page for display into something other than what is "well-understood, routine, and conventional activities commonly used in the industry."

Turning to representative claim 87, the "retrieving" and "rendering" claim elements are generic steps of processing the HTML-based Web content of the Web page. The processing of the HTML-based Web content of the Web page was routine and conventional well before the

applicable priority date of the application that issued as the ’353 Patent. The “re-rendering” claim element manipulates the HTML-based Web content of the Web page to achieve the result of a “Web page to be browsed at various zoom levels and panned views….” None of the language in the identified limitations of claim 87 recites any specific algorithm or tool that performs the zoom and panning calculations. These claim elements simply recite abstract ideas implemented using generic and conventional technology to “perform well-understood, routine, and conventional activities commonly used in the industry.” *See, e.g., Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat’l Ass’n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) (“The concept of data collection, recognition, and storage is undisputedly well-known.”). Claim 36 provides no details on the implementation of all these steps, but instead just claims the result. *See, e.g., Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016) (internal quotations and citation omitted). As noted above, hand-held devices with touch screens were conventional technology prior to the earliest priority date of the ’353 Patent. The use of conventional computer equipment and software techniques does not convert the abstract idea of processing the markup language of the Web page for display into something other than what is “well-understood, routine, and conventional activities commonly used in the industry.”

Turning to representative claim 209, the “employing,” “translating,” and “enabling” claim elements do not specify how the HTML-based Web content of the Web page is manipulated to achieve the result of “scalable content.” The remaining claim elements are “employing the scalable content to render the Web page on the display using a first scale factor” and “enabling the Web page to be displayed at a different resolution by scaling the scalable content using a second scale factor to re-render the display.” None of the language in the identified limitations of claim 209 recites any specific algorithm or tool that creates the “scalable content” at a “first scale factor” or

a "second scale factor" or performs the zoom (*i.e.*, "different resolutions") calculations. The processing of the HTML-based Web content of the Web page was routine and conventional well before the applicable priority date of the application that issued as the '353 Patent. These claim elements simply recite abstract ideas implemented using generic and conventional technology to "perform well-understood, routine, and conventional activities commonly used in the industry." *See, e.g., Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat'l Ass'n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) ("The concept of data collection, recognition, and storage is undisputedly well-known."). Claim 36 provides no details on the implementation of all these steps, but instead just claims the result. *See, e.g., Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016) (internal quotations and citation omitted). As noted above, hand-held devices with touch screens were conventional technology prior to the earliest priority date of the '353 Patent. The use of conventional computer equipment and software techniques does not convert the abstract idea of processing the markup language of the Web page for display into something other than what is "well-understood, routine, and conventional activities commonly used in the industry."

Turning to representative claim 317, the "retreiving," "rendering," "activate." and "zoom" claim elements do not specify how the Web page with a hyperlink to an external reference is manipulated to achieve the result of zooming in to Web content located at the hyperlink. None of the language in the identified limitations of claim 317 recites any specific algorithm or tool that performs the zoom calculations on either the Web page with the hyperlink or the Web page located at the hyperlink. The processing of the HTML-based Web content of the Web page was routine and conventional well before the applicable priority date of the application that issued as the '353 Patent. These claim elements simply recite abstract ideas implemented using generic and conventional technology to "perform well-understood, routine, and conventional activities

commonly used in the industry." *See, e.g., Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat'l Ass'n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) ("The concept of data collection, recognition, and storage is undisputedly well-known."). Claim 36 provides no details on the implementation of all these steps, but instead just claims the result. *See, e.g., Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016) (internal quotations and citation omitted). As noted above, hand-held devices with touch screens were conventional technology prior to the earliest priority date of the '353 Patent. The use of conventional computer equipment and software techniques does not convert the abstract idea of processing the markup language of the Web page for display into something other than what is "well-understood, routine, and conventional activities commonly used in the industry."

Finally, there is nothing in the "ordered combination" of steps in the Asserted Claims of the '353 Patent that could supply an adequate inventive concept. Each recited step is arranged and used in a conventional manner, as one would expect when the basis for the purported invention is the intake and processing of the markup language of the Web page to create a display of that markup language in a different format. *See, e.g.*, prior art referenced in Section 3.1.4 and Defendants' Invalidity Contentions (including invalidity claim charts included therewith). There is no "non-conventional and non-generic arrangement of known, conventional pieces." *BASCOM Glob. Internet Servs*., 827 F.3d at 1350.

3.1.3. All Asserted Claims Are Substantially Similar—Represented by Claims 1, 36, 87, 209, 317—for Purposes of Section 101 Analysis

All Asserted Claims of the '353 Patent are directed to patent-ineligible abstract ideas. Where claims are "substantially similar and linked to the same abstract idea," courts may look to representative claims in a Section 101 analysis. *Content Extraction*, 776 F.3d at 1349; *see also Phoenix Licensing, L.L.C. v. Consumer Cellular, Inc.*, No. 2:16-cv-152-JRG-RSP, 2017 WL

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1065938, at *8-9 (E.D. Tex. Mar. 8, 2017), *report and recommendation adopted*, 2017 WL 1177988 (Mar. 30, 2017) (invalidating 974 claims after analyzing only a few "representative claims" where other claims were "substantially similar" and "linked to the same abstract idea"). Here, claim 1 of the '353 Patent is representative of all Asserted Claims of the '353 Patent, as the remaining claims recite the same abstract idea with immaterial and conventional variations.

All Asserted Claims of the '353 Patent are directed to patent-ineligible abstract ideas. Where claims are "substantially similar and linked to the same abstract idea," courts may look to representative claims in a Section 101 analysis. *Content Extraction*, 776 F.3d at 1349; *see also Phoenix Licensing, L.L.C. v. Consumer Cellular, Inc.*, No. 2:16-cv-152-JRG-RSP, 2017 WL 1065938, at *8-9 (E.D. Tex. Mar. 8, 2017), *report and recommendation adopted*, 2017 WL 1177988 (Mar. 30, 2017) (invalidating 974 claims after analyzing only a few "representative claims" where other claims were "substantially similar" and "linked to the same abstract idea"). As shown in the table above in Section 3.1.1, there are five representative claims: claims 1, 36, 87, 209, and 317. Each of the representative claims and the claim groups that they represent will be examined below.

3.1.3.1 Representative Claim 1 Group

As noted in the table above in Section 3.1.1, claim 1 (reproduced below) is representative of independent claims 118 and 216, as well as all dependent claims for each of those respective independent claims (*i.e.*, 11, 18, 30, 31, 35, 128, 129, 133, 134, 144, 145):[3]

1. A wireless device, comprising:

> processing means; wireless communications means, to facilitate wireless communication with a network that supports access to the Internet; a display;

[3] On August 15, 2025, Plaintiff voluntarily withdrew its infringement allegations for claims 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 against the Defendants.

> memory; and storage means, in which a plurality of instructions are stored that when executed by the processing means enable the wireless device to perform operations including,
>
> 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 having an original format defining an original width and height of the Web page and an original page layout, functionality, and design of content on the Web page;
>
> in response to a user request to access the Web page, retrieving the Web page via the wireless communication means, and 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 that preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered; and
>
> scaling the scalable content to render the Web page on the display such that a width of the Web page is rendered to fit across the display.

The asserted dependent claims add additional limitations, but those additional limitations do not impart patent eligibility. Instead, the dependent claims add limitations further variations on abstract ideas and are not technological advancements. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

Claim 11 recites that the execution of instructions on the wireless device enables "a user to zoom on a column 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 column is enlarged." The zoom functionality of claim 11, without more, is an abstract idea that is not patent-eligible. The inclusion of the conventional hardware within the wireless device is insufficient to convert the abstract concepts recited in claim 11 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 1 and 11 as being fully applicable to claim 11 here.

Claim 18 recites that the execution of instructions on the wireless device enables "a user to zoom on a paragraph 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 paragraph is enlarged." The zoom functionality of claim 18, without more, is an abstract idea that is not patent-eligible. The inclusion of the conventional hardware within the wireless device is insufficient to convert the abstract concepts recited in claim 18 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 1 and 18 as being fully applicable to claim 18 here.

Claim 30 recites that the execution of instructions is performed on a mobile phone, *i.e.*, the claimed wireless device. Further defining the hand-held device of claim 30 is insufficient to convert the abstract concepts recited in claim 1 into patentable subject matter. The inclusion of the conventional hardware within the mobile phone is insufficient to convert the abstract concepts recited in claim 30 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 1 and 30 as being fully applicable to claim 30 here.

Claim 31 recites that the execution of instructions is performed on a Personal Digital Assistant (PDA) or hand-held computer, *i.e.*, the claimed wireless device. Further defining the hand-held device of claim 1 is insufficient to convert the abstract concepts recited in claim 30 into patentable subject matter. The inclusion of the conventional hardware within the mobile phone is insufficient to convert the abstract concepts recited in claim 31 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 1 and 31 as being fully applicable to claim 31 here.

Claim 35 recites that the execution of instructions on the wireless device enables "a user to 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. The browse, zoom, and pan functionality of claim 35, without more, is an abstract idea that is not patent-eligible.

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The inclusion of the conventional hardware within the wireless device is insufficient to convert the abstract concepts recited in claim 35 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 1 and 35 as being fully applicable to claim 35 here.

Independent claim 118 (reproduced below) is substantially similar to independent claim 1, and is linked to the same abstract ideas.

118. A method, comprising:

> 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 having an original format defining an original width and height of the Web page and an original page layout, functionality, and design of content on the Web page;
>
> in response to a user request to access the Web page,
>
> retrieving the Web page via the device, and 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 that preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered; and
>
> scaling the scalable content to render the Web page on the display such that a width of the Web page is rendered to fit across the display.

Claim 118 recites an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 1 and 118 as being fully applicable to claim 118 here.

Claim 128 recites that the method enables "a user to zoom on a column 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 column is rendered to fit across the display." The zoom functionality of claim 128, without more, is an abstract idea that is not patent-eligible. Defendants

incorporate by reference the analysis in Section 3.1.2 for claims 1, 118, and 128 as being fully applicable to claim 128 here.

Claim 133 recites that the method enables "a user to zoom on a paragraph 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 paragraph is rendered to fit across the display." The zoom functionality of claim 133, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 1, 118, and 133 as being fully applicable to claim 133 here.

Claim 134 recites that the method includes "corresponding user input [that] comprises tapping on the paragraph via the display" The tapping functionality of claim 134, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 1, 118, and 134 as being fully applicable to claim 134 here.

Claim 144 recites that the method is performed on a mobile phone. Further defining the device of claim 118 is insufficient to convert the abstract concepts recited in claim 144 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 1, 118, and 144 as being fully applicable to claim 144 here.

Claim 145 recites that the method is performed on a Personal Digital Assistant (PDA) or hand-held computer. Further defining the device of claim 118 is insufficient to convert the abstract concepts recited in claim 145 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 1, 118, and 145 as being fully applicable to claim 145 here.

Independent claim 216 (reproduced below) is substantially similar to independent claim 1, and is linked to the same abstract ideas.

> 216. A machine-readable medium having a plurality of instructions tangibly stored thereon, which when executed enable a device to perform operations comprising:

> 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 having an original format defining an original width and height of the Web page and an original page layout, functionality, and design of content on the Web page;
>
> retrieving the Web page via the wireless communication means, and 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 that preserves the original page layout, functionality and design of the content defined by its original format when scaled and rendered; and
>
> scaling the scalable content to render the Web page on the display such that a width of the Web page is rendered to fit across the display.

Claim 216 recites an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 1 and 216 as being fully applicable to claim 216 here.

Notably, there are no specific instructions or limitations in the specification concerning how these claim limitations must be carried out, other than a description of the idea, non-specific examples of how the idea may be carried out, and the instructions to apply it to the conventional technological environment. *See Alice*, 134 S. Ct. at 2357. Thus, as with claim 1, none of the asserted dependent claims provide particular requirements as to how the claimed steps are to be performed, nor do they recite anything other than conventional components that are used in conventional ways.

Accordingly, claim 1 of the ’353 Patent is representative for this portion of the Section 101 analysis, and any differences amongst claims 11, 18, 30, 31, 35, 118, 128, 129, 133, 134, 144, 145, and 216 are insubstantial with respect to eligibility, as each of the claims in the ’353 Patent are drawn to the same abstract idea and merely recite token post-solution elements performed by “purely conventional” computing elements, or merely requiring “a generic computer to perform generic computer functions,” as demonstrated by the ’353 Patent itself describing the recited

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elements as including conventional components and functionalities. *Alice*, 573 U.S. at 225; *see also Content Extraction*, 776 F.3d at 1348.

3.1.3.2 Representative Claim 36 Group

As noted in the table above in Section 3.1.1, claim 36 is representative of independent claims 70, 149, and 252, as well as all dependent claims for each of those respective independent claims (*i.e.*, claims 37, 38, 48, 50, 53, 55, 69, 150, 151, 161, 168, 171, 182, 253, 254, 264, 269, 282):[4]

36. A mobile hand-held device, comprising:

> a processor, a wireless communications device, to facilitate wireless communication with a network that supports access to the Internet; a display; and flash memory, operatively coupled to the processor, in which a plurality of instructions are stored that when executed by the processor enable the mobile hand-held device to perform operations including,
>
> rendering a browser interface via which a user is enabled to request access to a Web page comprising HTML-based Web content defining an original page layout, functionality, and design of content on the Web page;
>
> retrieving the Web page via the wireless communications device, and processing HTML-based Web content to produce scalable content; and
>
> employing at least one of the scalable content or data derived therefrom to, render the Web page on the display; and
>
> re-render the display in response to associated user inputs to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view.

The asserted dependent claims add additional limitations, but those additional limitations do not impart patent eligibility. Instead, the dependent claims add limitations further variations on

[4] On August 15, 2025, Plaintiff voluntarily withdrew its infringement allegations for claims 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 against the Defendants.

abstract ideas and are not technological advancements. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

Claim 37 recites that the execution of instructions is performed on a mobile phone, *i.e.*, the claimed wireless device. Further defining the hand-held device of claim 36 is insufficient to convert the abstract concepts recited in claim 36 into patentable subject matter. The inclusion of the conventional hardware within the mobile phone is insufficient to convert the abstract concepts recited in claim 37 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36 and 37 as being fully applicable to claim 37 here.

Claim 38 recites that the execution of instructions is performed on a Personal Digital Assistant (PDA) or hand-held computer, *i.e.*, the claimed wireless device. Further defining the hand-held device of claim 36 is insufficient to convert the abstract concepts recited in claim 37 into patentable subject matter. The inclusion of the conventional hardware within the mobile phone is insufficient to convert the abstract concepts recited in claim 37 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36 and 38 as being fully applicable to claim 38 here.

Claim 48 recites that the execution of instructions on the wireless device enables "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." The zoom functionality of claim 48, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36 and 48 as being fully applicable to claim 48 here.

Claim 50 recites that the method further includes "corresponding user input [that] comprises tapping on the column via the display." The tapping functionality of claim 50, without

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more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36 and 50 as being fully applicable to claim 50 here.

Claim 53 recites that the execution of instructions on the wireless device enables "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 rendered to fit across a display area of the display." The zoom functionality of claim 53, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36 and 53 as being fully applicable to claim 53 here.

Claim 55 recites that the execution of instructions on the wireless device further includes "corresponding user input [that] comprises tapping on the paragraph via the display." The tapping functionality of claim 55, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36 and 55 as being fully applicable to claim 55 here.

Claim 69 recites that the execution of instructions on the wireless device enables "a user to browse, zoom, and pan billions of Web pages in a manner that preserves the original layout, functionality, and design of the HTML-based Web content of each Web page." The browse, zoom, and pan functionality of claim 69, without more, is an abstract idea that is not patent-eligible. The inclusion of the conventional hardware within the wireless device is insufficient to convert the abstract concepts recited in claim 69 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36 and 69 as being fully applicable to claim 69 here.

Independent claim 70 (reproduced below) is substantially similar to independent claim 1, and is linked to the same abstract ideas:

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70. A mobile device, comprising:

> processing means; wireless communications means, to facilitate wireless communication with a network that supports access to the Internet; a display, to facilitate user input and display rendered content; and storage means, in which a plurality of instructions are stored, wherein, upon execution of the instructions by the processing means, the mobile device is enabled to perform operations, including,
>
> rendering a browser interface via which a user is enabled to request access to a Web page comprising HTML-based Web content defining an original page layout, functionality, and design of content on the Web page;
>
> retrieving the Web page via the wireless communications means, and processing at least a portion of the HTML-based Web content to produce scalable content; and
>
> employing at least one of the scalable content or data derived therefrom to, render the Web page on the display; and
>
> re-render the display in response to associated user inputs made via the display to enable the Web page to be browsed at various zoom levels and panned views 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.

Claim 70 recites an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36 and 70 as being fully applicable to claim 70 here.

Independent claim 149 (reproduced below) is substantially similar to independent claim 1, and is linked to the same abstract ideas:

149. A method, comprising:

> 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 defining an original page layout, functionality, and design of content on the Web page;
>
> retrieving the Web page via the hand-held device, and processing HTML-based Web content to produce scalable content; and
>
> employing at least one of the scalable content or data derived therefrom to, render the Web page on a display of the hand-held device; and
>
> re-render the display in response to associated user inputs to enable the Web page to be browsed at various zoom levels and panned views while preserving the

> original page layout, functionality, and design of the Web page content at each zoom level and panned view.

Claim 149 recites an abstract idea that is not patent-eligible. . Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36 and 149 as being fully applicable to claim 149 here.

Claim 150 recites that the method is performed on a mobile phone. Further defining the device of claim 149 is insufficient to convert the abstract concepts recited in claim 150 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 149, and 150 as being fully applicable to claim 150 here.

Claim 151 recites that the method is performed on a Personal Digital Assistant (PDA) or hand-held computer. Further defining the device of claim 149 is insufficient to convert the abstract concepts recited in claim 151 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 149, and 151 as being fully applicable to claim 151 here.

Claim 161 recites that the method enables "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 enlarged." The zoom functionality of claim 161, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 149, and 161 as being fully applicable to claim 161 here.

Claim 162 recites that the method further includes "corresponding user input [that] comprises tapping on the column via the display." The tapping functionality of claim 162, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 149, and 162 as being fully applicable to claim 162 here.

Claim 164 recites that the method further includes that "the display is re-rendered such that content corresponding to the selected column is rendered to fit across the display." The re-rendering functionality of claim 164, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 149, and 164 as being fully applicable to claim 164 here.

Claim 168 recites that the method enables "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." The zoom functionality of claim 168, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 149, and 168 as being fully applicable to claim 168 here.

Claim 170 recites that the method further includes that "the display is re-rendered such that content corresponding to the selected paragraph is rendered to fit across the display." The re-rendering functionality of claim 170, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 149, and 170 as being fully applicable to claim 170 here.

Claim 171 recites that the method further includes "corresponding user input [that] comprises tapping on the paragraph via the display." The tapping functionality of claim 171, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 149, and 171 as being fully applicable to claim 171 here.

Claim 182 requires that "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

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panned view." The functionality of claim 182, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 149, and 182 as being fully applicable to claim 182 here.

Independent claim 252 (reproduced below) is substantially similar to independent claim 1, and is linked to the same abstract ideas:

> 252. A machine-readable medium having a plurality of instructions comprising a Web browser tangibly stored thereon, which when executed enable a device to perform operations comprising:
>
> > 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 defining an original page layout, functionality, and design of content on the Web page;
> >
> > retrieving the Web page and processing HTML-based Web content to produce scalable content; and
> >
> > employing at least one of the scalable content or data derived therefrom to, render the Web page on the display; and
> >
> > re-render the display in response to associated user inputs to enable the Web page to be browsed at various zoom levels and panned views 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,
> >
> > wherein the Web browser enables a user of the device to 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 at each zoom level and panned view.

Claim 252 recites an abstract idea that is not patent-eligible. Claim 252 further recites that the execution of instructions enables "a user to browse, zoom, and pan billions of Web pages in a manner that preserves the original layout, functionality, and design of the HTML-based Web content of each Web page." The browse, zoom, and pan functionality of claim 252, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36 and 252 as being fully applicable to claim 252 here.

Claim 253 recites that the execution of instructions is performed on a device. Further defining the device of claim 252 is insufficient to convert the abstract concepts recited in claim 253 into patentable subject matter. The inclusion of the conventional hardware within the mobile phone is insufficient to convert the abstract concepts recited in claim 253 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 252, and 253 as being fully applicable to claim 253 here.

Claim 254 recites that the execution of instructions is performed on a hand-held device. Further defining the device of claim 252 is insufficient to convert the abstract concepts recited in claim 254 into patentable subject matter. The inclusion of the conventional hardware within the mobile phone is insufficient to convert the abstract concepts recited in claim 254 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 252, and 254 as being fully applicable to claim 254 here.

Claim 264 recites that the operations enable "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." The zoom functionality of claim 264, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 252, and 264 as being fully applicable to claim 264 here.

Claim 269 recites that the operations enable "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 rendered to fit across a browser display area of the display." The zoom functionality of claim 269, without more, is an abstract idea that is

not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 252, and 269 as being fully applicable to claim 269 here.

Claim 282 requires that "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." The functionality of claim 282, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 36, 252, and 282 as being fully applicable to claim 282 here.

Notably, there are no specific instructions or limitations in the specification concerning how these claim limitations must be carried out, other than a description of the idea, non-specific examples of how the idea may be carried out, and the instructions to apply it to the conventional technological environment. *See Alice*, 134 S. Ct. at 2357. Thus, as with claim 36, none of the asserted dependent claims provide particular requirements as to how the claimed steps are to be performed, nor do they recite anything other than conventional components that are used in conventional ways.

Accordingly, claim 36 of the '353 Patent is representative for this portion of the Section 101 analysis, and any differences amongst claims 37, 38, 48, 50, 53, 55, 69, 70, 149–151, 161, 168, 171, 182, 252–254, 264, 269, and 282 are insubstantial with respect to eligibility, as each of the claims in the '353 Patent are drawn to the same abstract idea and merely recite token post-solution elements performed by "purely conventional" computing elements, or merely requiring "a generic computer to perform generic computer functions," as demonstrated by the '353 Patent itself describing the recited elements as including conventional components and functionalities. *Alice*, 573 U.S. at 225; *see also Content Extraction*, 776 F.3d at 1348.

3.1.3.3 Representative Claim 87 Group

As noted in the table above in Section 3.1.1, claim 87 (reproduced below) is representative of independent claims 185 and 285, as well as all dependent claims for each of those respective independent claims (*i.e.*, claims 111, 186, 187, 189, 193, 194, 196, 204, 206, 207, 286, 287, 293, 294, 296, 304, 306, 307):[5]

87. A mobile hand-held device, comprising:

> a processor, a wireless communications interface, to facilitate wireless communication with a network that supports access to the Internet; a display; and non-volatile memory, operatively coupled to the processor, in which a plurality of instructions are stored that when executed by the processor enable the mobile hand-held device to perform operations including,
>
> 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 defining an original page layout, functionality, and design of content on the Web page;
>
> in response to a user request of the Web page, retrieving the Web page via the wireless communications interface;
>
> rendering the Web page such that a width of the Web page is rendered to fit across the display; and
>
> re-rendering the display in response to associated user inputs to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web a e content at each zoom level and panned view.

The asserted dependent claims add additional limitations, but those additional limitations do not impart patent eligibility. Instead, the dependent claims add limitations further variations on abstract ideas and are not technological advancements. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

[5] On August 15, 2025, Plaintiff voluntarily withdrew its infringement allegations for claims 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 against the Defendants.

Claim 111 recites that the execution of instructions on the wireless device enables "a user to 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." The browse, zoom, and pan functionality of claim 111, without more, is an abstract idea that is not patent-eligible. The inclusion of the conventional hardware within the wireless device is insufficient to convert the abstract concepts recited in claim 111 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87 and 111 as being fully applicable to claim 111 here.

Independent claim 185 (reproduced below) is substantially similar to independent claim 87, and is linked to the same abstract ideas:

185. A method, comprising:

> 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 defining an original page layout, functionality, and design of content on the Web page;
>
> in response to a user request of the Web page via the browser interface,
>
> > retrieving the Web page via the device;
> >
> > rendering the Web page via the device such that a full width of the Web page is rendered on the display; and
> >
> > re-rendering the Web page in response to associated user inputs to the hand-held device to enable the Web page to be browsed at various zoom levels and panned views 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,
> >
> > wherein the method enables a user of the device to 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.

Claim 185 recites an abstract idea that is not patent-eligible. Claim 185 further recites that the execution of instructions enables "a user of the device to browse, zoom, and pan billions of

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Web pages in a manner that preserves the original layout, functionality, and design of the HTML-based Web page content of each Web page." The browse, zoom, and pan functionality of claim 185, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87 and 185 as being fully applicable to claim 185 here.

Claim 186 recites that the method enables "a user to zoom on a column 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 column is enlarged." The zoom functionality of claim 186, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 185, and 186 as being fully applicable to claim 186 here.

Claim 187 recites that the method further includes "corresponding user input [that] comprises tapping on the column via the display." The tapping functionality of claim 187, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 185, and 187 as being fully applicable to claim 187 here.

Claim 189 recites that the method further includes that the "display is re-rendered such that content corresponding to the selected column is rendered to fit across the display." The re-rendering functionality of claim 189, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 185, and 189 as being fully applicable to claim 189 here.

Claim 193 recites that the method enables "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." The zoom functionality of claim 193,

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without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 185, and 193 as being fully applicable to claim 193 here.

Claim 194 recites that the method further includes "corresponding user input [that] comprises tapping on the paragraph via the display." The tapping functionality of claim 194, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 185, and 194 as being fully applicable to claim 194 here.

Claim 196 recites that the method further includes that the "display is re-rendered such that content corresponding to the selected paragraph is rendered to fit across the display." The re-rendering functionality of claim 196, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 185, and 196 as being fully applicable to claim 196 here.

Claim 204 requires that "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." The functionality of claim 204, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 185, and 204 as being fully applicable to claim 204 here.

Claim 206 recites that the method is performed on a mobile phone. Further defining the device of claim 185 is insufficient to convert the abstract concepts recited in claim 206 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 185, and 206 as being fully applicable to claim 206 here.

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Claim 207 recites that the method is performed on a hand-held device. Further defining the device of claim 185 is insufficient to convert the abstract concepts recited in claim 207 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 185, and 207 as being fully applicable to claim 207 here.

Independent claim 285 (reproduced below) is substantially similar to independent claim 87, and is linked to the same abstract ideas:

> 285. A machine-readable medium having a plurality of instructions tangibly stored thereon, which when executed enable a wireless device to perform operations comprising:
>
> 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 defining an original page layout, functionality, and design of content on the Web page;
>
> in response to a user request of the Web page, retrieving the Web page via the wireless device;
>
>> rendering the Web page such that a width of the Web page is rendered to fit across the display; and
>>
>> re-rendering the Web page in response to associated user inputs to enable the Web page to be browsed at various zoom levels and panned views while preserving the original page layout, functionality, and design of the Web page content at each zoom level and panned view.

Claim 285 recites an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87 and 285 as being fully applicable to claim 285 here.

Claim 286 recites that recites that the executed operations further enable "a user to zoom on a column 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 column is enlarged." The zoom functionality of claim 286, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 285, and 286 as being fully applicable to claim 286 here.

Claim 287 recites that the executed operations further include "corresponding user input [that] comprises tapping on the column via the display." The tapping functionality of claim 287, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 285, and 287 as being fully applicable to claim 287 here.

Claim 293 recites that recites that the executed operations further enable "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." The zoom functionality of claim 293, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 285, and 293 as being fully applicable to claim 293 here.

Claim 294 recites that the executed operations further include "corresponding user input [that] comprises tapping on the paragraph via the display." The tapping functionality of claim 294, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 285, and 294 as being fully applicable to claim 294 here.

Claim 296 recites that the method further includes that the "display is re-rendered such that content corresponding to the selected paragraph is rendered to fit across the display." The re-rendering functionality of claim 296, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 285, and 296 as being fully applicable to claim 296 here.

Claim 304 requires that "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." The functionality of claim 304, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 285, and 304 as being fully applicable to claim 304 here.

Claim 306 recites that the execution of instructions is performed on a mobile phone, *i.e.*, the claimed wireless device. Further defining the wireless device of claim 285 is insufficient to convert the abstract concepts recited in claim 306 into patentable subject matter. The inclusion of the conventional hardware within the mobile phone is insufficient to convert the abstract concepts recited in claim 306 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 285, and 306 as being fully applicable to claim 306 here.

Claim 307 recites that the execution of instructions is performed on a hand-held device, *i.e.*, the claimed wireless device. Further defining the wireless device of claim 285 is insufficient to convert the abstract concepts recited in claim 307 into patentable subject matter. The inclusion of the conventional hardware within the mobile phone is insufficient to convert the abstract concepts recited in claim 307 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 87, 285, and 307 as being fully applicable to claim 307 here.

