

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TWITCH INTERACTIVE, INC.
Petitioner,

v.

CP STUDIOS LLC
Patent Owner.

Patent No. 9,604,132

Inter Partes Review No. IPR2026-00451

**PETITION FOR *INTER PARTES* REVIEW
UNDER 35 U.S.C. §§311-319 AND 37 C.F.R. §42.100 *et seq.***

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Claims Listing

Claim	<u>Limitation #</u>	Limitation
1	1[PR]	A computer-implemented method using one or more computing devices for implementing a video gaming application, comprising:
	1[A][1]	providing access by one or more user devices of one or more players to the video gaming application
	1[A][2]	operated on at least one of a social network server, a third party server, and an application provided on electronic devices used by the one or more players;
	1[B]	providing an interface to the video gaming application via at least one of a social network interface, a mobile device interface, a gaming console interface, and a browser interface;
	1[C][1]	facilitating variable and distinct user experiences based on the one or more user devices that the one or more players use to access the video gaming application,
	1[C][2]	the variable and distinct user experiences including at least one of a three-dimensional user interface and a two-dimensional user interface;
	1[D][1]	receiving, via the social network server, one or more social network interactions from one or more non-players,
	1[D][2]	the one or more non-players being users with whom the one or more players share an affinity in a social network,

Claim	<u>Limitation #</u>	Limitation
	1[D][3]	the one or more social network interactions including a comment posted to the social network server by the one or more non-players, the comment being a comment on one or more events posted to the social network server;
	1[E]	and modifying play of the video gaming application based on the one or more social network interactions from the one or more non-players.
2	2	The computer-implemented method of claim 1, further comprising: posting the one or more events from the video gaming application to the social network server.
3	3	The method of claim 2, wherein the one or more social network interactions include an indication of approval by the one or more non-players of the one or more events posted to the social network server.
4	4	The method of claim 2, wherein posting one or more events to the social network server includes posting an indication of effects certain comments have on the play of the video gaming application.
5	5	The computer-implemented method of claim 1, further comprising: modifying play of the video gaming application based on social network interactions from the one or more players.
6	6	The method of claim 1, further comprising receiving a selection from the one or more players indicating a different level of play, and wherein modifying play of the video gaming application includes modifying play of the video gaming application based on the selection.
7	7[PR]	A computer program product comprising a computer useable medium including a computer readable program, wherein the computer readable program when executed on a computer causes the computer to:

Claim	<u>Limitation #</u>	Limitation
	7[A][1]	provide access by one or more user devices of one or more players to the video gaming application
	7[A][2]	operated on at least one of a social network server, a third party server, and an application provided on electronic devices used by the one or more players;
	7[B]	provide an interface to the video gaming application via at least one of a social network interface, a mobile device interface, a gaming console interface, and a browser interface;
	7[C][1]	facilitate variable and distinct user experiences based on the one or more user devices that the one or more players use to access the video gaming application,
	7[C][2]	the variable and distinct user experiences including at least one of a three-dimensional user interface and a two-dimensional user interface;
	7[D][1]	receive, via the social network server, one or more social network interactions from one or more non-players,
	7[D][2]	the one or more non-players being users with whom the one or more players share an affinity in a social network,
	7[D][3]	the one or more social network interactions including a comment posted to the social network server by the one or more non-players, the comment being a comment on one or more events posted to the social network server;
	7[E]	and modify play of the video gaming application based on social network interactions from the one or more non-players.

Claim	<u>Limitation #</u>	Limitation
8	8	The computer program product of claim 7, wherein the computer readable program when executed on a computer further causes the computer to: post the one or more events from the video gaming application to the social network server.
9	9	The computer program product of claim 8, wherein posting one or more events to the social network server includes posting an indication of effects certain comments have on the play of the video gaming application.
10	10	The computer program product of claim 7, wherein the computer readable program when executed on a computer further causes the computer to: modify play of the video gaming application based on social network interactions from the one or more players.
11	11	The computer program product of claim 7, further comprising receiving a selection from the one or more players indicating a different level of play, and wherein modifying play of the video gaming application includes modifying play of the video gaming application based on the selection.
12	12[PR]	A system comprising:
	12[A]	a processor, and;
	12[B]	a memory storing instructions that, when executed, cause the system to:
	12[C][1]	provide access by one or more user devices of one or more players to a video gaming application
	12[C][2]	operated on at least one of a social network server, a third party server, and an application provided on electronic devices used by the one or more players;

Claim	<u>Limitation #</u>	Limitation
	12[D]	provide an interface to the video gaming application via at least one of a social network interface, a mobile device interface, a gaming console interface, and a browser interface;
	12[E][1]	facilitate variable and distinct user experiences based on the one or more user devices that the one or more players use to access the video gaming application,
	12[E][2]	the variable and distinct user experiences including at least one of a three-dimensional user interface and a two-dimensional user interface,
	12[E][3]	wherein both the three-dimensional and two-dimensional user interface are configured to operate concurrently;
	12[F][1]	receive, via the social network server, one or more social network interactions from one or more non-players,
	12[F][2]	the one or more non-players being users with whom the one or more players share an affinity in a social network,
	12[F][3]	the one or more social network interactions including a comment posted to the social network server by the one or more non-players, the comment being a comment on one or more events posted to the social network server;
	12[G]	and modify play of the video gaming application based on social network interactions from the one or more non-players.
13	13	A system as claimed in claim 12, wherein the video gaming application posts the one or more events to the social network server.

Claim	<u>Limitation #</u>	Limitation
14	14	The system of claim 13, wherein the one or more social network interactions include a comment on the one or more events posted to the social network server.
15	15	The system of claim 13, wherein the one or more social network interactions include an indication of approval by the one or more non-players of the one or more events posted to the social network server.
16	16	The system of claim 13, wherein posting one or more events to the social network server includes posting an indication of effects certain comments have on the play of the video gaming application.
17	17	A system as claimed in claim 12, wherein the video gaming application modifies play based on social network interactions from the one or more players.
18	18	The system of claim 12, further comprising receiving a selection from the one or more players indicating a different level of play, and wherein modifying play of the video gaming application includes modifying play of the video gaming application based on the selection.

Petitioner Twitch Interactive, Inc. respectfully petitions for *inter partes* review of claims 1-18 of U.S. Patent No. 9,604,132 (EX1001) per 35 U.S.C. §§311-319 and 37 C.F.R. §42.100 *et seq.*

I. INTRODUCTION

The '132 patent is directed to using “social network interactions” to “modify[] play of [a] video gaming application.” (EX1001, claim 1.) Had the Examiner considered the actual state of the art, it should never have been issued. By 2012, social network interactions on Facebook and Twitter routinely modified play of online games such as FarmVille and Tweet Land. (EX1004; EX1005.) Yet despite the subject matter, the Examiner never cited or raised *any* contemporaneous game publications during prosecution. (EX1003.)

Patent Owner now seeks to exploit the Examiner’s errors against Twitch—“the company that basically invented livestreaming in the US”—and the livestreaming industry. (EX1022, 2.) Twitch is the most-watched livestreaming platform, supports a substantial U.S. creator economy, and competes against foreign platforms. (EX1023.) And Patent Owner’s assertion threatens not only Twitch, but also the broader gaming ecosystem in the United States, where social interactions were common before the '132 patent and remain central to game mechanics today. The Director should institute review of the '132 patent to protect our robust patent system and a critical segment of our nation’s economy.

II. SUMMARY OF THE '132 PATENT

A. Summary

The '132 specification describes conventional ways to integrate social networking with video games by 2012. (EX1002, ¶¶19-22.) A player of a video gaming application can post a *gameplay activity* on a *social network*.¹ As shown in FIG. 14A, a player (“Corey Smith”) of an “aviation video gaming application” has posted a *gameplay activity* (“Corey is visiting Jordan’s Airport”) on a *social network*. (EX1001, 12:63-65.) This, however, was already a commonplace Facebook feature in 2012. (*Infra* §IV.A.)

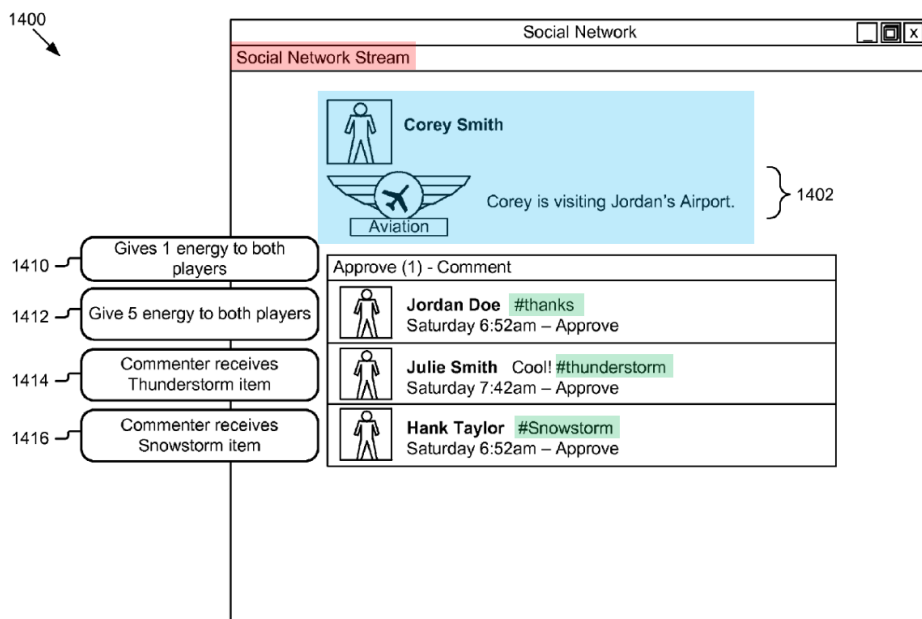


Figure 14A

(EX1001.)

¹ Emphases and/or annotations added unless specified.

The '132 specification describes that social network users can use commonplace ways to “interact” with the post, for example, by *commenting* on the post. (EX1001, 12:50.) In FIG. 14A (above), Julie Smith (another game player) commented “#*thunderstorm*” and “the commenter receives a thunderstorm item (in-game item).” (*Id.*, 14:54-55.) Jordan Doe commented “#*thanks*” and “five energy points are given to both players.” (*Id.*, 14:52-53.)

B. Effective Filing Date

The '132 patent purportedly claims earliest priority to a provisional application filed on May 7, 2012, which the Petitioner treats as the earliest effective filing date only for purposes of this proceeding. (EX1002, ¶18.)

C. Prosecution History

The application that matured into the '132 patent was filed on May 7, 2013. (EX1001, 1.) Three Office Actions were issued. (EX1003, 178, 246, 342; EX1002, ¶¶ 36-41.)

To overcome prior art rejections, Applicant added to the independent claims: “social network interactions including a *comment* posted to the *social network* server by the one or more non-players, the comment being a comment on one or more events posted to the social network server” in the last response. (EX1003, 400-403.) However, *comments* on events posted to *Facebook* and *Twitter* were already ubiquitous by 2012, and video games that incorporate such *comments* into

gameplay were not only well-known, but also widely practiced. (*Infra* §IV.A, IV.E.) Despite this, the Examiner never cited or raised **any** contemporaneous game publications during prosecution. This is a critical error.

The Examiner also rejected the claim element “both the **three-dimensional** and **two-dimensional** user interface are configured to operate **concurrently**” under 35 U.S.C. §112, finding “insufficient support . . . in the disclosure.” (EX1003, 345-346.) In response, Applicant asserted that support can be found “in the figures.” (*Id.*, 409.) But the only figures that appear to show 3D elements merely illustrate a building in perspective. This was routine and well-understood by 2012. (*Infra* §IV.A.4.f.)

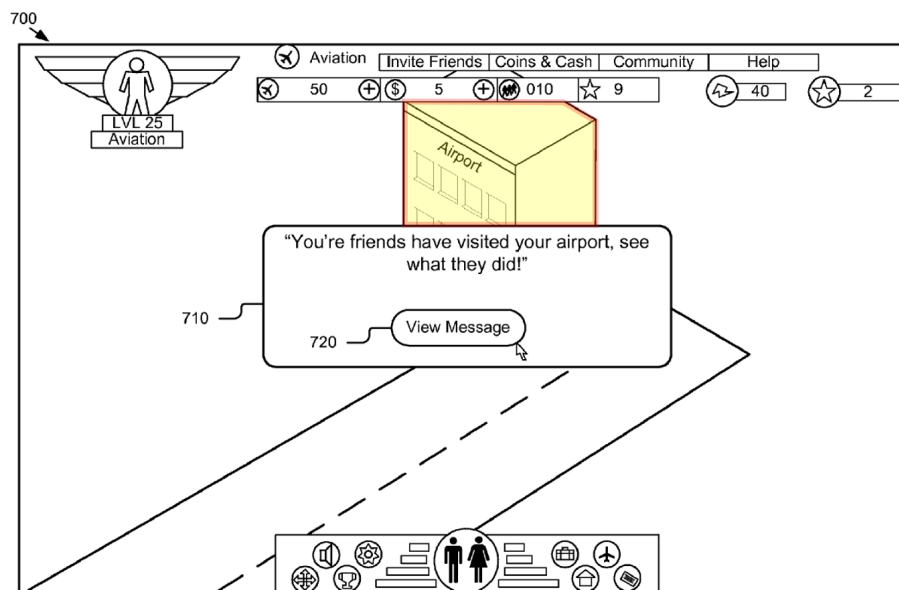


Figure 7

(EX1001.)

To overcome §101 rejections, Applicant argued that the claim element “facilitating *variable and distinct user experiences*” rendered the claim eligible. (EX1003, 216-217, 302-303.) In the last response, Applicant amended the claims to recite “facilitating variable and distinct user experiences based on the one or more user devices that the one or more players use to access the video gaming application.” (EX1003, 400-403.) Applicant then asserted that “certain user devices do not have the *capability (e.g., graphics capability, bandwidth, processing power)* to operate all aspects of a gaming experience . . . [and that] the method may improve performance by adjusting the user experiences based on the user device used to access the gaming application.” (*Id.*, 413.) The specification nowhere discloses this. Regardless, this concept was well-known and widely implemented, as discussed below.

D. Level of Ordinary Skill in the Art

A person of ordinary skill in the art (POSITA) in the field of the '132 patent would have a bachelor or graduate degree in electrical engineering, computer engineering, computer science, or equivalent field, and two years of experience working on video games and/or social networking. A graduate degree in the disciplines cited above may make up for the work experience indicated above. (EX1002, ¶¶47-49.)

III. CLAIM CONSTRUCTION

Claim terms are presumed to carry their ordinary and customary meaning. The Board construes the terms only to the extent necessary to resolve the issue at hand: here, the unpatentability of the claims under 35 U.S.C. §103. The Board need not construe any of the claims because, as set forth in the Petition, the claims are unpatentable under 35 U.S.C. §103 under any reasonable interpretation, and thus, no claim construction is necessary to resolve any issue before the Board. (EX1002, ¶50.)

IV. PRECISE REASONS FOR RELIEF REQUESTED

Pursuant to 37 C.F.R. §42.104(b), Petitioner requests cancellation of the challenged claims based on the following references (EX1002, ¶¶51-57), which are prior art *at least* under the following provisions.

Prior Art Reference	Abbreviation (Exhibit No.)	Prior Art Basis
Angela Morales <i>et al.</i> , “FarmVille For Dummies” (Wiley Publishing, 2011)	FarmVille (EX1004)	§102(a) and (b)
Chris Herbert, “Kickstarter Project – Tweet Land: Playing With Reality”	Tweet Land (EX1005)	§102(a)
Jasper, “Farm Mania Walkthrough and Cheats”	Farm Mania (EX1029)	§102(a)

Prior Art Reference	Abbreviation (Exhibit No.)	Prior Art Basis
Jason Kincaid, “Facebook Now Has 250 Million Mobile Users (And A New Unified Mobile Website To Match)”	Facebook Mobile (EX1030)	§102(a)
U.S. Patent No. 8,671,019 to Barclay	Barclay ’019 (EX1006)	§102(e)
U.S. Patent Pub. No. 2012/0184363 to Barclay	Barclay ’363 (EX1007)	§102(e)

The statutory grounds for the challenge of each claim are set forth below.

All of the statutory citations are pre-AIA.

Ground	35 U.S.C. §	Claims	Prior Art Reference(s)
1	103	1-5, 7-10, 12-17	FarmVille, Tweet Land
2	103	6, 11, 18	FarmVille, Tweet Land, Farm Mania
3	103	1-5, 7-10, 12-17	FarmVille, Tweet Land, Facebook Mobile
4	103	6, 11, 18	FarmVille, Tweet Land, Facebook Mobile, Farm Mania
5	103	1-3, 5-8, 10-15, 17-18	Barclay ’019, Barclay ’363
6	103	4, 9, 16	Barclay ’019, Barclay ’363, FarmVille

Below, Petitioner discusses why the challenged claims are unpatentable under the statutory grounds raised, including how and where the prior art satisfies

each element of each challenged claim, as required by 37 C.F.R. §42.104(b)(4).

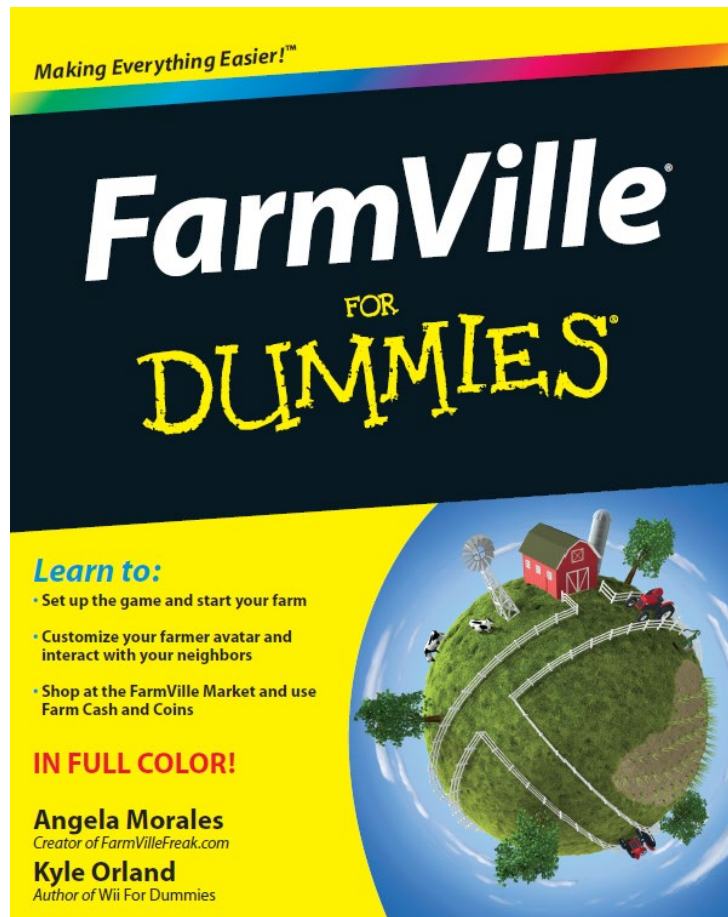
Petitioner's showing establishes that there is a reasonable likelihood that it will prevail on each ground of unpatentability to each challenged claim.

A. Ground 1: FarmVille and Tweet Land Render Obvious Claims 1-5, 7-10, and 12-17.

1. Summary of FarmVille

FarmVille was published/made publicly available no later than March 25, 2011, and thus qualifies as prior art under §102(a) and (b). (EX1021, 1.) The Examiner never found, and Applicant never cited, it during prosecution. (EX1002, ¶¶58-62.)

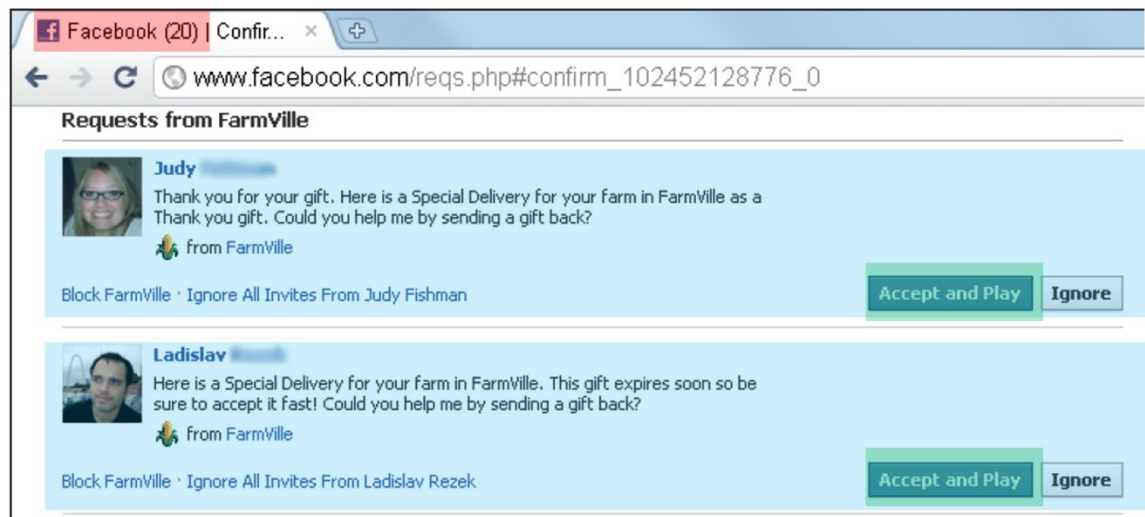
FarmVille is a 268-page guide to the FarmVille game, “the most popular Facebook application created to date.” (EX1004, 1.) “FarmVille is a Web-based farming simulation game produced by a gaming company called Zynga.” (*Id.*, 7.)



(EX1004, Cover.)

FarmVille players can post FarmVille-related *events* on *Facebook*, as shown below. (See EX1004, 66, 70; see also *id.*, 9, 46, 54-55, 70-71, 149-150, 155-156, 206; EX1016, 70, 142; EX1017, 1-2.) The game “takes advantage of *Facebook’s social networking framework* to encourage interaction with other players.”

(EX1004, 9.)