Notably, there are no specific instructions or limitations in the specification concerning how these claim limitations must be carried out, other than a description of the idea, non-specific examples of how the idea may be carried out, and the instructions to apply it to the conventional technological environment. *See Alice*, 134 S. Ct. at 2357. Thus, as with claim 87, none of the asserted dependent claims provide particular requirements as to how the claimed steps are to be performed, nor do they recite anything other than conventional components that are used in conventional ways.

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Accordingly, claim 87 of the ’353 Patent is representative for this portion of the Section 101 analysis, and any differences amongst claims 111, 185, 186, 187, 189, 193, 194, 196, 204, 206, 207, 285, 286, 287, 293, 294, 296, 304, 306, and 307 are insubstantial with respect to eligibility, as each of the claims in the ’353 Patent are drawn to the same abstract idea and merely recite token post-solution elements performed by “purely conventional” computing elements, or merely requiring “a generic computer to perform generic computer functions,” as demonstrated by the ’353 Patent itself describing the recited elements as including conventional components and functionalities. *Alice*, 573 U.S. at 225; *see also Content Extraction*, 776 F.3d at 1348.

3.1.3.4 Representative Claim 209 Group

As noted in the table above in Section 3.1.1, claim 209 (reproduced below) is the sole claim in its representative group, since claim 209 is the only claim that specifically recites at least first and second scale factors:[6]

209. A method, comprising:

> 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 having an original format including HTML code defining an original page layout, functionality, and design of corresponding content on the Web page;
>
> employing the scalable content to render the Web page on the display using a first scale factor; and
>
> enabling the Web page to be displayed at a different resolution by scaling the scalable content using a second scale factor to re-render the display,
>
> wherein the original page layout, functionality, and design of the Web page content are preserved under both the first and second scale factors.

[6] On August 15, 2025, Plaintiff voluntarily withdrew its infringement allegations for claims 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 against the Defendants.

Notably, there are no specific instructions or limitations in the specification concerning how these claim limitations must be carried out, other than a description of the idea, non-specific examples of how the idea may be carried out, and the instructions to apply it to the conventional technological environment. *See Alice*, 134 S. Ct. at 2357. Claim 209 does not provide particular requirements as to how the claimed steps are to be performed, nor do they recite anything other than conventional components that are used in conventional ways.

Accordingly, claim 209 is drawn to the same abstract idea and merely recite token post-solution elements performed by "purely conventional" computing elements, or merely requiring "a generic computer to perform generic computer functions," as demonstrated by the '353 Patent itself describing the recited elements as including conventional components and functionalities. *Alice*, 573 U.S. at 225; *see also Content Extraction*, 776 F.3d at 1348.

3.1.3.5 Representative Claim 317 Group

As noted in the table above in Section 3.1.1, claim 317 (reproduced below) is representative of all dependent claims (*i.e.*, claims 318, 319):

317. A hand-held wireless device, comprising:

> a processor, a wireless communications interface, to facilitate wireless communication with a network that supports access to the Internet; a display; and non-volatile memory, operatively coupled to the processor, in which software comprising a browser is stored, the browser comprising a plurality of instructions that when executed by the processor enable the device to perform operations including,
>
> 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;
>
> retrieving the Web page via the wireless communications interface;
>
> rendering the Web page on the display such that at least one of the width and height of the Web page is fully displayed; and
>
> enabling the user to, zoom and pan a view of the Web page;

> activate a currently displayed hyperlink to an external reference while at a given zoom level and panned view, wherein in response to an activation of a hyperlink to an external reference, Web content associated with the external reference is retrieved and rendered 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.

The asserted dependent claims add additional limitations, but those additional limitations do not impart patent eligibility. Instead, the dependent claims add limitations further variations on abstract ideas and are not technological advancements. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

Claim 318 recites that "the Web page comprises HTML-based Web page content defining an original page layout, functionality, and design of the Web page content, and wherein 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." The zoom functionality of claim 318, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 317 and 318 as being fully applicable to claim 318 here.

Claim 319 recites that the execution of instructions on the wireless device enables "the user is enabled to 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." The browse, zoom, and pan functionality of claim 319, without more, is an abstract idea that is not patent-eligible. The inclusion of the conventional hardware within the wireless device is insufficient to convert the abstract concepts recited in claim 319 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.1.2 for claims 317 and 319 as being fully applicable to claim 319 here.

Notably, there are no specific instructions or limitations in the specification concerning how these claim limitations must be carried out, other than a description of the idea, non-specific examples of how the idea may be carried out, and the instructions to apply it to the conventional technological environment. *See Alice*, 134 S. Ct. at 2357. Thus, as with claim 317, none of the asserted dependent claims provide particular requirements as to how the claimed steps are to be performed, nor do they recite anything other than conventional components that are used in conventional ways.

Accordingly, claim 317 of the '353 Patent is representative for this portion of the Section 101 analysis, and any differences amongst claims 318 and 319 are insubstantial with respect to eligibility, as each of the claims in the '353 Patent are drawn to the same abstract idea and merely recite token post-solution elements performed by "purely conventional" computing elements, or merely requiring "a generic computer to perform generic computer functions," as demonstrated by the '353 Patent itself describing the recited elements as including conventional components and functionalities. *Alice*, 573 U.S. at 225; *see also Content Extraction*, 776 F.3d at 1348.

3.1.4. A chart identifying a description of the industry, at the relevant time, in which the Challenged Claims are alleged to be well understood, routine, and conventional, and the factual and legal basis therefore; and a description of how each element of each Challenged Claim, both individually and in combination with the other elements of that claim, was: (i) well understood; (ii) routine; and (iii) conventional, in the relevant industry at the time, and the legal and factual basis therefor.

As shown in the chart in Addendum A annexed to these Eligibility Contentions, each of the limitations of the Asserted Claims of the '353 Patent, individually and in combination with the other elements of each claim, were well understood, routine, and conventional in the industry at the time. In Addendum A, multiple prior art references are cited as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination). The prior art references referred to are exemplary

only. Other examples of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination) can be found in Defendants' P.R. 3-3 Invalidity Contentions, including the discussion of obviousness and accompanying P.R. 3-4(b) production, each of which are incorporated by reference.

The information provided in prior art references and cited herein and in Addendum A should not be deemed an admission regarding the scope of any claims or the proper construction of those claims or any terms contained therein. Defendant's claim construction disclosures will be provided under P.R. 4 as required by the Court's Docket Control Order (Dkt. 40). Nothing included within these Eligibility Contentions should be understood or deemed to be an express or implied admission or contention with respect to the absence of factual disputes relating to patent ineligibility, the absence of a need for construction of any terms in an Asserted Claim, any proper construction of any terms in an Asserted Claim, or alleged infringement of that claim. There is no claim construction issue or factual issue that precludes the Court finding that the claims of the Asserted Patents are patent-ineligible.

These Eligibility Contentions, including Addendum A, address only the Asserted Claims of the '353 Patent. Defendants reserve the right to supplement these Eligibility Contentions if Transparence asserts infringement of any additional claims beyond the Asserted Claims of the '353 Patent. These Eligibility Contentions are subject to revision and amendment pursuant to Federal Rule of Civil Procedure 26(e) and the Court's Docket Control Order (Dkt. 40), to the extent appropriate, in view of further investigation and discovery regarding the defenses below, the Court's construction of the claims at issue, and/or the review and analysis of expert witnesses.

In addition to Addendum A, Addendum G, which is annexed to these Eligibility Contentions, contains references that show the state of the art as of the priority dates of the Asserted

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Patents. These references show that the Asserted Claims of the ’353 Patent were well understood, routine, and conventional at the time of filing. In addition, Defendants incorporate by reference in their entirety all pending and completed post-grant examinations of the ’353 Patent, including but not limited to *SoftView LLC v. Apple Inc.*, 108 F.4th 1366 (Fed. Cir. 2024), *SoftView LLC v. Kyocera Corp*., 592 F. App’x 947 (Fed. Cir. 2015), *Inter partes* reexamination control no. 95/000,634, *Inter partes* reexamination control no. 95/000,635, *Inter partes* reexamination control no. 95/002,132, *Ex parte* reexamination control no. 90/009,994, *Ex parte* reexamination control no. 90/009,995, *Inter partes* review no. IPR2013-0007, and *Inter partes* review no. IPR2013-0256, due to the identity and similarity in scope of the Asserted Claims of the ’353 Patent and the examined claims in the aforementioned post-grant proceedings.

In addition to the references identified in Addendums A and F, Defendants identify each reference identified in their P.R. 3-3 Invalidity Contentions, which are hereby incorporated by reference. In addition, the Asserted Patents describe the state of the art, including known prior art and conventional hardware/components. *See, e.g.*, ’353 Patent at 1:61–2:1 (“Internet content is stored in multiple file formats. These formats include HTML (Hyper Text Markup Language) and XML (extended Markup Language) as well as graphic file format GIF (Graphics Interchange Format) and JPEG (Joint Photographic Experts Group). These four file formats constitute the majority of Internet content. Font size and resizing display area for content can alter the size of the display of Internet content in existing browsers.”); *see also id.* at 2:6–7 (“HTML has the ability to adapt to changes in screen resolution….”). Defendants also reserve the right to rely upon expert testimony as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination).

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Defendants also further incorporate by reference the discussion above providing the exemplary legal and factual bases supporting its Eligibility Contentions. *See* Section 3.1.2 *supra*.

Furthermore, to the extent the listed prior art discloses and describes particular products that were publicly known and/or in public use, in addition to each publication itself serving to demonstrate that the Asserted Claims of the ’353 Patent were well understood, routine, and conventional at the time of filing, the various products described in the publications also serve to demonstrate that the Asserted Claims of the ’353 Patent were well understood, routine, and conventional at the time of filing.

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

As discussed above, the limitations of the Asserted Claims of the ’353 Patent comprise generic and conventional components, and the generic use of processors, circuitry, memories, and data entry devices used in their known and expected manner. In addition, the limitations of the Asserted Claims of the ’353 Patent use generic and conventional software and coding techniques in their known and expected manner.

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3.1.5. A chart identifying any other factual or legal basis for how the Challenged Claims are otherwise ineligible for patent protection.

’353 Patent Challenged Claims	Other Factual or Legal Basis for How the Challenged Claims Are Otherwise Ineligible for Patent Protection
Claims 11, 30, 31, 35, 37, 38, 50, 53, 55, 69, 70, 87, 111, 128, 133, 134, 144, 145, 150, 151, 161, 168, 171, 182, 185–187, 189, 193, 194, 196, 204, 206, 207, 209, 253, 254, 264, 269, 282, 285–287, 293, 294, 296, 304, 306, 307, 318, and 319	Defendants rely on all information in this pleading (including the discussion in Section 3.1.2 providing exemplary legal and factual bases supporting Defendants’ Eligibility Contentions), along with Defendants’ Invalidity Contentions cover pleading and associated exhibits and prior art references for preliminary P.R. 3-3 and 3-4 disclosures. This includes all prior art references identified in pleadings and associated exhibits, as well as additional information as will be developed during fact and expert discovery. On August 15, 2025, Plaintiff voluntarily withdrew its infringement allegations for claims 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 against the Defendants. The challenged claims of the ’353 Patent describe a method for receiving web pages that include HTML-based web content for multiple columns along with CSS code, and processing the HTML-based web content and the CSS code to render a scalable vector representation of the web page, and then rendering the web page on a hand-held device display using the scalable vector representation that maintains the original page layout, design, and functionality as compared to the web content being rendered by a commercially available desktop browser. The challenged claims further recite parsing the web page, logically grouping objects, defining data points, and generating vectors from the defined data points, which are then used for displaying the web page renderings at various zoom levels. All the challenged claims of the ’353 Patent comprise the abstract ideas of receiving and processing HTML-based web pages with CSS content in order to create scalable vector representations of the HTML-based web pages that can be displayed on a hand-held device at various zoom levels. The claimed method and systems for implementing the method do not include inventive concepts sufficient to transform the claimed abstract ideas into a patent-eligible invention. Throughout all Asserted Claims, the claim elements are described in general terms and simply invoke well-understood, routine, conventional components to implement the abstract ideas. 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,

’353 Patent Challenged Claims	Other Factual or Legal Basis for How the Challenged Claims Are Otherwise Ineligible for Patent Protection
	293, 294, 296, 304, 306, 307, 318, and 319 do nothing more than collect or receive information, perform various manipulations of the information for display purposes, and display the manipulated information. Claims of this type have repeatedly been found abstract. *See e.g.*, *AI Visualize, Inc. v. Nuance Comms., Inc.*, 97 F.4th 1371 (Fed. Cir. 2024); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F.4th 1280 (Fed. Cir. 2024); *Hawk Tech. Sys., LLC v. Castle Retail, LLC*, 60 F.4th 1349 (Fed. Cir. 2023); *Realtime Adaptive Streaming LLC v. Netflix, Inc.*, 41 F.4th 1372 (Fed. Cir. 2022); *Electric Power Group, LLC v. Alstom S.A.*, 830 F.3d 1350 (Fed. Cir. 2016); *Intellectual Ventures I LLC v. Capital One Fin. Corp.*, 850 F.3d 1332 (Fed. Cir. 2017); *In re TLI Communications LLC Patent Litigation*, 823 F.3d 607, 611 (Fed. Cir. 2016).

* * *

3.2. ’889 Patent

3.2.1. A chart identifying each exception to eligibility (*e.g.*, abstract idea, law of nature, and natural phenomenon) to which each Challenged Claim is directed and the factual and legal basis therefor.

’889 Patent Claim	Exception to Eligibility	Factual and Legal Basis	Representative Claim
1	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	1
2, 3, 5, 13–20, 22, 23, 34–40	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	1
108	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	1
109, 114, 115	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	1

3.2.2. Factual and Legal Basis for Subject Matter Ineligibility

3.2.2.1 *Alice* Step One: The Asserted Claims Are Directed to the Abstract Ideas of Receiving Web Pages Comprised of HTML and CSS Content and Converting Said Web Pages Into Scalable Vectors

In all claims discussed for the ’889 Patent, some form of a “Web page” is either directly recited or inferred through dependency to another claim. For example:

> “markup language-based Web content associated with the Web page having an original format defining an original page layout of content on the Web page, the content including text content, a plurality of hyperlinks, and a plurality of images” (claim 1).
>
> “the original page layout of display content within the Web page as interpreted by the rendering engine, wherein the original page layout defines a layout location for a plurality of objects, including text objects associated with the text content and image objects associated with the plurality of images included in the Web page” (claim 5).
>
> “markup language code corresponding to the received Web content …, the content including a plurality of objects comprising text objects associated with the text content and image objects associated with the plurality of images, wherein for each object the

layout information includes object layout information identifying a coordinate location of the object on the page layout" (claim 23).

"markup language-based Web content includes cascading style sheet content defining layout and presentation attributes for the Web page" (claim 37).

"HTML-based Web content associated with the Web page having an original format defining an original page layout, functionality, and design of content on the Web page, the content including text content, a plurality of hyperlinks, and a plurality of images" (claim 108).

None of the various recitations of "Web page" discloses anything other than conventional and generic web page components, *e.g.*, "HTML-based Web content." None of the recited web page components is an improvement to HTML-based web pages that result in improved storage or operation. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016) ("In sum, the self-referential table recited in the claims on appeal is a specific type of data structure designed to improve the way a computer stores and retrieves data in memory."). These recitations of Web pages throughout the claims of the '889 Patent contain the original formatting information of the retrieved Web page(s), which is related to the conventional and generic concept of arrangement of information on a display. *See Elec. Power Grp.*, 830 F.3d 1350, 1354 (Fed. Cir. 2016); *Content Extraction*, 776 F.3d at 1347. Thus, in all the claims of the '889 Patent, the Web pages are comprised of conventional and generic elements, and their specific structures are not patent-eligible..

3.2.2.1.1 Independent Claim 1

Representative claim 1 of the '889 Patent recites as follows (emphasis added):

1. A method comprising:

in response to a request to access a Web page made via a wireless hand-held device including a display,

retrieving markup language-based Web content associated with the Web page having an original format defining an original page layout of content on the Web

page, the content including text content, a plurality of hyperlinks, and a plurality of images;

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 including a width of the Web page;

employing the page layout information to generate scalable page layout information; and

employing scalable page layout information and/or data derived therefrom to generate views of the Web page on the display, including,

a view under which the width of the Web page is fully displayed; and

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,

wherein preservation of the functionality defined by the markup language-based content includes preservation of hyperlink functionality.

The first limitation of claim 1 recites "in response to a request to access a Web page made via a wireless hand-held device including a display, ***retrieving markup language-based Web content associated with the Web page***." Well before the priority date of the '889 Patent, retrieval of a web page via wired or wireless communications was conventional technology. Nothing in the '889 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retrieving" step, even when triggered by a user request to access a web page, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 1 recites "***processing*** … ***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 noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown "processing" step that takes the original format of a portion of a Web page and creates "***page layout information corresponding to the original page layout of content on the Web page***" of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive*

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Streaming Inc. v. Netflix, Inc., 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the "processing" step is merely a format conversion, the "***processing … 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***" limitation is abstract. This limitation is abstract, and the recitation of generic computer hardware in claim 1 does make the limitation patent-eligible.

The next limitation of claim 1 recites "***employing the page layout information to generate scalable page layout information.***" The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown computational step that takes the processed Web page layout information and creates "***scalable page layout information***" of that processed Web page. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical

problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The unknown computational step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the unknown computational step is merely a format conversion, the "***employing the page layout information to generate scalable page layout information***" limitation is abstract. This limitation is abstract, and the recitation of generic computer hardware in claim 1 does make the limitation patent-eligible.

The next limitation of claim 1 is "***employing scalable page layout information and/or data derived therefrom to generate views of the Web page***" to render a Web page on the display. The claim limitation does not recite any specific solution (either hardware or software) that is "employed" with the "scalable content" to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make

is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *see also Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); This limitation is abstract, and the recitation of generic computer hardware in claim 1 does make the limitation patent-eligible.

The last two limitations of claim 1 requires data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the display be re-rendered "***to iteratively zoom in on a portion of the Web page while preserving the original page layout, functionality, and design of the content"*** at different unknown zoom levels and panned views. Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the content"***). Inherent in this limitation of claim 1 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate

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additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 1 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The claim recitation of ***"preservation of hyperlink functionality"*** is also conventional, as the functionality of the hyperlink has nothing to do with the image sizing being recited in claim 1. Claim 1 only recites the result, *i.e.*, ***"preservation of hyperlink functionality,"*** and is silent with respect to any technique to preserve the link functionality. Finally, the inclusion of the conventional hand-held device hardware is insufficient to convert the abstract concepts recited in claim 1 into patentable subject matter. Thus, claim 1 is abstract and patent-ineligible.

3.2.2.1.2 Dependent Claim 2

Dependent claim 2 of the '889 Patent recites as follows (emphasis added):

> 2. The method of claim 1, wherein r***e-rendering views of the Web page is performed in real-time***.

Claim 2 imposes a *de facto* processing speed requirement (*i.e.*, "real-time") on the re-rendering of the Web page for zooming operations. At the time of the priority date for the '889 Patent, it was common for microprocessors to be manipulating data are real-time or near real-time speeds. Nowhere in claim 2 is any non-conventional or non-generic computer hardware disclosed that would do anything different than a conventional microprocessor. Nor does claim 2 disclose

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any non-conventional software implementations related to re-rendering a Web page in real-time. As with all the claims in the ’889 Patent, claim 2 is a results-oriented claim that recites a result (*i.e.*, re-rendering a Weg page in real-time) without any language related to how to implement the necessary structure to achieve the claimed result.

3.2.2.1.3 Dependent Claim 3

Dependent claim 3 of the ’889 Patent recites as follows (emphasis added):

> 3. The method of claim 1, wherein the ***display of the wireless hand-held device comprises a touch-sensitive display*** configured to receive user inputs to control display of the Web page.

The additional limitation that requires the display of the wireless hand-held device comprises a touch-sensitive display configured to receive user inputs does not impart patent eligibility. Instead, dependent claim 14 adds a further variation on the abstract ideas of claim 1, but the requirement of touch-sensitive display is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.2.2.1.4 Dependent Claim 5

Dependent claim 5 of the ’889 Patent recites as follows (emphasis added):

> 5. The method of claim 1, further comprising:
>
> ***parsing and processing markup language code with the rendering engine to determine the original page layout of display content within the Web page as interpreted by the rendering engine***, wherein the original page layout defines a layout location for a plurality of objects, including text objects associated with the text content and image objects associated with the plurality of images included in the Web page; and
>
> for each object, ***defining an object datum corresponding to the layout location for the object on the original page layout***; and
>
> ***associating the object and its object datum***.

Claim 5 recites “***parsing and processing markup language code with the rendering engine to determine the original page layout of display content within the Web page as***

interpreted by the rendering engine." All the above-listed claim limitations are conventional and generic HTML document processing steps established well before the earliest priority date of the '889 Patent. To the extent that SoftView argues that the above-listed claim limitations are not conventional and generic, then the claim limitations do not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). The steps of parsing the HTML document to determine the location of text objects and image objects, the definition of an object datum that corresponds to the object's location on the original page layout, and associating the object and its defined datum are all conventional and generic steps for HTML documents processing that were known in the art prior to the earliest priority date of the '889 Patent. This group of claim limitations recite one of the results of the steps (i.e., association of the object datum with its respective object) but not how the steps are implemented or realized. In addition, these limitations of claim 5 do not recite any specialized algorithms or non-conventional computer circuitry that encompasses these processing steps. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Like the "generate" step of claim 1, the "processing" step necessarily uses unknown mathematical equations to manipulate the Web page content to create the various object datum points that are related to the "***Web page as interpreted by the rendering engine***." None of the above-identified limitations discloses any mathematical

formulas or techniques to develop the various object datum points. At best, the unknown mathematical techniques are conventional and generic, and have been known in the prior art well before the earliest priority date the ’889 Patent. *See, e.g.*, *SoftView LLC v. Kyocera Corp.*, 592 F. App’x 947 (Fed. Cir. 2015).

3.2.2.1.5 Dependent Claim 13

Dependent claim 13 of the ’889 Patent recites as follows (emphasis added):

> 13. The method of claim 1, further comprising ***enabling a user to pan views of the Web page*** in response to a corresponding user input.

Claim 13 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 13 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) (“If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory.”); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art.”). Claim 13 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the ’889 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 13 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 13 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the “selected column” for re-rendering. The “re-rendered” step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.2.2.1.6 Dependent Claim 14

Dependent claim 14 of the ’889 Patent recites as follows (emphasis added):

> 14. The method of claim 13, further comprising ***enabling the views of the Web page to be panned in real-time***.

Claim 14 imposes a *de facto* processing speed requirement (*i.e.*, “real-time”) on the re-rendering of the Web page for zooming operations. At the time of the priority date for the ’889 Patent, it was common for microprocessors to be manipulating data are real-time or near real-time speeds. Nowhere in claim 14 is any non-conventional or non-generic computer hardware disclosed that would do anything different than a conventional microprocessor. Nor does claim 14 disclose any non-conventional software implementations related to re-rendering a Web page in real-time. As with all the claims in the ’889 Patent, claim 14 is a results-oriented claim that recites a result (*i.e.*, re-rendering a Weg page in real-time) without any language related to how to implement the necessary structure to achieve the claimed result.

3.2.2.1.7 Dependent Claim 15

Dependent claim 15 of the ’889 Patent recites as follows (emphasis added):

> 15. The method of claim 1, further comprising ***enabling a user to zoom on a column of the Web content*** via an associated user input, wherein in response to the user input, the ***display is re-rendered such that content corresponding to the selected column is displayed across the display***.

Claim 15 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 15 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) (“If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory.”); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art.”). Claim 15 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the ’889 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 15 is directed to the result of the abstract idea of rendering a display element by enlarging it, and

does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 15 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected column" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.2.2.1.8 Dependent Claim 16

Dependent claim 16 of the '889 Patent recites as follows (emphasis added):

> 16. The method of claim 15, wherein the ***user input comprises tapping the column***.

The tapping on a column of displayed content to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on a column is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341.

3.2.2.1.9 Dependent Claim 17

Dependent claim 17 of the '889 Patent recites as follows (emphasis added):

> 17. The method of claim 1, further comprising ***enabling a user to zoom on an image*** via an associated user input, wherein in response to the user input, the ***view is re-rendered such that the image is displayed to fit across a width of the display***.

Claim 17 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom setting. Inherent in this limitation of claim 17 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information,

without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 17 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '889 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 17 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 17 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected image" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.2.2.1.10 Dependent Claim 18

Dependent claim 18 of the '889 Patent recites as follows (emphasis added):

18. The method of claim 17, wherein the user input comprises tapping the image.

The tapping on a displayed image content to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent

execution of an application. The tapping on an image is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341.

3.2.2.1.11 Dependent Claim 19

Dependent claim 19 of the '889 Patent recites as follows (emphasis added):

> 19. The method of claim 1, further comprising ***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***.

Claim 19 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom setting. Inherent in this limitation of claim 19 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 19 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the ’889 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 19 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 19 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the “selected paragraph” for re-rendering. The “re-rendered” step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.2.2.1.12 Dependent Claim 20

Dependent claim 20 of the ’889 Patent recites as follows (emphasis added):

20. The method of claim 19, wherein the user input comprises tapping the paragraph.

The tapping on a paragraph of displayed content to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on a paragraph is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341.

3.2.2.1.13 Dependent Claim 22

Dependent claim 22 of the ’889 Patent recites as follows (emphasis added):

22. The method of claim 1, further comprising:

> ***generating a display list derived***, at least in part, ***via use of the scalable page layout information***; and
>
> ***employing the display list to generate views of the Web page***.

Claim 22 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom setting. Inherent in this limitation of claim 22 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 22 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

3.2.2.1.14 Dependent Claim 23

Dependent claim 23 of the '889 Patent recites as follows (emphasis added):

23. The method of claim 1, further comprising:

> ***parsing and processing, with the rendering engine, markup language code corresponding to the received Web content to determine page layout information corresponding to an original page layout of the content on the Web page as interpreted by the rendering engine***, the content including a plurality of objects comprising text objects associated with the text content and image objects associated with the plurality of images, wherein for ***each object the layout information includes object layout information identifying a coordinate location of the object on the page layout***; and
>
> ***associating each object and its object layout information***.

Claim 23 recites "***parsing and processing, with the rendering engine, markup language code corresponding to the received Web content to determine page layout information corresponding to an original page layout of the content on the Web page as interpreted by the rendering engine."*** All the above-listed claim limitations are conventional and generic HTML document processing steps established well before the earliest priority date of the '889 Patent. To the extent that SoftView argues that the above-listed claim limitations are not conventional and generic, then the claim limitations do not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). The steps of parsing the HTML document to determine the location of text objects and image objects, the definition of an object layout information that corresponds to the object's location on the original page layout and associating the object and its defined object layout information are all conventional and generic steps for HTML documents processing that were known in the art prior to the earliest priority date of the '889 Patent. This group of claim limitations recite one of the results of the steps (*i.e.*, association of the object layout information with its respective object) but not how the steps are implemented or realized. In addition, these limitations of claim 23 do not recite any specialized algorithms or non-conventional computer circuitry that encompasses these processing steps. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Like the

"generate" step of claim 1, the "processing" step necessarily uses unknown mathematical equations to manipulate the Web page content to create the various object layout information points that are related to the "***Web page as interpreted by the rendering engine***." None of the above-identified limitations discloses any mathematical formulas or techniques to develop the various object layout information. At best, the unknown mathematical techniques are conventional and generic, and have been known in the prior art well before the earliest priority date the '889 Patent. *See, e.g.*, *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015).

3.2.2.1.15 Dependent Claim 33

Dependent claim 33 of the '889 Patent recites as follows (emphasis added):

> 33. The method of claim 1, further 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***.

All that claim 33 recites is the storage of a copy of the page layout information (*i.e.*, an un-zoomed copy) separate and apart from the page layout information that is used to zoom in on the web page. This is not a novel methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341. Claim 33 is abstract.

3.2.2.1.16 Dependent Claim 34

Dependent claim 34 of the '889 Patent recites as follows (emphasis added):

> 34. The method of claim 1, wherein the ***scalable page layout information comprises scalable vector-based page layout information***.

Claim 34 recites that "***scalable page layout information"*** previously generated ***"comprises scalable vector-based page layout information."*** Claim 34 has lacks any disclosure of the how the "scalable page layout information" either includes "***scalable vector-based page layout information"*** because of the "generating" process in claim 1, or the "scalable page layout information" becomes "***scalable vector-based page layout information"*** based on an unknown

computational process. Processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."). Other than the identification of the scalable vector-based page layout information, claim 34 lacks any disclosure of the vector-based data is created in the first instance, and there is no specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The "generating" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect

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(*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). Claim 34 is abstract.