(EX1004, Excerpt of Figure 3-4.)

Facebook users' *interactions* with those FarmVille *events* via Facebook *modify play* of the FarmVille game. For example, if a FarmVille player posts a barn-raising request on Facebook, "[t]en of your neighbors need to *click* the link in this *news post* [on Facebook] over the next three days to *complete your barn raising and expand your building's storage*[.]" (EX1004, 156.)



(EX1017, 1.)

As another example, a Facebook user who is not a FarmVille player can review a FarmVille invitation *post* on Facebook and “*click* the Accept and Play button” to *accept the game invitation*. (EX1004, 56.)

2. Summary of Tweet Land

Tweet Land was published no later than October 10, 2011, and thus qualifies as prior art under §102(a). (EX1005, EX1024.) The Examiner never found, and Applicant never cited, it during prosecution. (EX1002, ¶¶63-67.)

Tweet Land describes a game called Tweet Land, “one of the world’s first *video game platforms* that plays with reality, or ‘Real Time Gaming.’” (EX1005, 1.) “In the Tweet Land universe you will be able to play several *videogames* A *rac*ing game . . . and an *action game*[.]” (*Id.*, 2.)



(EX1019, 2; EX1005², 2.)



(EX1019, 3; EX1005, 3.)

Tweet Land uses “real-time . . . *tweets* drawn from *Twitter*” to “*trigger elements into the game.*” (EX1005, 2; EX1014, 1.) “[E]very time someone in the world *tweets* something,” the tweets “*affect the gameplay of Tweet Land* by triggering certain action-keywords.” (EX1005, 2; *see also* EX1014, 1.) Example action-keywords include “car accident,” “meteor,” “love,” etc. (EX1005, 2; *see also* EX1011, 2.)

As shown below, a user (@someone) tweeted “*I just saw a huge meteor!*” In response, *a meteor appears* in the game.

² EX1005 is the archived version of EX1019 on Internet Archive.



(EX1019, 2; EX1005, 2.)

Tweet Land states that these tweets can be from *non-players* because “people around the world are always creating tweets for the game based on real-life experience, even if they are *not playing* or don’t know anything about Tweet Land.” (EX1005, 2.)

3. A POSITA would have been motivated to combine FarmVille and Tweet Land.

FarmVille and Tweet Land are analogous to the ’132 patent, from the same field of endeavor, and relate to the same technical problem of using social-network interactions to drive/influence gameplay. (EX1004, 53; EX1005, 2; EX1001, Abstract; EX1002, ¶¶68-76.)

FarmVille gameplay is modified when a user *clicks* a hyperlink or button in

a Facebook post. Tweet Land discloses that social-network *comments* (e.g., tweets) modify gameplay. (EX1005, 2.) A POSITA would have found it obvious to combine the teachings of FarmVille and Tweet Land such that Facebook *comments* (in addition to or instead of clicks) would *modify play* of FarmVille. (EX1002, ¶¶69-71.) Facebook already allows users to post comments on FarmVille-related posts, as shown below.



(EX1017, 1.)



Figure 3-9: A lost animal shared via a friend's Facebook newsfeed.

(EX1004, Figure 3-9.)

In the combination, instead of requiring a Facebook user to *click* a button, the user would *comment* on the post to affect gameplay (e.g., “*#help*” to help barn-

raising, “#*accept*” to accept a FarmVille invitation) without leaving the Facebook newsfeed. Similarly, comments taught by Tweet Land would modify play (e.g., “#*meteor*” would cause a meteor event to appear in the game, “#*love*” would trigger an award to the farm owner). (EX1002, ¶¶70-71.) The combination would reduce disruption to users so they can modify FarmVille play directly from the Facebook newsfeed without being taken to a different page. Reducing such navigation friction would improve usability and increase engagement with FarmVille. (EX1002, ¶72.)

The combination would also expand the pool of people capable of modifying play of the game. Tweet Land teaches tweets by *non-players* can affect the game “even if they are not playing or don’t know anything about Tweet Land.” (EX1005, 2.) Applying those teachings to FarmVille would allow FarmVille players and *non-players* alike to comment to modify play as discussed herein, increasing virality and engagement. (EX1002, ¶73.)

Notably, Facebook’s posting framework ensures that non-players can modify play in a controlled manner. For example, Facebook allows users to restrict who can view and/or interact with their posts. (EX1004, 71 (“You can also click the lock next to the Publish button to restrict the news post’s visibility to a certain limited group of your Facebook friends. This feature can be especially handy for sharing FarmVille links only with people you know are interested in

playing the game.”); EX1026, 1, 3.) Thus, in Facebook-Tweet Land, based on the poster’s Facebook permissions/preferences, only a FarmVille non-player who is permitted to view and interact with the post (*e.g.*, only a Facebook friend) can leave comments to modify play, thus expanding social participation while maintaining a trusted and controlled environment for gameplay. (EX1002, ¶¶74.)

The combination would have predictably improved the responsiveness, entertainment value, and social reach of FarmVille using known and compatible techniques disclosed in the prior art. The known benefits of Tweet Land would prompt its application in the same field based on design incentives and market forces. A POSITA would have been motivated to use the known comment-based interaction techniques of Tweet Land to improve FarmVille in the same way. Further, it would have been obvious to try, as there were only a finite number of solutions to use social-network interactions to influence games, including clicks and comments. The combination is straightforward and readily achievable by a POSITA, as demonstrated by successful implementations in Tweet Land, and thus there would have been a reasonable expectation of success. (EX1002, ¶¶75-76.)

4. Claim 1

a. 1[PR]: “A computer-implemented method using one or more computing devices for implementing a *video gaming application*, comprising:”

To the extent limiting, FarmVille discloses the preamble. (EX1002, ¶¶77-

83.)

First, FarmVille discloses implementing a *video gaming application*.

FarmVille is “the most popular Facebook *application* created to date.” (EX1004, 1.) “FarmVille is a Web-based farming simulation *game* produced by a gaming company called Zynga.” (*Id.*, 7.) FarmVille includes “interactive and animated content” and thus is a video game. (*Id.*, 7, 11-12, 17.)

The FarmVille game can be played on Facebook or FarmVille.com, as shown below. (EX1004, 24.) FarmVille players can “access the *FarmVille app* through a Facebook search, an invitation from a Facebook friend, or the game’s public-facing Facebook page[.]” (*Id.*, 22, 16, 7.) The FarmVille app on Facebook is a *video gaming application* because it provides and enables gameplay. (EX1002, ¶79.)

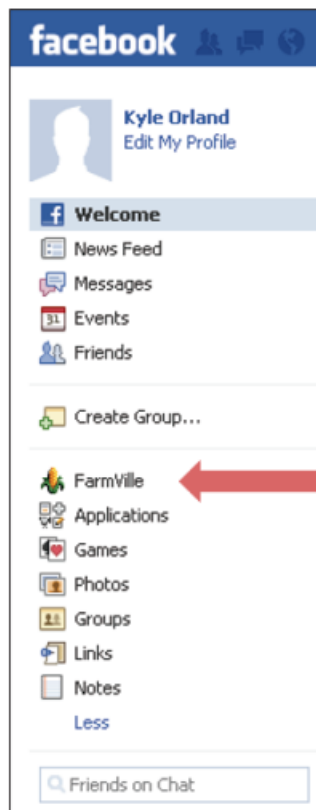


Figure 2-3: How the FarmVille bookmark appears on your Facebook sidebar.

(EX1004, Figure 2-3.)

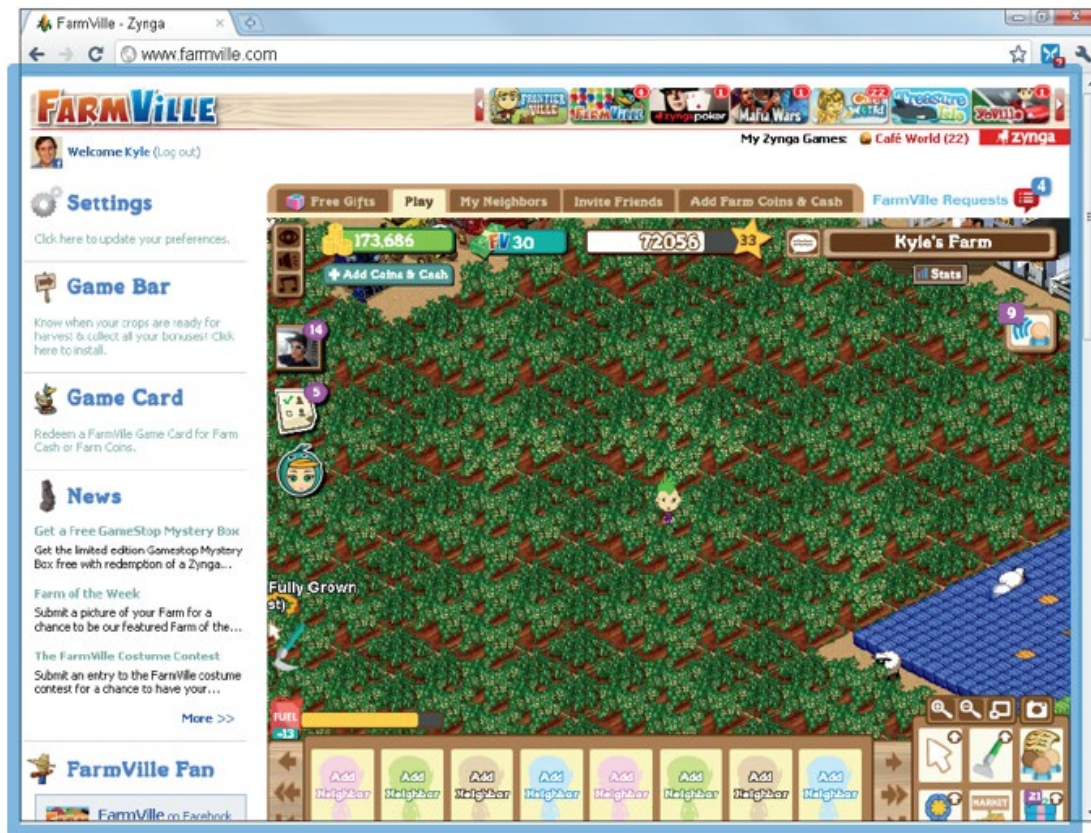
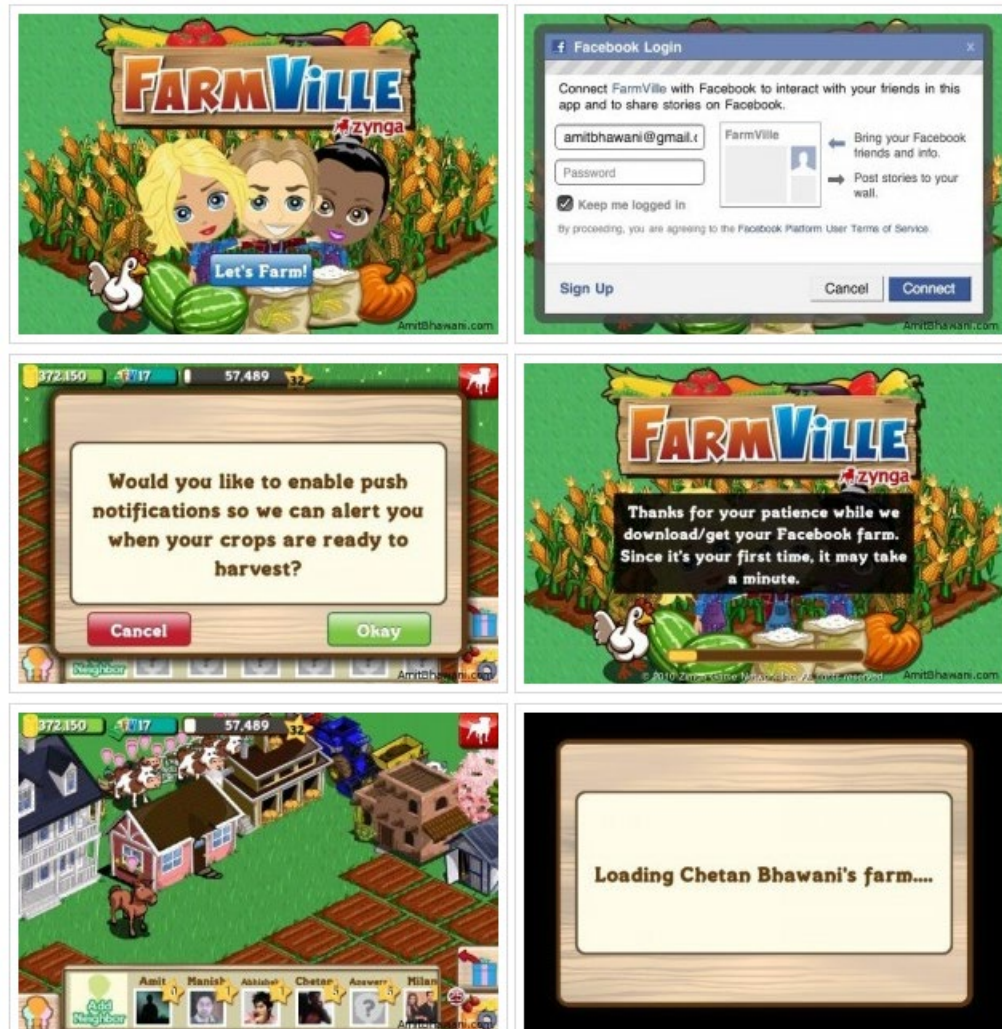


Figure 2-4: Playing FarmVille through FarmVille.com.

(EX1004, Figure 2-4.)

FarmVille’s *video gaming application* can also be a mobile app. “In June 2010, Zynga launched the first *mobile FarmVille app* for the iPhone, iPod Touch, and iPad. The FarmVille app offers access to the same farm you maintain on Facebook.com or FarmVille.com[.]” (EX1004, 26; EX1012, 1-3.) Exemplary screenshots of the FarmVille mobile app are below.

Game Photos :



(EX1012, 2-3.)

Second, FarmVille discloses using *computing devices* for implementing FarmVille's *video gaming application*. FarmVille's *video gaming application* can be implemented using *servers*. "This farm, and the game itself, aren't actually stored permanently on your computer, but exist on 'the cloud' of *FarmVille servers* maintained by developer Zynga." (EX1004, 11, 16.) "To play FarmVille, you need to make sure that your browser has JavaScript enabled. JavaScript lets

your browser talk to the *FarmVille servers* and keep the farm that you see on your screen synced with the version stored in the *Internet ‘cloud’ of online servers.*”

(*Id.*, 17; *see also id.*, 32, 62, 225-229.)

Further, FarmVille players play the game on their *user devices*. (*Infra* §IV.A.4.b.) These user devices are also “computing devices” for implementing the *video gaming application* as they enable gameplay. (EX1002, ¶¶82, 86.)

A POSITA would understand that FarmVille discloses a “computer-implemented method” because implementing the FarmVille gaming application involves a method implemented by computing devices such as “FarmVille servers” and user devices. (EX1004, 11, 16, 26; EX1002, ¶83.)

b. 1[A][1]: “providing access by one or more user devices of one or more players to the *video gaming application*”

FarmVille discloses this element. (EX1002, ¶¶84-86.)

FarmVille discloses “FarmVille [is] appealing to so many millions [of FarmVille players].” (EX1004, 8.) Access to FarmVille’s *video gaming application* is provided by these players’ user devices. Specifically, “a user can employ practically *any computer with an Internet connection* and a graphical Web browser[.]” (*Id.*, 16, 7, 15.) Further, “[i]n June 2010, Zynga launched the first mobile FarmVille app for the *iPhone, iPod Touch, and iPad.*” (*Id.*, 26; *see also id.*, 15, (“[d]on’t have a computer? That’s okay; you can now play FarmVille

on *Apple iOS devices, including the iPhone*”), 8.)

c. 1[A][2]: “[the video gaming application] operated on at least one of a *social network* server, a *third party server*, and an application provided on electronic devices used by the one or more players;”

FarmVille discloses this element. (EX1002, ¶¶87-95.)

First, FarmVille discloses that FarmVille’s *video gaming application* is operated on a *social network* server. (EX1002, ¶¶88-89.) FarmVille players can “access the *FarmVille app* through a *Facebook* search, an invitation from a *Facebook* friend, or the game's public-facing *Facebook* page[.]” (EX1004, 22, Figure 3-1; *see also id.*, 26, 24.) FarmVille “takes advantage of *Facebook’s social networking framework* to encourage interaction with other players.” (*Id.*, 9, 15, 12, 19.)

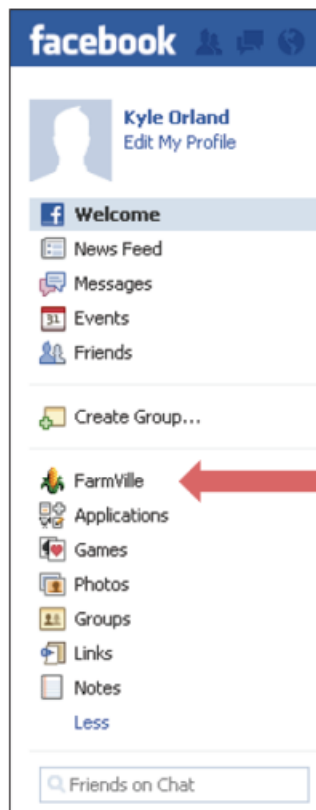


Figure 2-3: How the FarmVille bookmark appears on your Facebook sidebar.

(EX1004, Figure 2-3.)

FarmVille's Figure 3-1 shows a graphical user interface of the game on **Facebook**. A POSITA would have found it obvious that FarmVille's **video gaming application** is operated at least partially on **Facebook** servers. **Facebook** servers operate at least some user interfaces of FarmVille's **video gaming application**. (EX1002, ¶89.)

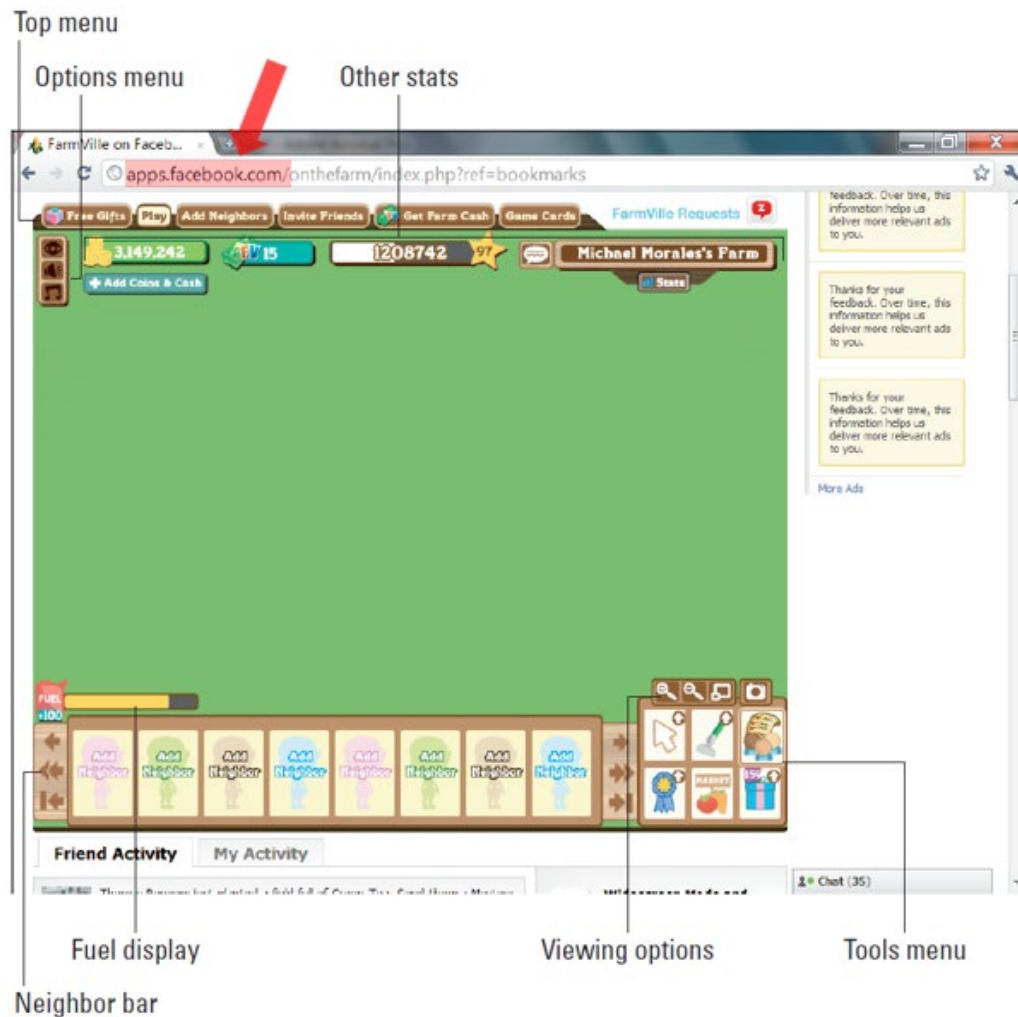


Figure 3-1: The major parts of the FarmVille user interface.

(EX1004, Figure 3-1.)

Second, FarmVille’s *video gaming application* is operated on a *third party server*. (EX1002, ¶90.) The ’132 patent states that “[t]hese video gaming applications referenced or described here may either be hosted . . . by *third party servers that are wholly or partially dedicated to gaming applications*.” (EX1001, 5:25-29; *see also id.*, 2:17-20, 9:22-34, FIG. 1.) Consistent with the ’132 patent,

FarmVille servers operate many aspects of the FarmVille game. “This farm, and the game itself, . . . exist on ‘the cloud’ of *FarmVille servers maintained by developer Zynga*.” (EX1004, 11.) “JavaScript lets your browser talk to the *FarmVille servers* and keep the farm that you see on your screen synced with the version stored in the *Internet ‘cloud’ of online servers*.” (*Id.*, 17; *see also id.*, 16, 32, 62, 225-229.)