3.2.2.1.17 Dependent Claim 35

Dependent claim 35 of the '889 Patent recites as follows (emphasis added):

> 35. The method of claim 34, wherein scaling operations are effected by applying a mathematical transformation to a plurality of points in a two-dimensional coordinate system comprising X and Y axes, including ***points comprising datum points having corresponding vectors included in the scalable vector-based page layout information defining page layout locations*** of corresponding text and image objects mapped to the two-dimensional coordinate system, wherein the mathematical transformation comprises,
>
> $X' = X * SF$;
>
> $Y' = Y * SF$;
>
> wherein X, Y is the location of a point prior to transformation, X′, Y′ is the location of the point after transformation, and SF is the scale factor.

Claim 35, which depends from claim 34, is abstract for at least the same reasons as claim 34. As noted above, claim 34 has lacks any disclosure of the how the "scalable page layout information" either includes "***scalable vector-based page layout information"*** because of the "generating" process in claim 1, or the "scalable page layout information" becomes "***scalable vector-based page layout information"*** based on an unknown computational process. Processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."). Other than the identification of the scalable vector-based page layout information, claim 34 lacks any disclosure of the vector-based data is created in the first instance, and there is no specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail,*

LLC, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023). The inclusion of a simple multiplication step does not overcome the infirmities associated with the creation of "***scalable vector-based page layout information.***" In addition, claim 35 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom setting. Inherent in this limitation of claim 35 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978). A simple multiplication of a scale factor is insufficient with respect to image fidelity. Claim 35 is abstract.

3.2.2.1.18 Dependent Claim 36

Dependent claim 36 of the '889 Patent recites as follows (emphasis added):

> 36. The method of claim 35, wherein the mathematical transformation is applied to points in a first coordinate system comprising a resolution independent coordinate system associated with a virtual display area onto which page layout information is mapped to a second coordinate system comprising a device coordinate system corresponding to a pixel resolution of the display, wherein ***points are mapped from the first coordinate system to the second coordinate system using the mathematical transformation***.

Claim 36, which depends from claim 35, is abstract for at least the same reasons as claim 35. Claim 36 introduces a second coordinate system that is associated with a virtual display area, and the claim further requires mapping points from the first coordinate system into the second coordinate system using the mathematical transformation. As discussed with claim 35, the scaling factors do not account for pixel interpolation that would retain text/image fidelity during the transformation. As such, claim 36 is abstract as well.

3.2.2.1.19 Dependent Claim 37

Dependent claim 37 of the ’889 Patent recites as follows (emphasis added):

> 37. The method of claim 1, wherein the ***markup language-based Web content includes cascading style sheet content defining layout and presentation attributes for the Web page***.

Claim 37 recites that the HTML document includes **“*cascading style sheet content defining layout and presentation attributes for the Web page.*”** As discussed above, this recited web page component is not an improvement to HTML-based web pages that results in improved storage or operation. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016). Claim 37 recites an abstract idea that is not patent-eligible and is insufficient to convert the abstract concepts recited in claim 37 into patentable subject matter.

3.2.2.1.20 Dependent Claim 38

Dependent claim 38 of the ’889 Patent recites as follows (emphasis added):

> 38. The method of claim 1, wherein the markup language-based Web content comprises HTML-based Web content that is processed by the ***rendering engine to generate page layout information corresponding to the original page layout as interpreted by the rendering engine***.

Claim 38 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom setting. Inherent in this limitation of claim 38 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) (“If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution

is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 38 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '889 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 38 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 38 does not recite any specialized algorithms or non-conventional computer circuitry that for rendering. The "rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.2.2.1.21 Dependent Claim 39

Dependent claim 39 of the '889 Patent recites as follows (emphasis added):

> 39. The method of claim 1, wherein the Web page content includes a plurality of images, the method further comprising:
>
> ***generating page layout information including a bounding box for each of the plurality of images***;
>
> ***scaling the bounding box associated with an image to produce a scaled bounding bo***x; and
>
> ***rendering bitmap content associated with the image*** to fit within the scaled bounding box.

All the above-listed claim limitations are conventional and generic document processing steps established well before the earliest priority date of the ’889 Patent. To the extent that SoftView argues that the above-listed claim limitations are not conventional and generic, then the claim limitations do not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) (“The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—‘concrete’ and at most recite abstract data manipulation.”); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art.”). The steps of generating page layout information that includes bounding boxes for each image and scaling the bounding box with an image to produce a scaled bounding box are all conventional and generic steps that were known in the art prior to the earliest priority date of the ’889 Patent. This group of claim limitations recite one of the results of the steps (“scaled bounding box”) but not how the steps are implemented or realized. In addition, these limitations of claim 39 do not recite any specialized algorithms or non-conventional computer circuitry that encompasses these processing steps. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). In addition, inherent in claim 39 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) (“If a claim is directed essentially to a method of calculating, using a mathematical

formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 39 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. Claim 39 is abstract.

3.2.2.1.22 Dependent Claim 40

Dependent claim 40 of the '889 Patent recites as follows (emphasis added):

> 40. The method of claim 1, wherein text content in a view is ***rendered to have a resolution that is approximately proportional to the zoom level of the view***, such that as the ***zoom level increases the resolution of text content increases approximately proportionally***.

Claim 40 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom setting. Inherent in this limitation of claim 40 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 40

necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

3.2.2.1.23 Independent Claim 108

Independent claim 108 of the ’889 Patent recites as follows (emphasis added):

108. A method comprising:

in response to a request to access a Web page made via a mobile hand-held device,

> ***retrieving HTML-based Web content associated with the Web page*** having an original format defining an original page layout, functionality, and design of content on the Web page, the content including text content, a plurality of hyperlinks, and a plurality of images;
>
> ***processing the HTML-based Web content with a rendering engine to generate page layout information corresponding to the original page layout as interpreted by the rendering engine***;
>
> ***employing scaled page layout information and/or data derived therefrom to generate scaled Web page content at multiple scale factors***; and
>
> ***employing the scaled Web page content to enable a user to browse the Web page at multiple zoom levels*** on the mobile hand-held device while preserving the original page layout, functionality, and design of the content on the Web page defined by the HTML-based Web content as interpreted by the rendering engine,
>
> wherein preservation of the functionality includes preservation of hyperlink functionality, and wherein the user is enabled to iterative zoom in on a portion of the Web page.

The first limitation of claim 108 recites “in response to a request to access a Web page made via a mobile hand-held device, ***retrieving HTML-based Web content associated with the Web page***.” Well before the priority date of the ’889 Patent, retrieval of a web page via wired or wireless communications was conventional technology. Nothing in the ’889 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the “retrieving” step, even when triggered by a user request to access a web page, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation

is indicative of a technological advancement in data communications with respect to transfer of web page content

The next limitation of claim 108 recites "***processing the HTML-based Web content with a rendering engine to generate page layout information corresponding to the original page layout as interpreted by the rendering engine.***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown "processing" step that takes the original format of a portion of a Web page and creates "***page layout information corresponding to the original page layout as interpreted by the rendering engine***" of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of

generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the "processing" step is merely a format conversion, the "***page layout information corresponding to the original page layout as interpreted by the rendering engine***" limitation is abstract. This limitation is abstract, and the recitation of generic computer hardware in claim 108 does make the limitation patent-eligible.

The next limitation of claim 108 recites "***employing scaled page layout information and/or data derived therefrom to generate scaled Web page content at multiple scale factors.***" The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown computational step that takes the processed Web page layout information and creates "***scaled Web page content at multiple scale factors***" of that processed Web page. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here

simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The unknown computational step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the unknown computational step is merely a format conversion, the "***scaled Web page content at multiple scale factors***" limitation is abstract. This limitation is abstract, and the recitation of generic computer hardware in claim 1 does make the limitation patent-eligible.

The next limitation of claim 108 is "***employing the scaled Web page content to enable a user to browse the Web page at multiple zoom levels***" to render a Web page on the display. The claim limitation does not recite any specific solution (either hardware or software) that is "employed" with the "scaled Web page content" to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *see also Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); This limitation requires data manipulation and data computation in order to be realized. This limitation, however, does not recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the display be enabled such that ***"a user to browse the Web page at multiple zoom levels."*** Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the content"***). Inherent in this limitation of claim 1 are mathematical processes for rendering the Web

content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 108 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. Finally, the inclusion of the conventional hand-held device hardware is insufficient to convert the abstract concepts recited in claim 1 into patentable subject matter. Thus, claim 108 is abstract and patent-ineligible.

3.2.2.1.24 Dependent Claim 109

Dependent claim 109 of the '889 Patent recites as follows (emphasis added):

> 109. The method of claim 108, wherein the ***page layout information that is generated includes a bounding box for each of the plurality of images***, and wherein a scaled Web page content including one or more images is generated by s***caling bounding boxes corresponding to the one or more images to produce scaled bounding boxes*** and, for each of the one or more images, ***scaling content associated with the image to produce a scaled image that fits within its corresponding scaled bounding box***.

All the above-listed claim limitations are conventional and generic document processing steps established well before the earliest priority date of the '889 Patent. To the extent that SoftView argues that the above-listed claim limitations are not conventional and generic, then the claim limitations do not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358

(Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). The steps of generating page layout information that includes bounding boxes for each image and scaling the bounding box with an image to produce a scaled bounding box are all conventional and generic steps that were known in the art prior to the earliest priority date of the '889 Patent. This group of claim limitations recite one of the results of the steps ("scaled bounding box") but not how the steps are implemented or realized. In addition, these limitations of claim 109 do not recite any specialized algorithms or non-conventional computer circuitry that encompasses these processing steps. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). In addition, inherent in claim 109 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem

in the prior art."). Claim 109 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. Claim 109 is abstract.

3.2.2.1.25 Dependent Claim 114

Dependent claim 114 of the '889 Patent recites as follows (emphasis added):

> 114. The method of claim 108, further comprising: in response to a user input to pan a current view of the Web page to a new view displaying a portion of the Web page that is entirely not shown in the current view, ***generating scaled Web page content in real-time***.

Claim 114 imposes a *de facto* processing speed requirement (*i.e.*, "real-time") on the re-rendering of the Web page for zooming operations. At the time of the priority date for the '889 Patent, it was common for microprocessors to be manipulating data are real-time or near real-time speeds. Nowhere in claim 114 is any non-conventional or non-generic computer hardware disclosed that would do anything different than a conventional microprocessor. Nor does claim 114 disclose any non-conventional software implementations related to re-rendering a Web page in real-time. As with all the claims in the '889 Patent, claim 114 is a results-oriented claim that recites a result (*i.e.*, re-rendering a Weg page in real-time) without any language related to how to implement the necessary structure to achieve the claimed result.

3.2.2.1.26 Dependent Claim 115

Dependent claim 115 of the '889 Patent recites as follows (emphasis added):

> 115. The method of claim 114, wherein the scaled Web page content is ***generated in a fraction of a second***.

In sum, the Asserted Claims are easily distinguishable from the types of claims that the Federal Circuit has held to be eligible, which typically disclose specific means for improving specific computer technology itself or solving specific computer problems. *See, e.g., Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1336 (Fed. Cir. 2016) (improved computer database structure); *McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299, 1307-08 (Fed. Cir. 2016) (specific

improvement to lip synch animation based on particular "output morph weight set stream" and "transition parameters"); *Visual Memory LLC v. NVIDIA Corp.*, 867 F.3d 1253, 1260 (Fed. Cir. 2017) ("new, improved and more efficient memory system"); *Finjan, Inc. v. Blue Coat Sys., Inc.*, 879 F.3d 1299, 1303-05 (Fed. Cir. 2018) ("specific" improved "'behavior-based' virus scan").

3.2.2.2 *Alice* Step Two: The Asserted Claims Contain No "Inventive Concept" Sufficient to Render Them Patent Eligible

As noted above, the second step of a Section 101 analysis under *Alice* requires the consideration of each claim element individually and "as an ordered combination" to determine whether there are additional elements present in the claim that "transform the nature of the claim" into a patent-eligible application." *Alice*, 134 S. Ct. at 2347 (quotation omitted). Turning to representative claim 1, first the claim elements will be examined individually, and then claim elements as an "ordered combination" will be examined.

The Asserted Claims of the '889 Patent simply invoke well-understood, routine, and conventional software methods and techniques to achieve the multiple abstract ideas interspersed throughout the Asserted Claims. The claim limitations directed to the receipt of a Web page with markup language-based Web content, the processing of the Web page to manipulate and create page layout information and scalable page layout information that is representative of the Web page, and use the scalable page layout information to render a version of the Web page on a display screen are well-known to one of ordinary skill in the art of software development for computing devices. *See, e.g.*, '889 Patent at 2:5–11; *see also* prior art referenced in Section 3.2.4 and Defendants' Invalidity Contentions (including invalidity claim charts included therewith). Turning to the '889 Patent specification, it states that conventional computers and software coding techniques can be used to implement these claim elements:

> The present invention includes various operations, which will be described below. The operations of the present invention may be performed by hardware components or may be

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> embodied in machine-executable instructions, which may be used to cause a general-purpose or special-purpose processor or logic circuits programmed with the instructions to perform the operations. Alternatively, the operations may be performed by a combination of hardware and software.
>
> ’889 Patent at 4:5–12.
>
> As will be recognized by those skilled in the art, the functions performed in blocks 150, 152, and 154 are commonly performed by conventional browsers during a pre-rendering process. In some browsers, these functions are performed by the Mozilla rendering engine, which comprises open source software that is readily available for use by developers. At present, the software for the Mozilla rendering engine may be accessed via the Internet at www.mozilla.org. Accordingly, in one embodiment, the present invention uses core functionality provided by the Mozilla rendering engine source code to perform the functions of block 150, 152, and 154.
>
> ’889 Patent at 17:21–31.

As discussed in detail in the preceding Section, the Asserted Claims of the ’889 Patent are directed to the processing of a Web page containing markup language (*i.e.*, HTML code) to calculate data points for an alternative representation of that Web page (*i.e.*, scalable page layout information), and then displaying that alternative representation on a touchscreen display, all of which are patent ineligible. *See, e.g., Elec. Pwr. Grp. v. Alstom SA*, 830 F.3d 1350, 1354 (Fed. Cir. 2016) (“And we have recognized that merely presenting the results of abstract processes of collecting and analyzing information, without more (such as identifying a particular tool for presentation.”); *Digitech Image Techs., LLC v. Elecs. For Imaging, Inc.*, 758 F.3d 1344, 1351 (Fed. Cir. 2014) (“Without additional limitations, a process that employs mathematical algorithms to manipulate existing information to generate additional information is not patent eligible.”). The parsing of the Web page and manipulating the data within the downloaded Web page for display purposes is the normal and expected manner of operation for a computing device that processes Web pages and the markup language therein for display. *See, e.g., DDR Holdings, LLC v. Hotels.com*, 773 F.3d 1245, 1258–59 (Fed. Cir 2014) (Clicking of hyperlink “overrides the routine and conventional sequence of events ordinarily triggered by the click of a hyperlink). The inclusion

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of physical hardware in the Asserted Claims of the ’889 Patent does not make the claims patent-eligible, as the recited hardware is generic and conventional. For example, the ’889 Patent discloses that the machine-readable mediums for storing instructions “may include, but is not limited to, floppy diskettes, optical disks, CD-ROMs, and magneto-optical disks, ROMs, RAMs, EPROMs, EEPROMs, magnetic or optical cards, flash memory, or other type of media/machine-readable medium suitable for storing electronic instructions.” *See* ’889 Patent at 4:18–23. Representative claim 1 of the ’889 Patent states that method is performed on a “wireless hand-held device including a display.” Several of the machine-readable mediums recited above are incompatible with the device recited in claim 1. Moreover, the ’889 Patent describes the physical hardware as “general-purpose or special-purpose processor or logic circuits programmed with the instructions to perform the operations.” *See id*. at 4:9–11. The ’889 Patent further discloses generic and conventional computer architecture for use in implementing the method recited in the Asserted Claims. *See id*. at 21:4–63; Figure 10. As the Federal Circuit has held, “claims are not saved from abstraction merely because they recite components more specific than a generic computer.” *BSG Tech LLC v. Buyseasons, Inc.*, 899 F.3d 1281, 1286 (Fed. Cir. 2018). Here, in the ’889 Patent, the hardware is generic and conventional, and hand-held touchscreen devices were known in the prior art. *See, e.g.*, U.S. Patent No. 6,518,957 to Lehtinen.

As noted earlier, Plaintiff alleges that the invention claimed in the ’889 Patent would allow a web page designed for a desktop computer to be “rapidly panned and zoomed to facilitate use on devices with smaller screens, different resolutions, or different aspect ratios.” *See, e.g.*, Compl. at ¶ 149. The Asserted Claims of the ’889 Patent themselves, however, provide no specific technological solution to these purported problems but instead simply disclose the abstract ideas of retrieving the Web page with the markup language (*i.e.*, HTML code), and manipulating the

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page layout data of that retrieved Web page to display the Web page in its now manipulated form, which moreover would be well-known to one of ordinary skill in the art of software development as shown by the extensive prior art already applied to the ’353 Patent. *See, e.g.*, *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024); see also *Inter Partes* Reexamination Control No. 95/000,634. Furthermore, none of the Asserted Claims of the ’889 Patent has any language that links the purported technological advancements recited in the Asserted Claims to “devices with smaller screens, different resolutions, or different aspect ratios” as stated in the Complaint. For example, the ’889 Patent fails to disclose any pixel interpolation techniques that would be necessary for the proper scaling of text, images, and other structures present in the HTML document. The ’889 Patent does admit, however, that scaling techniques were already known in the prior art. *See, e.g.*, ’889 Patent at 20:22–28.

Turning to representative claim 1, the “retrieving,” “processing,” “generate,” “rendering,” and “employing” claim elements do not specify how the markup language of the Web page is manipulated to achieve the result of “scalable page layout information.” None of the language in the identified limitations of claim 1 recites any specific algorithm or tool that creates the “scalable page layout information.” The processing of the markup language of the Web page was routine and conventional well before the applicable priority date of the application that issued as the ’889 Patent. These claim elements simply recite abstract ideas implemented using generic and conventional technology to “perform well-understood, routine, and conventional activities commonly used in the industry.” *See, e.g., Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat’l Ass’n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) (“The concept of data collection, recognition, and storage is undisputedly well-known.”). Claim 1 provides no details on the implementation of all these steps, but instead just claims the result. *See, e.g., Apple Inc. v.*

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Ameranth, Inc., 842 F.3d 1229, 1241 (Fed. Cir. 2016) (internal quotations and citation omitted). The final claim element is "employing scalable page layout information and/or data derived therefrom to generate views of the Web page on the display." As noted above, hand-held devices with touch screens were conventional technology prior to the earliest priority date of the '889 Patent. The use of conventional computer equipment and software techniques does not convert the abstract idea of processing the markup language of the Web page for display into something other than what is "well-understood, routine, and conventional activities commonly used in the industry."

Finally, there is nothing in the "ordered combination" of steps in the Asserted Claims of the '889 Patent that could supply an adequate inventive concept. Each recited step is arranged and used in a conventional manner, as one would expect when the basis for the purported invention is the intake and processing of the markup language of the Web page to create a display of that markup language in a different format. *See, e.g.*, prior art referenced in Section 3.2.4 and Defendants' Invalidity Contentions (including invalidity claim charts included therewith). There is no "non-conventional and non-generic arrangement of known, conventional pieces." *BASCOM Glob. Internet Servs*., 827 F.3d at 1350.

3.2.3. All Asserted Claims Are Substantially Similar—Represented by Claim 1—for Purposes of Section 101 Analysis

All Asserted Claims of the '889 Patent are directed to patent-ineligible abstract ideas. Where claims are "substantially similar and linked to the same abstract idea," courts may look to representative claims in a Section 101 analysis. *Content Extraction*, 776 F.3d at 1349; *see also Phoenix Licensing, L.L.C. v. Consumer Cellular, Inc.*, No. 2:16-cv-152-JRG-RSP, 2017 WL 1065938, at *8-9 (E.D. Tex. Mar. 8, 2017), *report and recommendation adopted*, 2017 WL 1177988 (Mar. 30, 2017) (invalidating 974 claims after analyzing only a few "representative

claims" where other claims were "substantially similar" and "linked to the same abstract idea"). Here, claim 1 of the '889 Patent (reproduced below) is representative of all Asserted Claims of the '889 Patent, as the remaining claims recite the same abstract idea with immaterial and conventional variations.

> 1. A method comprising:
>
> > in response to a request to access a Web page made via a wireless hand-held device including a display,
> >
> > > retrieving markup language-based Web content associated with the Web page having an original format defining an original page layout of content on the Web page, the content including text content, a plurality of hyperlinks, and a plurality of images;
> > >
> > > 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 including a width of the Web page;
> > >
> > > employing the page layout information to generate scalable page layout information; and
> > >
> > > employing scalable page layout information and/or data derived therefrom to generate views of the Web page on the display, including,
> > >
> > > a view under which the width of the Web page is fully displayed; and
> > >
> > > 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,
> > >
> > > wherein preservation of the functionality defined by the markup language-based content includes preservation of hyperlink functionality.

The asserted dependent claims add additional limitations, but those additional limitations do not impart patent eligibility. Instead, the dependent claims add limitations further variations on abstract ideas and are not technological advancements. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

Claim 2 recites "wherein re-rendering views of the Web page is performed in real-time." Without more, claim 2 recites a desired result, and provides no technical disclosure any computing techniques beyond the generic and conventional. Claim 2 is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 2 as being fully applicable to claim 2 here.

Claim 3 recites that "the display of the wireless hand-held device comprises a touch-sensitive display configured to receive user inputs to control display of the Web page." Further defining the hand-held device of claim 1 is insufficient to convert the abstract concepts recited in claim 3 into patentable subject matter. The inclusion of the conventional hardware within the mobile phone is insufficient to convert the abstract concepts recited in claim 3 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 3 as being fully applicable to claim 3 here.

Claim 5 recites that the method of claim 1 further comprises "parsing and processing markup language code with the rendering engine to determine the original page layout of display content within the Web page as interpreted by the rendering engine, wherein the original page layout defines a layout location for a plurality of objects, including text objects associated with the text content and image objects associated with the plurality of images included in the Web page." The method further comprises "for each object, defining an object datum corresponding to the layout location for the object on the original page layout; and associating the object and its object datum." The parsing and processing functions as applied to a web page by a rendering engine that ultimately defines an object datum are, without more, abstract ideas that are not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 5 as being fully applicable to claim 5 here.

Claim 13 recites that the method further enables "a user to pan views of the Web page in response to a corresponding user input." The panning functionality of claim 13, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 13 as being fully applicable to claim 13 here.

Claim 14 recites that the method further enables "the views of the Web page to be panned in real-time." Without more, claim 14 recites a desired result, and provides no technical disclosure any computing techniques beyond the generic and conventional. Claim 14 is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 14 as being fully applicable to claim 14 here.

Claim 15 recites that the method further enables "a user to zoom on a column of the Web content-via an associated user input, wherein in response to the user input, the display is re-rendered such that content corresponding to the selected column is displayed across the display." The zoom functionality of claim 15, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 15 as being fully applicable to claim 15 here.

Claim 16 recites that the method further includes "user input [that] comprises tapping the column." The tapping functionality of claim 16, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 16 as being fully applicable to claim 16 here.

Claim 17 recites that the method further enables "a user to zoom on an image via an associated user input, wherein in response to the user input, the view is re-rendered such that the image is displayed to fit across a width of the display." The zoom functionality of claim 17, without

more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 17 as being fully applicable to claim 17 here.

Claim 18 recites that the method further includes "user input [that] comprises tapping the image." The tapping functionality of claim 18, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 18 as being fully applicable to claim 18 here.

Claim 19 recites that the method further enables "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." The zoom functionality of claim 19, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 19 as being fully applicable to claim 19 here.

Claim 20 recites that the method further includes "user input [that] comprises tapping the paragraph." The tapping functionality of claim 20, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 02 as being fully applicable to claim 20 here.

Claim 22 recites that the claimed method further comprises "generating a display list derived, at least in part, via use of the scalable page layout information" and "employing the display list to generate views of the Web page." The generating and employing functionality of claim 22, without more, are abstract ideas that are not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 22 as being fully applicable to claim 22 here.

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Claim 23 recites that the claimed method further comprises "parsing and processing, with the rendering engine, markup language code corresponding to the received Web content to determine page layout information corresponding to an original page layout of the content on the Web page as interpreted by the rendering engine, the content including a plurality of objects comprising text objects associated with the text content and image objects associated with the plurality of images, wherein for each object the layout information includes object layout information identifying a coordinate location of the object on the page layout." The method further includes "associating each object and its object layout information." The parsing and processing functions as applied to a web page by a rendering engine that ultimately defines an object datum are, without more, abstract ideas that are not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 23 as being fully applicable to claim 23 here.

Claim 33 recites that the claimed method further comprises "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." The copying functionality of claim 33, without more, is an abstract idea that is not patent-eligible as no use for the copy of the page layout information is used elsewhere. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 33 as being fully applicable to claim 33 here.

Claim 34 recites that the claimed method further comprises "the scalable page layout information comprises scalable vector-based page layout information." Further defining the scalable page layout information in claim 34 is insufficient to convert the abstract concepts recited in claim 34 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 34 as being fully applicable to claim 34 here.

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Claim 35 recites that the claimed method further requires that the "scaling operations are effected by applying a mathematical transformation to a plurality of points in a two-dimensional coordinate system comprising X and Y axes, including points comprising datum points having corresponding vectors included in the scalable vector-based page layout information defining page layout locations of corresponding text and image objects mapped to the two-dimensional coordinate system, wherein the mathematical transformation comprises,

$X' = X * SF;$

$Y' = Y * SF;$

wherein X, Y is the location of a point prior to transformation, X′, Y′ is the location of the point after transformation, and SF is the scale factor." The scaling factor operations that use mathematical transformations are simply the manipulation of data, are not technological advancements, and are insufficient to convert the abstract concepts recited in claim 35 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 35 as being fully applicable to claim 35 here.

Claim 36 recites that the claimed method further requires that "the mathematical transformation is applied to points in a first coordinate system comprising a resolution independent coordinate system associated with a virtual display area onto which page layout information is mapped to a second coordinate system comprising a device coordinate system corresponding to a pixel resolution of the display, wherein points are mapped from the first coordinate system to the second coordinate system using the mathematical transformation." As noted with respect to claim 35, the scaling factor operations that use mathematical transformations are simply the manipulation of data, are not technological advancements, and are insufficient to convert the abstract concepts

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recited in claim 36 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 36 as being fully applicable to claim 36 here.

Claim 37 recites that "the markup language-based Web content includes cascading style sheet content defining layout and presentation attributes for the Web page." The functionality of claim 37, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 37 as being fully applicable to claim 37 here.

Claim 38 recites that "the markup language-based Web content comprises HTML-based Web content that is processed by the rendering engine to generate page layout information corresponding to the original page layout as interpreted by the rendering engine." The functionality of claim 38, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 38 as being fully applicable to claim 38 here.

Claim 39 requires "the Web page content includes a plurality of images," and the claimed method further comprises generating page layout information including a bounding box for each of the plurality of images," "scaling the bounding box associated with an image to produce a scaled bounding box," and "rendering bitmap content associated with the image to fit within the scaled bounding box." The generating, scaling, and rendering functions of claim 39, without more, are abstract ideas that are not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 39 as being fully applicable to claim 39 here.

Claim 40 recites that the "text content in a view is rendered to have a resolution that is approximately proportional to the zoom level of the view, such that as the zoom level increases the resolution of text content increases approximately proportionally." The zoom functionality of

claim 40, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claim 1 and 40 as being fully applicable to claim 40 here.

Independent claim 108 (reproduced below) is substantially similar to independent claim 1, and is linked to the same abstract ideas:

> 108. A method comprising:
>
> in response to a request to access a Web page made via a mobile hand-held device,
>
> retrieving HTML-based Web content associated with the Web page having an original format defining an original page layout, functionality, and design of content on the Web page, the content including text content, a plurality of hyperlinks, and a plurality of images;
>
> processing the HTML-based Web content with a rendering engine to generate page layout information corresponding to the original page layout as interpreted by the rendering engine;
>
> employing scaled page layout information and/or data derived therefrom to generate scaled Web page content at multiple scale factors; and
>
> employing the scaled Web page content to enable a user to browse the Web page at multiple zoom levels on the mobile hand-held device while preserving the original page layout, functionality, and design of the content on the Web page defined by the HTML-based Web content as interpreted by the rendering engine,
>
> wherein preservation of the functionality includes preservation of hyperlink functionality, and wherein the user is enabled to iterative zoom in on a portion of the Web page.

Claim 108 recites an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claims 1 and 108 as being fully applicable to claim 108 here.

Claim 109 recites that "the page layout information that is generated includes a bounding box for each of the plurality of images, and wherein a scaled Web page content including one or more images is generated by scaling bounding boxes corresponding to the one or more images to

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produce scaled bounding boxes and, for each of the one or more images, scaling content associated with the image to produce a scaled image that fits within its corresponding scaled bounding box." The generation of the bounding boxes, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claims 1, 108, and 109 as being fully applicable to claim 109 here.

Claim 114 recites that the claimed method further requires that "in response to a user input to pan a current view of the Web page to a new view displaying a portion of the Web page that is entirely not shown in the current view, generating scaled Web page content in real-time." The panning functionality of claim 114, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claims 1, 108, and 114 as being fully applicable to claim 114 here.

Claim 115 recites that "the scaled Web page content is generated in a fraction of a second." Without more, claim 115 recites a desired result, and provides no technical disclosure any computing techniques beyond the generic and conventional. Claim 115 is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.2.2 for claims 1, 108, and 115 as being fully applicable to claim 115 here.

More generally, there are no specific instructions or limitations in the specification concerning how these claim limitations must be carried out, other than a description of the idea, non-specific examples of how the idea may be carried out, and the instructions to apply it to the conventional technological environment. *Cf. Alice*, 134 S. Ct. at 2357. Thus, as with claim 1, none of the asserted dependent claims provide particular requirements as to how the claimed steps are to be performed, nor do they recite anything other than conventional components that are used in conventional ways.

Accordingly, claim 1 of the ’889 Patent is representative for purposes of the Section 101 analysis, and any differences amongst claims 2–7 and 9–12 are insubstantial with respect to eligibility, as each of the claims in the ’889 Patent are drawn to the same abstract idea and merely recite token post-solution elements performed by “purely conventional” computing elements, or merely requiring “a generic computer to perform generic computer functions,” as demonstrated by the ’889 Patent itself describing the recited elements as including conventional components and functionalities. *Alice*, 573 U.S. at 225; *see also Content Extraction*, 776 F.3d at 1348.

3.2.4. A chart identifying a description of the industry, at the relevant time, in which the Challenged Claims are alleged to be well understood, routine, and conventional, and the factual and legal basis therefore; and a description of how each element of each Challenged Claim, both individually and in combination with the other elements of that claim, was: (i) well understood; (ii) routine; and (iii) conventional, in the relevant industry at the time, and the legal and factual basis therefor.

As shown in the chart in Addendum B annexed to these Eligibility Contentions, each of the limitations of the Asserted Claims of the ’889 Patent, individually and in combination with the other elements of each claim, were well understood, routine, and conventional in the industry at the time. In Addendum B, multiple prior art references are cited as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination). The prior art references referred to are exemplary only. Other examples of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination) can be found in Defendants’ P.R. 3-3 Invalidity Contentions, including the discussion of obviousness and accompanying P.R. 3-4(b) production, each of which are incorporated by reference.

The information provided in prior art references and cited herein and in Addendum B should not be deemed an admission regarding the scope of any claims or the proper construction of those claims or any terms contained therein. Defendant’s claim construction disclosures will be

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provided under P.R. 4 as required by the Court's Docket Control Order (Dkt. 40). Nothing included within these Eligibility Contentions should be understood or deemed to be an express or implied admission or contention with respect to the absence of factual disputes relating to patent ineligibility, the absence of a need for construction of any terms in an Asserted Claim of the '889 Patent, any proper construction of any terms in an Asserted Claim of the '889 Patent, or alleged infringement of that claim. There is no claim construction issue or factual issue that precludes the Court finding that the claims of the Asserted Patents are patent-ineligible.

These Eligibility Contentions, including Addendum B, address only the Asserted Claims of the '889 Patent. Defendants reserve the right to supplement these Eligibility Contentions if Transparence asserts infringement of any additional claims beyond the Asserted Claims of the '889 Patent. These Eligibility Contentions are subject to revision and amendment pursuant to Federal Rule of Civil Procedure 26(e) and the Court's Docket Control Order (Dkt. 40), to the extent appropriate, in view of further investigation and discovery regarding the defenses below, the Court's construction of the claims at issue, and/or the review and analysis of expert witnesses.

In addition to Addendum B, Addendum G, which is annexed to these Eligibility Contentions, contains references that show the state of the art as of the priority dates of the Asserted Patents. These references show that the Asserted Claims of the '889 Patent were well understood, routine, and conventional at the time of filing. In addition, Defendants incorporate by reference in their entirety all pending and completed post-grant examinations of the '353 Patent, including but not limited to *SoftView LLC v. Apple Inc.*, 108 F.4th 1366 (Fed. Cir. 2024), *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015), *Inter partes* reexamination control no. 95/000,634, *Inter partes* reexamination control no. 95/000,635, *Inter partes* reexamination control no. 95/002,132, *Ex parte* reexamination control no. 90/009,994, *Ex parte* reexamination control no. 90/009,995,

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Inter partes review no. IPR2013-0007, and *Inter partes* review no. IPR2013-0256, due to the identity and similarity in scope of the Asserted Claims of the ’889 Patent and the examined claims in the aforementioned post-grant proceedings.

In addition to the references identified in Addendums B and F, Defendants identify each reference identified in their P.R. 3-3 Invalidity Contentions, which are hereby incorporated by reference. In addition, the Asserted Patents describe the state of the art, including known prior art and conventional hardware/components. *See, e.g.*, ’889 Patent at 2:5–12 (“Internet content is stored in multiple file formats. These formats include HTML (Hyper Text Markup Language) and XML (extended Markup Language) as well as graphic file format GIF (Graphics Interchange Format) and JPEG (Joint Photographic Experts Group). These four file formats constitute the majority of Internet content. Font size and resizing display area for content can alter the size of the display of Internet content in existing browsers.”); *see also id.* at 2:17–18 (“HTML has the ability to adapt to changes in screen resolution….”). Defendants also reserve the right to rely upon expert testimony as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination). Defendants also further incorporate by reference the discussion above providing the exemplary legal and factual bases supporting its Eligibility Contentions. *See* Section 3.2.2 *supra*.

Furthermore, to the extent the listed prior art discloses and describes particular products that were publicly known and/or in public use, in addition to each publication itself serving to demonstrate that the Asserted Claims of the ’889 Patent were well understood, routine, and conventional at the time of filing, the various products described in the publications also serve to demonstrate that the Asserted Claims of the ’889 Patent were well understood, routine, and conventional at the time of filing.

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

As discussed above, the limitations of the Asserted Claims of the ’889 Patent comprise generic and conventional components, and the generic use of processors, circuitry, memories, and data entry devices used in their known and expected manner. In addition, the limitations of the Asserted Claims of the ’889 Patent use generic and conventional software and coding techniques in their known and expected manner.

3.2.5. A chart identifying any other factual or legal basis for how the Challenged Claims are otherwise ineligible for patent protection.

’889 Patent Challenged Claims	Other Factual or Legal Basis for How the Challenged Claims Are Otherwise Ineligible for Patent Protection
Claims 1–3, 5, 13–20, 22, 23, 33–40, 108, 109, 114, and 115	Defendants rely on all information in this pleading (including the discussion in Section 3.2.2 providing exemplary legal and factual bases supporting Defendants’ Eligibility Contentions), along with Defendants’ Invalidity Contentions cover pleading and associated exhibits and prior art references for preliminary P.R. 3-3 and 3-4 disclosures. This includes all prior art references identified in pleadings and associated exhibits, as well as additional information as will be developed during fact and expert discovery. The challenged claims of the ’889 Patent describe a method for receiving web pages that include HTML-based web content for multiple columns along with CSS code, and processing the HTML-based web content and the CSS code to render a scalable vector representation of the web page, and then rendering the web page on a hand-held device display using the scalable vector representation that

’889 Patent Challenged Claims	Other Factual or Legal Basis for How the Challenged Claims Are Otherwise Ineligible for Patent Protection
	maintains the original page layout, design, and functionality as compared to the web content being rendered by a commercially available desktop browser. The challenged claims further recite parsing the web page, logically grouping objects, defining data points, and generating vectors from the defined data points, which are then used for displaying the web page renderings at various zoom levels. All the challenged claims of the ’889 Patent comprise the abstract ideas of receiving and processing HTML-based web pages with CSS content in order to create scalable vector representations of the HTML-based web pages that can be displayed on a hand-held device at various zoom levels. The claimed method and systems for implementing the method do not include inventive concepts sufficient to transform the claimed abstract ideas into a patent-eligible invention. Throughout all Asserted Claims, the claim elements are described in general terms and simply invoke well-understood, routine, conventional components to implement the abstract ideas. Claims 1–3, 5, 13–20, 22, 23, 33–40, 108, 109, 114, and 115 do nothing more than collect or receive information, perform various manipulations of the information for display purposes, and display the manipulated information. Claims of this type have repeatedly been found abstract. *See e.g.*, *AI Visualize, Inc. v. Nuance Comms., Inc.*, 97 F.4th 1371 (Fed. Cir. 2024); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F.4th 1280 (Fed. Cir. 2024); *Hawk Tech. Sys., LLC v. Castle Retail, LLC*, 60 F.4th 1349 (Fed. Cir. 2023); *Realtime Adaptive Streaming LLC v. Netflix, Inc.*, 41 F.4th 1372 (Fed. Cir. 2022); *Electric Power Group, LLC v. Alstom S.A.*, 830 F.3d 1350 (Fed. Cir. 2016); *Intellectual Ventures I LLC v. Capital One Fin. Corp.*, 850 F.3d 1332 (Fed. Cir. 2017); *In re TLI Communications LLC Patent Litigation*, 823 F.3d 607, 611 (Fed. Cir. 2016).

* * *

3.3. ’628 Patent

3.3.1. A chart identifying each exception to eligibility (*e.g.*, abstract idea, law of nature, and natural phenomenon) to which each Challenged Claim is directed and the factual and legal basis therefor.

’628 Patent Claim	Exception to Eligibility	Factual and Legal Basis	Representative Claim
1	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	1
2–14	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	1

3.3.2. Factual and Legal Basis for Subject Matter Ineligibility

3.3.2.1 *Alice* Step One: The Asserted Claims Are Directed to the Abstract Ideas of Receiving Web Pages Comprised of HTML and CSS Content and Converting Said Web Pages Into Scalable Vectors

In all claims discussed for the ’628 Patent, some form of a “Web page” is either directly recited or inferred through dependency to another claim. For example, claim 1 recites ““wherein the 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.” The recited “Web page” discloses anything other than conventional and generic web page components, *e.g.*, “HTML-based content.” None of the recited web page components is an improvement to HTML-based web pages that result in improved storage or operation. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016) (“In sum, the self-referential table recited in the claims on appeal is a specific type of data structure designed to improve the way a computer stores and retrieves data in memory.”). These recitations of Web pages throughout the claims of the ’628 Patent contain the original formatting information of the retrieved Web page(s), which is related to the conventional and generic concept of arrangement of information on a display. *See Elec. Power Grp., LLC v. Alstom*

S.A., 830 F.3d 1350, 1354 (Fed. Cir. 2016); *Content Extraction*, 776 F.3d at 1347. Thus, in all the claims of the ’628 Patent, the Web pages are comprised of conventional and generic elements, and their specific structures are not patent-eligible..

3.3.2.1.1 Independent Claim 1

Representative claim 1 of the ’628 Patent recites as follows (emphasis added):

> 1. A method for enabling a user to perform full page browsing of a Web page on a hand-held wireless device in a manner that replicates browsing the Web page on a desktop Web browser, wherein the 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, the method comprising:
>
> in response to a user request to access 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***; and
>
> ***employing scaled page layout information and/or content derived therefrom to generate scaled Web page content at multiple scale factors***; and
>
> ***enabling a user of the mobile device to zoom in on an image*** via a user input to a touchscreen display and wherein said ***scaled Web page content including one or more images is generated by scaling bounding boxes corresponding to the one or more images to produce scaled bounding boxes*** and, for each of the one or more images, ***scaling content associated with the image to produce a scaled image that fits within its corresponding scaled bounding box***; and
>
> ***enabling the user to perform full page browsing of the Web page at multiple zoom levels by generating 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***,
>
> wherein each of the Web browser rendering engine and a Web browser rendering engine employed by a desktop browser for which browsing is replicated are the same.

The first limitation of claim 1 recites “in response to a user request to access the Web page, ***retrieving HTML-based content and the CSS content corresponding to the Web page***.” Well before the priority date of the ’628 Patent, retrieval of a web page via wired or wireless

communications was conventional technology. Nothing in the ’628 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the “retrieving” step, even when triggered by a user request to access a web page, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 1 recites “***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.***” As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) (“The claims in this case do not even require a new source or type of information, or new techniques for analyzing it”). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown “processing” step that takes the original format of the Web page and “***the Web browser rendering engine [to] interpret[s] the page layout and design of the display content on the Web page at a first scale.***” The claim limitation does not recite a specific solution to make the alleged scaling improvement to the Web page content or to the Web browser rendering engine. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) (“The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—‘concrete’ and at most recite abstract data manipulation.”); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim

about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format (*i.e.*, "at a first scale"), and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the "processing" step is merely a format conversion, the "***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***" limitation is abstract. In addition, the Federal Circuit has held that processes utilizing mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a

specific purpose, the claimed method is nonstatutory."). Claim 1 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. This limitation is abstract, and the recitation of generic computer hardware ("full page browsing of a Web page on a hand-held wireless device in a manner that replicates browsing the Web page on a desktop Web browser") in claim 1 does make the limitation patent-eligible.

The next limitation of claim 1 is "***employing scaled page layout information and/or content derived therefrom to generate scaled Web page content at multiple scale factors***" to render a Web page on the display. The claim limitation does not recite any specific solution (either hardware or software) that is "employed" with the "***scaled page layout information and/or content***" to render the Web page content for a viewer. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). The claim limitation does not recite a specific solution to make the alleged "scaled Web page content at multiple scale factors" improvement to the Web page content and does not recite any information regarding the Web browser rendering engine that generates the content at multiple scale factors. This limitation is abstract, and the recitation of generic computer hardware ("full page browsing of a Web page on a hand-held wireless device in a manner that replicates browsing the Web page on a desktop Web browser") in claim 1 does make the limitation patent-eligible.

The following limitations of claim 1 are all related to enabling the user to browse Web pages using zoom functionality and bounding boxes:

- ***enabling a user of the mobile device to zoom in on an image***
- ***scaled Web page content including one or more images is generated by scaling bounding boxes corresponding to the one or more images to produce scaled bounding boxes***
- ***scaling content associated with the image to produce a scaled image that fits within its corresponding scaled bounding box***
- ***enabling the user to perform full page browsing of the Web page at multiple zoom levels by generating corresponding views of the Web page***
- ***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***

All above limitations of claim 1 require data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, claim 1 requires the zooming function for the user be enabled for eat least one image by scaling up a bounding box that corresponds to that image. Nowhere in the claim limitation is there any explanation of technically how a bounding box is linked to an image, or how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented—the claim limitation just recites the results, *i.e.*, a zoomed-in image that was created by at least one bounding box. In addition, claim 1 further requires that the user be able to full page browsing at multiple zoom levels, and, at each of those zoom levels, the original arrangement of content on the displayed Web page is maintained. Like the previous discussion of zooming, nowhere in the claim limitation is there any explanation of how the presentation fidelity of the Web page content (*i.e.*, images and/or text) is maintained (*e.g.*, pixel interpolation as the image grows in size) as the zooming function is implemented—the claim limitation just recites the results, *i.e.*, a magnified Web page that looks identical to the original Web

page. Inherent in all these "enabling" limitation are mathematical processes for rendering the Web content at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 1 is abstract.

3.3.2.1.2 Dependent Claim 2

Dependent claim 2 of the '628 Patent recites as follows (emphasis added):

> 2. The method of claim 1, wherein the views of the Web page are ***generated by employing a vector-based rendering engine to effect scaling of the display content as interpreted at the first scale***.

Claim 2 recites that views of the Web page are "***generated by employing a vector-based rendering engine to effect scaling of the display content as interpreted at the first scale***." Claim 2 has lacks any disclosure of the constitution of the "vector-based rendering engine" or how this particular rendering engine operates on the "scaled" data that is "interpreted at the first scale." Processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."). Other than the identification of the vector-based rendering engine, claim 2 lacks any disclosure of the

operation of the rendering engine, and only describes its effect, *i.e.*, rendering views of the Web page at a "first scale," and not a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The "generating" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). Claim 2 is abstract.

3.3.2.1.3 Dependent Claim 3

Dependent claim 3 of the '628 Patent recites as follows (emphasis added):

> 3. The method of claim 1, wherein the method enables the user to ***browse arbitrary user-selected pages from among billions of Web pages accessible via the World Wide Web*** on the hand-held wireless device ***in a manner that replicates browsing of those Web pages on a desktop Web browser*** in accordance with the method.

Claim 3 is directed to the result of the abstract ideas of browsing an "***arbitrary user-selected pages from among billions of Web pages accessible via the World Wide Web … in a manner that replicates browsing of those Web pages on a desktop Web browser***." Claim 3 does not, however, disclose or invoke any specific processes or circuitry to accomplish that rendering result, especially for, at a minimum, a billion web pages. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 3 does not recite any specific algorithms or specialized computer circuitry directed to the browsing of billions of web pages. Without more, the "browse" ability recited in claim 3 is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). The recitation of generic computer hardware ("the hand-held wireless device") does not make claim 3 patent-eligible.

3.3.2.1.4 Dependent Claim 4

Dependent claim 4 of the '628 Patent recites as follows (emphasis added):

> 4. The method of claim 1, wherein a browser is implemented on the hand-held wireless device having a content display area in which Web page views are displayed, further comprising ***enabling the user to perform zooming operations using tap-based user input detected by the touchscreen display*** and within the content display area.

The tapping within an area of displayed content on a touchscreen display to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping within an area of displayed content on a touchscreen display is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341. In addition, the claim does not recite any technical information about how the zoom operations are conducted once the user tap is received. The claim does not recite any specific solution to make the alleged improvement, and just recites the result, *i.e.*, zooming in on a tap. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The

claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). For example, claim 4 does not recite how the content within the display is enlarged while retaining image fidelity. Nor does the claim recite how the zoom operations are invoked with a tap. Finally, bare recitations of zoom operations, without more, likely involve data format conversion, which have been held to be abstract. *See, e.g.*, *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). In addition, the Federal Circuit has held that processes utilizing mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."). Claim 4 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. Thus, claim 4 is abstract and patent-ineligible.

3.3.2.1.5 Dependent Claim 5

Dependent claim 5 of the '628 Patent recites as follows (emphasis added):

5. The method of claim 1, wherein Web page views are displayed within a content display area, the method further comprising:

> ***generating a scaled view of the Web page*** on the hand-held wireless device under which ***a width of the Web page is rendered to fit across a width of the content display*** area,
>
> wherein the scaled view of the Web page comprises a ***magnified view*** of the Web page as ***interpreted at the first scale***.

The first limitation of claim 5 recites "***generating a scaled view of the Web page.***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown "generating" step that takes the original format of the Web page and generates "***a width of the Web page is rendered to fit across a width of the content display.***" The claim limitation does not recite a specific solution to make the alleged scaling improvement to the Web page content or to the Web browser rendering engine. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than

the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation further building on the conversion of information from one format to another format (*i.e.*, "at a first scale") recited in claim 1, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "generating" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the "generating" step is merely a format conversion, the "***a width of the Web page is rendered to fit across a width of the content display***" language is also abstract. This limitation of claim 5 is abstract, and the recitation of generic computer hardware ("Web page views are displayed within a content display area") in this limitation of claim 5 does make the limitation patent-eligible.

The next limitation of claim 5 recites a characterization of the now rendered scaled Web page content. More specifically, the claim limitation characterizes the rendered web page as a "***magnified view"*** that has been "***interpreted at the first scale***." Magnification is the natural result of zooming in on a displayed image, but as noted previously for other claims of the '628 Patent, the claim limitation does not recite any specific solution (either hardware or software) that is "employed" with the "***first scale***" to render the Web page content for a viewer. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of

gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). The claim limitation does not recite a specific solution for using the alleged "first scale" improvement to the render the Web page content and does not recite any information regarding the Web browser rendering engine that generates the content at multiple scale factors. This limitation is abstract, and the recitation of generic computer hardware ("full page browsing of a Web page on a hand-held wireless device in a manner that replicates browsing the Web page on a desktop Web browser") in claim 1 does make the limitation patent-eligible.

3.3.2.1.6 Dependent Claim 7

Dependent claim 7 of the '628 Patent recites as follows (emphasis added):

> 7. The method of claim 1, wherein there is ***no degradation in quality of the presentation of text content when the zoom level is increased***.

Claim 7 does not recite any technical information about how textual content is protected from "***degradation in quality of the presentation of text content when the zoom level is increased.***" Claim 7 does not offer any specific technical solution to make the alleged improvement, but instead just the desired result, *i.e.*, zooming in/magnifying without degradation. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual

views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). For example, claim 7 does not recite how the text content is expanded during the zooming process such that text character fidelity is maintained. More specifically, claim 7 does not recite how individual pixels comprising the text content are interpolated to maintain text character fidelity as the text size is increased. Claim 7 is abstract.

3.3.2.1.7 Dependent Claim 8

Dependent claim 8 of the '628 Patent recites as follows (emphasis added):

> 8. The method of claim 1, wherein a browser is implemented on the hand-held wireless device having a content display area in which Web page views are displayed, further comprising ***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***, 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.

Claim 8 recites tapping "***within a portion of the column"*** of a "***column of content displayed in a current view of the Web page"*** to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on a column is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341. Here, the desired command to be executed is zooming in on the selected column of content in the displayed Web page view. As discussed with other claims of the '628 Patent, claim 8 does not recite any technical information or techniques reciting how the zoom operation on the selected column is conducted once the user tap is received on the

touchscreen—claim 8 does not recite any specific solution to make the alleged improvement for display zooming operations, but instead just recites the desired result, *i.e.*, "*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."*** *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). For example, claim 8 does not recite how the text content is expanded during the zooming process such that image and/or text character fidelity is maintained. More specifically, claim 8 does not recite how individual pixels comprising the image and/or text content are interpolated to maintain image fidelity and/or text character fidelity as the zooming process proceeds. The requirement that "***a width of the column is displayed to fit across a width of the content display"*** based on unknown zoom and offset factors, without more, is merely manipulation of the binary data that undergirds the image and/or text data comprising the displayed Web page. *See, e.g.*, *AI Visualize*, 97 F. 4th at 1379. In addition, the Federal Circuit has held that processes utilizing mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir.

2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."). Claim 8 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claim 8 into patentable subject matter. Thus, claim 8 is abstract and patent-ineligible.

3.3.2.1.8 Dependent Claim 9

Dependent claim 9 of the '628 Patent recites as follows (emphasis added):

> 9. The method of claim 1, wherein the Web page includes at least one image, and wherein a browser is implemented on the hand-held wireless device having a content display area in which Web page views are displayed, further comprising ***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***, wherein in response thereto, ***a zoom level, offset, and view of the Web page is updated such that the image is displayed to fit across a width of the content display*** area in the updated view.

Claim 9 recites tapping "***within the image"*** of an "***image displayed in a current view of the Web page"*** to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on an image is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341. Here, the desired command to be executed is zooming in on the selected image in the displayed Web page view. As discussed with other claims of the '628 Patent, claim 9 does not recite any technical information or techniques reciting how the zoom operation on the selected column is conducted once the user tap is received on the touchscreen—claim 8 does not recite any specific solution to make the alleged improvement for display zooming operations, but instead just recites the desired result, *i.e.*, "***a zoom level, offset, and view of the Web page is updated such that the image is displayed to fit across a width of the content display."*** *See, e.g.*, *Hawk Tech. Sys.*

LLC v. Castle Retail, LLC, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). For example, claim 9 does not recite how the image is expanded during the zooming process such that image fidelity is maintained. More specifically, claim 9 does not recite how individual pixels comprising the image are interpolated to maintain image fidelity as the zooming process proceeds. The requirement that "***the image is displayed to fit across a width of the content display"*** based on unknown zoom and offset factors, without more, is merely manipulation of the binary data that undergirds the image data comprising the displayed Web page. *See, e.g.*, *AI Visualize*, 97 F. 4th at 1379. In addition, the Federal Circuit has held that processes utilizing mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."). Claim 9 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the touch-

sensitive display is insufficient to convert the abstract concepts recited in claim 9 into patentable subject matter. Thus, claim 9 is abstract and patent-ineligible.

3.3.2.1.9 Dependent Claim 10

Dependent claim 10 of the ’628 Patent recites as follows (emphasis added):

> 10. The method of claim 1, wherein a browser is implemented on the hand-held wireless device having a content display area in which Web page views are displayed, further comprising ***enabling a user to 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***, wherein in response thereto, ***a zoom level, offset, and view of the Web page is updated such that paragraph is displayed to fit across a width of the content display*** area in the updated view.

Claim 10 recites tapping “***on text content within the paragraph”*** of a “***paragraph displayed in a current view of the Web page”*** to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping on the text within a paragraph is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341. Here, the desired command to be executed is zooming in on the selected text in the displayed Web page view. As discussed with other claims of the ’628 Patent, claim 10 does not recite any technical information or techniques reciting how the zoom operation on the selected text is conducted once the user tap is received on the touchscreen—claim 10 does not recite any specific solution to make the alleged improvement for display zooming operations, but instead just recites the desired result, *i.e.*, “***a zoom level, offset, and view of the Web page is updated such that paragraph is displayed to fit across a width of the content display.”*** *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) (“The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—‘concrete’ and at most recite abstract data manipulation.”); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97

F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). For example, claim 10 does not recite how the textual character data is expanded during the zooming process such that textual character fidelity is maintained. More specifically, claim 10 does not recite how individual pixels comprising the textual characters are interpolated to maintain textual character fidelity as the zooming process proceeds. The requirement that the "***paragraph is displayed to fit across a width of the content display"*** based on unknown zoom and offset factors, without more, is merely manipulation of the binary data that undergirds the textual character data comprising the displayed Web page. *See, e.g.*, *AI Visualize*, 97 F. 4th at 1379. In addition, the Federal Circuit has held that processes utilizing mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."). Claim 10 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claim 10 into patentable subject matter. Thus, claim 9 is abstract and patent-ineligible.

3.3.2.1.10 Dependent Claim 11

Dependent claim 11 of the '628 Patent recites as follows (emphasis added):

11. The method of claim 1, further comprising:

> ***defining a content display area comprising a rectangular portion of a browser user interface*** on which Web page content is to be displayed;
>
> ***generating scaled display content in accordance with a current zoom level and pan offset***; and
>
> ***employing a display limit bounding box associated with the content display area to define a rectangular portion of the scaled display content that is to be displayed*** within the content display area to ***render a view of the Web page 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 first limitation of claim 11 is "***defining a content display area comprising a rectangular portion of a browser user interface.***" The claim limitation simply recites defining a content display area on a browser interface without any disclosure of how that definition is accomplished. This type of claim limitation has been found to be abstract. *See AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art.").

The next limitation of claim 11 recites "***generating scaled display content in accordance with a current zoom level and pan offset.***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown "generating" step that takes the original format of the Web page and generates "***scaled display content in accordance with a current zoom***

level and pan offset." The claim limitation does not recite a specific solution to make the alleged scaling improvement to the Web page content or to the Web browser rendering engine. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The "generating" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the "generating" step is merely a format conversion, the in "***accordance with a current zoom level and pan offset***" language is also abstract. The "generating" requirement, based on unknown zoom and offset factors, without more, is merely manipulation of the binary data that undergirds the image and/or textual character data comprising the displayed Web page. *See, e.g.*, *AI Visualize*, 97 F. 4th at 1379. In addition, the Federal Circuit has held that processes utilizing mathematical algorithms to manipulate existing

information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."). Claim 11 necessarily uses unknown mathematical equations to manipulate the Web page content "***in accordance with a current zoom level and pan offset."*** The recitation of generic computer hardware ("Web page content is to be displayed") in claim 11 does make this limitation patent-eligible.