Third, FarmVille’s *video gaming application* is operated on an *application* provided on *electronic devices* used by the one or more players. FarmVille discloses various *electronic devices* used by FarmVille players to access the game. (EX1004, 8; *supra* §IV.A.4.b.) Further, these user devices provide a *web browser application*, which operate FarmVille’s *video gaming application* (or at least aspects of it) by enabling players to play the game on Facebook.com or FarmVille.com. “[A] user can employ practically any computer with an Internet connection and a *graphical Web browser* to play FarmVille.” (EX1004, 16, 7.) An example is shown below. (*Id.*, Figure 3-1; *see also id.*, 24.)

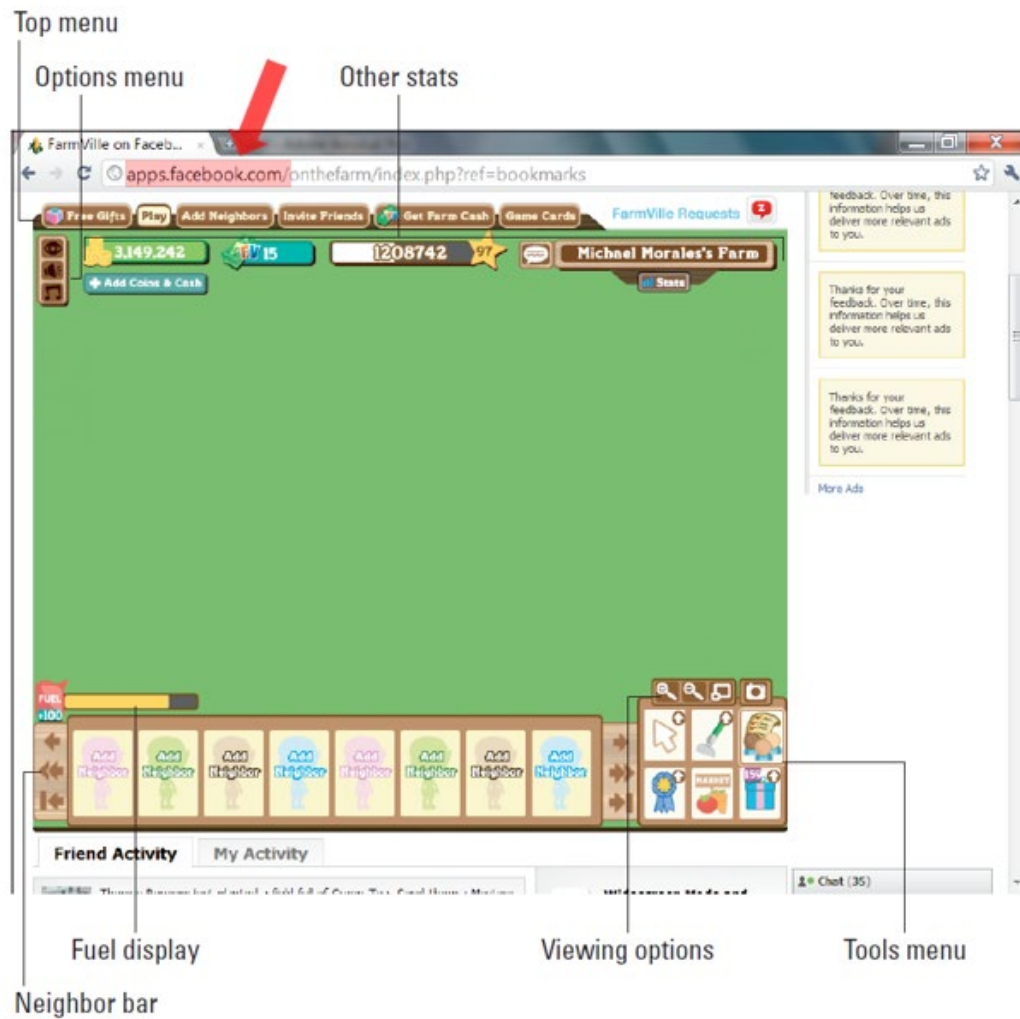


Figure 3-1: The major parts of the FarmVille user interface.

(EX1004, Figure 3-1.)

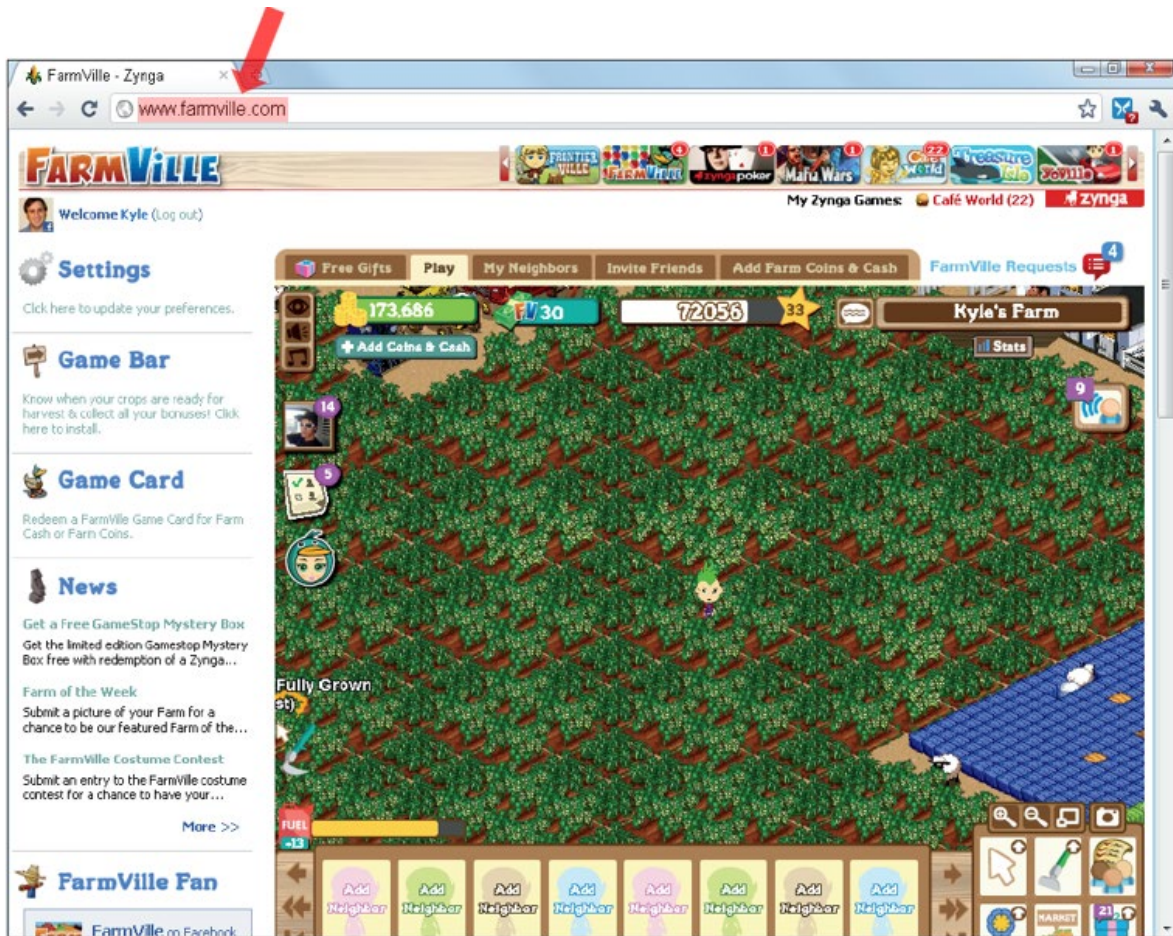


Figure 2-4: Playing FarmVille through FarmVille.com.

(EX1004, Figure 2-4.)

Moreover, the user devices provide a *mobile application*, which operates FarmVille's video gaming application (or at least aspects of it) by enabling players to play the game. "In June 2010, Zynga launched the first *mobile FarmVille app* for the iPhone, iPod Touch, and iPad." (EX1004, 26; *see also id.*, 15; EX1012, 1-3.) Lastly, FarmVille's *video gaming application* itself (*e.g.*, FarmVille app on Facebook, FarmVille mobile app) is an application provided on these devices.

(*Supra* §IV.A.4.a.)

d. 1[B]: “providing an interface to the video gaming application via at least one of a social network interface, a mobile device interface, a gaming console interface, and a browser interface;”

FarmVille discloses this element. (EX1002, ¶¶96-99.)

FarmVille discloses a *social network* interface. A *Facebook* (e.g., apps.Facebook.com) interface is provided to play FarmVille. (EX1004, 24, Figure 3-1.)

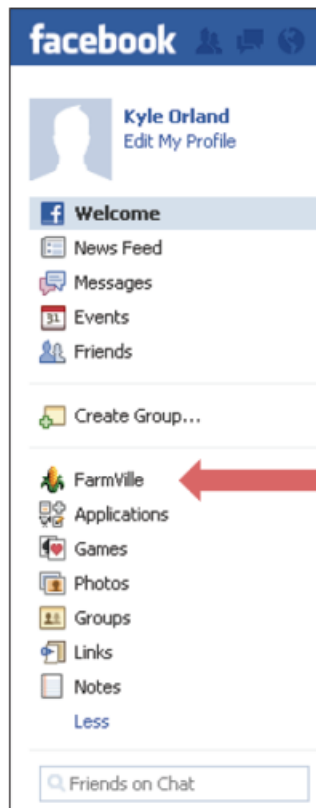


Figure 2-3: How the FarmVille bookmark appears on your Facebook sidebar.

(EX1004, Figure 2-3.)

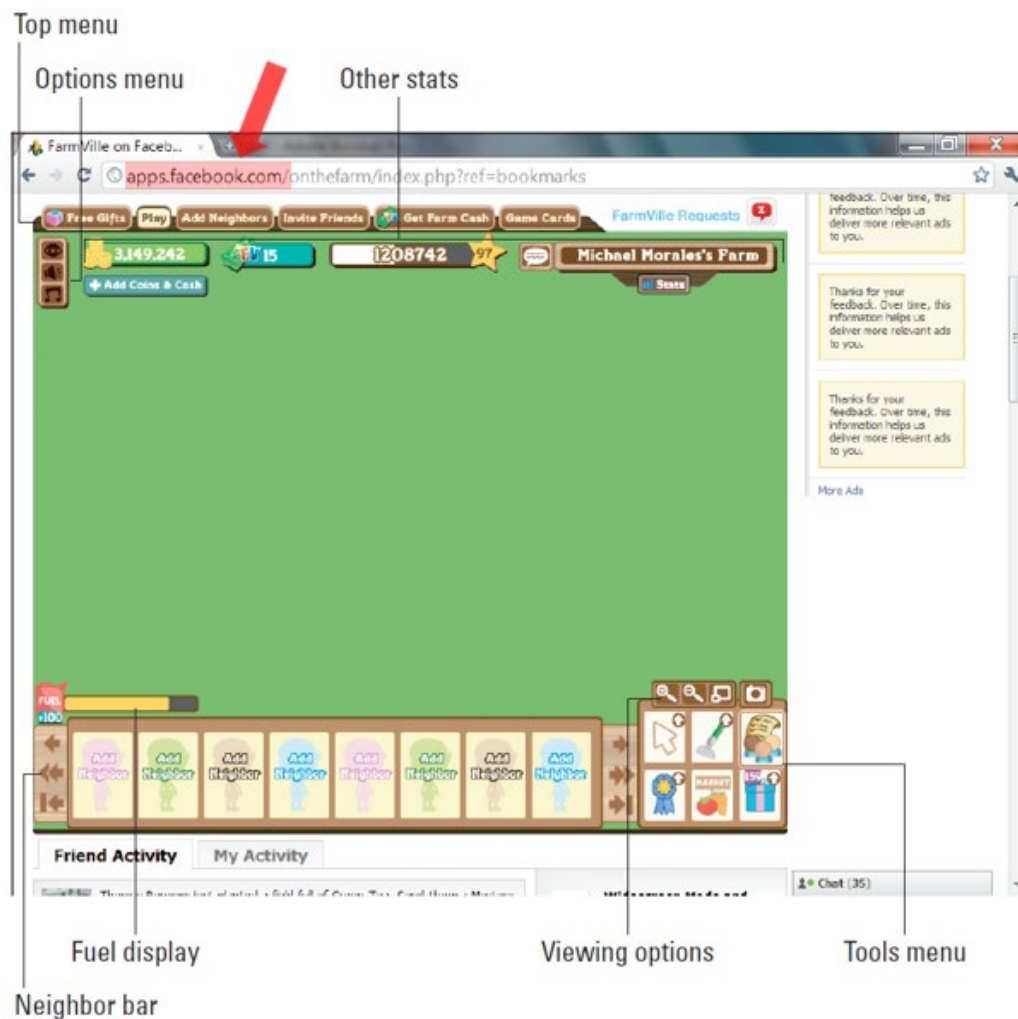
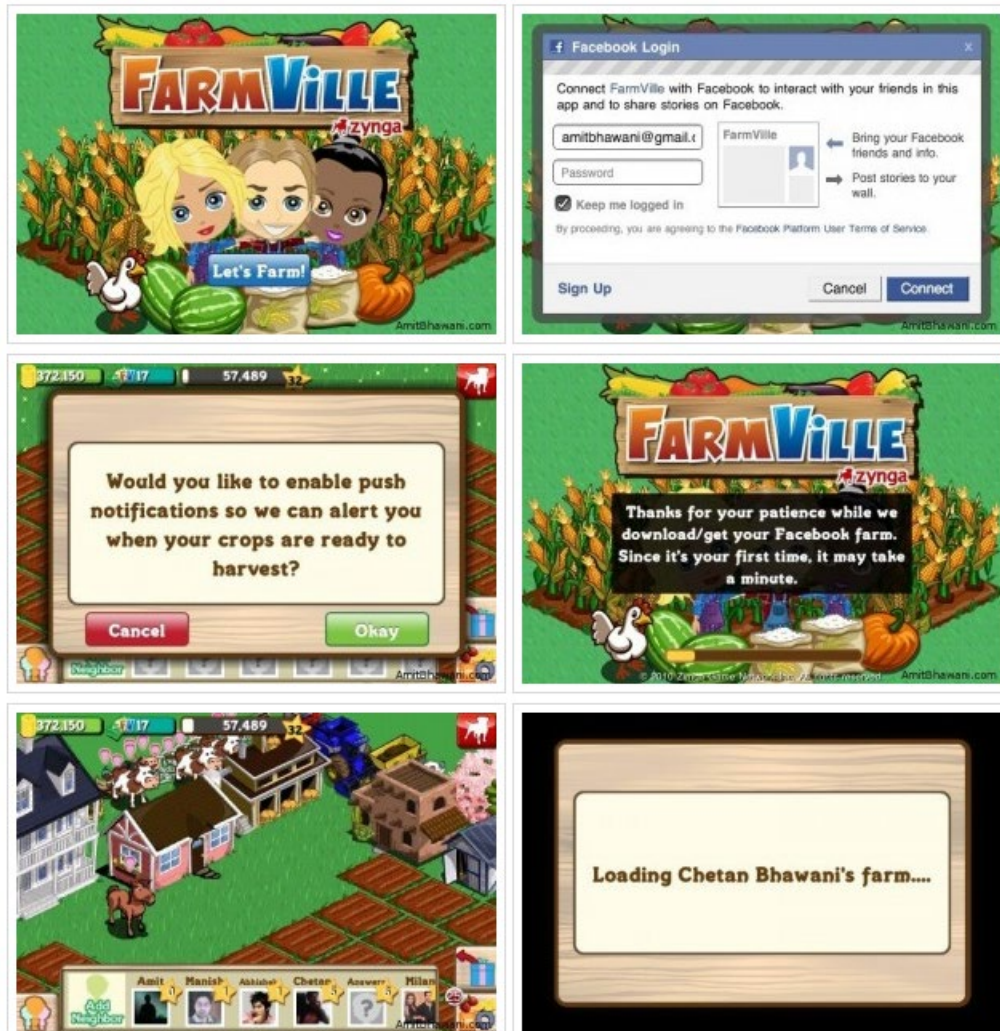


Figure 3-1: The major parts of the FarmVille user interface.

(EX1004, Figure 3-1.)

Second, a mobile device interface is provided to play FarmVille. “In June 2010, Zynga launched the first *mobile FarmVille app* for the iPhone, iPod Touch, and iPad.” (EX1004, 26.) Exemplary screenshots of the mobile app interface are shown below.

Game Photos :



(EX1012, 2-3.)

Third, a browser interface is provided to play FarmVille. Examples of the browser interface are shown below. (*Id.*, 25, 30, 16, 7.)

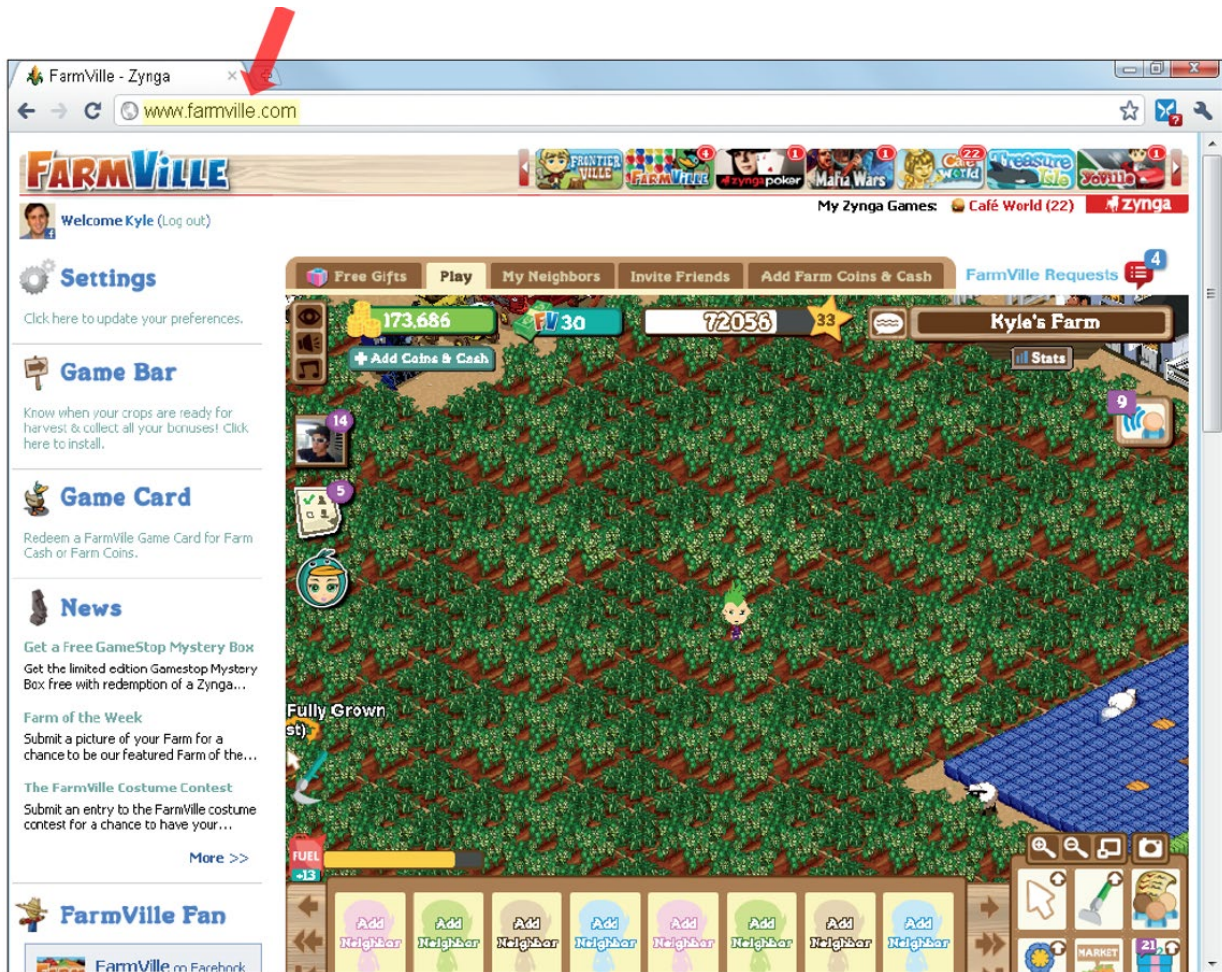


Figure 2-4: Playing FarmVille through FarmVille.com.

(EX1004, Figure 2-4.)