The next limitation of claim 11 recites "***employing a display limit bounding box associated with the content display area to define a rectangular portion of the scaled display content that is to be displayed."*** Similar to the first limitation of claim 11, this limitation simply recites "employing" some type of bounding limitations associated with a content display area on a browser interface without any disclosure of how that step of "employing" is accomplished. This type of claim limitation has been found to be abstract. *See AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). The claim limitation further recites that the method will ***"render a view of the Web page in accordance with the current zoom level and pan offset."*** Again, there is no recitation in the claim limitation of any specific technique or solution on how to render the Web page view in accordance with an unknown zoom level and pan offset parameters—only the result that the Web page is rendered in this specific manner is claimed. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make

the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). Claim 11 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. This limitation of claim 11 is abstract, and the recitation of generic computer hardware ("Web page views are displayed within a content display area") in this limitation of claim 11 does make the limitation patent-eligible.

The next limitation of claim 11 recites that the "***resolution of the display limit bounding box is the same as a resolution of the content display."*** The claim limitation does not recite any specific solution (either hardware or software) that is utilized with the "display limit bounding box" to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."). This limitation is abstract, and the recitation of generic computer hardware in claim 11 does make the limitation patent-eligible.

3.3.2.1.11 Dependent Claim 12

Dependent claim 12 of the '628 Patent recites as follows (emphasis added):

> 12. The method of claim 1, where the touch screen display of the hand-held wireless device is disposed on a ***top portion of the device***.

The additional limitation of a location for the touch screen display for the hand-held wireless device does not impart patent eligibility. Instead, dependent claim 12 adds a further variation on the abstract ideas of claim 1, but the requirement of touch screen display location is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.3.2.1.12 Dependent Claim 13

Dependent claim 13 of the ’628 Patent recites as follows (emphasis added):

> 13. The method of claim 1, where the hand-held wireless device comprises a ***mobile phone***.

The additional limitation of a mobile phone does not impart patent eligibility. Instead, dependent claim 13 adds a further variation on the abstract ideas of claim 1, but the addition of a mobile phone is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.3.2.1.13 Dependent Claim 14

Dependent claim 14 of the ’628 Patent recites as follows (emphasis added):

> 14. The method of claim 1, wherein the hand-held wireless device is ***configured to be held in the palm of a user***.

The additional limitation of a palm-sized configuration for the hand-held wireless device does not impart patent eligibility. Instead, dependent claim 14 adds a further variation on the abstract ideas of claim 1, but the requirement of palm-sized configuration is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

In sum, the Asserted Claims are easily distinguishable from the types of claims that the Federal Circuit has held to be eligible, which typically disclose specific means for improving specific computer technology itself or solving specific computer problems. *See, e.g., Enfish, LLC*

v. Microsoft Corp., 822 F.3d 1327, 1336 (Fed. Cir. 2016) (improved computer database structure); *McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299, 1307-08 (Fed. Cir. 2016) (specific improvement to lip synch animation based on particular "output morph weight set stream" and "transition parameters"); *Visual Memory LLC v. NVIDIA Corp.*, 867 F.3d 1253, 1260 (Fed. Cir. 2017) ("new, improved and more efficient memory system"); *Finjan, Inc. v. Blue Coat Sys., Inc.*, 879 F.3d 1299, 1303-05 (Fed. Cir. 2018) ("specific" improved "'behavior-based' virus scan").

3.3.2.2 *Alice* Step Two: The Asserted Claims Contain No "Inventive Concept" Sufficient to Render Them Patent Eligible

As noted above, the second step of a Section 101 analysis under *Alice* requires the consideration of each claim element individually and "as an ordered combination" to determine whether there are additional elements present in the claim that "transform the nature of the claim" into a patent-eligible application." *Alice*, 134 S. Ct. at 2347 (quotation omitted). Turning to representative claim 1, first the claim elements will be examined individually, and then claim elements as an "ordered combination" will be examined.

As noted earlier, Plaintiff alleges that the invention claimed in the '628 Patent would allow a web page designed for a desktop computer to be "rapidly panned and zoomed to facilitate use on devices with smaller screens, different resolutions, or different aspect ratios." *See, e.g.*, Compl. at ¶ 297. The Asserted Claims of the '628 Patent themselves, however, provide no specific technological solution to these purported problems but instead simply disclose the abstract ideas of parsing HTML documents containing HTML code and CSS code, and manipulating that parsed data to display the HTML document in its now manipulated form, which moreover would be well-known to one of ordinary skill in the art of software development as shown by the extensive prior art already applied to the '353 Patent. *See, e.g.*, *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024); see also *Inter Partes* Reexamination Control No. 95/000,634. Furthermore, none

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of the Asserted Claims of the ’628 Patent has any language that links the purported technological advancements recited in the Asserted Claims to “devices with smaller screens, different resolutions, or different aspect ratios” as stated in the Complaint. For example, the ’628 Patent fails to disclose any pixel interpolation techniques that would be necessary for the proper scaling of text, images, and other structures present in the HTML document. The ’628 Patent does admit, however, that scaling techniques were already known in the prior art. *See, e.g.*, ’628 Patent at 20:22–28.

As noted in Section 3.3.2.1, the first limitation of claim 1 is directed to the receipt of conventional Web page data (*i.e.*, HTML and CSS data) and processing the received Web page data such that the page layout and the display content and “interpret” that data to create scaled page layout data and scaled display content data at a “first scale.” None of the language in the first limitation of claim 1 recites any specific algorithm or tool that creates the scaled page layout data and scaled display content data at a “first scale.” Turning to the ’628 Patent specification, it states that conventional computers and software coding techniques can be used to implement these claim elements:

> The present invention includes various operations, which will be described below. The operations of the present invention may be performed by hardware components or may be embodied in machine-executable instructions, which may be used to cause a general-purpose or special-purpose processor or logic circuits programmed with the instructions to perform the operations. Alternatively, the operations may be performed by a combination of hardware and software.
>
> ’628 Patent at 3:65–4:4.
>
> As will be recognized by those skilled in the art, the functions performed in blocks 150, 152, and 154 are commonly performed by conventional browsers during a pre-rendering process. In some browsers, these functions are performed by the Mozilla rendering engine, which comprises open source software that is readily available for use by developers. At present, the software for the Mozilla rendering engine may be accessed via the Internet at www.mozilla.org. Accordingly, in one embodiment, the present invention uses core functionality provided by the Mozilla rendering engine source code to perform the functions of block 150, 152, and 154.

’628 Patent at 17:21–31.

The next limitation of claim 1 call for using the scaled page layout data and scaled display content data at multiple scale factors to generate scaled Web page content. This limitation simply recites the result of using the scaled data without disclosing how the scaled data is manipulated to create the magnified Web page. To the extent that simple multiplication is used, the claim limitation simply recites an abstract idea implemented using generic and conventional technology to “perform well-understood, routine, and conventional activities commonly used in the industry.”

As noted in Section 3.3.2.1, the “enabling” claim limitations are directed to the displaying of scaled page layout data and scaled display content data at various zoom levels. The limitations include the use of bounding boxes, but that technology was routine and conventional well before the applicable priority date of the application that issued as the ’628 Patent. Again, the ’628 Patent specification is clear that that conventional computers and software coding techniques can be used to implement this claim element. *See, e.g.*, ‘580 Patent at 17:21–31. The use of conventional computer equipment and software techniques does convert the abstract idea of using bounding boxes for zooming Web content into something other than what is “well-understood, routine, and conventional activities commonly used in the industry.” The processing of HTML information was routine and conventional well before the applicable priority date of the application that issued as the ’628 Patent. These claim elements simply recite abstract ideas implemented using generic and conventional technology to “perform well-understood, routine, and conventional activities commonly used in the industry.” *See, e.g., Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat’l Ass’n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) (“The concept of data collection, recognition, and storage is undisputedly well-known.”). Claim 1 provides no details on the implementation of all these steps, but instead just claims the result. *See, e.g., Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016) (internal quotations and citation omitted).

As noted at the beginning of this section, the second step of a Section 101 analysis under *Alice* requires the consideration of the claim elements "as an ordered combination" to determine whether there are additional elements present in the claim that "transform the nature of the claim" into a patent-eligible application." *Alice*, 134 S. Ct. at 2347 (quotation omitted). As discussed previously in Section 3.3.2.1, the ordered combination here is receipt of the Web page content and layout, manipulate the binary data underlying the Web page content and layout so that same data can be redisplayed in a different form, and render the now-manipulated data on the display screen according to a scale factor. This is a common practice for data display prior to the earliest priority date for the '628 Patent. *See, e.g.*, prior art referenced in Section 3.3.4 and Defendants' Invalidity Contentions (including invalidity claim charts included therewith). Thus, the ordered combination of the limitations of claim 1 does not convert the abstract ideas embodied in claim 1 into patent-eligible subject matter. There is no "non-conventional and non-generic arrangement of known, conventional pieces." *BASCOM Glob. Internet Servs*., 827 F.3d at 1350.

3.3.3. All the Asserted Claims Are Substantially Similar—Represented by Claim 1—for Purposes of Section 101 Analysis

All Asserted Claims of the '628 Patent are directed to patent-ineligible abstract ideas. Where claims are "substantially similar and linked to the same abstract idea," courts may look to representative claims in a Section 101 analysis. *Content Extraction*, 776 F.3d at 1349; *see also Phoenix Licensing, L.L.C. v. Consumer Cellular, Inc.*, No. 2:16-cv-152-JRG-RSP, 2017 WL 1065938, at *8-9 (E.D. Tex. Mar. 8, 2017), *report and recommendation adopted*, 2017 WL 1177988 (Mar. 30, 2017) (invalidating 974 claims after analyzing only a few "representative claims" where other claims were "substantially similar" and "linked to the same abstract idea"). Here, claim 1 of the '628 Patent (reproduced below) is representative of all Asserted Claims of the

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’628 Patent, as the remaining claims recite the same abstract idea with immaterial and conventional variations:

> 1. A method for enabling a user to perform full page browsing of a Web page on a hand-held wireless device in a manner that replicates browsing the Web page on a desktop Web browser, wherein the 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, the method comprising:
>
> > in response to a user request to access 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; and
> >
> > employing scaled page layout information and/or content derived therefrom to generate scaled Web page content at multiple scale factors; and
> >
> > enabling a user of the mobile device to zoom in on an image via a user input to a touchscreen display and wherein said scaled Web page content including one or more images is generated by scaling bounding boxes corresponding to the one or more images to produce scaled bounding boxes and, for each of the one or more images, scaling content associated with the image to produce a scaled image that fits within its corresponding scaled bounding box; and
> >
> > enabling the user to perform full page browsing of the Web page at multiple zoom levels by generating 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,
> >
> > wherein each of the Web browser rendering engine and a Web browser rendering engine employed by a desktop browser for which browsing is replicated are the same.

Claim 2 recites that “the views of the Web page are generated by employing a vector-based rendering engine to effect scaling of the display content as interpreted at the first scale.” The additional recitation of a vector-based rendering engine is insufficient to convert the abstract concepts recited in claims 1 and 2 into patentable subject matter. Instead, the claim only recites the result of the vector-based rendering engine with respect to the display content, *e.g.*, it is just

changing a display size. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 2 as being fully applicable to claim 2 here.

Claim 3 recites that a user can "browse arbitrary user-selected pages from among billions of Web pages accessible via the World Wide Web on the hand-held wireless device in a manner that replicates browsing of those Web pages on a desktop Web browser in accordance with the method." Users prior to the earliest priority date of the '628 Patent were able arbitrarily browse billions of web pages. The recitation of the ability to browse billions of web pages is insufficient to convert the abstract concepts recited in claims 1 and 3 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 3 as being fully applicable to claim 3 here.

Claim 4 recites "enabling the user to perform zooming operations using tap-based user input detected by the touchscreen display and within the content display area." The zoom functionality of claim 4, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claims 1 and 4 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 4 as being fully applicable to claim 4 here.

Claim 5 recites "generating a scaled view of the Web page on the hand-held wireless device under which a width of the Web page is rendered to fit across a width of the content display area, wherein the scaled view of the Web page comprises a magnified view of the Web page as interpreted at the first scale." The rendering of a web page for the purpose of a scaled view, without more, is an abstract idea that is not patent-eligible and is insufficient to convert the abstract concepts recited in claims 1 and 5 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 5 as being fully applicable to claim 5 here.

Claim 7 recites "there is no degradation in quality of the presentation of text content when the zoom level is increased." Claim 7 merely claims the result of increasing the zoom level, and provides no disclosure of how to prevent degradation of the text content. Without more, degradation prevention is an abstract idea that is not patent-eligible and is insufficient to convert the abstract concepts recited in claims 1 and 7 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 7 as being fully applicable to claim 7 here.

Claim 8 recites "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, 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." The zoom functionality of claim 8, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claims 1 and 8 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 8 as being fully applicable to claim 8 here.

Claim 9 recites "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, wherein in response thereto, a zoom level, offset, and view of the Web page is updated such that the image is displayed to fit across a width of the content display area in the updated view." The zoom functionality of claim 8, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claims 1 and 9 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 9 as being fully applicable to claim 9 here.

Claim 10 recites "enabling a user to 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, wherein in response thereto, a zoom level, offset, and view of the Web page is updated such that paragraph is displayed to fit across a width of the content display area in the updated view." The zoom functionality of claim 8, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claims 1 and 10 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 10 as being fully applicable to claim 10 here.

Claim 11 further recites that the method for processing web pages comprises "defining a content display area comprising a rectangular portion of a browser user interface on which Web page content is to be displayed; generating scaled display content in accordance with a current zoom level and pan offset; and employing a display limit bounding box associated with the content display area to define a rectangular portion of the scaled display content that is to be displayed within the content display area to render a view of the Web page 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." All these steps are directed to the manipulation or conversion of data in one format to another format for display, which are abstract concepts. The inclusion of the display limitations is insufficient to convert the abstract concepts recited in claims 1 and 11 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 11 as being fully applicable to claim 11 here.

Claim 12 recites that "the touch screen display of the hand-held wireless device is disposed on a top portion of the device." The language dictating the location of the touch-sensitive display is generic and conventional, and is thus insufficient to convert the abstract concepts recited in

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claims 1 and 12 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 12 as being fully applicable to claim 12 here.

Claim 13 recites that "the hand-held wireless device comprises a mobile phone." The language dictating the hand-held wireless device is a mobile phone is generic and conventional, and is thus insufficient to convert the abstract concepts recited in claims 1 and 13 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 13 as being fully applicable to claim 13 here.

Claim 14 recites "the hand-held wireless device is configured to be held in the palm of a user." The language dictating the hand-held wireless device fits into the palm of a user is generic and conventional, and is thus insufficient to convert the abstract concepts recited in claims 1 and 14 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.3.2 for claims 1 and 14 as being fully applicable to claim 14 here.

Accordingly, claim 1 of the '628 Patent is representative for purposes of the Section 101 analysis, and any differences are insubstantial with respect to eligibility, as each of the claims in the '628 Patent are drawn to the same abstract idea and merely recite token post-solution elements performed by "purely conventional" computing elements, or merely requiring "a generic computer to perform generic computer functions," as demonstrated by the '628 Patent itself describing the recited elements as including conventional components and functionalities. *Alice*, 573 U.S. at 225; *see also Content Extraction*, 776 F.3d at 1348.

3.3.4. A chart identifying a description of the industry, at the relevant time, in which the Challenged Claims are alleged to be well understood, routine, and conventional, and the factual and legal basis therefore; and a description of how each element of each Challenged Claim, both individually and in combination with the other elements of

that claim, was: (i) well understood; (ii) routine; and (iii) conventional, in the relevant industry at the time, and the legal and factual basis therefor.

As shown in the chart in Addendum C annexed to these Eligibility Contentions, each of the limitations of the Asserted Claims of the '628 Patent, individually and in combination with the other elements of each claim, were well understood, routine, and conventional in the industry at the time. In Addendum C, multiple prior art references are cited as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination). The prior art references referred to are exemplary only. Other examples of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination) can be found in Defendants' P.R. 3-3 Invalidity Contentions, including the discussion of obviousness and accompanying P.R. 3-4(b) production, each of which are incorporated by reference.

The information provided in prior art references and cited herein and in Addendum C should not be deemed an admission regarding the scope of any claims or the proper construction of those claims or any terms contained therein. Defendant's claim construction disclosures will be provided under P.R. 4 as required by the Court's Docket Control Order (Dkt. 40). Nothing included within these Eligibility Contentions should be understood or deemed to be an express or implied admission or contention with respect to the absence of factual disputes relating to patent ineligibility, the absence of a need for construction of any terms in an Asserted Claim of the '628 Patent, any proper construction of any terms in an Asserted Claim of the '628 Patent, or alleged infringement of that claim. There is no claim construction issue or factual issue that precludes the Court finding that the claims of the Asserted Patents are patent-ineligible.

These Eligibility Contentions, including Addendum C, address only the Asserted Claims of the '628 Patent. Defendants reserve the right to supplement these Eligibility Contentions if

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Transparence asserts infringement of any additional claims beyond the Asserted Claims of the ’628 Patent. These Eligibility Contentions are subject to revision and amendment pursuant to Federal Rule of Civil Procedure 26(e) and the Court’s Docket Control Order (Dkt. 40), to the extent appropriate, in view of further investigation and discovery regarding the defenses below, the Court’s construction of the claims at issue, and/or the review and analysis of expert witnesses.

In addition to Addendum C, Addendum G, which is annexed to these Eligibility Contentions, contains references that show the state of the art as of the priority dates of the Asserted Patents. These references show that the Asserted Claims were well understood, routine, and conventional at the time of filing. In addition, Defendants incorporate by reference in their entirety all pending and completed post-grant examinations of the ’353 Patent, including but not limited to *SoftView LLC v. Apple Inc.*, 108 F.4th 1366 (Fed. Cir. 2024), *SoftView LLC v. Kyocera Corp*., 592 F. App’x 947 (Fed. Cir. 2015), *Inter partes* reexamination control no. 95/000,634, *Inter partes* reexamination control no. 95/000,635, *Inter partes* reexamination control no. 95/002,132, *Ex parte* reexamination control no. 90/009,994, *Ex parte* reexamination control no. 90/009,995, *Inter partes* review no. IPR2013-0007, and *Inter partes* review no. IPR2013-0256, due to the identity and similarity in scope of the Asserted Claims of the ’628 Patent and the examined claims in the aforementioned post-grant proceedings.

In addition to the references identified in Addendums C and F, Defendants identify each reference identified in their P.R. 3-3 Invalidity Contentions, which are hereby incorporated by reference. In addition, the Asserted Patents describe the state of the art, including known prior art and conventional hardware/components. *See, e.g.*, ’628 Patent at 2:7–14 (“Internet content is stored in multiple file formats. These formats include HTML (Hyper Text Markup Language) and XML (extended Markup Language) as well as graphic file format GIF (Graphics Interchange

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Format) and JPEG (Joint Photographic Experts Group). These four file formats constitute the majority of Internet content. Font size and resizing display area for content can alter the size of the display of Internet content in existing browsers."); *see also id.* at 2:19–20 ("HTML has the ability to adapt to changes in screen resolution…."). Defendants also reserve the right to rely upon expert testimony as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination). Defendants also further incorporate by reference the discussion above providing the exemplary legal and factual bases supporting its Eligibility Contentions. *See* Section 3.3.2 *supra*.

Furthermore, to the extent the listed prior art discloses and describes particular products that were publicly known and/or in public use, in addition to each publication itself serving to demonstrate that the Asserted Claims of the '628 Patent were well understood, routine, and conventional at the time of filing, the various products described in the publications also serve to demonstrate that the Asserted Claims of the '628 Patent were well understood, routine, and conventional at the time of filing.

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

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As discussed above, the limitations of the Asserted Claims of the ’628 Patent comprise generic and conventional components, and the generic use of processors, circuitry, memories, and data entry devices used in their known and expected manner. In addition, the limitations of the Asserted Claims of the ’628 Patent use generic and conventional software and coding techniques in their known and expected manner.

3.3.5. A chart identifying any other factual or legal basis for how the Challenged Claims are otherwise ineligible for patent protection.

’628 Patent Challenged Claims	Other Factual or Legal Basis for How the Challenged Claims Are Otherwise Ineligible for Patent Protection
Claims 1–5 and 7–14	Defendants rely on all information in this pleading (including the discussion in Section 3.3.2 providing exemplary legal and factual bases supporting Defendants’ Eligibility Contentions), along with Defendants’ Invalidity Contentions cover pleading and associated exhibits and prior art references for preliminary P.R. 3-3 and 3-4 disclosures. This includes all prior art references identified in pleadings and associated exhibits, as well as additional information as will be developed during fact and expert discovery. The challenged claims of the ’628 Patent describe a method for receiving web pages that include HTML-based web content for multiple columns along with CSS code, and processing the HTML-based web content and the CSS code to render a scalable vector representation of the web page, and then rendering the web page on a hand-held device display using the scalable vector representation that maintains the original page layout, design, and functionality as compared to the web content being rendered by a commercially available desktop browser. The challenged claims further recite parsing the web page, logically grouping objects, defining data points, and generating vectors from the defined data points, which are then used for displaying the web page renderings at various zoom levels. All the challenged claims of the ’628 Patent comprise the abstract ideas of receiving and processing HTML-based web pages with CSS content in order to create scalable vector representations of the HTML-based web pages that can be displayed on a hand-held device at various zoom levels. The claimed method and systems for implementing the method do not include inventive concepts sufficient to transform the claimed abstract ideas into a patent-eligible invention. Throughout all Asserted Claims, the claim elements are described in general terms and simply invoke

’628 Patent Challenged Claims	Other Factual or Legal Basis for How the Challenged Claims Are Otherwise Ineligible for Patent Protection
	well-understood, routine, conventional components to implement the abstract ideas. Claims 1–5 and 7–14 do nothing more than collect or receive information, perform various manipulations of the information for display purposes, and display the manipulated information. Claims of this type have repeatedly been found abstract. *See e.g.*, *AI Visualize, Inc. v. Nuance Comms., Inc.*, 97 F.4th 1371 (Fed. Cir. 2024); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F.4th 1280 (Fed. Cir. 2024); *Hawk Tech. Sys., LLC v. Castle Retail, LLC*, 60 F.4th 1349 (Fed. Cir. 2023); *Realtime Adaptive Streaming LLC v. Netflix, Inc.*, 41 F.4th 1372 (Fed. Cir. 2022); *Electric Power Group, LLC v. Alstom S.A.*, 830 F.3d 1350 (Fed. Cir. 2016); *Intellectual Ventures I LLC v. Capital One Fin. Corp.*, 850 F.3d 1332 (Fed. Cir. 2017); *In re TLI Communications LLC Patent Litigation*, 823 F.3d 607, 611 (Fed. Cir. 2016).

* * *

3.4. ’729 Patent

3.4.1. A chart identifying each exception to eligibility (*e.g.*, abstract idea, law of nature, and natural phenomenon) to which each Challenged Claim is directed and the factual and legal basis therefor.

’154 Patent Claim	Exception to Eligibility	Factual and Legal Basis	Representative Claim[7]
1–13	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	14
14	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	14
15–18, 21, 22	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	14

3.4.2. Factual and Legal Basis for Subject Matter Ineligibility

3.4.2.1 *Alice* Step One: The Asserted Claims Are Directed to the Abstract Ideas of Receiving Web Pages Comprised of HTML and CSS Content and Converting Said Web Pages Into Scalable Vectors

In all claims discussed for the ’729 Patent, some form of a “Web page” is either directly recited or inferred through dependency to another claim. For example:

> “a Web page comprising HTML-based Web content defining an original page layout, functionality, and design for viewing on a commercially available desktop browser, said HTML-based Web content including HTML code for at least one form and multiple columns and Cascading Style Sheets (CSS) content” (claim 1).

[7] Independent claim 1 is either substantially equivalent in scope to independent claim 14, or the additional limitations therein do nothing to make this claim valid under Section 101 and therefore claim 14 can be used as representative of all Asserted Claims for purposes of these Eligibility Contentions. *See, e.g., Content Extraction,* 776 F.3d at 1349 (affirming that a specific claim is “representative, because all the claims are ‘substantially similar and linked to the same abstract idea’”). Moreover, as discussed in Sections 3.4.2 and 3.4.3, below, each of the Asserted Claims of the ’729 Patent fails to satisfy Section 101 irrespective of whether claim 14 is representative.

> "a Web page comprising HTML-based Web content including HTML code for at least multiple columns and Cascading Style Sheets (CSS) content" (claim 14).
>
> "HTML-based Web content further includes HTML code for at least one form" (claim 22).

None of the various recitations of "Web page" discloses anything other than conventional and generic web page components, *e.g.*, "HTML-based Web content." None of the recited web page components is an improvement to HTML-based web pages that result in improved storage or operation. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016) ("In sum, the self-referential table recited in the claims on appeal is a specific type of data structure designed to improve the way a computer stores and retrieves data in memory."). These recitations of Web pages throughout the claims of the '729 Patent contain the original formatting information of the retrieved Web page(s), which is related to the conventional and generic concept of arrangement of information on a display. *See Elec. Power Grp.*, 830 F.3d 1350, 1354 (Fed. Cir. 2016); *Content Extraction*, 776 F.3d at 1347. Thus, in all the claims of the '729 Patent, the Web pages are comprised of conventional and generic elements, and their specific structures are not patent-eligible..

3.4.2.1.1 Independent Claim 14

Representative claim 14 of the '729 Patent recites as follows (emphasis added):

> 14. A method, comprising:
>
> > ***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; and

r***e-rendering the Web page utilizing the scalable vector representation in response to associated user inputs to iteratively zoom in and out views of the Web page at multiple different zoom levels while preserving the original page layout, functionality, and design*** defined by the HTML-based Web content including 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 multiple columns and the CSS content when rendered by the commercially available desktop browser; and

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 columns is displayed to fit a width of a display area*** of the touch-sensitive display, the display area used for displaying the HTML-based Web content.

The first limitations of claim 1 recite "requesting through a mobile device having a touch-sensitive display a Web page" and "***retrieving the requested Web page***." Well before the priority date of the '729 Patent, retrieval of a web page via wired or wireless communications was conventional technology. Nothing in the '729 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retrieving" step, even when triggered by a user request to access a web page, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 14 recites "***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.***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a

new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown processing step that takes the original format of a portion of a Web page and creates "***scalable vector representation of the Web page***" of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand,

when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the "processing" step is merely a format conversion, the "***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***" limitation is abstract. This limitation is abstract, and the recitation of generic computer hardware (*i.e.*, mobile device having a touch-sensitive display") in claim 14 does make the limitation patent-eligible.

The next three limitations of claim 14 recite:

- ***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; and

- ***re-rendering the Web page utilizing the scalable vector representation*** in response to associated user inputs to ***iteratively zoom in and out views of the Web page at multiple different zoom levels while preserving the original page layout, functionality, and design*** defined by the HTML-based Web content including 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 multiple columns and the CSS content when rendered by the commercially available desktop browser; and

- 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 columns is displayed to fit a width of a display area*** of the touch-sensitive display, the display area used for displaying the HTML-based Web content.

All three limitations of claim 14 are directed to rendering the processed Web page by utilizing the scalable vector representation of the Web page. Nothing in claim 14 discloses to the user how to use scalable vector representations to render a Web page. For example, one of the

above-listed claim limitations recites "***re-rendering the Web page on the touch-sensitive display such that the first of the multiple columns is displayed to fit a width of a display area.***" The claim limitation does not recite any specific solution (either hardware or software) that is utilized to render the processed Web page (in the form of scalable vector representations) to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."). This particular limitation is abstract, and the recitation of generic computer hardware (*i.e.*, "mobile device with touch-screen display") in claim 14 does make the limitation patent-eligible.

The other two above-identified limitations of claim 14 requires data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the display be re-rendered "***the original page layout, functionality, and design"*** at different unknown zoom levels. Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the Web page content"***). Inherent in this limitation of claim 14 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v.*

Elecs. for Imaging, Inc. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 14 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the generic computer hardware (*i.e.*, "mobile device with touch-screen display") is insufficient to convert the abstract concepts recited in claim 14 into patentable subject matter. Thus, claim 14 is abstract and patent-ineligible.

Finally, the tapping within an area of displayed content on a touchscreen display to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping within an area of displayed content on a touchscreen display is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341. In addition, the claim does not recite any technical information about how operations are conducted once the user tap is received. The claim does not recite any specific solution to make the alleged improvement, and just recites the result, *i.e.*, an operation conducted following the tap. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation.").

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3.4.2.1.2 Dependent Claim 15

Dependent claim 15 of the ’729 Patent recites as follows (emphasis added):

15. The method of claim 14, wherein the mobile device comprises a ***mobile phone***.

The additional limitation of a mobile phone does not impart patent eligibility. Instead, dependent claim 15 adds a further variation on the abstract ideas of claim 14, but the addition of a mobile phone is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.4.2.1.3 Dependent Claim 16

Dependent claim 16 of the ’729 Patent recites as follows (emphasis added):

16. The method of claim 14, further comprising ***enabling a user to zoom in on a user-selectable portion of a display of the Web page*** in response to a user interface input made via the touch-sensitive display.

Claim 16 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 16 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) (“If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory.”); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art.”). Claim 16

necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

3.4.2.1.4 Dependent Claim 17

Dependent claim 17 of the ’729 Patent recites as follows (emphasis added):

> 17. The method of claim 14, wherein the Web page includes at least one hyperlink, the method further comprising:
>
> > enabling a user to select a hyperlink via the touch-sensitive display; and, in response thereto,
> >
> > ***retrieving and processing HTML-based Web content associated with the hyperlink to translate the HTML-based Web content into an additional scalable vector representation***; and
> >
> > ***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.

Dependent claim 17 recites “***retrieving … HTML-based Web content***.” Well before the priority date of the ’729 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the ’729 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the “retrieving” step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

All the above-listed claim limitations are conventional and generic HTML document processing steps established well before the earliest priority date of the ’729 Patent. To the extent that SoftView argues that the above-listed claim limitations are not conventional and generic, then the claim limitations do not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358

(Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). The steps of "***processing HTML-based Web content associated with the hyperlink to translate the HTML-based Web content into an additional scalable vector representation"*** are all conventional and generic steps for HTML documents processing that were known in the art prior to the earliest priority date of the '729 Patent. In addition, these limitations of claim 17 do not recite any specialized algorithms or non-conventional computer circuitry that encompasses these processing steps. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). The "processing" step necessarily uses unknown mathematical equations to manipulate the Web page content to create the various scaled data points and data vectors that are related to the "***additional scalable vector representation***." None of the above-identified limitations discloses any mathematical formulas or techniques to develop the various scaled data points and data vectors. At best, the unknown mathematical techniques are conventional and generic, and have been known in the prior art well before the earliest priority date the '729 Patent. *See, e.g.*, *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015).

3.4.2.1.5 Dependent Claim 18

Dependent claim 18 of the '729 Patent recites as follows (emphasis added):

> 18. The method of claim 14, wherein 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.

Claim 18 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 18 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 18 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '729 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 18 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 18 does not recite any specialized algorithms or non-conventional computer circuitry that delineates

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the boundaries of the "selected image" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

Finally, the tapping within an area of displayed content on a touchscreen display to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping within an area of displayed content on a touchscreen display is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341. In addition, the claim does not recite any technical information about how operations are conducted once the user tap is received. The claim does not recite any specific solution to make the alleged improvement, and just recites the result, *i.e.*, an operation conducted following the tap. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation.").

3.4.2.1.6 Dependent Claim 21

Dependent claim 21 of the '729 Patent recites as follows (emphasis added):

> 21. The method of claim 14, wherein processing the HTML-based Web content comprises:
>
> ***parsing HTML-based code corresponding to the Web page to determine an original page layout*** of the HTML-based Web content on the Web page;
>
> ***logically grouping selected content into objects***;
>
> ***defining a primary datum corresponding to the original page layout***; and, for each object,
>
> ***defining an object datum corresponding to a layout location datum for the object's associated display conten***t; and

generating a vector from the primary datum to the object datum for the object.

All the above-listed claim limitations are conventional and generic HTML document processing steps established well before the earliest priority date of the ’729 Patent. To the extent that SoftView argues that the above-listed claim limitations are not conventional and generic, then the claim limitations do not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) (“The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—‘concrete’ and at most recite abstract data manipulation.”); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art.”). The steps of parsing the HTML document to identify HTML elements, the logical grouping of content into objects, the defining of primary and object-related datums are all conventional and generic steps for HTML documents processing that were known in the art prior to the earliest priority date of the ’729 Patent. In addition, these limitations of claim 21 do not recite any specialized algorithms or non-conventional computer circuitry that encompasses these processing steps. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

The next limitation of claim 21 recites “***generating a vector from the primary datum to the object datum for the object.”*** This particular limitation of claim 21 take the data points and data vectors that are related to the “HTML-based Web content on the Web page” and generate vectors by an undisclosed mathematical process. The claim limitations is reciting a conversion of information from one format to another format, and the Federal Circuit has held that “encoding and decoding image data and ... converting formats, including when data is received from one

medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "generating" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). The "generating" step necessarily uses unknown mathematical equations to manipulate the Web page content to create the various scaled data points and data vectors that are related to the "HTML-based Web content on the Web page." None of the above-identified limitations discloses any mathematical formulas or techniques to develop the various scaled data points and data vectors. At best, the unknown mathematical techniques are conventional and generic, and have been known in the prior art well before the earliest priority date the '729 Patent. *See, e.g.*, *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015).

3.4.2.1.7 Dependent Claim 22

Dependent claim 22 of the '729 Patent recites as follows (emphasis added):

> 22. The method of claim 14, wherein the HTML-based Web content further includes ***HTML code for at least one form***.

Claim 22 recites that the HTML document includes ***"HTML code for at least one form."*** As discussed above, this recited web page component is not an improvement to HTML-based web pages that results in improved storage or operation. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016). Claim 20 recites an abstract idea that is not patent-eligible and is insufficient to convert the abstract concepts recited in claim 22 into patentable subject matter.

3.4.2.1.8 Independent Claim 1

Independent claim 1 is substantially similar to independent claim 14, and is linked to the same abstract ideas. As discussed in Section 3.4.2, claim 1 recites an abstract idea that is not patent-eligible.

Independent claim 1 of the ’729 Patent recites as follows (emphasis added):

1. A method, comprising:

> ***requesting*** through a mobile device having a touch-sensitive display a Web page comprising HTML-based Web content defining an original page layout, functionality, and design for viewing on a commercially available desktop browser, said HTML-based Web content including HTML code for at least one form and multiple columns and Cascading Style Sheets (CSS) 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 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 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; and
>
> ***re-rendering the Web page utilizing the scalable vector representation in response to associated user inputs to iteratively zoom in and out views of the Web page at multiple different zoom levels while preserving 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.

The first limitations of claim 1 recite “requesting through a mobile device having a touch-sensitive display a Web page” and “***retrieving … the HTML-based Web content***.” Well before the priority date of the ’729 Patent, retrieval of a web page via wired or wireless communications was conventional technology. Nothing in the ’729 Patent specification identifies web page retrieval,

via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retrieving" step, even when triggered by a user request to access a web page, is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

The next limitation of claim 1 recites "***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 to generate a scalable vector representation of the Web page.***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown processing step that takes the original format of a portion of a Web page and creates "***scalable vector representation of the Web page***" of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical

problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). As it appears the "processing" step is merely a format conversion, the "***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 to generate a scalable vector representation of the Web page***" limitation is abstract. This limitation is abstract, and the recitation of generic computer hardware (*i.e.*, mobile device having a touch-sensitive display") in claim 14 does make the limitation patent-eligible.

The next two limitations of claim 14 recite:

- ***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; and

- ***re-rendering the Web page utilizing the scalable vector representation in response to associated user inputs to iteratively zoom in and out views of the Web page at multiple different zoom levels while preserving 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.

Both limitations of claim 1 are directed to rendering the processed Web page by utilizing the scalable vector representation of the Web page. Nothing in claim 1 discloses to the user how to use scalable vector representations to render a Web page. The two above-identified limitations of claim 1 requires data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the display be re-rendered "***the original page layout, functionality, and design"*** at different unknown zoom levels. Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***original page layout, functionality, and design of the Web page content"***). Inherent in this limitation of claim 1 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution

is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 1 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the generic computer hardware (*i.e.*, "mobile device with touch-sensitive display") is insufficient to convert the abstract concepts recited in claim 1 into patentable subject matter. Thus, claim 1 is abstract and patent-ineligible.

3.4.2.1.9 Dependent Claim 2

Dependent claim 2 of the '729 Patent recites as follows (emphasis added):

> 2. The method of claim 1, wherein the mobile device comprises a ***mobile phone***.

The additional limitation of a mobile phone does not impart patent eligibility. Instead, dependent claim 2 adds a further variation on the abstract ideas of claim 1, but the addition of a mobile phone is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.4.2.1.10 Dependent Claim 3

Dependent claim 3 of the '729 Patent recites as follows (emphasis added):

> 3. The method of claim 1, further comprising ***enabling a user to zoom in on a user-selectable portion of a display of the Web page*** in response to a user interface input made via the touch-sensitive display.

Claim 3 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 3 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize

mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 3 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

3.4.2.1.11 Dependent Claim 4

Dependent claim 4 of the '729 Patent recites as follows (emphasis added):

> 4. The method of claim 1, wherein a display of the Web page is ***re-rendered in real-time to effect zooming operations***.

Claim 4 imposes a *de facto* processing speed requirement (*i.e.*, "real-time") on the re-rendering of the Web page for zooming operations. At the time of the priority date for the '729 Patent, it was common for microprocessors to be manipulating data are real-time or near real-time speeds. Nowhere in claim 4 is any non-conventional or non-generic computer hardware disclosed that would do anything different than a conventional microprocessor. Nor does claim 4 disclose any non-conventional software implementations related to re-rendering a Web page in real-time. As with all the claims in the '729 Patent, claim 4 is a results-oriented claim that recites a result (*i.e.*, re-rendering a Weg page in real-time for zoom operations) without any language related to how to implement the necessary structure to achieve the claimed result.

3.4.2.1.12 Dependent Claim 5

Dependent claim 5 of the '729 Patent recites as follows (emphasis added):

> The method of claim 1, wherein the Web page includes at least one hyperlink, the method further comprising:
>
> > enabling a user to select a hyperlink via the touch-sensitive display; and, in response thereto,
> >
> > ***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***; and
> >
> > ***employing the additional scalable vector representation and/or data derived therefrom to render the Web content and the CSS content*** associated with the hyperlink on the touch-sensitive display.

Dependent claim 5 recites "***retrieving … HTML-based Web content and the CSS content***." Well before the priority date of the '729 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the '729 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retrieving" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

All the above-listed claim limitations are conventional and generic HTML document processing steps established well before the earliest priority date of the '729 Patent. To the extent that SoftView argues that the above-listed claim limitations are not conventional and generic, then the claim limitations do not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to

make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). The steps of ***"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"*** are all conventional and generic steps for HTML documents processing that were known in the art prior to the earliest priority date of the '729 Patent. In addition, these limitations of claim 5 do not recite any specialized algorithms or non-conventional computer circuitry that encompasses these processing steps. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). The "processing" step necessarily uses unknown mathematical equations to manipulate the Web page content to create the various scaled data points and data vectors that are related to the "***additional scalable vector representation***." None of the above-identified limitations discloses any mathematical formulas or techniques to develop the various scaled data points and data vectors. At best, the unknown mathematical techniques are conventional and generic, and have been known in the prior art well before the earliest priority date the '729 Patent. *See, e.g.*, *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015).

3.4.2.1.13 Dependent Claim 7

Dependent claim 7 of the '729 Patent recites as follows (emphasis added):

> 7. The method of claim 1, further comprising ***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, the d***isplay 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.

Claim 7 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 7 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 7 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '729 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 7 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 7 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "first of the multiple columns" for re-rendering. The "re-rendered" step is

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not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

Finally, the tapping within an area of displayed content on a touchscreen display to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping within an area of displayed content on a touchscreen display is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341. In addition, the claim does not recite any technical information about how operations are conducted once the user tap is received. The claim does not recite any specific solution to make the alleged improvement, and just recites the result, *i.e.*, an operation conducted following the tap. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation.").

3.4.2.1.14 Dependent Claim 8

Dependent claim 8 of the '729 Patent recites as follows (emphasis added):

> 8. The method of claim 1, wherein 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 a width of a display area*** of the touch-sensitive display, the display area used for displaying the HTML-based Web content.

Claim 8 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 8 are mathematical processes for rendering

the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 8 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '729 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 18 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 8 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected image" for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

Finally, the tapping within an area of displayed content on a touchscreen display to execute a display function is a common and conventional practice of entering commands and/or data into

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visual interface for subsequent execution of an application. The tapping within an area of displayed content on a touchscreen display is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341. In addition, the claim does not recite any technical information about how operations are conducted once the user tap is received. The claim does not recite any specific solution to make the alleged improvement, and just recites the result, *i.e.*, an operation conducted following the tap. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation.").

3.4.2.1.15 Dependent Claim 9

Dependent claim 9 of the '729 Patent recites as follows (emphasis added):

> 9. The method of claim 1, wherein HTML code in the HTML-based Web content of the Web page defines a Web page width, the method further comprising:
>
> ***interpreting the HTML code to determine the Web page width***; and
>
> ***rendering a view of the Web page wherein the Web page width is rendered to fit across a width of a display area*** of the touch-sensitive display, the display area used for displaying Web page content.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '729 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 9 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 8 does not recite any specialized algorithms or non-conventional computer circuitry that delineates

the boundaries of the Web content for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.4.2.1.16 Dependent Claim 10

Dependent claim 10 of the '729 Patent recites as follows (emphasis added):

> 10. The method of claim 9, wherein 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.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '729 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 10 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 8 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the Web content for re-rendering. The "re-rendered" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.4.2.1.17 Dependent Claim 13

Dependent claim 13 of the '729 Patent recites as follows (emphasis added):

> 13. The method of claim 1, wherein the Web page includes at least one paragraph, the method further comprising ***enabling a user to zoom on the at least one paragraph*** by tapping on the at least one paragraph via the touch-sensitive display, wherein in response thereto, the ***display is re-rendered such that the at least one paragraph is displayed to fit a width of a display area*** of the touch-sensitive display, the display area used for displaying the HTML-based Web content.

Claim 13 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom and pan view setting. Inherent in this limitation of claim 13 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 13 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

The rendering of a particular portion of a display such that an element of the display is enlarged is conventional. Well before the priority date of the '729 Patent, adjusting image sizing to fit within the limitations of a particular display were well-known within the display arts. Claim 13 is directed to the result of the abstract idea of rendering a display element by enlarging it, and does not disclose or invoke any specific processes or circuitry to accomplish that rendering result. *See, e.g.*, *Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016). Moreover, claim 8 does not recite any specialized algorithms or non-conventional computer circuitry that delineates the boundaries of the "selected paragraph" for re-rendering. The "re-rendered" step is not a

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technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

Finally, the tapping within an area of displayed content on a touchscreen display to execute a display function is a common and conventional practice of entering commands and/or data into visual interface for subsequent execution of an application. The tapping within an area of displayed content on a touchscreen display is a conventional step, and is not novel recited methodology or technique that advances computer software and/or hardware technology. *See Intellectual Ventures*, 850 F.3d at 1341. In addition, the claim does not recite any technical information about how operations are conducted once the user tap is received. The claim does not recite any specific solution to make the alleged improvement, and just recites the result, *i.e.*, an operation conducted following the tap. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation.").

In sum, the Asserted Claims are easily distinguishable from the types of claims that the Federal Circuit has held to be eligible, which typically disclose specific means for improving specific computer technology itself or solving specific computer problems. *See, e.g., Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1336 (Fed. Cir. 2016) (improved computer database structure); *McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299, 1307-08 (Fed. Cir. 2016) (specific improvement to lip synch animation based on particular "output morph weight set stream" and "transition parameters"); *Visual Memory LLC v. NVIDIA Corp.*, 867 F.3d 1253, 1260 (Fed. Cir. 2017) ("new, improved and more efficient memory system"); *Finjan, Inc. v. Blue Coat Sys., Inc.*, 879 F.3d 1299, 1303-05 (Fed. Cir. 2018) ("specific" improved "'behavior-based' virus scan").

3.4.2.2 *Alice* Step Two: The Asserted Claims Contain No "Inventive Concept" Sufficient to Render Them Patent Eligible

As noted above, the second step of a Section 101 analysis under *Alice* requires the consideration of each claim element individually and "as an ordered combination" to determine whether there are additional elements present in the claim that "transform the nature of the claim" into a patent-eligible application." *Alice*, 134 S. Ct. at 2347 (quotation omitted). Turning to representative claim 1, first the claim elements will be examined individually, and then claim elements as an "ordered combination" will be examined.

The Asserted Claims of the '729 Patent simply invoke well-understood, routine, and conventional software methods and techniques to achieve the multiple abstract ideas interspersed throughout the Asserted Claims. The claim limitations directed to the receipt of a HTML document comprised of HTML code and CSS code, the processing of the HTML document to manipulate and create scalable vector information that is representative of the HTML document, and render the scalable vector information of the HTML documents on a display screen are well-known to one of ordinary skill in the art of software development for computing devices. *See, e.g.*, '729 Patent at 2:8–15; *see also* prior art referenced in Section 3.4.4 and Defendants' Invalidity Contentions (including invalidity claim charts included therewith). Turning to the '729 Patent specification, it states that conventional computers and software coding techniques can be used to implement these claim elements:

> The present invention includes various operations, which will be described below. The operations of the present invention may be performed by hardware components or may be embodied in machine-executable instructions, which may be used to cause a general-purpose or special-purpose processor or logic circuits programmed with the instructions to perform the operations. Alternatively, the operations may be performed by a combination of hardware and software.
>
> '729 Patent at 4:17–25.

> As will be recognized by those skilled in the art, the functions performed in blocks 150, 152, and 154 are commonly performed by conventional browsers during a pre-rendering process. In some browsers, these functions are performed by the Mozilla rendering engine, which comprises open source software that is readily available for use by developers. At present, the software for the Mozilla rendering engine may be accessed via the Internet at www.mozilla.org. Accordingly, in one embodiment, the present invention uses core functionality provided by the Mozilla rendering engine source code to perform the functions of block 150, 152, and 154.

’729 Patent at 16:36–44.

As discussed in detail in the preceding Section, the Asserted Claims of the ’729 Patent are directed to the processing of a HTML document to calculate data points for an alternative representation of that HTML document, and then displaying that alternative representation on a touchscreen display, all of which are patent ineligible. *See, e.g., Elec. Pwr. Grp. v. Alstom SA*, 830 F.3d 1350, 1354 (Fed. Cir. 2016) (“And we have recognized that merely presenting the results of abstract processes of collecting and analyzing information, without more (such as identifying a particular tool for presentation.”); *Digitech Image Techs., LLC v. Elecs. For Imaging, Inc.*, 758 F.3d 1344, 1351 (Fed. Cir. 2014) (“Without additional limitations, a process that employs mathematical algorithms to manipulate existing information to generate additional information is not patent eligible.”). The parsing of the HTML document and manipulating the data within the document for display purposes is the normal and expected manner of operation for a computing device that processes HTML documents for display. *See, e.g., DDR Holdings, LLC v. Hotels.com*, 773 F.3d 1245, 1258–59 (Fed. Cir 2014) (Clicking of hyperlink “overrides the routine and conventional sequence of events ordinarily triggered by the click of a hyperlink). The inclusion of physical hardware in the Asserted Claims of the ’729 Patent does not make the claims patent-eligible, as the recited hardware is generic and conventional. For example, the ’729 Patent discloses that the machine-readable mediums for storing instructions “may include, but is not limited to, floppy diskettes, optical disks, CD-ROMs, and magneto-optical disks, ROMs, RAMs,

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EPROMs, EEPROMs, magnetic or optical cards, flash memory, or other type of media/machine-readable medium suitable for storing electronic instructions." *See* '729 Patent at 4:31–36. Representative claim 1 of the '729 Patent states that method is performed on a "mobile device having a touch-sensitive display." Several of the machine-readable mediums recited above are incompatible with the devices recited in claim 1. Moreover, the '729 Patent describes the physical hardware as "general-purpose or special-purpose processor or logic circuits programmed with the instructions to perform the operations." *See id*. at 4:18–20. The '729 Patent further discloses generic and conventional computer architecture for use in implementing the method recited in the Asserted Claims. *See id*. at 20:24–21:15; Figure 10. As the Federal Circuit has held, "claims are not saved from abstraction merely because they recite components more specific than a generic computer." *BSG Tech LLC v. Buyseasons, Inc.*, 899 F.3d 1281, 1286 (Fed. Cir. 2018). Here, in the '729 Patent, the hardware is generic and conventional, and hand-held touchscreen devices were known in the prior art. *See, e.g.*, U.S. Patent No. 6,518,957 to Lehtinen.

As noted earlier, Plaintiff alleges that the invention claimed in the '729 Patent would allow a web page designed for a desktop computer to be "rapidly panned and zoomed to facilitate use on devices with smaller screens, different resolutions, or different aspect ratios." *See, e.g.*, Compl. at ¶ 67. The Asserted Claims of the '729 Patent themselves, however, provide no specific technological solution to these purported problems but instead simply disclose the abstract ideas of parsing HTML documents containing HTML code and CSS code, and manipulating that parsed data to display the HTML document in its now manipulated form, which moreover would be well-known to one of ordinary skill in the art of software development as shown by the extensive prior art already applied to the '353 Patent. *See, e.g.*, *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024); see also *Inter Partes* Reexamination Control No. 95/000,634. Furthermore, none

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of the Asserted Claims of the ’729 Patent has any language that links the purported technological advancements recited in the Asserted Claims to “devices with smaller screens, different resolutions, or different aspect ratios” as stated in the Complaint. For example, the ’729 Patent fails to disclose any pixel interpolation techniques that would be necessary for the proper scaling of text, images, and other structures present in the HTML document. The ’729 Patent does admit, however, that scaling techniques were already known in the prior art. *See, e.g.*, ’729 Patent at 19:40–47.

Turning to representative claim 1, the “retrieving,” “processing,” “generating,” “rendering,” and “utilizing” claim elements do not specify how the HTML document information is manipulated to achieve the result of “scalable vector representation.” None of the language in the identified limitations of claim 1 recites any specific algorithm or tool that creates the “scalable vector representation.” The processing of HTML information was routine and conventional well before the applicable priority date of the application that issued as the ’729 Patent. These claim elements simply recite abstract ideas implemented using generic and conventional technology to “perform well-understood, routine, and conventional activities commonly used in the industry.” *See, e.g., Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat’l Ass’n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) (“The concept of data collection, recognition, and storage is undisputedly well-known.”). Claim 1 provides no details on the implementation of all these steps, but instead just claims the result. *See, e.g., Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016) (internal quotations and citation omitted). The final claim element is “rendering the Web page on the touch-sensitive display utilizing the scalable vector representation” on a touch screen display. As noted above, hand-held devices with touch screens were conventional technology prior to the earliest priority date of the ’729 Patent. The use of conventional computer equipment and

software techniques does not convert the abstract idea of processing HTML documents for display into something other than what is "well-understood, routine, and conventional activities commonly used in the industry."

Finally, there is nothing in the "ordered combination" of steps in the Asserted Claims of the '729 Patent that could supply an adequate inventive concept. Each recited step is arranged and used in a conventional manner, as one would expect when the basis for the purported invention is the intake and processing of HTML code and CSS code from a HTML document to create a display of that HTML and CSS code in a different format. *See, e.g.*, prior art referenced in Section 3.4.4 and Defendants' Invalidity Contentions (including invalidity claim charts included therewith). There is no "non-conventional and non-generic arrangement of known, conventional pieces." *BASCOM Glob. Internet Servs*., 827 F.3d at 1350.

3.4.3. All Asserted Claims Are Substantially Similar—Represented by Claim 14—for Purposes of Section 101 Analysis

All Asserted Claims of the '729 Patent are directed to patent-ineligible abstract ideas. Where claims are "substantially similar and linked to the same abstract idea," courts may look to representative claims in a Section 101 analysis. *Content Extraction*, 776 F.3d at 1349; *see also Phoenix Licensing, L.L.C. v. Consumer Cellular, Inc.*, No. 2:16-cv-152-JRG-RSP, 2017 WL 1065938, at *8-9 (E.D. Tex. Mar. 8, 2017), *report and recommendation adopted*, 2017 WL 1177988 (Mar. 30, 2017) (invalidating 974 claims after analyzing only a few "representative claims" where other claims were "substantially similar" and "linked to the same abstract idea"). Here, independent claim 14 of the '729 Patent (reproduced below) is representative of all Asserted Claims of the '729 Patent, as the remaining claims recite the same abstract idea with immaterial and conventional variations:

14. A method, comprising:

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; and

re-rendering the Web page utilizing the scalable vector representation in response to associated user inputs to iteratively zoom in and out views of the Web page at multiple different zoom levels while preserving the original page layout, functionality, and design defined by the HTML-based Web content including 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 multiple columns and the CSS content when rendered by the commercially available desktop browser; and

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 columns is displayed to fit a width of a display area of the touch-sensitive display, the display area used for displaying the HTML-based Web content.

Claim 15 recites that the method for processing and displaying the HTML-based Web content is performed on a mobile phone. Further defining the hand-held device of claim 14 is insufficient to convert the abstract concepts recited in claim 14 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 14 and 15 as being fully applicable to claim 15 here.

Claim 16 recites that the method enables "the user to zoom in on a user-selectable portion of a view of the HTML document in response to a user interface input made via the touch-sensitive display." The zoom functionality of claim 16, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts

recited in claim 14 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 14 and 16 as being fully applicable to claim 16 here.

Claim 17 recites "enabling a user to select a hyperlink via the touch-sensitive display; and, in response thereto, retrieving and processing HTML-based Web content associated with the hyperlink to translate the HTML-based Web content into an additional scalable vector representation; and 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." For claim 17, the processing of data (located at a hyperlink) into scalable vector representations of data, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claim 14 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 14 and 17 as being fully applicable to claim 17 here.

Claim 18 recites "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." The zoom functionality of claim 16, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 14 and 18 as being fully applicable to claim 18 here.

Claim 21 recites further defines the HTML-based Web content process as "parsing HTML-based code corresponding to the Web page to determine an original page layout of the HTML-based Web content on the Web page; logically grouping selected content into objects; defining a primary datum corresponding to the original page layout; and, for each object, defining an object datum corresponding to a layout location datum for the object's associated display content; and

generating a vector from the primary datum to the object datum for the object." The method steps recited in claim 21 are directed to taking HTML-based Web content and reformatting it to generate scalable vector representations. The manipulation of data to present it in a different form is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 14 and 21 as being fully applicable to claim 21 here.

Claim 22 recites that the "HTML-based Web content further includes HTML code for at least one form." This claim does not provide any substantive technical differentiation regarding the claimed "HTML-based Web content" that was not generic and conventional. This claim recites an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 14 and 22 as being fully applicable to claim 22 here.

Independent claim 1 (reproduced below) is substantially similar to independent claim 14, and is linked to the same abstract ideas:

1. A method, comprising:

> requesting through a mobile device having a touch-sensitive display a Web page comprising HTML-based Web content defining an original page layout, functionality, and design for viewing on a commercially available desktop browser, said HTML-based Web content including HTML code for at least one form and multiple columns and Cascading Style Sheets (CSS) 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 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 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; and
>
> re-rendering the Web page utilizing the scalable vector representation in response to associated user inputs to iteratively zoom in and out views of the Web page at

> multiple different zoom levels while preserving 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.

Without more, claim 1 recites an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 1 and 14 as being fully applicable to claim 1 here.

Claim 2 recites that the method for processing and displaying the HTML-based Web content is performed on a mobile phone. Further defining the mobile device of claim 1 is insufficient to convert the abstract concepts recited in claim 1 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 1, 2, and 14 as being fully applicable to claim 2 here.

Claim 3 recites that the method enables "the user to zoom in on a user-selectable portion of a display of the Web page in response to a user interface input made via the touch-sensitive display." The zoom functionality of claim 3, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claim 1 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 1, 3, and 14 as being fully applicable to claim 3 here.

Claim 4 recites that the "display of the Web page is re-rendered in real-time to effect zooming operations." Without more, claim 4 recites a desired result, and provides no technical disclosure any computing techniques beyond the generic and conventional. Claim 4 is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 1, 4, and 14 as being fully applicable to claim 4 here.

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Claim 5 recites further processing steps on the web page, including "enabling a user to select a hyperlink via the touch-sensitive display; and, in response thereto, 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; and employing the additional scalable vector representation and/or data derived therefrom to render the Web content and the CSS content associated with the hyperlink on the touch-sensitive display." For claim 5, the processing of data (located at a hyperlink) into scalable vector representations of data, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claims 1 and 5 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 1, 5, and 14 as being fully applicable to claim 5 here.

Claim 7 recites further processing steps on the web page, including "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, 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." The zoom functionality of claim 7, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claims 1 and 7 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 1, 7, and 14 as being fully applicable to claim 7 here.

Claim 8 is substantially similar to dependent claim 7, and is linked to the same abstract ideas. The zoom functionality of claim 8, without more, is an abstract idea that is not patent-

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eligible. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 1, 8, and 14 as being fully applicable to claim 8 here.

Claim 9 recites, for the HTML code in the HTML-based Web content of the Web page that defines a Web page width, "interpreting the HTML code to determine the Web page width; and rendering a view of the Web page wherein the Web page width is rendered to fit across a width of a display area of the touch-sensitive display, the display area used for displaying Web page content." The display rendering functionality of claim 9, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 1, 9, and 14 as being fully applicable to claim 9 here.