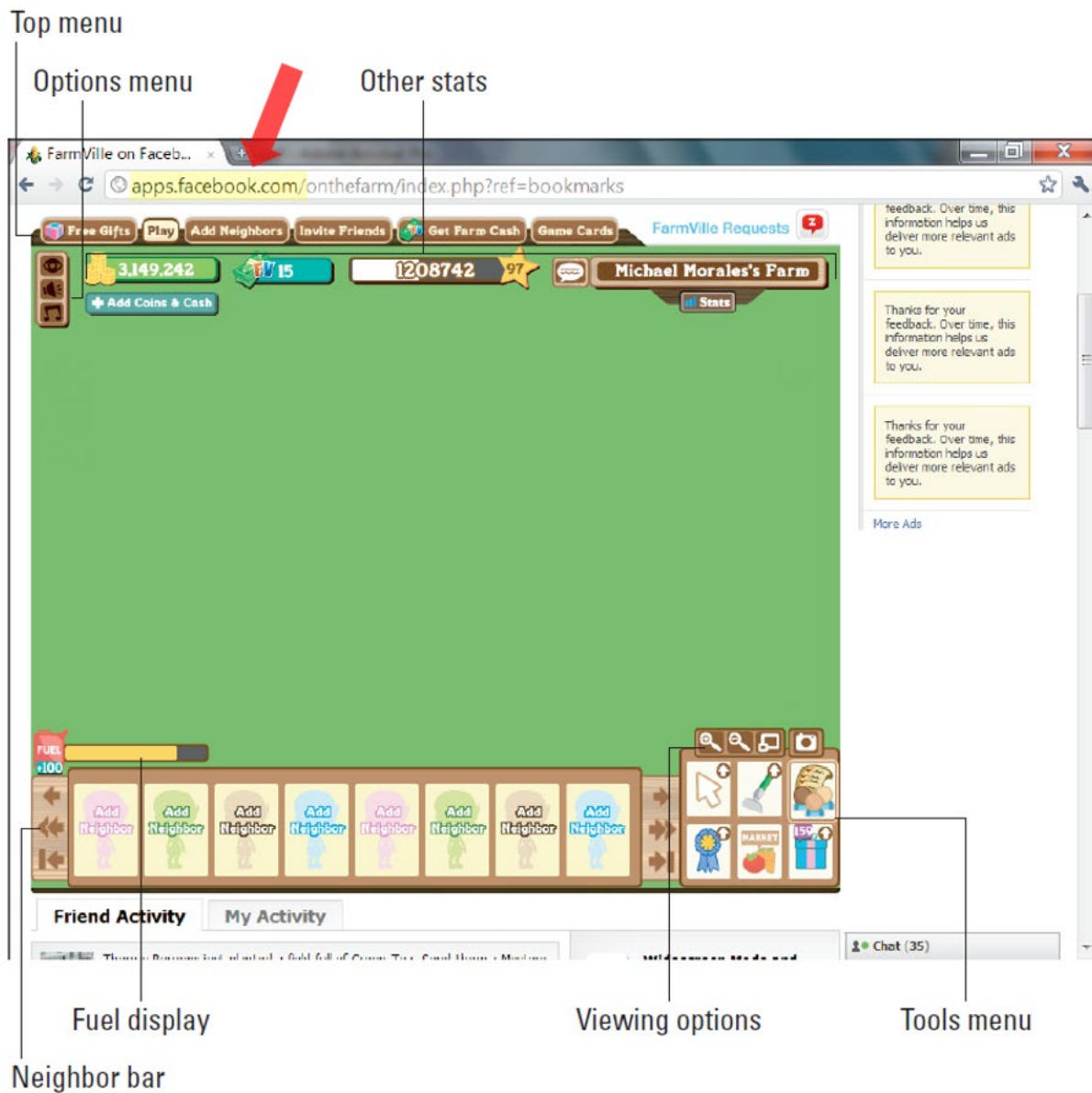


Figure 3-1: The major parts of the FarmVille user interface.

(EX1004, Figure 3-1.)

e. 1[C][1]: “facilitating *variable and distinct* user experiences based on the one or more user devices that the one or more players use to access the video gaming application,”

FarmVille discloses this element. (EX1002, ¶¶100-104.)

First, FarmVille discloses user devices that players use to access the video gaming application, as discussed above. (*Supra* §§IV.A.4.b, IV.A.4.d.)

Second, FarmVille discloses facilitating *variable and distinct* user experiences based on the user devices. (EX1002, ¶¶101-104.) FarmVille discusses “how the *mobile version differs from the versions on a traditional computer.*” (EX1004, 15.) “As a perk of using the FarmVille app for your mobile devices, FarmVille offers *exclusive in-game items* that you can purchase. The only way to access such items is to purchase them through the FarmVille Market when using the FarmVille app on your IOS device.” (EX1004, 26.) “Another mobile device perk is the ability to send *exclusive free gifts to your neighbors,*” which “are labeled as locked if you’re not using an IOS device.” (*Id.*, 27.) Thus, FarmVille provides variable and distinct user experiences in terms of available in-game items and associated graphical interfaces.

Further, a farm and associated objects appear differently in a browser versus the mobile app (*e.g.*, in terms of how much of the farm is displayed). The arrangement and appearance of menus/controls also vary. (EX1002, ¶102.)

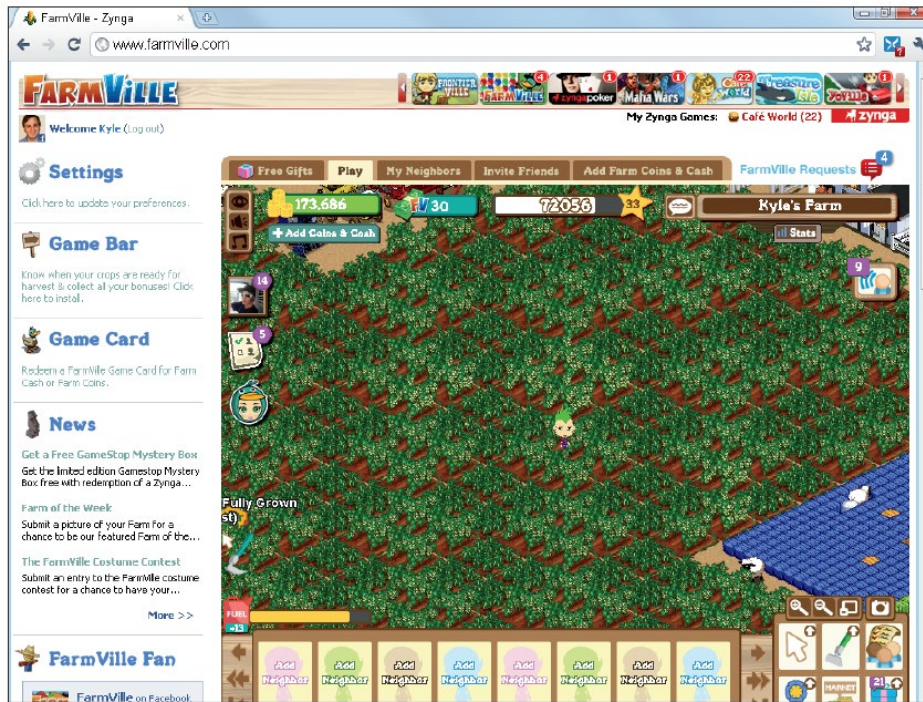


Figure 2-4: Playing FarmVille through FarmVille.com.

(EX1004, Figure 2-4.)



(EX1012, 3.)

Furthermore, it would have been obvious to a POSITA that the FarmVille game would render differently across devices due to different hardware capabilities (*e.g.*, screen size, resolution). By 2012, it was well known that “different devices support . . . different screen sizes[.]” (EX1027, 9.) Further, different displays have different resolutions “displayable on the device[s],” and that “[m]obile devices typically have quite limited processing power,” while new devices continued to come in “all shapes and forms” with “a growing variety of features like . . . touch screens etc.” (*Id.*, 19, 8.) It would have been obvious to a POSITA that these differences would affect how FarmVille’s UI would be displayed and interacted with across devices. (EX1002, ¶103.)

Moreover, by 2012, it was common knowledge that the same webpage appears different on different devices due to hardware capabilities (*e.g.*, graphics, bandwidth, processing power). (*See, e.g.*, EX1027, 9 (“[t]he context of mobile use, device capability variations, bandwidth issues and mobile network capabilities all affect the representation”); EX1030, 2 (“tweaking UI elements on the fly depending on what device you’re accessing the site from”), 3.) Thus, it would have been obvious to a POSITA that the FarmVille game, when shown as a Facebook webpage on different devices, would appear different depending on the device. (EX1002, ¶104.)



(EX1030, 3.)

f. 1[C][2]: “the variable and distinct user experiences including at least one of a three-dimensional user interface and a two-dimensional user interface;”

FarmVille discloses this element. (EX1002, ¶¶105-112.)

First, FarmVille’s user experiences include a *two-dimensional interface*, as shown by the *two-dimensional GUI controls and texts* below. (EX1004, Figure 2-4, 29-30; EX1002, ¶¶106-109.)

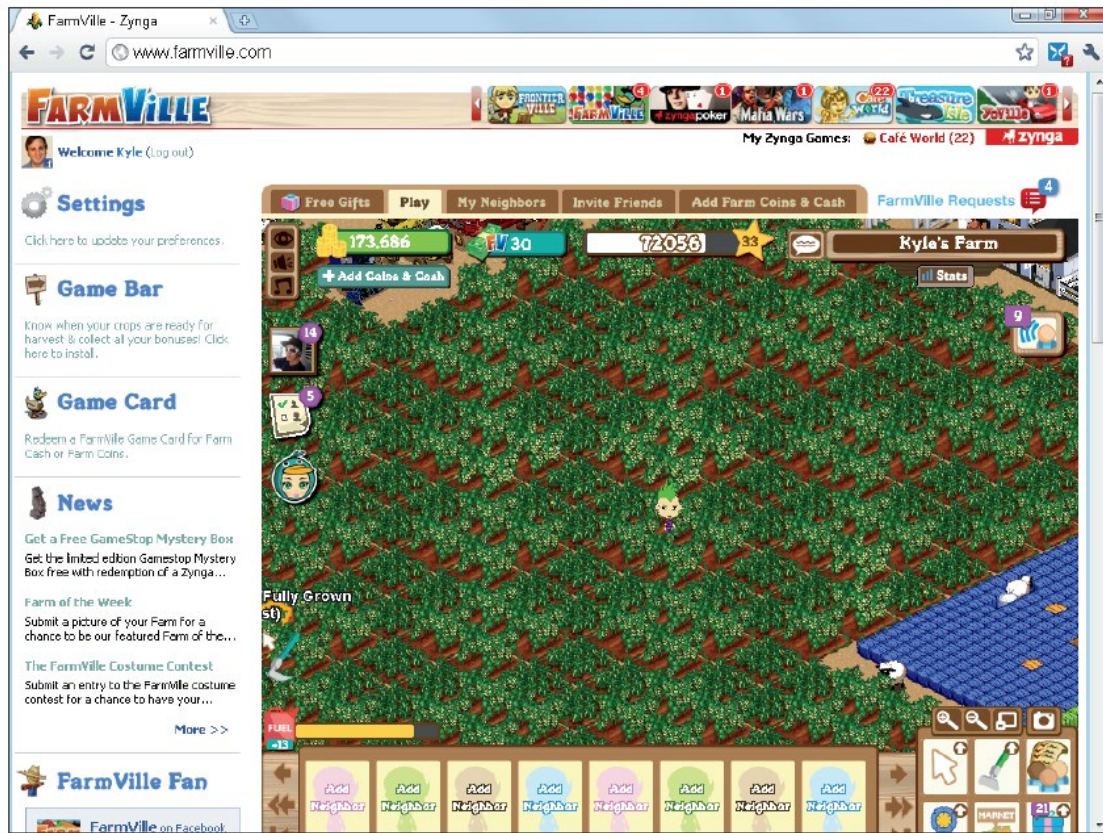


Figure 2-4: Playing FarmVille through FarmVille.com.

(EX1004, Figure 2-4.)

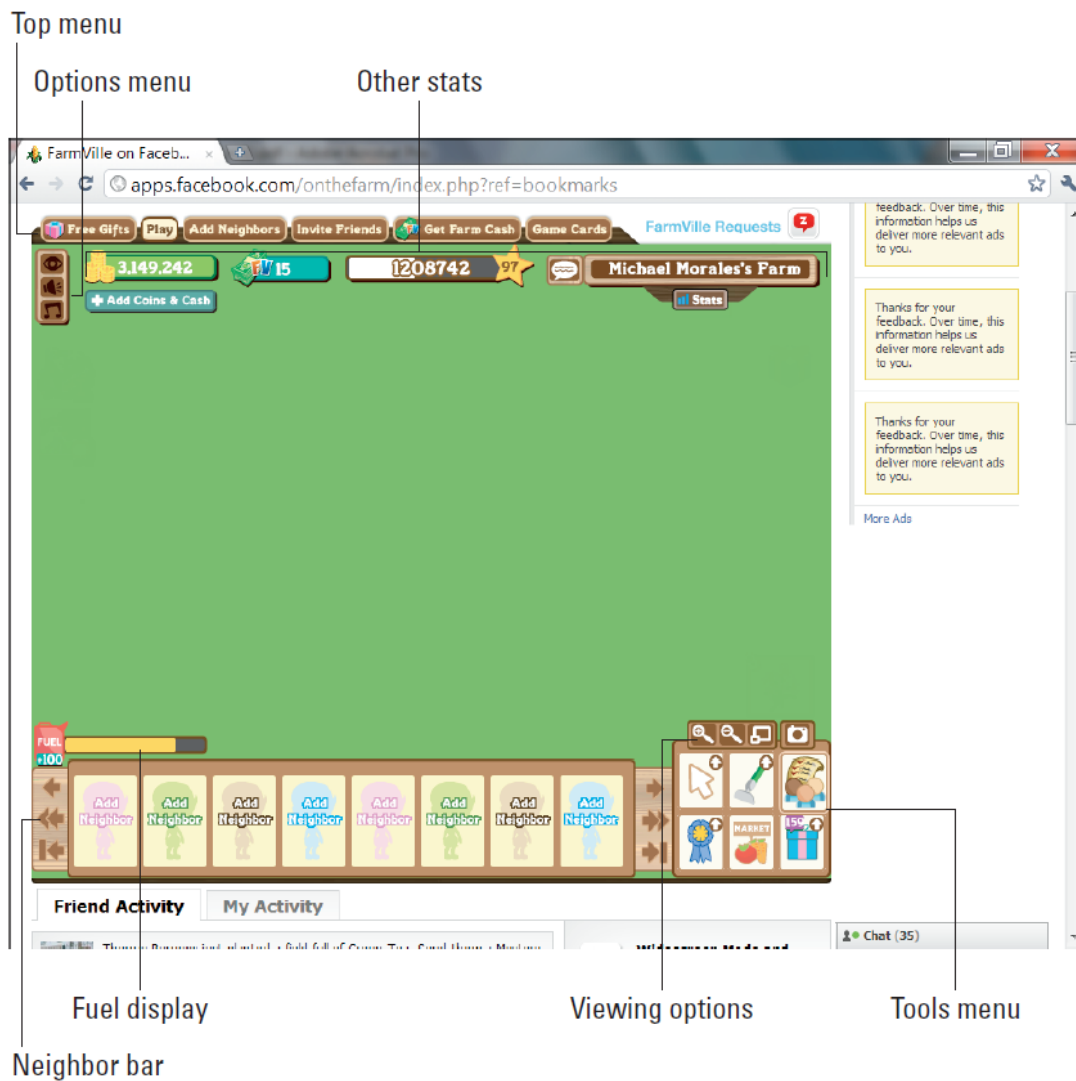
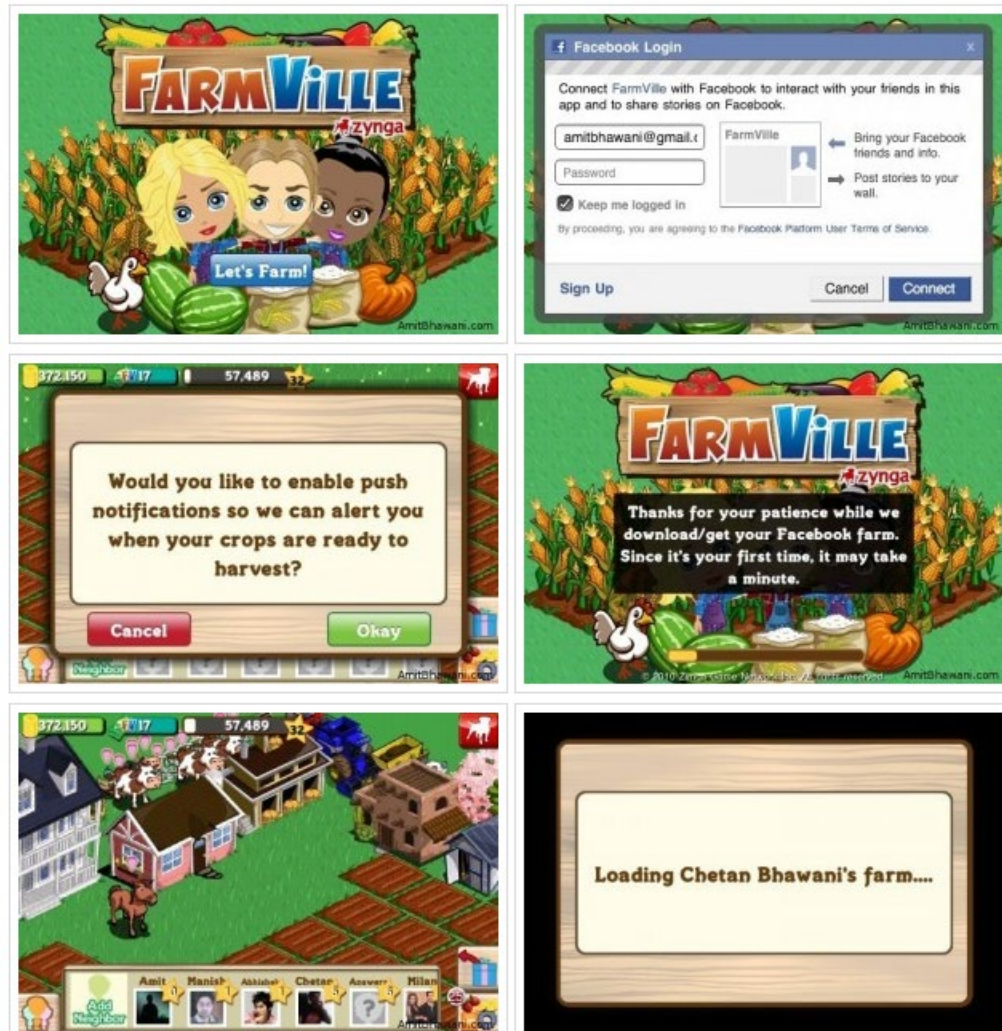


Figure 3-1: The major parts of the FarmVille user interface.

(EX1004, Figure 3-1.)

Game Photos :



(EX1012, 2-3.)

FarmVille's user experiences also include a three-dimensional interface. During prosecution, Applicant pointed to "the figures" of the application as the only support for the claim language "three-dimensional and two-dimensional user interface are configured to operate concurrently." (EX1003, 409.) But the only figures in the '132 patent that appear to show 3D elements merely show a building in perspective. (EX1002, ¶110.)

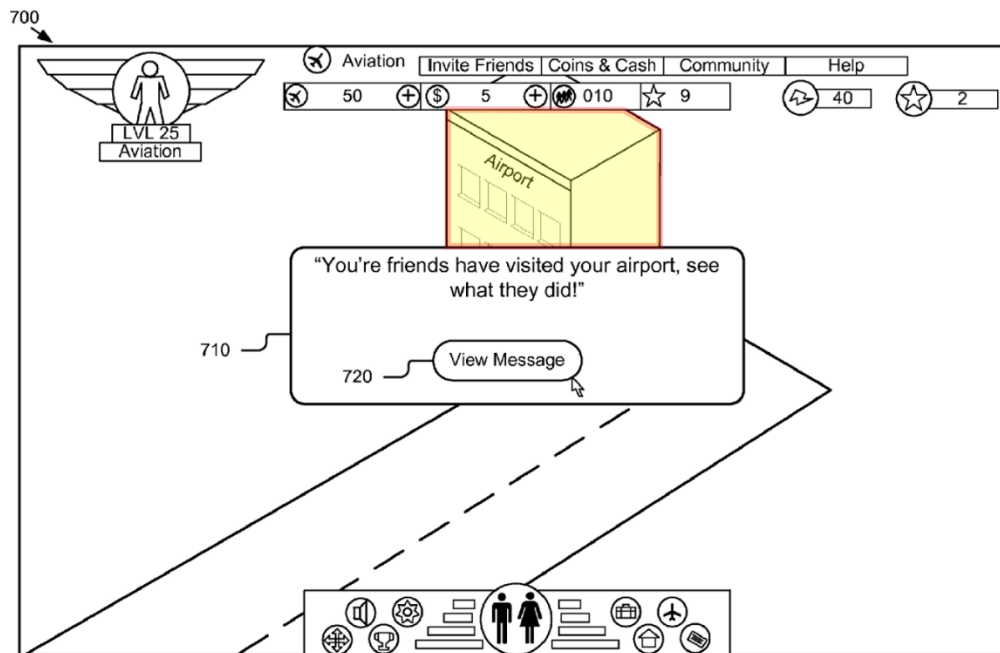


Figure 7

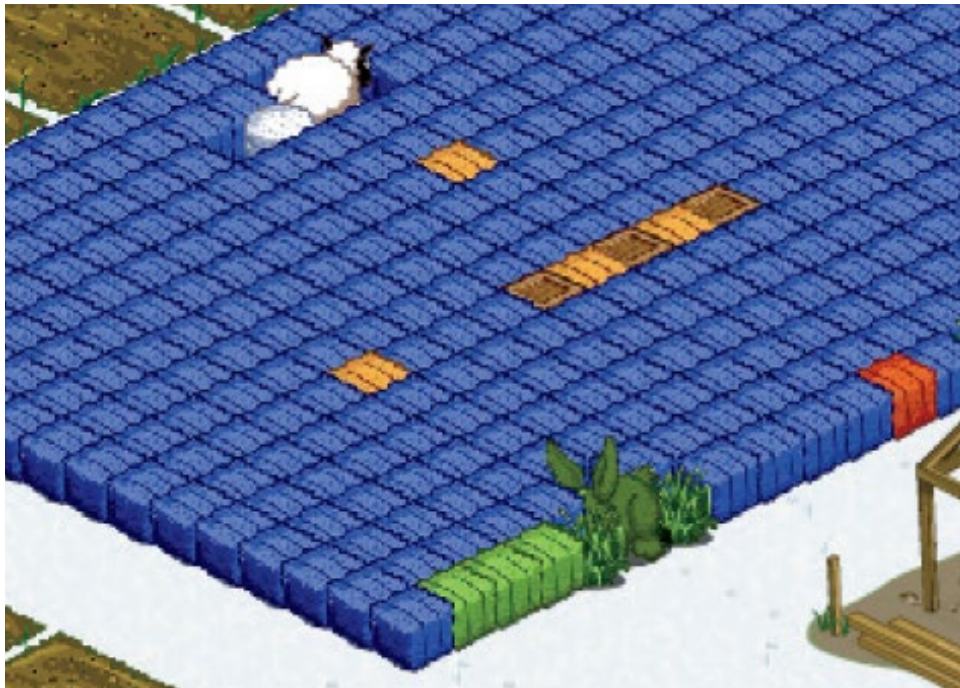
(EX1001.)

FarmVille has the same type of three-dimensional interface. (EX1002, ¶¶111-112.) FarmVille expressly teaches “[b]y carefully setting items down in specific arrangements, you can create . . . FarmVille-ized versions of real-world architecture and *three-dimensional visual effects*.” (EX1004, 10.) “One of the most common methods for creating FarmVille art is by *stacking multicolored hay bales* next to each other in a massive grid.” (*Id.*; see also *id.*, 237.) As shown below, FarmVille includes *three-dimensional objects*, such as buildings, items, and stacked hay bales.



Figure 1-1: An abstract design made using FarmVille hay bales.

(EX1004, Figure 1-1.)



(EX1004, Excerpt of Figure 1-1.)



(EX1012, 3.)

g. 1[D][1]: “receiving, via the **social network** server, one or more social network **interactions** from one or more **non-players**,”

FarmVille-Tweet Land discloses this element. (EX1002, ¶¶113-123.)

First, the FarmVille game (or alternatively Facebook) receives, via **Facebook**, social network **interactions**. (EX1002, ¶¶113-119.) As a first example, after a FarmVille player’s “barn-raising request is now posted on [their] **news feed**,” “[t]en of [their] neighbors need to **click** the link in this news post over the next three days to complete [their] barn raising and expand [their] building’s storage[.]” (EX1004, 156; *see also* EX1016, 70.) Here, a social network **interaction** via the **social network** is or is indicative of a **click** on a **Facebook** post

to help raise a barn by the user.



(EX1017, 1.)

As a second example, a FarmVille player can “send[] personalized invitations to any of [their] Facebook friends who have yet to try the game.” (EX1004, 55.) After sending the invitation, “[a] post appears on your friend’s *Facebook news feed*, asking him or her to join you in playing FarmVille. Any friends who *click* the Accept and Play button are asked to install the game and set up their farm.” (*Id.*, 56.) Here, a social network *interaction* via the *social network* is or is indicative of a *click* to accept the FarmVille gameplay invitation posted to *Facebook*. In these examples, social network *interactions* are interaction data indicative of user input and/or intent on a *social network*. (EX1002, ¶¶114-116.)

In FarmVille-Tweet Land, instead of *clicks*, a Facebook user can use *comments* to perform the same tasks without leaving the page. (EX1002, ¶¶117-119.) This is taught by Tweet Land, where “every time someone in the world *tweets* something, their tweets affect the gameplay of Tweet Land by triggering

certain action-keywords.” (EX1005, 2.) For example, “if someone *tweets the word ‘meteor’* then a meteor will fly in from off screen[.]” (EX1014, 2.) In the figure below, a user (@someone) tweeted “*I just saw a huge meteor!*” In response, a meteor appears in the Tweet Land game.



(EX1019, 2; EX1005, 2.)

Thus, in the FarmVille-Tweet Land combination, a Facebook user would *comment* “*#help*” on a barn-raising post on *Facebook* to help complete the barn raising, or “*#accept*” on a FarmVille-invitation post on *Facebook* to accept the poster’s invitation. (*Supra* §IV.A.3.) Further, a Facebook user would comment “*#meteor*” on a FarmVille-related post on *Facebook* to cause a meteor to appear in the game (e.g., in a farm) or “*#love*” to trigger an award to the farm owner. (*Id.*)

In the combination, social network *interactions* would be from *non-players* or players. (EX1002, ¶¶120-121.) FarmVille already discloses that *non-players (e.g., Facebook friends who do not have a FarmVille account)* provide social network interactions (e.g., clicks) to accept FarmVille invitations. (EX1004, 55 (explaining that a player can “invite *unconverted Facebook friends* to sign up for FarmVille”).) Tweet Land discloses that “people around the world are always creating tweets for the game based on real-life experiences, even if they are *not playing* or don’t know anything about Tweet Land.” (EX1005, 2.) Thus, in the combination, a *non-player* of FarmVille, such as a *Facebook friend* who can see and interact with the post, would be able to *comment* on the *Facebook* post to affect the FarmVille game.

It would have been obvious to a POSITA that these Facebook *comments*—like other inputs on Facebook—would be received by *Facebook servers* (“social network server”). (EX1002, ¶122.) A POSITA would have found it obvious that Facebook is operated by Facebook servers, which would receive user inputs into Facebook to operate the Facebook platform. (See EX1028, 12:10-14 (Facebook’s own patent confirming that a “user may post a message by typing the message within input box 504 and subsequently clicking or selecting the share button 506, which results in the *post being submitted to servers 22 of social network environment 20*”), 12:15-33.) Zynga’s own patent also confirms this. (See

EX1008, FIG. 3, 8:57-62 (stating that *social networking system 320a* includes *Facebook*), 8:62-67 (“client system 330 can ... *transmit data 327* to ... the *social networking system 320a*. This data can include . . . *messages*”).)

To the extent that the claim requires that the *FarmVille servers* receive the social network interactions via the social network server (not conceded), a POSITA would have found it obvious that *FarmVille servers* receive interaction data (e.g., comments on FarmVille-related posts) via the Facebook servers to operate the game. (See generally EX1008 (Zynga’s own patent confirming that, in games such as FarmVille, the game servers receive interaction data via the social networking server); EX1002, ¶123.)

h. 1[D][2]: “the one or more *non-players* being users with whom the one or more players share an affinity in a social network,”

FarmVille-Tweet Land discloses this claim element. (EX1002, ¶¶124-128.)

In the barn-raising example, a FarmVille player “need[s] 10 of [their Facebook] *friends* to click on a link to help [them] over 3 days.” (EX1016, 70; EX1004, 156.) Consistently, in FarmVille-Tweet Land, the non-player who comments “*#help*” can be a *Facebook friend* who can see and interact with the post. (*Supra* §IV.A.3.) Facebook friends share an *affinity* with each other on Facebook. (EX1004, 9, 21, 23.)

As another example, a “post appears on your *friend’s* Facebook news feed,

asking him or her to join you in playing FarmVille. Any *friends* who click the Accept and Play button are asked to install the game and set up their farm.”

(EX1004, 56.) As discussed above, in the combination, the *Facebook friend* would comment “#*accept*” on the Facebook post to accept the invitation. (*Supra* §IV.A.3.)

Further, in FarmVille-Tweet Land, a *Facebook friend* who is not a FarmVille player can comment (e.g., “#*meteor*” or “#*love*”) to modify play. (*Supra* §IV.A.3.)

i. 1[D][3]: “the one or more social network *interactions* including a comment posted to the *social network* server by the one or more non-players, the comment being a comment on one or more *events* posted to the *social network* server;”

FarmVille-Tweet Land discloses these claim elements. (EX1002, ¶¶129-136.)

First, FarmVille discloses *events* posted to the *social network* server. FarmVille players can post *FarmVille-related events* to *Facebook*. (EX1004, 70.) For example, a FarmVille player can “[c]lick the building you want to expand” and ultimately “[t]ype an optional message and then click Publish Your *barn-raising request* is now *posted on your news feed*.” (*Id.*, 155-156.)



(EX1017, 1.)

As another example, a FarmVille player can “invite unconverted Facebook friends to sign up for FarmVille.” (EX1004, 55-56.) “A *post* appears on your friend’s *Facebook news feed*, asking him or her to join you in playing FarmVille.” (*Id.*, 56.)



Figure 4-2: The Invite Friends page.

(EX1004, Figure 4-2.)

Second, in FarmVille-Tweet Land, the social network interactions include a *comment* posted to the *social network server* and the comment is on the *event*. (*Supra* §IV.A.3.) Specifically, a Facebook user can post a *comment* (e.g., “#*help*”, “#*meteor*”) on the *FarmVille-related events* posted to *Facebook*. (*Id.*) The comments can be by non-players (e.g., Facebook users who do not play FarmVille), as discussed above. (*Supra* §IV.A.4.g.)



(EX1017, 1.)

A POSITA would find it obvious that these FarmVille-related *events* and *comments* are posted to the “social network server” (i.e., *Facebook* servers). As discussed above, *comments* are posted to Facebook servers. (*Supra* §IV.A.4.g.) Facebook’s own patent confirms that a “*post* [is] submitted to servers 22 of *social network environment 20*.” (EX1028, 12:13-14.) Further, “Developer Addendum No. 2 By and Between Facebook, Inc. and Zynga Inc.,” dated December 26, 2010, confirms that Zynga transmits *user/game activity data* to *Facebook*, which then generates posts based on the data. (EX1013, 6, 9, 35.)

j. 1[E]: “and *modifying play* of the video gaming application based on the one or more social network *interactions* from the one or more *non-players*.”

FarmVille-Tweet Land discloses this element. (EX1002, ¶¶137-145.)

Tweet Land discloses a video gaming application, specifically, “one of the world’s first video game platforms that plays with reality, or ‘Real Time Gaming.’” (EX1005, 1.) “The games work very simply; every time *someone* in the world *tweets* something, their tweets *affect the gameplay of Tweet Land* by triggering certain action-keywords,” and “people around the world are always creating tweets for the game based on real-life experiences, even if they are *not playing* or don’t know anything about Tweet Land.” (EX1005, 2.)

For example, “if *someone tweets the word ‘meteor’* then *a meteor will fly in from off screen*[.]” (EX1014, 2.) In the figure below, a user (@someone) tweeted “*I just saw a huge meteor!*” and *a meteor appears* in the Tweet Land game.



(EX1019, 2; EX1005, 2; EX1010, 3.)

As another example, a user (@zerocartin) tweeted “*Quake in Papua New Guinea! Is there any tsunami warning?*” and a *tsunami appears* in the Tweet Land game.



(EX1014, 2.)

Based on Tweet Land's teaching, in the combination, *a Facebook friend who is not a FarmVille player* would *comment* on the FarmVille-related *event* posted to Facebook to *modify play* of the FarmVille game. (*Supra* §§IV.A.4.g-IV.A.4.h.) For example, a *Facebook friend* who can see a FarmVille player's *barn raising event* post on a news feed would comment "#*help*" to "*complete your barn raising and expand your building's storage*[" (EX1004, 156.) Play is *modified* by updating server-side databases/states of the barn raising progress and updating the game display. (EX1002, ¶141.) The modification is based on the social network *interactions* (e.g., "#*help*") from *non-players* (e.g., *Facebook friends*). (*Supra* §§IV.A.4.g-IV.A.4.i.)

Further, a *Facebook friend* would comment “#*accept*” on the *FarmVille invitation* post to accept the user’s invitation to play FarmVille. He would be “*asked to install the game and set up their farm.*” (EX1004, 56.) Thus, play is modified (e.g., via updating server-side databases of the players and via display of a new farm). The modification is based on social network *interactions* (e.g., “#*accept*”) from *non-players* (e.g., *Facebook friends*). (*Supra* §§IV.A.4.g-IV.A.4.i.)

Further, in the combination, a comment “#*meteor*” from a *non-player* (e.g., *Facebook friends*) on a FarmVille-related *event* would modify play by *causing a meteor event to appear within the FarmVille game* (e.g., via updating server-side databases of game states and the game display). Similarly, a comment containing “#*love*” from a *non-player* (e.g., *Facebook friends*) on a FarmVille-related *event* would modify play by *triggering an award to the FarmVille account* (e.g., via updating server-side databases and the game display). (*Supra* §IV.A.3.)

In the same manner that FarmVille already determines gameplay effects based on Facebook clicks, the combined FarmVille-Tweet Land system would analyze the content of the comments, identify the keywords as taught by Tweet Land, and modify play as taught by FarmVille and Tweet Land. (*See* EX1004, 156; EX1002, ¶¶144-145.)

5. Claim 2

FarmVille-Tweet Land discloses this claim. (*Supra* §IV.A.4.i; EX1002, ¶¶146-151.)

FarmVille players can post FarmVille events to Facebook from the game. Below are some exemplary FarmVille GUIs for posting events from the FarmVille game to Facebook. (*E.g.*, EX1004, 70-71, 206; EX1002, ¶¶147-149.)



Figure 4-10: A Facebook News feed publishing box.

(EX1004, Figure 4-10.)

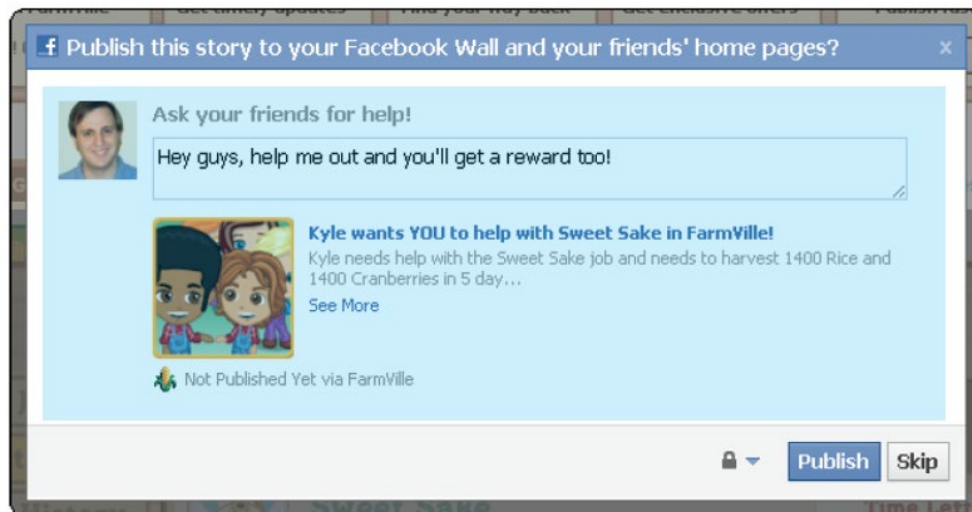


Figure 12-5: Posting a note about your co-op job to the Facebook news feed.

(EX1004, Figure 12-5.)

For barn-raising, in the FarmVille game, “[a] pop-up notification asks you to spread the word for a ‘good ol’ fashioned barn raising!’” and after “[c]lick[ing] Share, [a] Facebook news feed post dialog box appears.” (EX1004, 156.) A player can “[t]ype an optional message and then click Publish . . . [such that y]our *barn-raising request* is now *posted* on your *news feed*.” (*Id.*)



(EX1017, 1.)

For posting FarmVille invitations, a FarmVille player can “[c]lick the name or picture of up to 50 friends [they] want to invite to play Farmville” and “[c]lick the blue [s]end button.” (EX1004, 55-56.) “A *post* appears on your friend’s *Facebook news feed*, asking him or her to join you in playing FarmVille.” (*Id.*, 56.)



Figure 4-2: The Invite Friends page.

(EX1004, Figure 4-2.)

It would have been obvious that posting events to Facebook involves posting them (*e.g.*, by FarmVille servers) to a “social network server” (*i.e.*, Facebook

servers), as discussed above. (See EX1028, 11:54-12:33; *supra* §IV.A.4.i; EX1002, ¶¶150-151.)

6. Claim 3

FarmVille-Tweet Land discloses this claim. (*Supra* §§IV.A.4.g-IV.A.4.i; EX1002, ¶¶152-155.) For example, in the FarmVille-Tweet Land combination, the comment “#*accept*” by an *unconverted Facebook friend* to accept the FarmVille invitation indicates approval of the posted *event* (*i.e.*, the FarmVille invitation).

In the barn-raising example, the comment “#*help*” by a *Facebook friend* to help with barn-raising indicates approval of the posted *event* (*i.e.*, the barn-raising request). (*Supra* §IV.A.3.)

Further, as discussed above, a *Facebook friend* would post a *comment* containing “#*love*” on a *FarmVille-related event* posted to Facebook, indicating approval of the *event*. (*Supra* §IV.A.3; *see also* EX1005, 2.)

The *Facebook friends* in the above examples are not FarmVille players. (*Supra* §IV.A.3.)

7. Claim 4

FarmVille-Tweet Land discloses this claim. (EX1002, ¶¶156-159.)

First, FarmVille discloses posting an *indication of effects* certain clicks have on the play of FarmVille’s *video gaming application*. As shown, the barn-raising post indicates the effects of clicking on the link by labeling it “*Click here to help.*”



(EX1017, 1.)

In the FarmVille-Tweet Land combination, comments—in addition or alternative to clicks—would allow a user to modify play. (*Supra* §IV.A.3.) Thus, consistent with the “*Click here to help*” text, it would have been obvious that the FarmVille game would also provide explanatory text in the Facebook posts to explain the effect certain comments would have on play. (EX1002, ¶158.) For example, the *barn-raising* post would include *explanatory text* to indicate that a comment “#*help*” would result in contributing toward the barn-raising request (e.g., “Comment #help to help”). Similarly, a FarmVille-related post would include explanatory text to indicate that a comment “#*meteor*” would cause a meteor event to appear. A POSITA would understand that this text would be important to inform users how to invoke the comment-based functionality, reduce ambiguity, and encourage user participation. (EX1002, ¶159.)

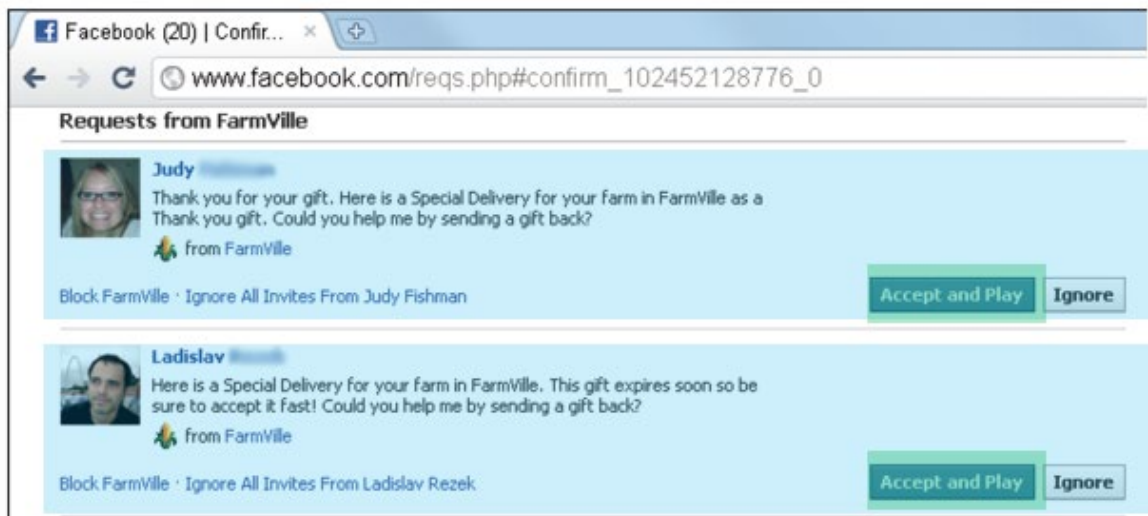
8. Claim 5

FarmVille-Tweet Land discloses this claim. (*Supra* §§IV.A.4.g-IV.A.4.j;

EX1002, ¶¶160-169.) First, it would have been obvious that, in FarmVille-Tweet Land, the ability to comment on Facebook posts to modify play would not be restricted to non-players only. A POSITA would have understood that a FarmVille player can similarly comment on Facebook posts to modify play. (EX1002, ¶160.)

Further, FarmVille by itself discloses many examples of *modifying play* (e.g., updating game databases and display) of FarmVille's *video gaming application* based on social network *interactions* (e.g., clicks) from *players*. (EX1002, ¶¶161-168.)

First, to accept a gift, a FarmVille *player* can “*/click* the Accept and Play button next to the gift [they] want to accept” and “[a] *Gift Acceptance confirmation page appears*, as shown in Figure 4-9.” (EX1004, 67-68, Figure 3-4.) “If you click the Use button, *you return to your farm to place the item* (if it's a tangible item)” and “[i]f it's an intangible item such as a shovel, fuel, or Farm Cash, *the item is added to your inventory automatically.*” (*Id.*, 68.)



(EX1004, Excerpt of Figure 3-4.)



Figure 4-9: The Gift Acceptance confirmation page.

(EX1004, Figure 4-9.)

Second, to accept items or bonuses, “[y]our *neighbors* will be able to *click* the link that appears in *their news feed* to *accept the item or bonus or provide help with your request.*” (EX1004, 71, Figure 8-5, 149.)



Figure 8-5: A bonus XP link as seen in a FarmVille news feed.

(EX1004, Figure 8-5.)

Third, a FarmVille player can “post a message about the lost animal to [their] *Facebook news feed*.” (EX1004, 46, Figure 3-9.) “[I]f you see a lost animal on your *friend’s news feed*, you can *click* the link to *adopt it for your farm*. (*It will appear in your Gift Box.*)” (*Id.*)

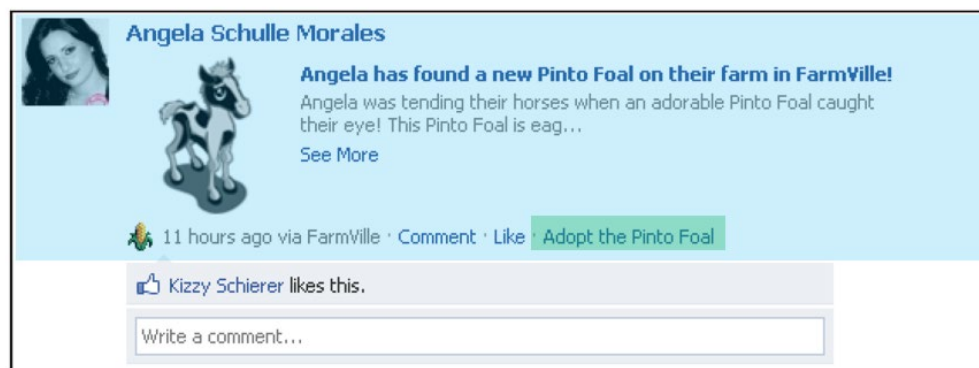


Figure 3-9: A lost animal shared via a friend’s Facebook newsfeed.

(EX1004, Figure 3-9.)

Fourth, a FarmVille player can send another player a neighbor request. (EX1004, 54-55, Figure 4-1.) “Your Facebook friend has to *click* the Accept and Play button on the *news feed post* you sent before he or she officially *becomes your neighbor*.” (*Id.*, 55.)