Claim 10 depends from claim 9, and recites that "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." The display rendering functionality of claim 10, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 1, 10, and 14 as being fully applicable to claim 10 here.

Claim 13 is substantially similar to dependent claim 7, and is linked to the same abstract ideas. The zoom functionality of claim 13, without more, is an abstract idea that is not patent-eligible. Defendants incorporate by reference the analysis in Section 3.4.2 for claims 1, 13, and 14 as being fully applicable to claim 13 here.

Accordingly, claim 14 of the '729 Patent is representative for purposes of the Section 101 analysis, and any differences are insubstantial with respect to eligibility, as each of the claims in the '729 Patent are drawn to the same abstract idea and merely recite token post-solution elements performed by "purely conventional" computing elements, or merely requiring "a generic computer to perform generic computer functions," as demonstrated by the '154 Patent itself describing the

recited elements as including conventional components and functionalities. *Alice*, 573 U.S. at 225; *see also Content Extraction*, 776 F.3d at 1348; Hawk Tech. Sys., LLC v. Castle Retail, LLC, 60 F.th 1349, 1357 (Fed. Cir. 2023) (decoding data and converting formats are abstract ideas (citing *Adaptive Streaming Inc. v. Netflix, Inc*., 836 F. App'x 900, 903 (Fed. Cir. 2020)).

3.4.4. A chart identifying a description of the industry, at the relevant time, in which the Challenged Claims are alleged to be well understood, routine, and conventional, and the factual and legal basis therefore; and a description of how each element of each Challenged Claim, both individually and in combination with the other elements of that claim, was: (i) well understood; (ii) routine; and (iii) conventional, in the relevant industry at the time, and the legal and factual basis therefor.

As shown in the chart in Addendum D annexed to these Eligibility Contentions, each of the limitations of the Asserted Claims of the '729 Patent, individually and in combination with the other elements of each claim, were well understood, routine, and conventional in the industry at the time. In Addendum D, multiple prior art references are cited as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination). The prior art references referred to are exemplary only. Other examples of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination) can be found in Defendants' P.R. 3-3 Invalidity Contentions, including the discussion of obviousness and accompanying P.R. 3-4(b) production, each of which are incorporated by reference.

The information provided in prior art references and cited herein and in Addendum D should not be deemed an admission regarding the scope of any claims or the proper construction of those claims or any terms contained therein. Defendant's claim construction disclosures will be provided under P.R. 4 as required by the Court's Docket Control Order (Dkt. 40). Nothing included within these Eligibility Contentions should be understood or deemed to be an express or implied admission or contention with respect to the absence of factual disputes relating to patent

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ineligibility, the absence of a need for construction of any terms in an Asserted Claim of the ’729 Patent, any proper construction of any terms in an Asserted Claim of the ’729 Patent, or alleged infringement of that claim. There is no claim construction issue or factual issue that precludes the Court finding that the claims of the Asserted Patents are patent-ineligible.

These Eligibility Contentions, including Addendum D, address only the Asserted Claims of the ’729 Patent. Defendants reserve the right to supplement these Eligibility Contentions if Transparence asserts infringement of any additional claims beyond the Asserted Claims of the ’729 Patent. These Eligibility Contentions are subject to revision and amendment pursuant to Federal Rule of Civil Procedure 26(e) and the Court’s Docket Control Order (Dkt. 40), to the extent appropriate, in view of further investigation and discovery regarding the defenses below, the Court’s construction of the claims at issue, and/or the review and analysis of expert witnesses.

In addition to Addendum D, Addendum G, which is annexed to these Eligibility Contentions, contains references that show the state of the art as of the priority dates of the Asserted Patents. These references show that the Asserted Claims were well understood, routine, and conventional at the time of filing. In addition, Defendants incorporate by reference in their entirety all pending and completed post-grant examinations of the ’353 Patent, including but not limited to *SoftView LLC v. Apple Inc.*, 108 F.4th 1366 (Fed. Cir. 2024), *SoftView LLC v. Kyocera Corp.*, 592 F. App’x 947 (Fed. Cir. 2015), *Inter partes* reexamination control no. 95/000,634, *Inter partes* reexamination control no. 95/000,635, *Inter partes* reexamination control no. 95/002,132, *Ex parte* reexamination control no. 90/009,994, *Ex parte* reexamination control no. 90/009,995, *Inter partes* review no. IPR2013-0007, and *Inter partes* review no. IPR2013-0256, due to the identity and similarity in scope of the Asserted Claims of the ’729 Patent and the examined claims in the aforementioned post-grant proceedings.

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In addition to the references identified in Addendums D and F, Defendants identify each reference identified in their P.R. 3-3 Invalidity Contentions, which are hereby incorporated by reference. In addition, the Asserted Patents describe the state of the art, including known prior art and conventional hardware/components. *See, e.g.*, '729 Patent at 2:8–15 ("Internet content is stored in multiple file formats. These formats include HTML (Hyper Text Markup Language) and XML (extended Markup Language) as well as graphic file format GIF (Graphics Interchange Format) and JPEG (Joint Photographic Experts Group). These four file formats constitute the majority of Internet content. Font size and resizing display area for content can alter the size of the display of Internet content in existing browsers."); *see also id.* at 2:20–21 ("HTML has the ability to adapt to changes in screen resolution…."). Defendants also reserve the right to rely upon expert testimony as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination). Defendants also further incorporate by reference the discussion above providing the exemplary legal and factual bases supporting its Eligibility Contentions. *See* Section 3.4.2 *supra*.

Furthermore, to the extent the listed prior art discloses and describes particular products that were publicly known and/or in public use, in addition to each publication itself serving to demonstrate that the Asserted Claims of the '729 Patent were well understood, routine, and conventional at the time of filing, the various products described in the publications also serve to demonstrate that the Asserted Claims of the '729 Patent were well understood, routine, and conventional at the time of filing.

Defendants also reserve the right to rely upon foreign counterparts of the references identified in these Eligibility Contentions, U.S. counterparts of foreign patents and foreign patent applications identified in these Eligibility Contentions, U.S. and foreign patents and patent

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applications corresponding to articles and publications identified in these Eligibility Contentions, issued patents corresponding to published patent applications identified in these Eligibility Contentions, published patent applications corresponding to issued patents identified in these Eligibility Contentions, and any systems, products, or prior inventions related to any of the references identified in these Eligibility Contentions.

As discussed above, the limitations of the Asserted Claims of the ’729 Patent comprise generic and conventional components, and the generic use of processors, circuitry, memories, and data entry devices used in their known and expected manner. In addition, the limitations of the Asserted Claims of the ’729 Patent use generic and conventional software and coding techniques

3.4.5. A chart identifying any other factual or legal basis for how the Challenged Claims are otherwise ineligible for patent protection.

‘729 Patent Challenged Claims	Other Factual or Legal Basis for How the Challenged Claims Are Otherwise Ineligible for Patent Protection
Claims 1–5, 7–10, 13–18, 21, 22	Defendants rely on all information in this pleading (including the discussion in Section 3.4.2 providing exemplary legal and factual bases supporting Defendants’ Eligibility Contentions), along with Defendants’ Invalidity Contentions cover pleading and associated exhibits and prior art references for preliminary P.R. 3-3 and 3-4 disclosures. This includes all prior art references identified in pleadings and associated exhibits, as well as additional information as will be developed during fact and expert discovery. The challenged claims of the ’729 Patent describe a method for receiving web pages that include HTML-based web content for multiple columns along with CSS code, and processing the HTML-based web content and the CSS code to render a scalable vector representation of the web page, and then rendering the web page on a hand-held device display using the scalable vector representation that maintains the original page layout, design, and functionality as compared to the web content being rendered by a commercially available desktop browser. The challenged claims further recite parsing the web page, logically grouping objects, defining data points, and generating vectors from the defined data points, which are then used for displaying the web page renderings at various zoom levels. All the challenged claims of the ’729 Patent comprise the abstract ideas of receiving and processing HTML-based web pages with CSS content in

'729 Patent Challenged Claims	Other Factual or Legal Basis for How the Challenged Claims Are Otherwise Ineligible for Patent Protection
	order to create scalable vector representations of the HTML-based web pages that can be displayed on a hand-held device at various zoom levels. The claimed method and systems for implementing the method do not include inventive concepts sufficient to transform the claimed abstract ideas into a patent-eligible invention. Throughout all Asserted Claims, the claim elements are described in general terms and simply invoke well-understood, routine, conventional components to implement the abstract ideas. Claims 1–5, 7–10, 13–18, 21, and 22 do nothing more than collect or receive information, perform various manipulations of the information for display purposes, and display the manipulated information. Claims of this type have repeatedly been found abstract. *See e.g.*, *AI Visualize, Inc. v. Nuance Comms., Inc.*, 97 F.4th 1371 (Fed. Cir. 2024); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F.4th 1280 (Fed. Cir. 2024); *Hawk Tech. Sys., LLC v. Castle Retail, LLC*, 60 F.4th 1349 (Fed. Cir. 2023); *Realtime Adaptive Streaming LLC v. Netflix, Inc.*, 41 F.4th 1372 (Fed. Cir. 2022); *Electric Power Group, LLC v. Alstom S.A.*, 830 F.3d 1350 (Fed. Cir. 2016); *Intellectual Ventures I LLC v. Capital One Fin. Corp.*, 850 F.3d 1332 (Fed. Cir. 2017); *In re TLI Communications LLC Patent Litigation*, 823 F.3d 607, 611 (Fed. Cir. 2016).

* * *

3.5. ’154 Patent

3.5.1. A chart identifying each exception to eligibility (*e.g.*, abstract idea, law of nature, and natural phenomenon) to which each Challenged Claim is directed and the factual and legal basis therefor.

’154 Patent Claim	Exception to Eligibility	Factual and Legal Basis	Representative Claim
13	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	13
14–23, 25	Abstract Idea	Defendants incorporate by reference the below discussion concerning 35 U.S.C. § 101.	13

3.5.2. Factual and Legal Basis for Subject Matter Ineligibility

3.5.2.1 *Alice* Step One: The Asserted Claims Are Directed to the Abstract Ideas of Receiving Web Pages Comprised of HTML and CSS Content and Converting Said Web Pages Into Scalable Vectors

In all claims discussed for the ’154 Patent, some form of a “Web page” is either directly recited or inferred through dependency to another claim. For example:

> “including HTML code and cascading style sheet (CSS) code and content associated with the HTML document, the HTML code comprising a plurality of HTML elements including at least one HTML paragraph element, at least one HTML image element, and at least one HTML hyperlink element” (claim 1).
>
> “the HTML document is an HTML parent document for a Web page” (claim 20).
>
> “the HTML document includes references to a plurality of images, each reference comprising a respective Universal Resource Locators (URLs)” (claims 21, 23 (similar)).
>
> “an HTML table having a plurality of cells, each cell having at least one of associated text content and associated image content” (claim 22).
>
> “the CSS code includes CSS code defining how the table and its associated content is to be rendered” (claim 22)

None of the various recitations of “Web page” or “HTML document” discloses anything other than conventional and generic web page components, *e.g.*, “HTML-based Web content.” None of the

recited web page components is an improvement to HTML-based web pages that result in improved storage or operation. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016) ("In sum, the self-referential table recited in the claims on appeal is a specific type of data structure designed to improve the way a computer stores and retrieves data in memory."). These recitations of Web pages throughout the claims of the '154 Patent contain the original formatting information of the retrieved Web page(s), which is related to the conventional and generic concept of arrangement of information on a display. *See Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1354 (Fed. Cir. 2016); *Content Extraction*, 776 F.3d at 1347. Thus, in all the claims of the '154 Patent, the Web pages are comprised of conventional and generic elements, and their specific structures are not patent-eligible.

3.5.2.1.1 Independent Claim 13

Representative claim 13 of the '154 Patent recites as follows (emphasis added):

> 13. A method performed by a mobile hand-held device including a touch-sensitive display and an HTML rendering engine, comprising:
>
> > receiving an HTML document including HTML code and cascading style sheet (CSS) code and content associated with the HTML document, the HTML code comprising a plurality of HTML elements including at least one HTML paragraph element, at least one HTML image element, and at least one HTML hyperlink element;
> >
> > ***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, wherein rendering the first representation of the HTML document includes,
> >
> > > parsing the HTML document to identify the plurality of HTML elements;
> > >
> > > logically grouping content associated with HTML elements into HTML objects;
> > >
> > > generating page layout information including a bounding box for each HTML object; and
> > >
> > > storing information that links each HTML object with its corresponding page layout information,

wherein the page layout information further includes information from which a page layout location of each of the bounding boxes can be determined;

translating the first representation of the HTML document to generate a scalable vector representation of the HTML document wherein generating the scalable vector representation includes,

defining a primary datum corresponding to the interpreted page layout;

for each HTML object,

defining an object datum corresponding to a layout location datum for the HTML object's bounding box;

generating a vector from the primary datum to the object datum for the HTML object's bounding box; and

creating a reference that links the HTML object to the vector that is generated; and

render the scalable vector representation of the HTML document on the touch-sensitive display ***using a first scale factor to display the HTML document at a first zoom level*** under which the HTML document is ***displayed to fit across a width*** of the touch-sensitive display,

wherein the ***scalable vector representation of the HTML document is configured to enable a user to view the HTML document at one or more user-defined zoom levels by rendering the scalable vector representation*** on the touch-sensitive display u***sing one or more respective scale factors*** in response to associated user inputs made via the touch-sensitive display, and wherein 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.

Claim 13 recites "***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.***" As noted previously, the format of the retrieved Web page is conventional and generic and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not apparently does not require any new inventive programming as none is disclosed. *Id*. The claim

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limitation simply recites the result of an unknown "processing" step that takes the original format of a portion of a Web page and creates "***an interpreted page layout, functionality, and design of the content***" of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the

requirements of § 101."). As it appears the "processing" step is merely a format conversion, the "***processing the HTML document with the HTML rendering engine to render a first representation of the HTML document***" limitation is abstract. This limitation is abstract, and the recitation of generic computer hardware (*i.e.*, "mobile handheld device") in claim 13 does make the limitation patent-eligible.

The processing of the HTML document with the HTML rendering engine includes the following additional steps:

- parsing the HTML document to identify the plurality of HTML elements;
- logically grouping content associated with HTML elements into HTML objects;
- generating page layout information including a bounding box for each HTML object; and
- storing information that links each HTML object with its corresponding page layout information,
- wherein the page layout information further includes information from which a page layout location of each of the bounding boxes can be determined;

All the above-listed claim limitations are conventional and generic HTML document processing steps established well before the earliest priority date of the '154 Patent. To the extent that SoftView argues that the above-listed claim limitations are not conventional and generic, then the claim limitations do not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a

technical problem in the prior art."). The steps of parsing the HTML document to identify HTML elements, the logical grouping of content into objects, the assignation of bounding boxes to grouped objects, and the storage of information related to the bounding box location are all conventional and generic steps for HTML documents processing that were known in the art prior to the earliest priority date of the '154 Patent. This group of claim limitations recite one of the results of the steps ("page layout information further includes information from which a page layout location of each of the bounding boxes can be determined") but not how the steps are implemented or realized. In addition, these limitations of claim 13 do not recite any specialized algorithms or non-conventional computer circuitry that encompasses these processing steps. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

The next limitation of claim 13 recites "***translating the first representation of the HTML document to generate a scalable vector representation of the HTML document."*** The translation of the first representation of the HTML document includes the following additional steps:

- ***defining a primary datum corresponding to the interpreted page layout***;
- for each HTML object,
    - ***defining an object datum corresponding to a layout location datum*** for the HTML object's bounding box;
    - ***generating a vector from the primary datum to the object datum*** for the HTML object's bounding box; and
    - ***creating a reference that links the HTML object*** to the vector that is generated;

These particular limitations of claim 13 take the processed "first representation of the HTML document" and essentially translate that representation into more data points and data vectors that are related to the "first representation of the HTML document." The claim limitations is reciting a conversion of information from one format to another format, and the Federal Circuit

has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "translating" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). Like the "processing" step of claim 13, the "translating" step necessarily uses unknown mathematical equations to manipulate the Web page content to create the various scaled data points and data vectors that are related to the "first representation of the HTML document." None of the above-identified limitations discloses any mathematical formulas or techniques to develop the various scaled data points and data vectors. At best, the unknown mathematical techniques are conventional and generic, and have been known in the prior art well before the earliest priority date the '154 Patent. *See, e.g.*, *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015).

The last two limitations of claim 13 recite:

- ***render the scalable vector representation of the HTML document*** on the touch-sensitive display ***using a first scale factor to display the HTML document at a first zoom level*** under which the HTML document is ***displayed to fit across a width*** of the touch-sensitive display,

- wherein the ***scalable vector representation of the HTML document is configured to enable a user to view the HTML document at one or more user-defined zoom levels by rendering the scalable vector representation*** on the touch-sensitive display u***sing one or more respective scale factors*** in response to associated user inputs made via the touch-sensitive display, and wherein 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.

The two limitations collectively use scalable content to render the Web page content using at least one scale factors. The claim limitations do not recite any specific solution (either hardware or software) that is employed with the "scalable content" to render the Web page to a specific size across the display. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The advance they purport to make is a process of gathering and analyzing information of a specified content, then displaying the results, and not any particular assertedly inventive technology for performing those functions."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *see also Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); These limitations are abstract, and the recitation of generic computer hardware (*i.e.*, "touch-screen") in claim 13 does make the limitation patent-eligible.

The last two limitations of claim 13 require data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires that the presentation on the touch-screen display retains 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."*** Nowhere in the claim limitations are how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the

displayed text characters change in each zoom and pan view setting. Instead, the claim limitation just recites the results, which is a magnified Web page that looks identical to the original Web page (*i.e.*, the "***interpreted page layout, functionality, and design of the content***"). Inherent in this limitation of claim 13 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 13 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the conventional device hardware (*i.e.*, "display … of a device") is insufficient to convert the abstract concepts recited in claim 13 into patentable subject matter. Thus, claim 13 is abstract and patent-ineligible.

3.5.2.1.2 Dependent Claim 14

Dependent claim 14 of the '154 Patent recites as follows (emphasis added):

14. The method of claim 13, wherein the mobile hand-held device is a ***mobile phone***.

The additional limitation of a mobile phone does not impart patent eligibility. Instead, dependent claim 14 adds a further variation on the abstract ideas of claim 13, but the addition of a mobile phone is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021).

3.5.2.1.3 Dependent Claim 15

Dependent claim 15 of the ’154 Patent recites as follows (emphasis added):

> 15. The method of claim 13, wherein the mobile hand-held device is a ***hand-held computer.***

Claim 15 recites that the method for displaying the HTML documents is performed on a hand-held computer. Further defining the hand-held device of claim 13 is insufficient to convert the abstract concepts recited in claim 13 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.5.2 for claim 13 as being fully applicable to claim 15.

3.5.2.1.4 Dependent Claim 16

Dependent claim 16 of the ’154 Patent recites as follows (emphasis added):

> 16. The method of claim 13, further comprising ***enabling the user to zoom in on a user-selectable portion of a view of the HTML document*** in response to a user interface input made via the touch-sensitive display.

Claim 16 does not disclose how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom setting. Inherent in this limitation of claim 16 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) (“If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory.”); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would

meaningfully support a technical solution to a technical problem in the prior art."). Claim 16 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands.

Claim 16 recites that the method enables "the user to zoom in on a user-selectable portion of a view of the HTML document in response to a user interface input made via the touch-sensitive display." The zoom functionality of claim 16, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claim 13 into patentable subject matter.

3.5.2.1.5 Dependent Claim 17

Dependent claim 17 of the '154 Patent recites as follows (emphasis added):

> 17. The method of claim 13, wherein the views of the HTML document are ***rendered in real-time to effect zooming operations***.

Claim 17 imposes a *de facto* processing speed requirement (*i.e.*, "real-time") on the re-rendering of the Web page for zooming operations. At the time of the priority date for the '154 Patent, it was common for microprocessors to be manipulating data are real-time or near real-time speeds. Nowhere in claim 17 is any non-conventional or non-generic computer hardware disclosed that would do anything different than a conventional microprocessor. Nor does claim 17 disclose any non-conventional software implementations related to re-rendering a Web page in real-time. As with all the claims in the '154 Patent, claim 17 is a results-oriented claim that recites a result (*i.e.*, re-rendering a Weg page in real-time for zoom operations) without any language related to how to implement the necessary structure to achieve the claimed result.

3.5.2.1.6 Dependent Claim 18

Dependent claim 18 of the '154 Patent recites as follows (emphasis added):

> 18. The method of claim 17, wherein the ***zooming operations are effected in a fraction of a second***.

Claim 18 imposes a *de facto* processing speed requirement (*i.e.*, "fraction of a second") on the re-rendering of the Web page for zooming operations. At the time of the priority date for the '154 Patent, it was common for microprocessors to be manipulating data are real-time or near real-time speeds. Nowhere in claim 18 is any non-conventional or non-generic computer hardware disclosed that would do anything different than a conventional microprocessor. Nor does claim 18 disclose any non-conventional software implementations related to re-rendering a Web page in real-time. As with all the claims in the '154 Patent, claim 18 is a results-oriented claim that recites a result (*i.e.*, re-rendering a Weg page in real-time for zoom operations) without any language related to how to implement the necessary structure to achieve the claimed result.

3.5.2.1.7 Dependent Claim 19

Dependent claim 19 of the '154 Patent recites as follows (emphasis added):

19. The method of claim 13, further comprising:

> ***generating a vector-based display list associated with the scalable vector representation***; and
>
> ***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***.

The next limitation of claim 19 recites "***generating a vector-based display list associated with the scalable vector representation.***" As noted previously, the format of the retrieved Web page is conventional and generic, and goes to the arrangement of information on a screen. In addition, the retrieved Web page is not a new type of information or a new source. *See, e.g.*, *Elec. Power Grp.,* 830 F.3d at 1354 (Fed. Cir. 2016) ("The claims in this case do not even require a new source or type of information, or new techniques for analyzing it"). The claim limitation does not require any new inventive programming as the page layout/design is just being scaled. *Id*. The claim limitation simply recites the result of an unknown processing step that takes the original format of a portion of a Web page and creates "***scalable vector representation of the Web page***"

of that Web page portion. The claim limitation does not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F. 4th 1280, 1293 (Fed. Cir. 2024) ("As we have by now frequently held, claims reciting generalized steps of collecting, analyzing, and presenting information, using nothing other than the conventional operations of generic computer components, are directed to abstract ideas"). The claim limitation is reciting a conversion of information from one format to another format, and the Federal Circuit has held that "encoding and decoding image data and ... converting formats, including when data is received from one medium and sent along through another, are by themselves abstract ideas." *Adaptive Streaming Inc. v. Netflix, Inc.*, 836 F. App'x 900, 903 (Fed. Cir. 2020) (collecting cases). The "processing" step is not transforming an article to a different state – it is simply converting information from one type to another. *See, e.g., Diamond v. Diehr*, 450 U.S. 175, 192 (1981) ("On the other hand, when a claim containing a mathematical formula implements or applies that formula in a structure or process which, when considered as a whole, is performing a function which the patent laws were designed to protect (*e.g.*, transforming or reducing an article to a different state or thing), then the claim satisfies the requirements of § 101."). This limitation is abstract, and the recitation of generic computer

hardware (*i.e.*, mobile device having a touch-sensitive display") in claim 19 does make the limitation patent-eligible.

The other limitation of claim 19 requires data manipulation and data computation in order to be realized. None of the limitations, however, recites any specific solution to make the alleged improvement. For example, the claim limitation requires "***employing the vector-based display list to render views of the HTML document … at different scale factors to effect zooming operations***." Nowhere in the claim limitation is how image fidelity (*e.g.*, pixel interpolation as the image grows in size) is maintained as the zooming function is implemented, or how the readability and fidelity of the text character information is retained as the displayed text characters change in each zoom setting. Inherent in this limitation of claim 19 are mathematical processes for rendering the Web content (*i.e.*, pixel interpolation) at different magnifications, and processes that utilize mathematical algorithms to manipulate existing information to generate additional information, without more, are not patent eligible. *See Digitech Image Techs., LLC v. Elecs. for Imaging, Inc*. 758 F.3d 1344, 1351 (Fed. Cir. 2014) (citing *Parker v. Flook*, 437 U.S. 584, 59 (1978) ("If a claim is directed essentially to a method of calculating, using a mathematical formula, even if the solution is for a specific purpose, the claimed method is nonstatutory."); *see also AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). Claim 19 necessarily uses unknown mathematical equations to manipulate the Web page content to fit the display screen according to the user commands. The inclusion of the generic computer hardware (*i.e.*, "mobile device with touch-sensitive display") is insufficient to convert the abstract concepts recited in claim 19 into patentable subject matter. Thus, claim 19 is abstract and patent-ineligible.

3.5.2.1.8 Dependent Claim 20

Dependent claim 20 of the ’154 Patent recites as follows (emphasis added):

> 20. The method of claim 13, wherein the HTML document is an HTML parent document for a Web page.

Claim 20 recites that “the HTML document is an HTML parent document for a Web page.” As discussed above, this recited web page component is not an improvement to HTML-based web pages that results in improved storage or operation. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016). Claim 20 recites an abstract idea that is not patent-eligible and is insufficient to convert the abstract concepts recited in claim 20 into patentable subject matter.

3.5.2.1.9 Dependent Claim 21

Dependent claim 21 of the ’154 Patent recites as follows (emphasis added):

> 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: for each of the plurality of images;
>
> ***retrieving the image via the URL for the image***; and
>
> ***generating a respective bounding box for the image***; and
>
> ***employing the respective bounding boxes to scale images in the rendered views of the HTML document***.

Dependent claim 21 recites “***retrieving the image via the URL for the image***.” Well before the priority date of the ’154 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the ’154 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the “retrieving” step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim

limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

All the above-listed claim limitations are conventional and generic HTML document processing steps established well before the earliest priority date of the ’154 Patent. To the extent that SoftView argues that the above-listed claim limitations are not conventional and generic, then the claim limitations do not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) (“The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—‘concrete’ and at most recite abstract data manipulation.”); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) (“There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art.”). The steps of “***generating a respective bounding box for the image”*** and “***employing the respective bounding boxes to scale images in the rendered views of the HTML document”*** are all conventional and generic steps for HTML documents processing that were known in the art prior to the earliest priority date of the ’154 Patent. This group of claim limitations recite one of the results of the steps (“page layout information further includes information from which a page layout location of each of the bounding boxes can be determined”) but not how the steps are implemented or realized. In addition, these limitations of claim 21 do not recite any specialized algorithms or non-conventional computer circuitry that encompasses these processing steps. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Like the “processing” step of claim 13, the “generating” step necessarily uses unknown mathematical equations to manipulate the Web page content to create the various scaled data points

and data vectors that are related to the "***rendered views of the HTML document***." None of the above-identified limitations discloses any mathematical formulas or techniques to develop the various scaled data points and data vectors. At best, the unknown mathematical techniques are conventional and generic, and have been known in the prior art well before the earliest priority date the '154 Patent. *See, e.g.*, *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015).

3.5.2.1.10 Dependent Claim 22

Dependent claim 22 of the '154 Patent recites as follows (emphasis added):

> 22. The method of claim 13, wherein
>
> the HTML elements includes an HTML table having a plurality of cells, each cell having at least one of associated text content and associated image content, and
>
> the CSS code includes CSS code defining how the table and its associated content is to be rendered.

As discussed above, the recited web page components are not an improvement to HTML-based web pages that results in improved storage or operation. *Cf. Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016). Claim 22 recites an abstract idea that is not patent-eligible and is insufficient to convert the abstract concepts recited in claim 22 into patentable subject matter.

3.5.2.1.11 Dependent Claim 23

Dependent claim 23 of the '154 Patent recites as follows (emphasis added):

> 23. The method of claim 13, wherein the content associated with the HTML document includes a plurality of images that are referenced using respective Universal Resource Locators (URLs) in the HTML document, further comprising: for each of the plurality of images;
>
> ***retrieving the image via the URL for the image***; and
>
> ***generating a respective bounding box for the image***; and
>
> ***employing the respective bounding boxes to scale images in the rendered views of the HTML document***.

Dependent claim 23 recites "***retrieving the image via the URL for the image***." Well before the priority date of the '154 Patent, retrieval of a web page via wireless communications was conventional technology. Nothing in the '154 Patent specification identifies web page retrieval, via wireless and/or physical communication paths, as advancement in software and/or hardware technology. Instead, the "retrieving" step is not a technological advancement. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Nothing in the claim limitation is indicative of a technological advancement in data communications with respect to transfer of web page content.