As a fifth example, a FarmVille player can “post [a co-op job] notice on [their] *Facebook wall*.” (EX1004, 206.) “Your *neighbors* can *click* a link that automatically appears in the news feed post to *join your co-op job*.” (*Id.*)

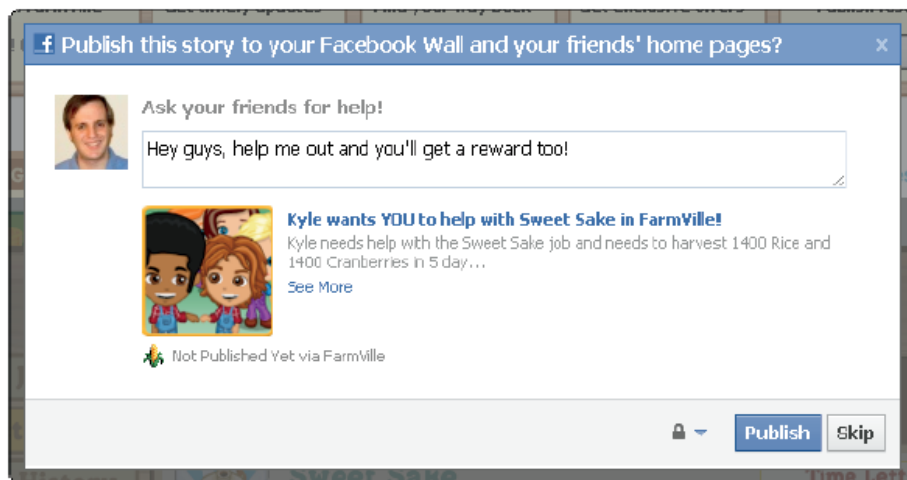


Figure 12-5: Posting a note about your co-op job to the Facebook news feed.

(EX1004, Figure 12-5.)

Further, in FarmVille-Tweet Land, it would have been obvious that FarmVille players would also *comment* to affect play of FarmVille’s *video gaming application* in any of the examples above. (*Supra* §IV.A.3.) For example, a *player*

would comment “#*adopt*” to *adopt an animal* for the *player’s* farm or comment “#*join*” to join a co-op.

9. Claim 7

a. 7[PR]: “A computer program product comprising a computer useable medium including a computer readable program, wherein the computer readable program when executed on a computer causes the computer to:”

To the extent limiting, FarmVille discloses or renders obvious this preamble. (*Supra* §IV.A.4.a.) Specifically, FarmVille discloses that “[y]our farm and the *game program* required to maintain it exist as part of a series of *online data centers* maintained by FarmVille’s publisher, Zynga.” (EX1004, 16.) “This farm, and the game itself, aren’t actually stored permanently on your computer, but exist on ‘the cloud’ of *FarmVille servers* maintained by developer Zynga.” (*Id.*, 11.) A POSITA would therefore have understood that the FarmVille game is or includes a computer program product comprising a computer useable medium (*e.g.*, memory of the FarmVille servers) including a computer readable program (*e.g.*, FarmVille’s “game program”), which when executed on a computer (*e.g.*, FarmVille server) would cause the computer to provide the FarmVille game. (EX1002, ¶170.)

b. 7[A][1]-7[E]

FarmVille-Tweet Land discloses or renders obvious these claim elements as discussed above with respect to 1[A][1]-1[E]. (*Supra* §§IV.A.4.b-IV.A.4.j;

EX1002, ¶¶171-179.)

10. Claims 8-10

FarmVille-Tweet Land discloses or renders obvious these claims as discussed above with respect to claims 2, 4, and 5. (*Supra* §§IV.A.5, IV.A.7-IV.A.8; EX1002, ¶¶180-182.)

11. Claim 12

a. 12[PR]: “A system comprising:”

To the extent limiting, FarmVille discloses or renders obvious this preamble. (*Supra* §IV.A.4.a.). It would have been obvious to a POSITA that implementing the FarmVille game involves a computer-implemented system. Zynga’s own patent confirms this. (EX1008, 19:11-13, claim 1; EX1002, ¶183.)

b. 12[A]: “a processor,”

FarmVille discloses or renders obvious this element. (*Supra* §§IV.A.4.a, IV.A.11.a.). A POSITA would have understood (and it would be obvious) that FarmVille servers would include one or more processors. (EX1002, ¶184.) Zynga’s own patent confirms this. (EX1008, 19:11-14, claim 22.)

c. 12[B]: “and; a memory storing instructions that, when executed, cause the system to:”

FarmVille discloses or renders obvious this element. A POSITA would have understood (and it would be obvious) that FarmVille servers would include a memory. (EX1002, ¶185.) Further, “[y]our farm and the *game program* required

to maintain it exist as part of a series of online data centers maintained by FarmVille’s publisher, Zynga.” (EX1004, 16.) Thus, the FarmVille servers comprise a “game program required to maintain [the farm],” which a POSITA would understand to include or be instructions—stored on FarmVille servers’ memory—that are executed by FarmVille servers’ processors to implement the game. Zynga’s own patent confirms this. (EX1008, 17:35-59, claim 22.)

d. 12[C][1]-[E][2]

FarmVille-Tweet Land discloses or renders obvious these claim elements as discussed above with respect to 1[A][1]-1[C][2]. (*Supra* §§IV.A.4.b-IV.A.4.f; (EX1002, ¶¶186-190.)

e. 12[E][3]: “wherein both the three-dimensional and two-dimensional user interface are configured to operate concurrently;”

FarmVille discloses this claim element.

As shown, both *three-dimensional interface elements* (e.g., stacked hay bales, buildings, equipment, items) and *two-dimensional GUI controls and texts* (e.g., menus, buttons, toolbars, icons, unplanted plots) operate concurrently in FarmVille. (EX1004, Figure 1-1; EX1012; EX1002, ¶¶191-192.)



Figure 1-1: An abstract design made using FarmVille hay bales.

(EX1004, Figure 1-1.)



(EX1012, 3.)

f. 12[F][1]-[G]

FarmVille-Tweet Land discloses or renders obvious these claim elements as discussed above with respect to 1[D][1]-1[E]. (*Supra* §§IV.A.4.g-IV.A.4.j; EX1002, ¶¶193-196.)

12. Claims 13-17

FarmVille-Tweet Land discloses or renders obvious claims 13, 15, 16, and 17 as discussed above with respect to claim 2 (*supra* §IV.A.5), claim 3 (*supra* §IV.A.6), claim 4 (*supra* §IV.A.7), and claim 5 (*supra* §IV.A.8), respectively. (EX1002, ¶¶197-201.) Claim 14 is not substantively different from corresponding independent claim 12, and the combination discloses or renders obvious claim 14 as discussed above with respect to claim element 12[F][3]. (*Supra* §IV.A.11.f).

B. Ground 2: FarmVille, Tweet Land, and Farm Mania Render Obvious Claims 6, 11, and 18.

1. Summary of Farm Mania

Farm Mania was published/made publicly available no later than July 4, 2011, and thus qualifies as prior art under §102(a). (*See* EX1029.) The Examiner never found, and Applicant never cited, Farm Mania during prosecution. (EX1002, ¶¶202-203.)

Farm Mania describes a farming videogame where the player “help[s] out her Grandpa on the farm.” (EX1029, 1.) The game includes two modes: an arcade

mode and a casual mode. “Arcade mode is timed, casual mode is not. The goals are the same in either mode, but if you want a challenge, arcade mode is the way to go.” (*Id.*)



(EX1029, 1.)

2. A POSITA would have been motivated to combine FarmVille-Tweet Land and Farm Mania.

It would have been obvious to combine Farm Mania’s teaching of “casual mode” with the teachings of FarmVille-Tweet Land. Farm Mania, like FarmVille, is an online farming game involving farming-related objectives, such as “[g]row[ing] and sell[ing] plants, animals and goods.” (EX1029, 1.) They are analogous to the ’132 patent, from the same field of endeavor, and all relate to the same technical problems of encouraging player participation and engagement. (EX1002, ¶204.)

FarmVille imposes time-based rules for gameplay. For example, FarmVille requires that “[t]en of your neighbors need to click the link in this news post *over*

the next three days” to complete barn-raising (EX1004, 156.) In the combination, FarmVille would allow a player to select a “casual mode” that would not impose the three-day time limit, allowing neighbors to complete barn-raising even if they take longer than three days. (EX1002, ¶¶205-206.)

The combination would have predictably allowed broader participation in the FarmVille game (*e.g.*, by beginners who do not have enough neighbors) and improved player retention. The combination would have been straightforward with a reasonable expectation of success because FarmVille already tracks event-specific conditions and a POSITA would have recognized that adding a “casual mode” would require only associating the player with an additional status and applying the existing completion condition without the time limit. The combination would have been obvious to try, as there are a finite number of ways of varying the time-based difficulty of a task: imposing longer/shorter time limit or no time limit. Applying Farm Mania to FarmVille-Tweet Land would improve the game in the same way. Farm Mania’s known benefits would prompt its application in the same field based on design incentives/market forces. (EX1002, ¶¶207-210.)

3. Claims 6/11/18

The combination discloses these claims. (EX1002, ¶¶211-216.)

In the combination, the game receives a player selection indicating different

levels of play, including normal mode and “casual mode.” Farm Mania teaches that “[a]rcade mode is timed, casual mode is not. The goals are the same in either mode, but if you want a challenge, arcade mode is the way to go.” (EX1029, 1.)

The combination discloses modifying play of the video gaming application based on the selection. For example, the game would determine whether a neighbor’s comment *outside* the three days would contribute toward barn-raising or have no effect depending on the selected level of play.

C. Ground 3: FarmVille, Tweet Land, and Facebook Mobile Render Obvious Claims 1-5, 7-10, and 12-17.

1. Summary of Facebook Mobile

Facebook Mobile was published/made publicly available no later than May 7, 2011, and thus qualifies as prior art under §102(a). (See EX1030.) The Examiner never found, and Applicant never cited, Facebook Mobile during prosecution. (EX1002, ¶¶217-218.)

Facebook Mobile teaches using the same underlying codebase while “tweaking UI elements on the fly depending on what device you’re accessing the site from.” (EX1030, 2.)

2. A POSITA would have been motivated to combine FarmVille-Tweet Land and Facebook Mobile.

It would have been obvious for a POSITA to combine the teachings of FarmVille-Tweet Land and Facebook Mobile, thereby adapting the appearance of

FarmVille depending on the device. The references all address presentation of interactive content. (EX1004, 7, 9, 16; EX1005, 1; EX1030, 2.) Thus, they are analogous to the '132 patent. (EX1001, Abstract; EX1002, ¶219.)

The combination would result in a system in which FarmVille provides the same underlying game and gameplay functionality, but the appearance of FarmVille is adapted on-the-fly depending on the hardware capabilities of the device as taught by Facebook Mobile (*e.g.*, using larger or more detailed elements on larger touchscreen devices). (EX1002, ¶220.)

A POSITA would have been motivated to make this combination because FarmVille can be accessed through Facebook and Facebook Mobile teaches how Facebook operates. (EX1030, 2.) A POSITA would have understood that FarmVille (*e.g.*, as accessed through Facebook) would likewise be presented in a device-specific manner as taught by Facebook Mobile. (EX1002, ¶221.)

The combination would predictably improve the usability and presentation of the game across those devices while preserving the same underlying gameplay. (EX1002, ¶222.) It also would have been straightforward with a reasonable expectation of success, as Facebook Mobile already demonstrates that this was effective and implemented. (EX1030, 2-3; EX1002, ¶223.) The combination also would have been obvious to try, as there were a finite number of predictable approaches to presenting content across multiple devices (*e.g.*, providing the same

or adapted presentation). Facebook Mobile expressly teaches the device-specific approach, and applying it to FarmVille would have been a routine design choice. Facebook Mobile’s known benefits would prompt its application in the same field based on design incentives and market forces. (EX1002, ¶224.)

3. Claim 1

The combination discloses or renders obvious claim 1 as discussed above with respect to Ground 1. (*Supra* §IV.A; EX1002, ¶¶225-236.) In particular, Facebook Mobile discloses or suggests 1[C][1] because Facebook “tweak[ed] UI elements on the fly depending on what device you’re accessing the site from.” (EX1030, 2.) “In addition to paying attention to a phone’s hardware capabilities (if your phone doesn’t support location, you won’t [sic] be able to use Places), Facebook is also optimizing graphics on the fly — you can see three different versions of the Share button in the graphic below.” (*Id.*, 3; EX1002, ¶¶229-231.)



(EX1030, 3.)

4. Claims 2-5, 7-10, and 12-17

The combination discloses or renders obvious these claims as discussed above with respect to Ground 1. (*Supra* §IV.A; EX1002, ¶¶237-271.)

D. Ground 4: FarmVille, Tweet Land, Facebook Mobile, and Farm Mania Render Obvious Claims 6, 11, and 18.

1. A POSITA would have been motivated to combine FarmVille-Tweet Land-Facebook Mobile with Farm Mania.

As discussed in Ground 2, it would have been obvious to combine Farm Mania’s teaching of “casual mode” with the teachings of FarmVille-Tweet Land-Facebook Mobile to allow a player to select a “casual mode” that would not impose time limits on events. (*Supra* §IV.B.2; EX1002, ¶272.)

2. Claims 6/11/18

The combination discloses or suggests these claims as discussed above with respect to Ground 2. (EX1002, ¶¶273-275.)

E. Ground 5: Barclay ’019 and Barclay ’363 Render Obvious Claims 1-3, 5-8, 10-15, and 17-18.

1. Summary of Barclay ’019

Barclay ’019 was filed on March 2, 2012, and thus qualifies as prior art under §102(e). (EX1006, 1.) The Examiner never found, and Applicant never cited, Barclay ’019 during prosecution. (EX1002, ¶¶276-279.) Barclay ’019 provides a *video gaming application*. Referring to FIG. 3 (below), a wagering game machine “can present wagering games, such as *video poker, video black jack, video slots, video lottery*[.]” (EX1006, 22:25-27.)

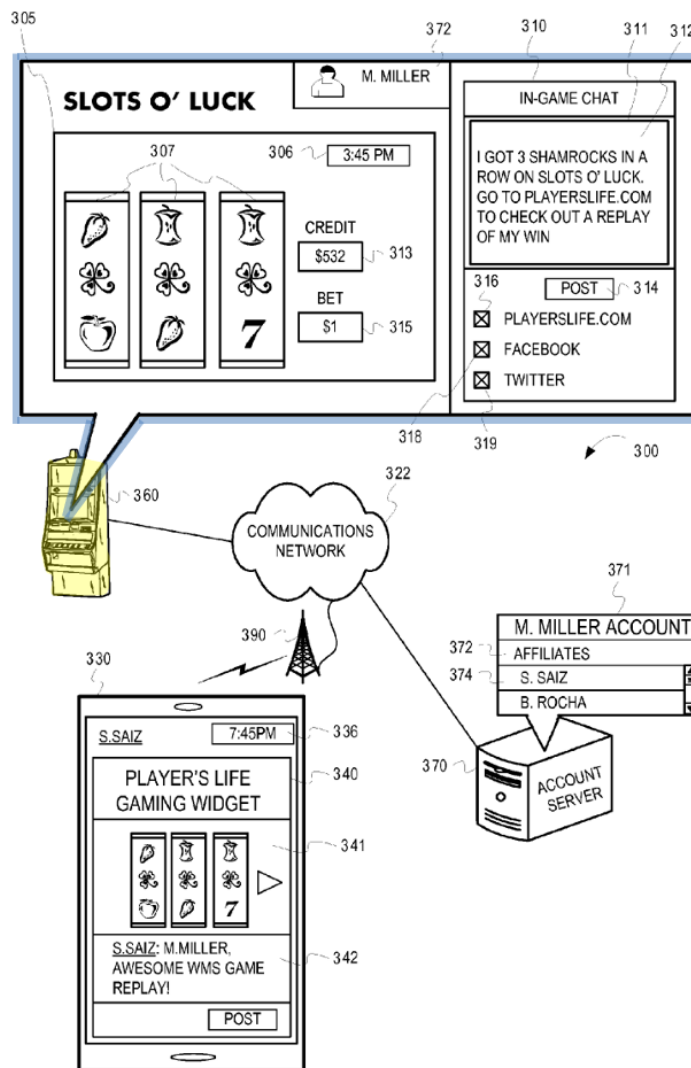
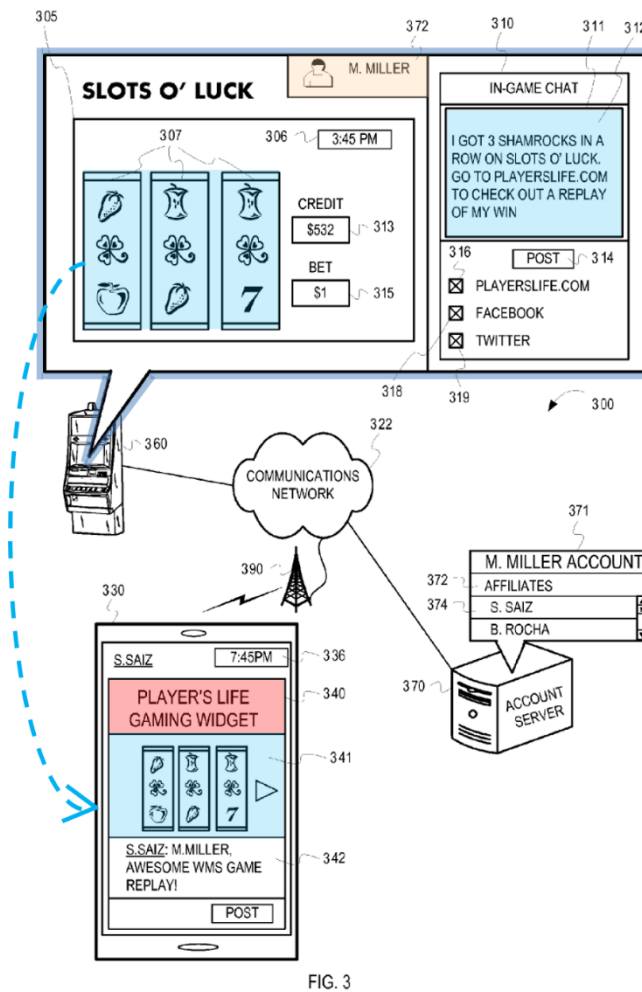


FIG. 3

(EX1006.)

From the wagering machine, “*player [M. Miller]* can receive a specific gaming result (e.g., a random result of *three shamrocks in a row . . .*)” and publish it along with a message “to one or more *social networking venues* (e.g., to *Playerslife.com*, to *Facebook.com*, to *Twitter.com*, etc.)[.]” (EX1006, 9:40-44, 9:48-52.) Referring to FIG. 3, the *gameplay result* was posted on *Playerslife*, as

shown on S. Saiz's mobile device. In Barclay, “gaming widget” refers to “an application on a webpage [] of a social network website (e.g., Facebook.com)[.]” (*Id.*, 13:4-8.)



(EX1006.)

Further, a “social contact of the first user (e.g., a second user, S. Saiz[])” “posts a **comment 342**” to the **published gameplay result**. (EX1006, 10:1-11.)

“The **comment 342** includes the key phrase 132C (i.e., the phrase ‘WMS game replay’). The server 150, for example, may **award** the second user . . . for the usage of the key phrase 132C.” (*Id.*, 10:11-15.)

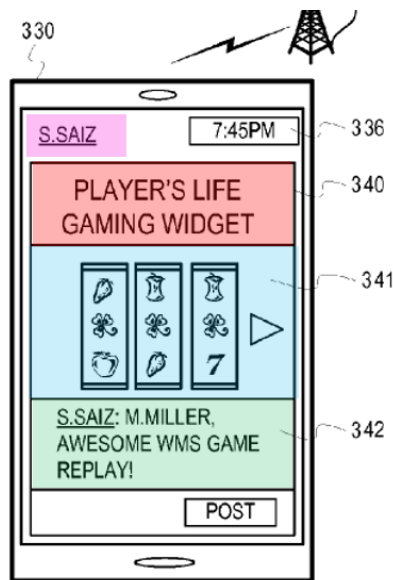


FIG. 3

(EX1006, Excerpt of FIG. 3.)

2. Summary of Barclay '363

Barclay '363 was filed on March 29, 2012, and thus qualifies as prior art under §102(e). (EX1007, 1.) Barclay '363 was listed in a Notice of References Cited, but the Examiner did not apply Barclay '363 in any of the Office Actions. (EX1003, 269; EX1002, ¶¶280-282.)

Barclay '363 discloses additional ways to **modify play** of the video gaming application based on social-network **interactions** by **non-players**. For example,

“instructions indicated in *friend accounts' comments* can . . . specify what the wagering game player account should do during the wagering game session” and the system can “*enforce the results of the vote (e.g., authorize the wagering game machine to bet for the wagering game player account based on audience vote).*” (EX1007, [0083].)

3. A POSITA would have been motivated to combine Barclay '019 and Barclay '363.

It would have been obvious to combine the teachings of the Barclay references. Both Barclay references were filed by the same applicant, share multiple inventors, share similar system architectures and user devices, and address the same problem of increasing player engagement through social-network activity in video games. (EX1006, Abstract, 2:40-56, 14:50-19:46, FIGS. 8-12; EX1007, Title, Abstract, [0041], [0052]-[0061], FIGS. 2, 6-8; EX1002, ¶283.) They are analogous to the '132 patent because they are in the same field of endeavor and relate to the same technical problems. (EX1001, Abstract.)

Barclay '019 discloses analyzing social-network *comments* and *modifying* play accordingly. Barclay '363 discloses two related features: (1) allowing *non-player social network friends* to comment to modify play; and (2) additional ways that social-network *comments* can “*affect [and] control*” *play*, such as allowing comments to vote on how much to wager and enforcing the voting results.

(EX1007, [0083].) The Barclay '019-Barclay '363 (“Barclay-Barclay”) combination would perform the operations disclosed in Barclay '019 and would additionally (1) allow *non-player social network friends* to comment to modify play and (2) enable more ways to *modify play* via comments as taught by Barclay '363. (EX1002, ¶¶284-285.)

The combination would predictably expand participation to non-players and provide a more entertaining game environment where social-network interactions directly affect how the game looks/plays. This would encourage greater user engagement, consistent with the goal of both references. (EX1006, Abstract, 2:40-56; EX1007, Title, Abstract, [0041]; EX1002, ¶¶286-287.) The known benefits of Barclay '363 would prompt its application in the same field based on design incentives and market forces and improve Barclay '019 in the same way. It also would have been obvious to try combining the references, as there were only a finite number of ways to expand participation and to use social-network activities to influence games (*e.g.*, awarding points, displaying content, or affecting gameplay mechanics). Both references disclose compatible server architectures and user devices, and Barclay '019 already disclosed parsing and analyzing social-network comments. (*See, e.g.*, EX1006, 14:50-19:46, FIGS. 8-12; EX1007, [0052]-[0061], FIGS. 2, 6-8.) The combination would have been straightforward and readily achievable by a POSITA with a reasonable expectation of success,

because prior art such as Barclay '363 have successfully demonstrated that direct gameplay control and non-player participation provide improved user experience. (EX1002, ¶¶288-290.)

4. Claim 1

a. 1[PR]: “A computer-implemented method using one or more computing devices for implementing a *video gaming application*, comprising:”

To the extent limiting, Barclay '019 discloses this preamble. (EX1002, ¶¶291-299.)

First, Barclay '019 discloses implementing a *video gaming application*. FIG. 3 below depicts “a wagering game machine 360” providing access to a *video gaming application*. (EX1006, 9:12-13.) Barclay '019 states that “the wagering game unit [] can present wagering games, such as *video poker, video black jack, video slots, video lottery*, reel slots, etc., in whole or part.” (*Id.*, 22:25-27; *see also id.*, 19:17-31, 23:17-22.)

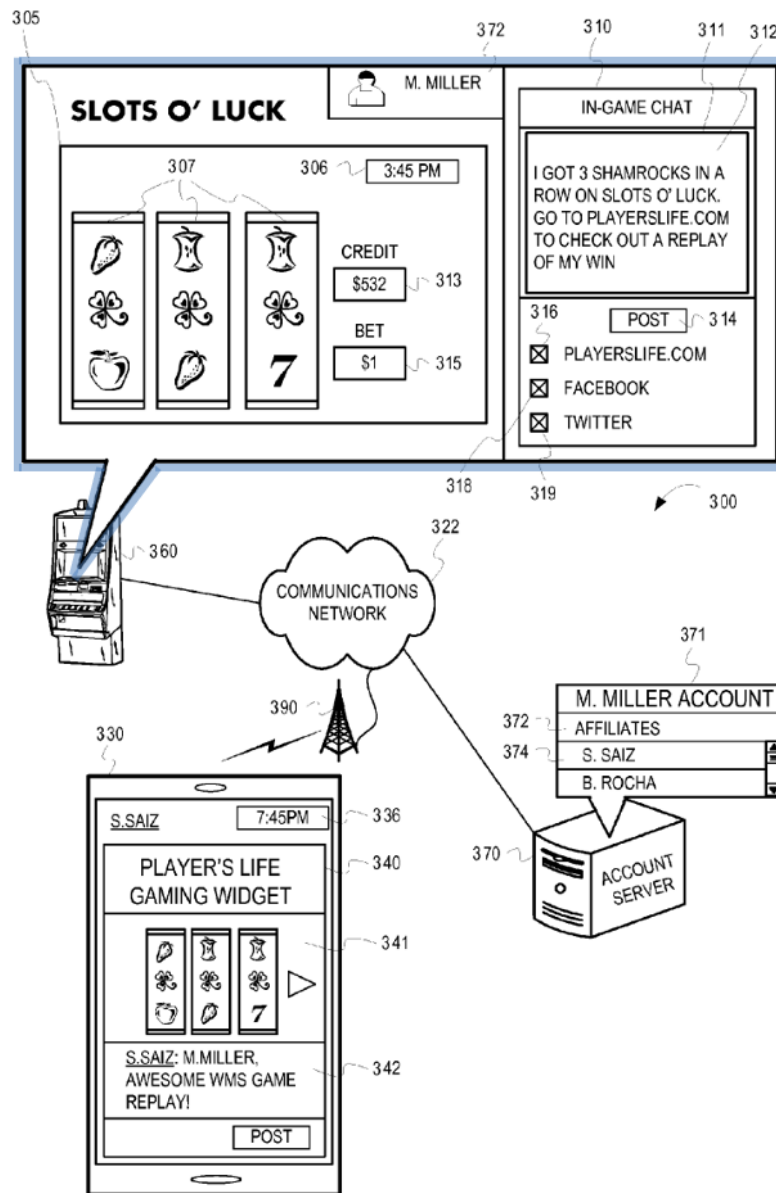


FIG. 3

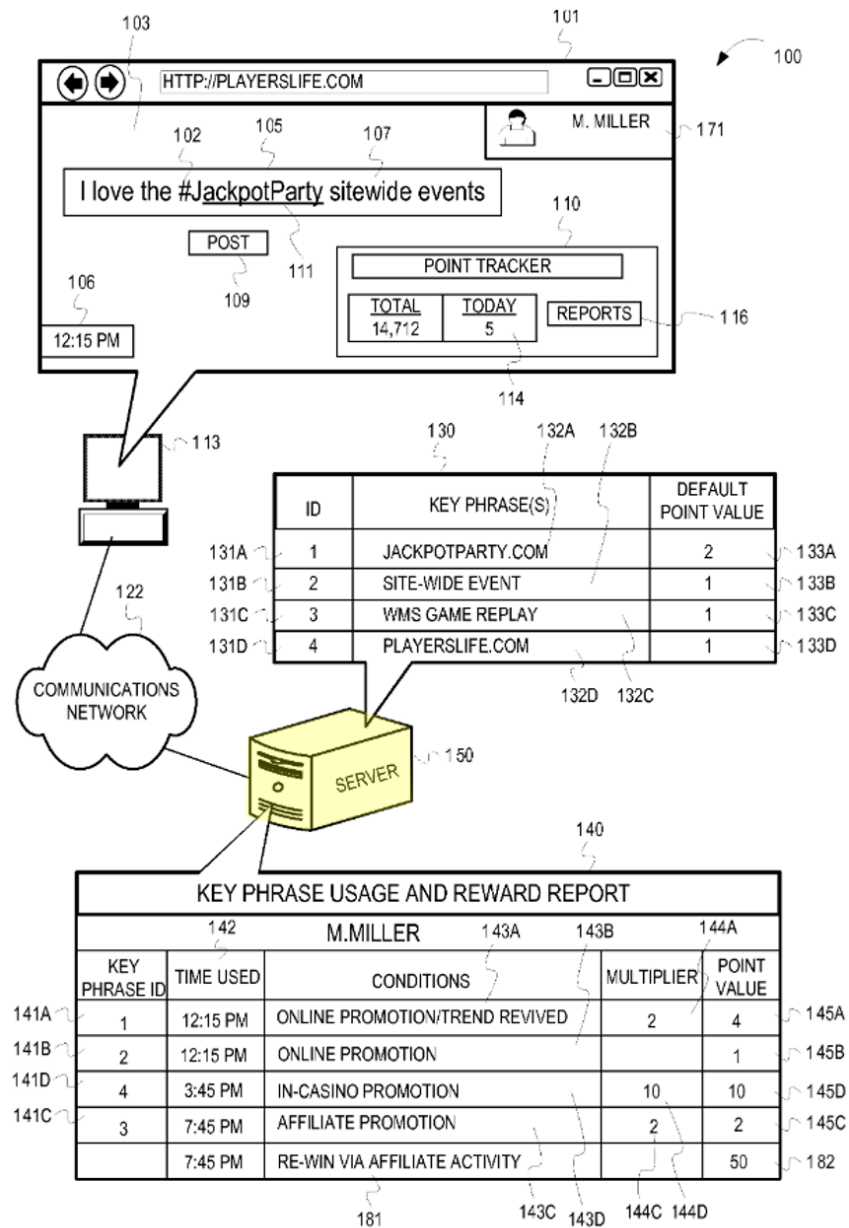
(EX1006.)

Barclay '019 explains that its games are *gaming application(s)*. The user device can “include an application management module 863 configured to manage multiple instances of *gaming applications*” and “control window locations on a wagering game screen or display for the *multiple gaming applications*.” (EX1006,

15:50-16:20; *see also id.*, 16:65-17:7 (“multiple ***gaming applications*** on a wagering game machine may need to coordinate many different types of gaming and casino services events”), 17:48-51, 18:34-41.)

Second, Barclay '019 discloses using one or more ***computing devices*** for implementing Barclay '019's ***video gaming application***. Barclay '019 states that ***user devices*** are “computing devices.” (*E.g.*, EX1006, 1:39-42 (“[a]ny individual with a personal ***computing device*** . . . can connect to the Internet and play ***wagering games***”), 5:29-34 (“[m]ultiple users can be connected to the networks via ***computing devices***”), 5:40-41.) Barclay '019's ***video gaming application*** is implemented using these user devices. (*Id.*, 15:50-52 (stating that user devices such as “client 860 . . . manage multiple instances of ***gaming applications***”); *see also infra* §IV.E.4.b.)

Barclay '019's ***video gaming application*** is also implemented using ***servers***. For example, “the wagering game machine 360 . . . communicate[s] with, and or receive[s] communications with, a ***gaming server***, such as with the ***server 150 described in FIG. 1 . . .***” (EX1006, 9:19-24; *see also id.*, 2:57-64, 19:24-28.)



(EX1006.)

FIG. 8 provides the architecture diagram of the wagering game system, disclosing various *servers* for implementing the *video gaming application*. For example, “a *wagering game server 850* [is] configured to control wagering game content, provide random numbers, and communicate wagering game information,

account information, and other information to and from a client 860.” (EX1006, 15:3-37; *see also id.*, 19:17-31.) Further, Barclay ’019’s **web server 890** or **secondary content server 840** can “present multiple **wagering game applications** on the client 860 via a wagering game website, or other gaming-type venue accessible via the Internet.” (*Id.*, 18:34-41; *see also id.*, 17:48-51.) A POSITA would have understood that these servers are computing devices.

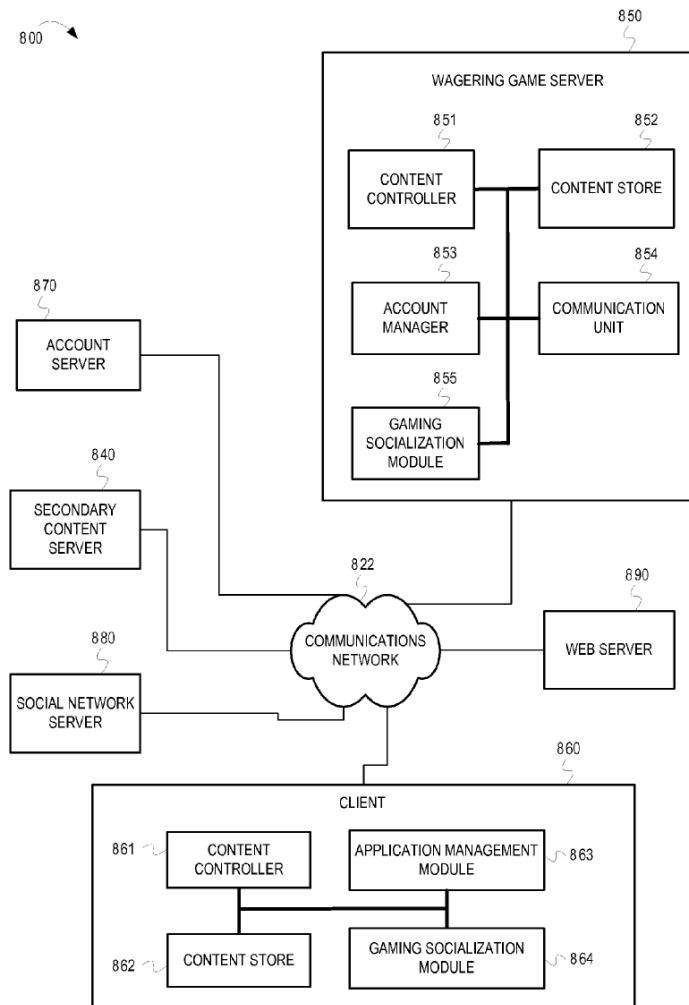


FIG. 8

(EX1006.)

Barclay '019 discloses a computer-implemented method for performing its operations. (*E.g.*, EX1006, claims 1-6, 21, 24, 20:24, 23:16.)

b. 1[A][1]: “providing access by one or more user devices of one or more players to the *video gaming application*”

Barclay '019 discloses this element. (EX1002, ¶¶300-305.)

Barclay '019 discloses providing access to its *video gaming application* by *user devices* of players of Barclay '019's wagering games. In FIG. 3, the wagering game machine 360 is an exemplary “user device.” “The user can login to the *wagering game machine 360* via a player account 317, indicated via the player login console 372, and play the *wagering game 305* via a wagering game session.” (EX1006, 9:33-36.)

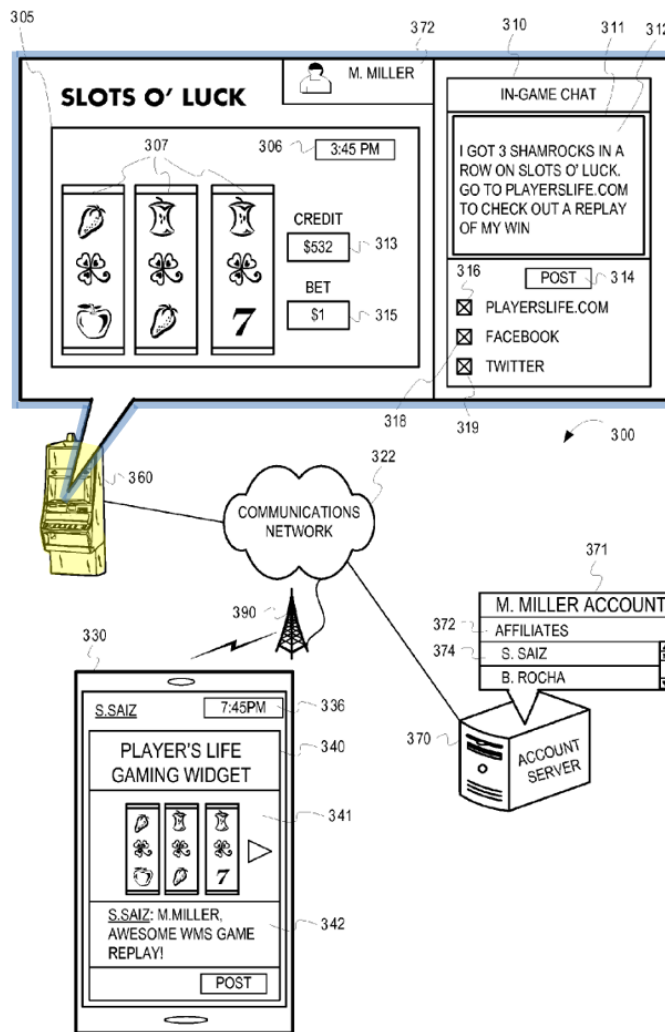
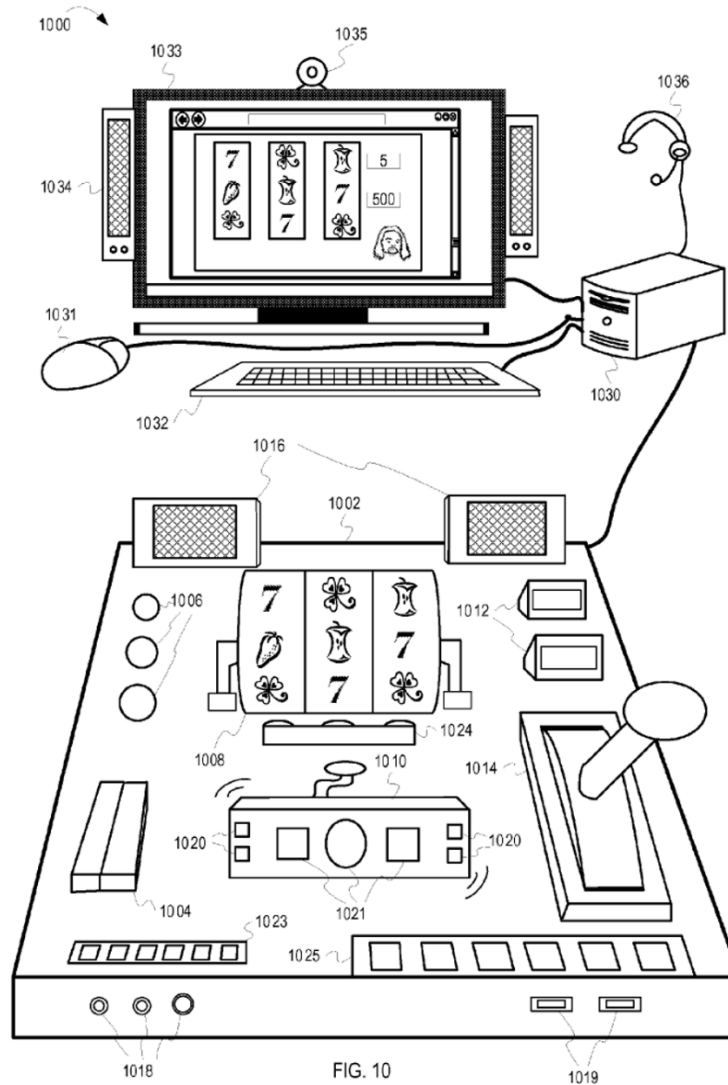


FIG. 3

(EX1006.)

Barclay '019 discloses many examples of *user devices*. Referring to the architecture in FIG. 8, “*client 860* [is] configured to present *wagering games*” and “the client 860 can take the form of a wagering game machine. Examples of wagering game machines can include *floor standing models, handheld mobile units, bar-top models, workstation-type console models, surface computing machines*, etc. Further, wagering game machines can be primarily dedicated for

use in conducting wagering games, or can include non-dedicated devices, such as *mobile phones, personal digital assistants, personal computers, etc.*” (EX1006, 15:38-45, 19:8-16; *see also id.*, 17:48-51, 18:36-39, 19:50-24:54, FIGS. 9-12.) Additional examples are shown in FIGS. 10 and 12 below. (*See id.*, 20:39-21:50, 23:10-22, 23:48-50.)



(EX1006.)

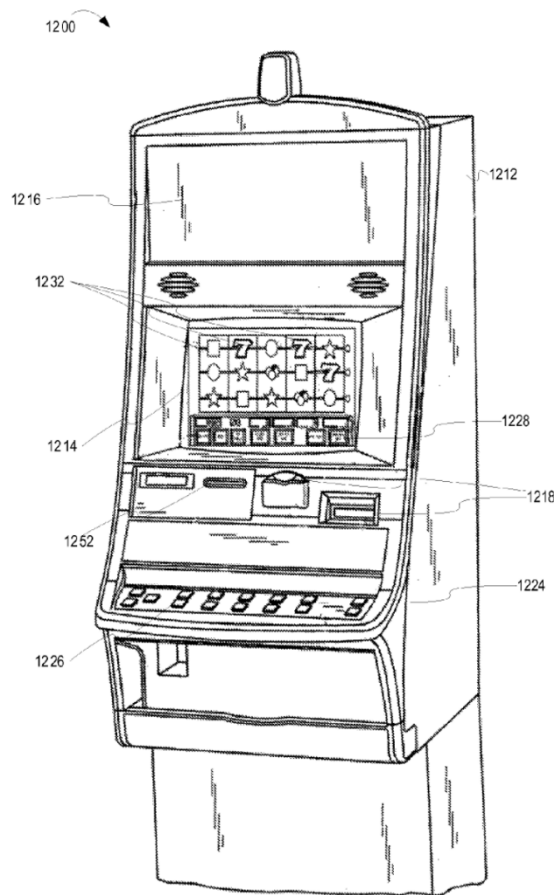


FIG. 12

(EX1006.)

Barclay '019 discloses that access to Barclay '019's *video gaming application* is provided by the user devices of one or more *players*. “*Any individual* with a personal computing device . . . can connect to the Internet and play *wagering games*.” (EX1006, 1:39-42.)

c. 1[A][2]: “[the video gaming application] operated on at least one of a *social network* server, a *third party server*, and an application provided on electronic devices used by the one or more players;”

Barclay '019 discloses this element. (EX1002, ¶¶306-314.)

First, Barclay '019's *video gaming application* is operated on a *social network server* because a social network website hosted by the *social network server* (in addition to wagering game machines in FIG. 3, laptops, etc.) provides/enables gameplay . (*Supra* §IV.E.4.b; EX1006, 9:33-36, 15:38-45.) For example, as shown in FIG. 7, a “wagering widget 710 can be an *application* on a webpage 703 of a *social network website* (e.g., Facebook.com).” (EX1006, 13:4-8; *see also id.*, 12:30-36.) Thus, *Facebook* servers operate some user interfaces of the *video gaming application* that provide and enable gameplay. (EX1002, ¶307.)

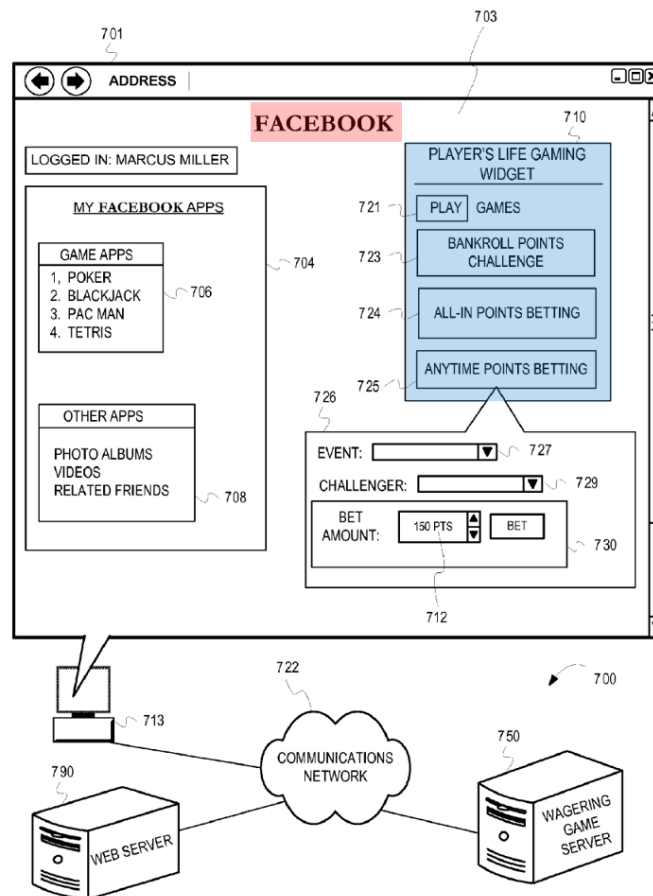


FIG. 7

(EX1006.)