All the above-listed claim limitations are conventional and generic HTML document processing steps established well before the earliest priority date of the '154 Patent. To the extent that SoftView argues that the above-listed claim limitations are not conventional and generic, then the claim limitations do not recite a specific solution to make the alleged improvement to the Web page content. *See, e.g.*, *Hawk Tech. Sys. LLC v. Castle Retail, LLC*, 60 F.4th 1349, 1358, 1358 (Fed. Cir. 2023) ("The claims here simply do not do that: They fail to recite a specific solution to make the alleged improvement—conserving bandwidth while preserving quality—'concrete' and at most recite abstract data manipulation."); *AI Visualize, Inc. v. Nuance Communications, Inc.*, 97 F. 4th 1371, 1379 (Fed. Cir. 2024) ("There is no recitation in the claim about how to create frames or virtual views, much less in a manner that would meaningfully support a technical solution to a technical problem in the prior art."). The steps of "***generating a respective bounding box for the image"*** and "***employing the respective bounding boxes to scale images in the rendered views of the HTML document"*** are all conventional and generic steps for HTML documents processing that were known in the art prior to the earliest priority date of the '154 Patent. This group of claim limitations recite one of the results of the steps ("page layout information further includes

information from which a page layout location of each of the bounding boxes can be determined") but not how the steps are implemented or realized. In addition, these limitations of claim 23 do not recite any specialized algorithms or non-conventional computer circuitry that encompasses these processing steps. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Like the "processing" step of claim 23, the "generating" step necessarily uses unknown mathematical equations to manipulate the Web page content to create the various scaled data points and data vectors that are related to the "***rendered views of the HTML document***." None of the above-identified limitations discloses any mathematical formulas or techniques to develop the various scaled data points and data vectors. At best, the unknown mathematical techniques are conventional and generic, and have been known in the prior art well before the earliest priority date the '154 Patent. *See, e.g.*, *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015).

3.5.2.1.12 Dependent Claim 25

Dependent claim 25 of the '154 Patent recites as follows (emphasis added):

> 15. The method of claim 13, wherein the ***primary datum is an origin in a two-dimensional XY coordinate system*** and the ***vectors from the primary datum to the object datums for the HTML object bounding boxes comprise XY coordinates in the coordinate system***.

Claim 25 recites that the primary datum point is realized in "***two-dimensional XY coordinate system"*** and all the vectors to the HTML bounding boxes are realized in this same coordinate system. Claim 25 does not, however, instruct a POSITA on how the vectors to the bounding boxes are determined, and claim 25 does not recite any specialized algorithms or non-conventional computer circuitry that determines these vectors these processing steps. *See, e.g., Universal Secure Registry LLC v. Apple Inc.*, 10 F.4th 1342, 1357 (Fed. Cir. 2021). Like the "processing" step of claim 13, any step to determine the vectors necessarily uses unknown mathematical equations to manipulate the Web page content to create the various HTML object

bounding boxes. At best, the unknown mathematical techniques are conventional and generic, and have been known in the prior art well before the earliest priority date the '154 Patent. *See, e.g.*, *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015).

In sum, the Asserted Claims are easily distinguishable from the types of claims that the Federal Circuit has held to be eligible, which typically disclose specific means for improving specific computer technology itself or solving specific computer problems. *See, e.g., Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1336 (Fed. Cir. 2016) (improved computer database structure); *McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299, 1307-08 (Fed. Cir. 2016) (specific improvement to lip synch animation based on particular "output morph weight set stream" and "transition parameters"); *Visual Memory LLC v. NVIDIA Corp.*, 867 F.3d 1253, 1260 (Fed. Cir. 2017) ("new, improved and more efficient memory system"); *Finjan, Inc. v. Blue Coat Sys., Inc.*, 879 F.3d 1299, 1303-05 (Fed. Cir. 2018) ("specific" improved "'behavior-based' virus scan").

3.5.2.2 *Alice* Step Two: The Asserted Claims Contain No "Inventive Concept" Sufficient to Render Them Patent Eligible

As noted above, the second step of a Section 101 analysis under *Alice* requires the consideration of each claim element individually and "as an ordered combination" to determine whether there are additional elements present in the claim that "transform the nature of the claim" into a patent-eligible application." *Alice*, 134 S. Ct. at 2347 (quotation omitted). Turning to representative claim 13, first the claim elements will be examined individually, and then claim elements as an "ordered combination" will be examined.

The Asserted Claims of the '154 Patent simply invoke well-understood, routine, and conventional software methods and techniques to achieve the multiple abstract ideas interspersed throughout the Asserted Claims. The claim limitations directed to the receipt of a HTML document comprised of HTML code and CSS code, the parsing and translation of the HTML document to

manipulate and create scalable vector information that is representative of the HTML document, and render the scalable vector information of the HTML documents on a display screen are well-known to one of ordinary skill in the art of software development for computing devices. *See, e.g.*, ’154 Patent at 2:14–21; *see also* prior art referenced in Section 3.5.4 and Defendants’ Invalidity Contentions (including invalidity claim charts included therewith). Turning to the ’154 Patent specification, it states that conventional computers and software coding techniques can be used to implement these claim elements:

> The present invention includes various operations, which will be described below. The operations of the present invention may be performed by hardware components or may be embodied in machine-executable instructions, which may be used to cause a general-purpose or special-purpose processor or logic circuits programmed with the instructions to perform the operations. Alternatively, the operations may be performed by a combination of hardware and software.
>
> ’154 Patent at 4:17–25.
>
> As will be recognized by those skilled in the art, the functions performed in blocks 150, 152, and 154 are commonly performed by conventional browsers during a pre-rendering process. In some browsers, these functions are performed by the Mozilla rendering engine, which comprises open source software that is readily available for use by developers. At present, the software for the Mozilla rendering engine may be accessed via the Internet at www.mozilla.org. Accordingly, in one embodiment, the present invention uses core functionality provided by the Mozilla rendering engine source code to perform the functions of block 150, 152, and 154.
>
> ’154 Patent at 16:36–44.

As discussed in detail in the preceding Section, the Asserted Claims of the ’154 Patent are directed to the processing of a HTML document to calculate data points for an alternative representation of that HTML document, and then displaying that alternative representation on a touchscreen display, all of which are patent ineligible. *See, e.g., Elec. Pwr. Grp. v. Alstom SA*, 830 F.3d 1350, 1354 (Fed. Cir. 2016) (“And we have recognized that merely presenting the results of abstract processes of collecting and analyzing information, without more (such as identifying a particular tool for presentation.”); *Digitech Image Techs., LLC v. Elecs. For Imaging, Inc.*, 758

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F.3d 1344, 1351 (Fed. Cir. 2014) ("Without additional limitations, a process that employs mathematical algorithms to manipulate existing information to generate additional information is not patent eligible."). The parsing of the HTML document and manipulating the data within the document for display purposes is the normal and expected manner of operation for a computing device that processes HTML documents for display. *See, e.g., DDR Holdings, LLC v. Hotels.com*, 773 F.3d 1245, 1258–59 (Fed. Cir 2014) (Clicking of hyperlink "overrides the routine and conventional sequence of events ordinarily triggered by the click of a hyperlink).

The inclusion of physical hardware in the Asserted Claims of the '154 Patent does not make the claims patent-eligible, as the recited hardware is generic and conventional. For example, the '154 Patent discloses that the machine-readable mediums for storing instructions "may include, but is not limited to, floppy diskettes, optical disks, CD-ROMs, and magneto-optical disks, ROMs, RAMs, EPROMs, EEPROMs, magnetic or optical cards, flash memory, or other type of media/machine-readable medium suitable for storing electronic instructions." *See* '154 Patent at 4:34–39. Representative claim 13 of the '154 Patent states that method is performed on a "mobile hand-held device including a touch-sensitive display and an HTML rendering engine." Several of the machine-readable mediums recited above are incompatible with the devices recited in claim 13. Moreover, the '154 Patent describes the physical hardware as "general-purpose or special-purpose processor or logic circuits programmed with the instructions to perform the operations." *See id*. at 4:25–27. The '154 Patent further discloses generic and conventional computer architecture for use in implementing the method recited in the Asserted Claims. *See id*. at 21:38–22:30; Figure 10. As the Federal Circuit has held, "claims are not saved from abstraction merely because they recite components more specific than a generic computer." *BSG Tech LLC v. Buyseasons, Inc.*, 899 F.3d 1281, 1286 (Fed. Cir. 2018). Here, in the '154 Patent, the hardware is

generic and conventional, and hand-held touchscreen devices were known in the prior art. *See, e.g.*, U.S. Patent No. 6,518,957 to Lehtinen.

As noted earlier, Plaintiff alleges that the invention claimed in the ’154 Patent would allow a web page designed for a desktop computer to be “rapidly panned and zoomed to facilitate use on devices with smaller screens, different resolutions, or different aspect ratios.” *See, e.g.*, Compl. at ¶ 217. The Asserted Claims of the ’154 Patent themselves, however, provide no specific technological solution to these purported problems but instead simply disclose the abstract ideas of parsing HTML documents containing HTML code and CSS code, and manipulating that parsed data to display the HTML document in its now manipulated form, which moreover would be well-known to one of ordinary skill in the art of software development as shown by the extensive prior art already applied to the ’353 Patent. *See, e.g.*, *SoftView LLC v. Apple Inc.*, 108 F.4th 1366, 1375 (Fed. Cir. 2024); see also *Inter Partes* Reexamination Control No. 95/000,634. Furthermore, none of the Asserted Claims of the ’154 Patent has any language that links the purported technological advancements recited in the Asserted Claims to “devices with smaller screens, different resolutions, or different aspect ratios” as stated in the Complaint. For example, the ’154 Patent fails to disclose any pixel interpolation techniques that would be necessary for the proper scaling of text, images, and other structures present in the HTML document. The ’154 Patent does admit, however, that scaling techniques were already known in the prior art. *See, e.g.*, ’154 Patent at 19:55–61.

Turning to representative claim 13, the “processing,” “parsing,” “logically grouping,” “generating,” and “storing” claim elements do not specify how the HTML document information is manipulated to achieve the result of “page layout information.” The processing of HTML information was routine and conventional well before the applicable priority date of the application

that issued as the ’154 Patent. These claim elements simply recite abstract ideas implemented using generic and conventional technology to “perform well-understood, routine, and conventional activities commonly used in the industry.” *See, e.g., Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat’l Ass’n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) (“The concept of data collection, recognition, and storage is undisputedly well-known.”). Further in claim 13, the “translating” claim element has multiple sub-elements, including “defining a primary datum corresponding to the interpreted page layout,” and “defining,” “generating,” and “creating” additional information related to the “page layout information” that was processed from the HTML document. Claim 13 provides no details on the implementation of all these steps, but instead just claims the result. *See, e.g., Apple Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016) (internal quotations and citation omitted). The final claim element is “render the scalable vector representation” on a touch screen display. As noted above, hand-held devices with touch screens were conventional technology prior to the earliest priority date of the ’154 Patent. The use of conventional computer equipment and software techniques does not convert the abstract idea of processing HTML documents for display into something other than what is “well-understood, routine, and conventional activities commonly used in the industry.”

Finally, there is nothing in the “ordered combination” of steps in the Asserted Claims of the ’154 Patent that could supply an adequate inventive concept. Each recited step is arranged and used in a conventional manner, as one would expect when the basis for the purported invention is the intake and processing of HTML code and CSS code from a HTML document to create a display of that HTML and CSS code in a different format. *See, e.g.*, prior art referenced in Section 3.5.4 and Defendants’ Invalidity Contentions (including invalidity claim charts included therewith).

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There is no "non-conventional and non-generic arrangement of known, conventional pieces." *BASCOM Glob. Internet Servs*., 827 F.3d at 1350.

3.5.3. All Asserted Claims Are Substantially Similar—Represented by Claim 13—for Purposes of Section 101 Analysis

All Asserted Claims of the '154 Patent are directed to patent-ineligible abstract ideas. Where claims are "substantially similar and linked to the same abstract idea," courts may look to representative claims in a Section 101 analysis. *Content Extraction*, 776 F.3d at 1349; *see also Phoenix Licensing, L.L.C. v. Consumer Cellular, Inc.*, No. 2:16-cv-152-JRG-RSP, 2017 WL 1065938, at *8-9 (E.D. Tex. Mar. 8, 2017), *report and recommendation adopted*, 2017 WL 1177988 (Mar. 30, 2017) (invalidating 974 claims after analyzing only a few "representative claims" where other claims were "substantially similar" and "linked to the same abstract idea"). Here, claim 13 of the '154 Patent (reproduced below) is representative of all Asserted Claims of the '154 Patent, as the remaining claims recite the same abstract idea with immaterial and conventional variations:

> 13. A method performed by a mobile hand-held device including a touch-sensitive display and an HTML rendering engine, comprising:
>
> > receiving an HTML document including HTML code and cascading style sheet (CSS) code and content associated with the HTML document, the HTML code comprising a plurality of HTML elements including at least one HTML paragraph element, at least one HTML image element, and at least one HTML hyperlink element;
> >
> > 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, wherein rendering the first representation of the HTML document includes,
> >
> > > parsing the HTML document to identify the plurality of HTML elements;
> > >
> > > logically grouping content associated with HTML elements into HTML objects;

generating page layout information including a bounding box for each HTML object; and

storing information that links each HTML object with its corresponding page layout information,

wherein the page layout information further includes information from which a page layout location of each of the bounding boxes can be determined;

translating the first representation of the HTML document to generate a scalable vector representation of the HTML document wherein generating the scalable vector representation includes,

defining a primary datum corresponding to the interpreted page layout;

for each HTML object,

defining an object datum corresponding to a layout location datum for the HTML object's bounding box;

generating a vector from the primary datum to the object datum for the HTML object's bounding box; and

creating a reference that links the HTML object to the vector that is generated; and

render the scalable vector representation of the HTML document on the touch-sensitive display using a first scale factor to display the HTML document at a first zoom level under which the HTML document is displayed to fit across a width of the touch-sensitive display,

wherein the scalable vector representation of the HTML document is configured to enable a user to view the HTML document at one or more user-defined zoom levels by rendering the scalable vector representation on the touch-sensitive display using one or more respective scale factors in response to associated user inputs made via the touch-sensitive display, and wherein 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.

Claim 14 recites that the method for displaying the HTML documents is performed on a mobile phone. Further defining the hand-held device of claim 13 is insufficient to convert the abstract concepts recited in claim 13 into patentable subject matter. Defendants incorporate by

reference the analysis in Section 3.5.2 for claims 13 and 14 as being fully applicable to claim 14 here.

Claim 15 recites that the method for displaying the HTML documents is performed on a hand-held computer. Further defining the hand-held device of claim 13 is insufficient to convert the abstract concepts recited in claim 13 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.5.2 for claims 13 and 15 as being fully applicable to claim 15 here.

Claim 16 recites that the method enables "the user to zoom in on a user-selectable portion of a view of the HTML document in response to a user interface input made via the touch-sensitive display." The zoom functionality of claim 16, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claim 13 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.5.2 for claims 13 and 16 as being fully applicable to claim 16 here.

Claim 17 recites that the "the views of the HTML document are rendered in real-time to effect zooming operations." The inclusion of a speed requirement is insufficient to convert the abstract concepts recited in claim 17 into patentable subject matter, especially in view of the lack of disclosure in the '154 Patent of how zoom operations are linked to "real-time" processing. Defendants incorporate by reference the analysis in Section 3.5.2 for claims 13 and 17 as being fully applicable to claim 17 here.

Claim 18 depends from claim 17, and requires the "zooming operations are effected in a fraction of a second." The inclusion of a speed requirement is insufficient to convert the abstract concepts recited in claim 18 into patentable subject matter, especially in view of the lack of disclosure in the '154 Patent of how zoom operations are linked to time limitations imposed on

"real-time" processing. Defendants incorporate by reference the analysis in Section 3.5.2 for claims 13 and 18 as being fully applicable to claim 18 here.

Claim 19 recites "generating a vector-based display list associated with the scalable vector representation" and then "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." The generation and utilization of a scalable vector representation of a HTML document, without more, is an abstract idea that is not patent-eligible. The inclusion of the touch-sensitive display is insufficient to convert the abstract concepts recited in claim 13 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.5.2 for claims 13 and 19 as being fully applicable to claim 19 here.

Claim 20 recites that "the HTML document is an HTML parent document for a Web page." Claim 20 recites an abstract idea that is not patent-eligible, and is insufficient to convert the abstract concepts recited in claim 13 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.5.2 for claims 13 and 20 as being fully applicable to claim 20 here.

Claim 21 recites that the "HTML document includes references to a plurality of images, each reference comprising a respective Universal Resource Locators (URLs)." Claim 21 further recites that, for each image, the hand-held device executes instructions for "retrieving the image via the URL for the image; and generating a respective bounding box for the image; and employing the respective bounding boxes to scale images in the rendered views of the HTML document." Claim 21 recites an abstract idea that is not patent-eligible (*e.g.*, data format conversion), and is insufficient to convert the abstract concepts recited in claims 13 and 20 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.5.2 for claims 13 and 21 as being fully applicable to claim 21 here.

Claim 22 recites further details about the HTML elements and the CSS code in the HTML document received and processed by the hand-held device. Claim 22 recites an abstract idea that is not patent-eligible (*e.g.*, web page components), and is insufficient to convert the abstract concepts recited in claim 13 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.5.2 for claims 13 and 22 as being fully applicable to claim 22 here.

Claim 23 recites that the "content associated with the HTML document includes a plurality of images that are referenced using respective Universal Resource Locators (URLs) in the HTML document." Claim 23 further recites that, for each image, the hand-held device executes instructions for "retrieving the image via the URL for the image; and generating a respective bounding box for the image; and employing the respective bounding boxes to scale images in the rendered views of the HTML document." Claim 23 recites an abstract idea that is not patent-eligible (*e.g.*, data format conversion), and is insufficient to convert the abstract concepts recited in claim 13 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.5.2 for claims 13 and 23 as being fully applicable to claim 23 here.

Claim 25 recites "primary datum is an origin in a two-dimensional XY coordinate system and the vectors from the primary datum to the object datums for the HTML object bounding boxes comprise XY coordinates in the coordinate system." Claim 25 recites an abstract idea that is not patent-eligible (*e.g.*, data format conversion), and is insufficient to convert the abstract concepts recited in claim 13 into patentable subject matter. Defendants incorporate by reference the analysis in Section 3.5.2 for claims 13 and 25 as being fully applicable to claim 25 here.

Accordingly, claim 13 of the '154 Patent is representative for purposes of the Section 101 analysis, and any differences are insubstantial with respect to eligibility, as each of the claims in the '154 Patent are drawn to the same abstract idea and merely recite token post-solution elements

performed by "purely conventional" computing elements, or merely requiring "a generic computer to perform generic computer functions," as demonstrated by the '154 Patent itself describing the recited elements as including conventional components and functionalities. *Alice*, 573 U.S. at 225; *see also Content Extraction*, 776 F.3d at 1348; *Hawk Tech. Sys., LLC v. Castle Retail, LLC*, 60 F.th 1349, 1357 (Fed. Cir. 2023) (decoding data and converting formats are abstract ideas (citing *Adaptive Streaming Inc. v. Netflix, Inc*., 836 F. App'x 900, 903 (Fed. Cir. 2020)).

3.5.4. A chart identifying a description of the industry, at the relevant time, in which the Challenged Claims are alleged to be well understood, routine, and conventional, and the factual and legal basis therefore; and a description of how each element of each Challenged Claim, both individually and in combination with the other elements of that claim, was: (i) well understood; (ii) routine; and (iii) conventional, in the relevant industry at the time, and the legal and factual basis therefor.

As shown in the chart in Addendum E annexed to these Eligibility Contentions, each of the limitations of the Asserted Claims of the '154 Patent, individually and in combination with the other elements of each claim, were well understood, routine, and conventional in the industry at the time. In Addendum E, multiple prior art references are cited as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination). The prior art references referred to are exemplary only. Other examples of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination) can be found in Defendants' P.R. 3-3 Invalidity Contentions, including the discussion of obviousness and accompanying P.R. 3-4(b) production, each of which are incorporated by reference.

The information provided in prior art references and cited herein and in Addendum E should not be deemed an admission regarding the scope of any claims or the proper construction of those claims or any terms contained therein. Defendant's claim construction disclosures will be provided under P.R. 4 as required by the Court's Docket Control Order (Dkt. 40). Nothing included

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within these Eligibility Contentions should be understood or deemed to be an express or implied admission or contention with respect to the absence of factual disputes relating to patent ineligibility, the absence of a need for construction of any terms in an Asserted Claim of the '154 Patent, any proper construction of any terms in an Asserted Claim of the '154 Patent, or alleged infringement of that claim. There is no claim construction issue or factual issue that precludes the Court finding that the claims of the Asserted Patents are patent-ineligible.

These Eligibility Contentions, including Addendum E, address only the Asserted Claims of the '154 Patent. Defendants reserve the right to supplement these Eligibility Contentions if Transparence asserts infringement of any additional claims beyond the Asserted Claims of the '154 Patent. These Eligibility Contentions are subject to revision and amendment pursuant to Federal Rule of Civil Procedure 26(e) and the Court's Docket Control Order (Dkt. 40), to the extent appropriate, in view of further investigation and discovery regarding the defenses below, the Court's construction of the claims at issue, and/or the review and analysis of expert witnesses.

In addition to Addendum E, Addendum G, which is annexed to these Eligibility Contentions, contains references that show the state of the art as of the priority dates of the Asserted Patents. These references show that the Asserted Claims were well understood, routine, and conventional at the time of filing. In addition, Defendants incorporate by reference in their entirety all pending and completed post-grant examinations of the '353 Patent, including but not limited to *SoftView LLC v. Apple Inc.*, 108 F.4th 1366 (Fed. Cir. 2024), *SoftView LLC v. Kyocera Corp.*, 592 F. App'x 947 (Fed. Cir. 2015), *Inter partes* reexamination control no. 95/000,634, *Inter partes* reexamination control no. 95/000,635, *Inter partes* reexamination control no. 95/002,132, *Ex parte* reexamination control no. 90/009,994, *Ex parte* reexamination control no. 90/009,995, *Inter partes* review no. IPR2013-0007, and *Inter partes* review no. IPR2013-0256, due to the identity and

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similarity in scope of the Asserted Claims of the ’154 Patent and the examined claims in the aforementioned post-grant proceedings.

In addition to the references identified in Addendums E and F, Defendants identify each reference identified in their P.R. 3-3 Invalidity Contentions, which are hereby incorporated by reference. In addition, the Asserted Patents describe the state of the art, including known prior art and conventional hardware/components. *See, e.g.*, ’154 Patent at 2:14–21 (“Internet content is stored in multiple file formats. These formats include HTML (Hyper Text Markup Language) and XML (extended Markup Language) as well as graphic file format GIF (Graphics Interchange Format) and JPEG (Joint Photographic Experts Group). These four file formats constitute the majority of Internet content. Font size and resizing display area for content can alter the size of the display of Internet content in existing browsers.”); *see also id.* at 2:26–27 (“HTML has the ability to adapt to changes in screen resolution….”). Defendants also reserve the right to rely upon expert testimony as evidence of the description of the industry at the relevant time and how the various claim elements were well understood, routine, and conventional (alone and/or in combination). Defendants also further incorporate by reference the discussion above providing the exemplary legal and factual bases supporting its Eligibility Contentions. *See* Section 3.5.2 *supra*.

Furthermore, to the extent the listed prior art discloses and describes particular products that were publicly known and/or in public use, in addition to each publication itself serving to demonstrate that the Asserted Claims of the ’154 Patent were well understood, routine, and conventional at the time of filing, the various products described in the publications also serve to demonstrate that the Asserted Claims of the ’154 Patent were well understood, routine, and conventional at the time of filing.

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

As discussed above, the limitations of the Asserted Claims of the ’154 Patent comprise generic and conventional components, and the generic use of processors, circuitry, memories, and data entry devices used in their known and expected manner. In addition, the limitations of the Asserted Claims of the ’154 Patent use generic and conventional software and coding techniques

3.5.5. A chart identifying any other factual or legal basis for how the Challenged Claims are otherwise ineligible for patent protection.

’154 Patent Challenged Claims	Other Factual or Legal Basis for How the Challenged Claims Are Otherwise Ineligible for Patent Protection
Claims 13–23, 25	Defendants rely on all information in this pleading (including the discussion in Section 3.5.2 providing exemplary legal and factual bases supporting Defendants’ Eligibility Contentions), along with Defendants’ Invalidity Contentions cover pleading and associated exhibits and prior art references for preliminary P.R. 3-3 and 3-4 disclosures. This includes all prior art references identified in pleadings and associated exhibits, as well as additional information as will be developed during fact and expert discovery. The challenged claims of the ’154 Patent describe a method for receiving HTML documents that include HTML code and CSS code and content associated with the HTML code, and processing those HTML documents to render a representation of the HTML document, where the rendering process parses the HTML document, logically groups content, generates page layout information and other information about the rendered document, and stores the generated information. The method further translates the rendered HTML

’154 Patent Challenged Claims	Other Factual or Legal Basis for How the Challenged Claims Are Otherwise Ineligible for Patent Protection
	document information into scalable vector representations of the rendered HTML document information and uses that scalable vector information to display the HTML document at one or more defined zoom levels. All the challenged claims of the ’154 Patent comprise the abstract ideas of receiving and processing HTML documents that include HTML code and CSS code and content associated with the HTML code in order to create scalable vector representations of the HTML documents that can be displayed on a hand-held device at various zoom levels. The claimed method and systems for implementing the method do not include inventive concepts sufficient to transform the claimed abstract ideas into a patent-eligible invention. Throughout all Asserted Claims, the claim elements are described in general terms and simply invoke well-understood, routine, conventional components to implement the abstract ideas. Claims 13–23 and 25 do nothing more than collect or receive information, perform various manipulations of the information for display purposes, and display the manipulated information. Claims of this type have repeatedly been found abstract. *See e.g.*, *AI Visualize, Inc. v. Nuance Comms., Inc.*, 97 F.4th 1371 (Fed. Cir. 2024); *Mobile Acuity Ltd. v. Blippar Ltd.*, 110 F.4th 1280 (Fed. Cir. 2024); *Hawk Tech. Sys., LLC v. Castle Retail, LLC*, 60 F.4th 1349 (Fed. Cir. 2023); *Realtime Adaptive Streaming LLC v. Netflix, Inc.*, 41 F.4th 1372 (Fed. Cir. 2022); *Electric Power Group, LLC v. Alstom S.A.*, 830 F.3d 1350 (Fed. Cir. 2016); *Intellectual Ventures I LLC v. Capital One Fin. Corp.*, 850 F.3d 1332 (Fed. Cir. 2017); *In re TLI Communications LLC Patent Litigation*, 823 F.3d 607, 611 (Fed. Cir. 2016).

* * *

4. Local Patent Rule 3-4 Production

In accordance with P.R. 3-4(b) and Court's Standing Order Regarding Subject Matter Eligibility Contentions, Defendants have produced or are making available for inspection documents relevant to its Eligibility Contentions, including documents related to conventional technologies. *See* PRIORART_00000001 to PRIORART_00008357. To the extent this production range includes any additional items of prior art that are not identified in these Eligibility Contentions, Defendants reserve the right to rely on the produced prior art to disclose the state of the art at the time of the alleged invention of the Asserted Patents and/or to respond to any arguments raised by Plaintiff regarding the prior art identified in these Eligibility Contentions.

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Date: August 20, 2025

/s/ Brian G. Bieluch

Richard L. Rainey (D.C. Bar. No. 452996)
Kevin B. Collins (D.C. Bar No. 445305)
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
Telephone: (202) 662-6000
Facsimile: (202) 778-5565
RRainey@cov.com
KCollins@cov.com

Brian G. Bieluch (CA Bar. No. 331167)
COVINGTON & BURLING LLP
1999 Avenue of the Stars,
Los Angeles, CA 90067
Telephone: (424) 332-4800
Facsimile: (424) 332-4749
BBieluch@cov.com

Patrick N. Flynn (CA Bar. No. 286108)
COVINGTON & BURLING LLP
3000 El Camino Real
5 Palo Alto Square
Palo Alto, CA 94306
Telephone: (650) 632-4700
Facsimile: (650) 632-4800
PFlynn@cov.com

Melissa R. Smith
State Bar No. 24001351
melissa@gillamsmithlaw.com
GILLAM & SMITH, LLP
303 S Washington Avenue
Marshall, TX 75670
Tel.: (903) 934-8450
Fax: (903) 934-9527

Attorneys for Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document and its accompanying Addenda A–G were served upon counsel of record for Plaintiff on August 20, 2025 via sftp electronic service.

/s/ Julie R. Romanow