Second, Barclay '019's *video gaming application* is operated at least partially on a *third party server*. (EX1002, ¶¶ 308-311.) “[T]he *wagering game* machine 360 . . . communicate[s] with, and or receive[s] communications with, a *gaming server*, such as with the *server 150 described in FIG. 1*.” (EX1006, 9:19-24; *see also id.*, 19:19-21, 19:24-28.) Referring to the architecture in FIG. 8, Barclay '019 discloses “*wagering game server 850*”, “*web server 890*,” and “*secondary content server 840*” operate the video gaming application. For example, “*wagering game server 850* [is] configured to control wagering game content. . . .” (*Id.*, 15:3-37; *see also id.*, 15:18-37, 17:48-53, 18:34-41, 19:17-31.)

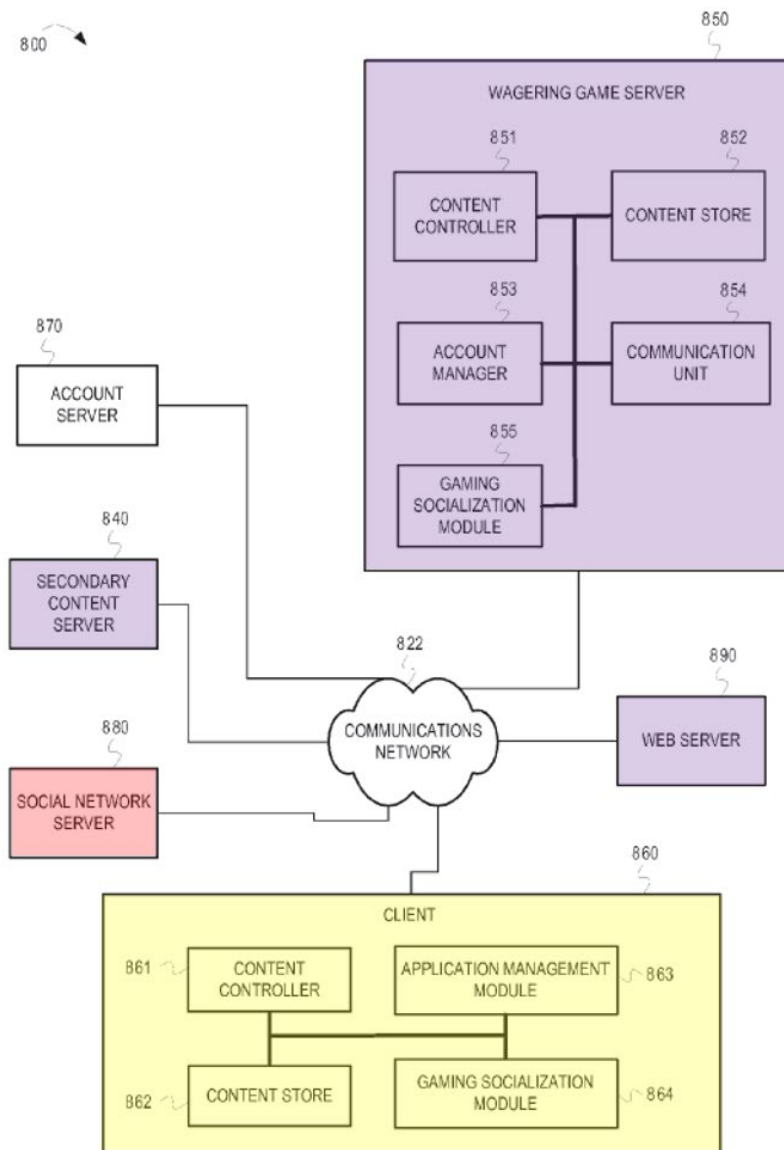


FIG. 8

(EX1006.)

Third, Barclay '019's *video gaming application* is operated on an *application* provided on *electronic devices* used by one or more players. Barclay '019 discloses various player devices. (*Supra* §IV.E.4.b; EX1002, ¶¶312-314.) Further, the user devices provide a *web browser application*, which operates

Barclay '019's *video gaming application* (or at least aspects of it) by enabling players to play in the browser. A "user can use the computer 513 to present the *gaming application* 505 via a *web browser* 501." (EX1006, 11:30-32; *see also id.*, 13:4-8; *see also id.*, 17:48-51, 18:34-39.) Lastly, the application can be the video gaming application itself. Barclay '019 discloses that "multiple *wagering game applications* [can be presented] on the client 860." (EX1006, 17:48-51, 15:50-16:37; *see also id.*, 18:36-39, 21:42-54, 23:25-28, 24:12-17; EX1002, ¶¶313-314.)

d. 1[B]: "providing an interface to the video gaming application via at least one of a *social network* interface, a mobile device interface, a gaming console interface, and a browser interface;"

Barclay '019 discloses this element. (EX1002, ¶¶ 315-320.)

Barclay '019 discloses providing an interface to Barclay '019's *video gaming application* via a *social network* interface. As shown in FIG. 7, "wagering widget 710 can be an *application* on a webpage 703 of a *social network* website (e.g., Facebook.com). . . ." (EX1006, 13:4-8; *see also id.*, 12:30-36.)

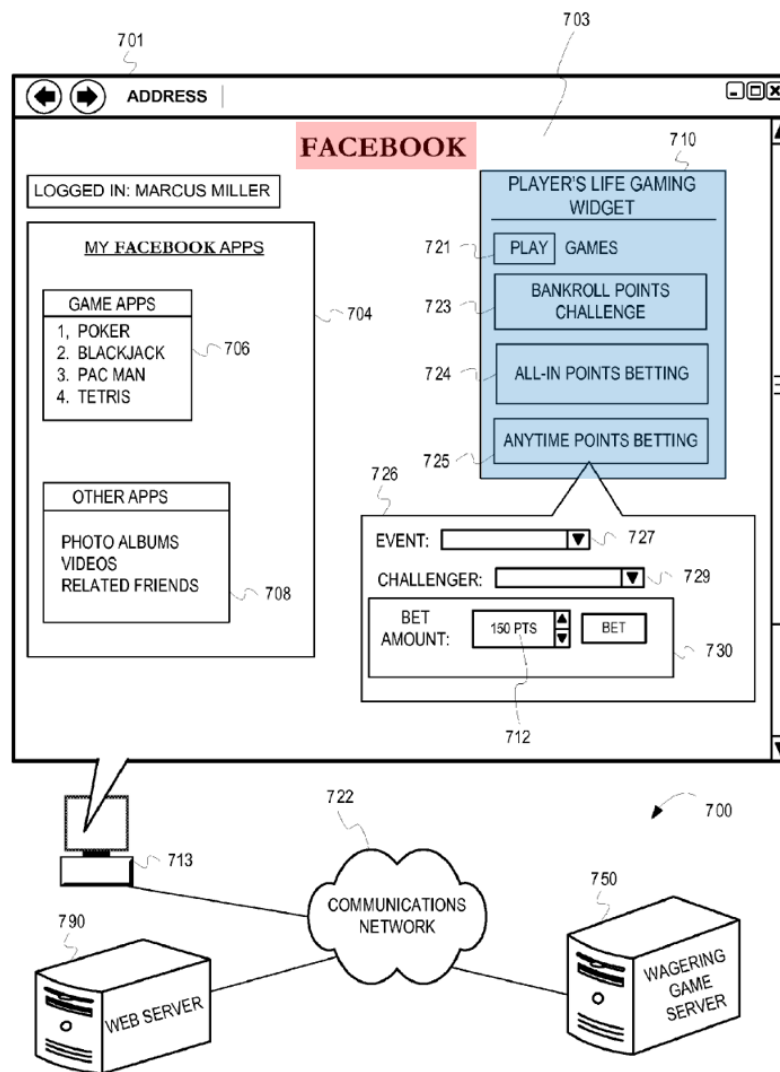


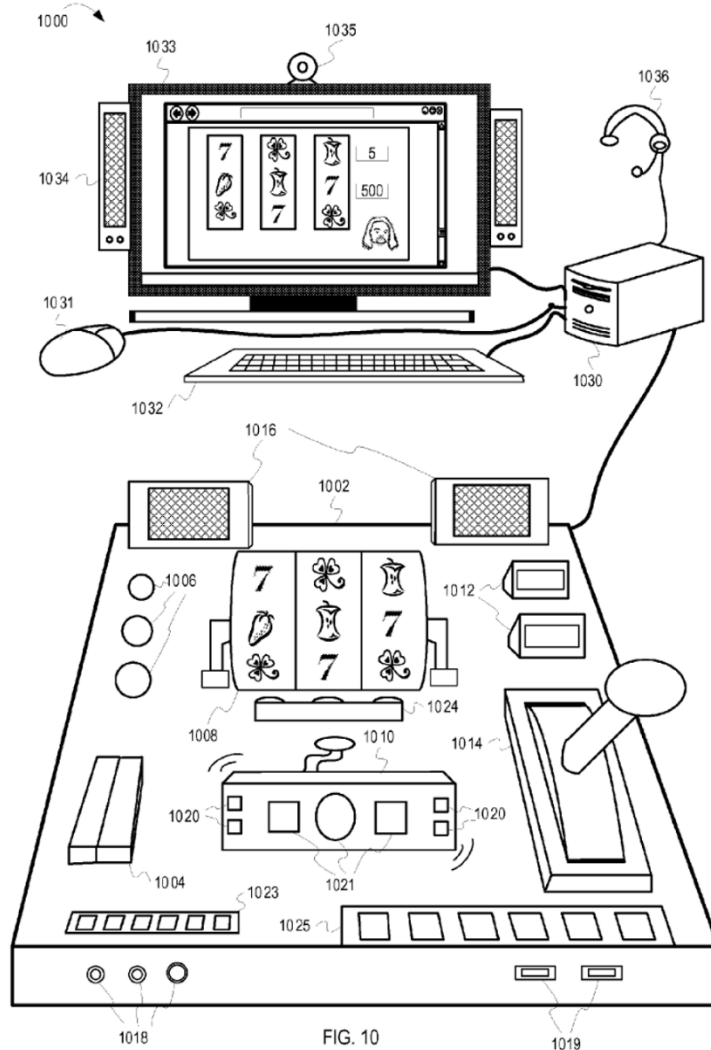
FIG. 7

(EX1006.)

Second, a *mobile device interface* provides an interface to Barclay '019's *video gaming application*. Barclay '019's user device includes a "cell phone" or "mobile phone[]." (EX1006, 15:38-45, 19:13-16.) Thus, by presenting wagering

games and enabling gameplay on mobile devices, a *mobile device interface* provides an interface to Barclay '019's *video gaming application*.

Third, Barclay '019 discloses providing an interface to the *video gaming application* via a *gaming console interface*. “[T]he client 860 can take the form of . . . workstation-type *console models*[.]” (EX1006, 19:8-12.) FIGS. 10 and 12 provide additional examples. (*Id.*, 20:39-21:50, 23:10-22, 23:48-50.)



(EX1006.)

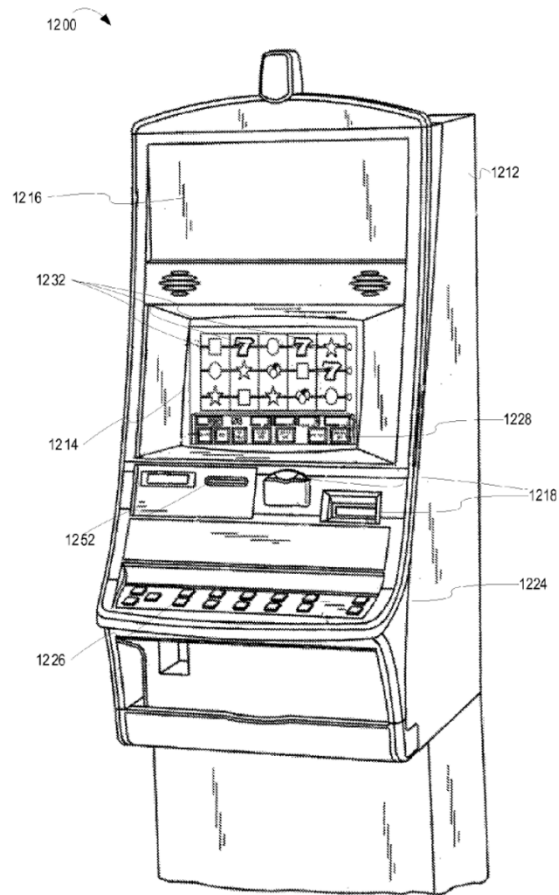


FIG. 12

(EX1006.)

Fourth, a *browser interface* provides an interface to Barclay '019's *video gaming application*. (*Supra* §IV.E.4.c.)

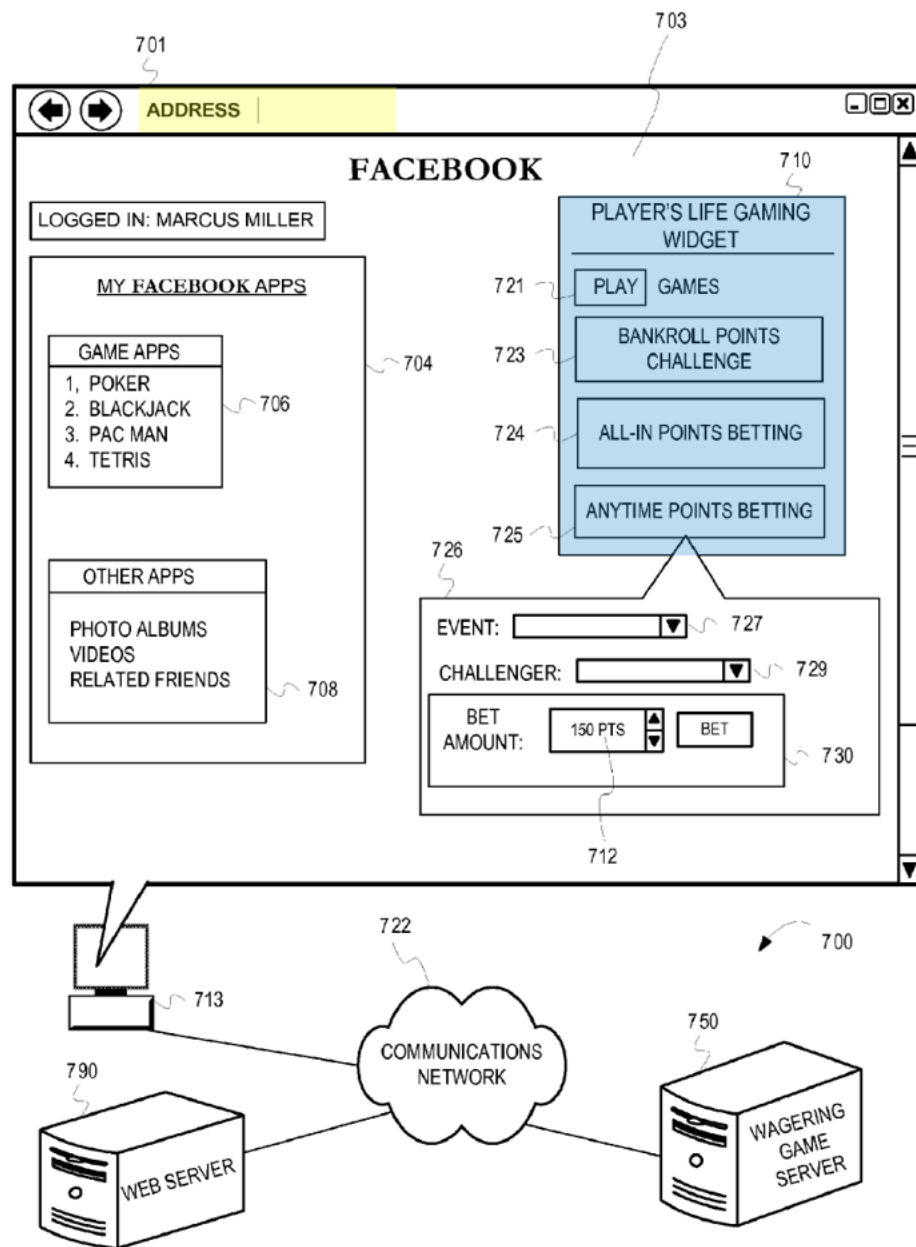


FIG. 7

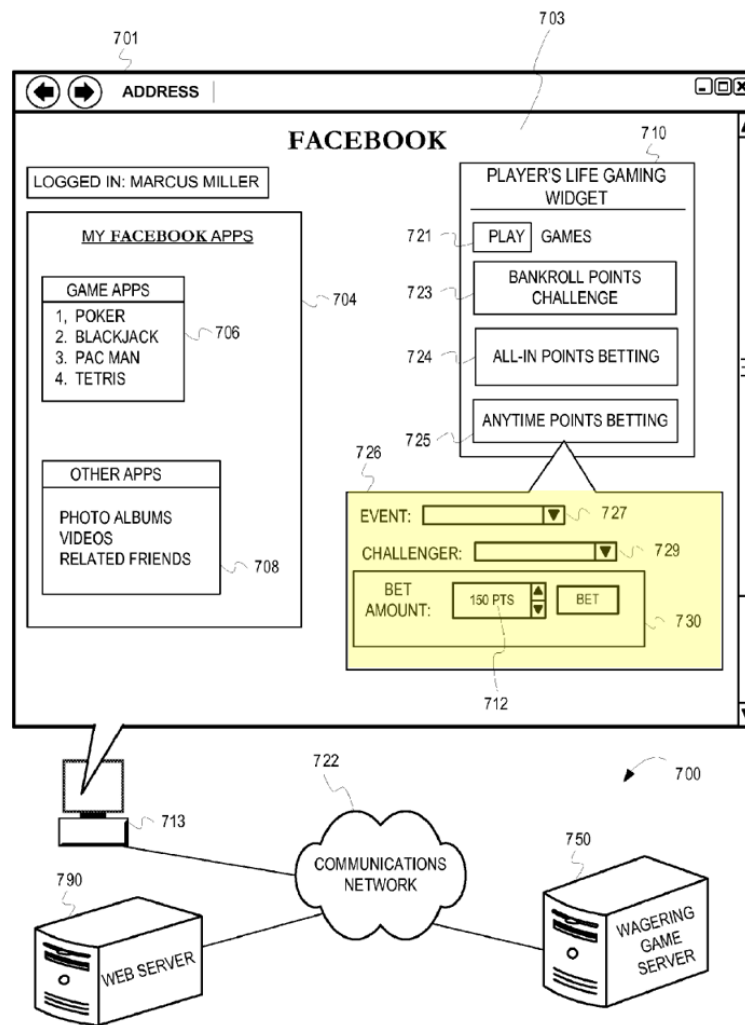
(EX1006.)

e. 1[C][1]: “facilitating *variable and distinct* user experiences based on the one or more user devices that the one or more players use to access the video gaming application, ”

Barclay '019 discloses this element. (EX1002, ¶¶ 321-326.)

First, Barclay '019 discloses player devices. (*Supra* §§IV.E.4.b, IV.E.4.d.)

Second, Barclay '019 discloses facilitating *variable and distinct* user experiences based on the user devices. FIG. 7 depicts Barclay '019's gaming experience in a web browser on a computer. The user experience includes *two-dimensional panels (e.g., “wagering panel 726”) and controls that a user can interact with via clicks*. (EX1006, 12:31-41, 13:4-8.)



(EX1006.)

In contrast, FIG. 12 depicts user experiences on a dedicated wagering game machine 1200, which “includes a *primary display* 1214 for displaying information about a basic wagering game” and “a *secondary display* 1216 for displaying wagering game events, wagering game outcomes, and/or signage information.” (EX1006, 23:25-32.) The wagering game machine 1200 also includes “*push*

buttons on a button panel 1226 for operating the wagering game machine 1200.”

(*Id.*, 23:48-50; *see also id.*, 9:31-33.)

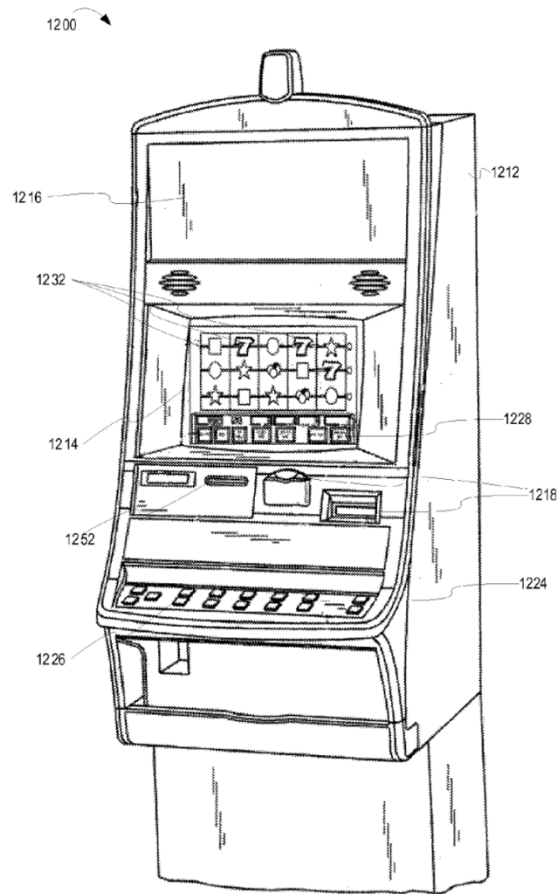


FIG. 12

(EX1006.)

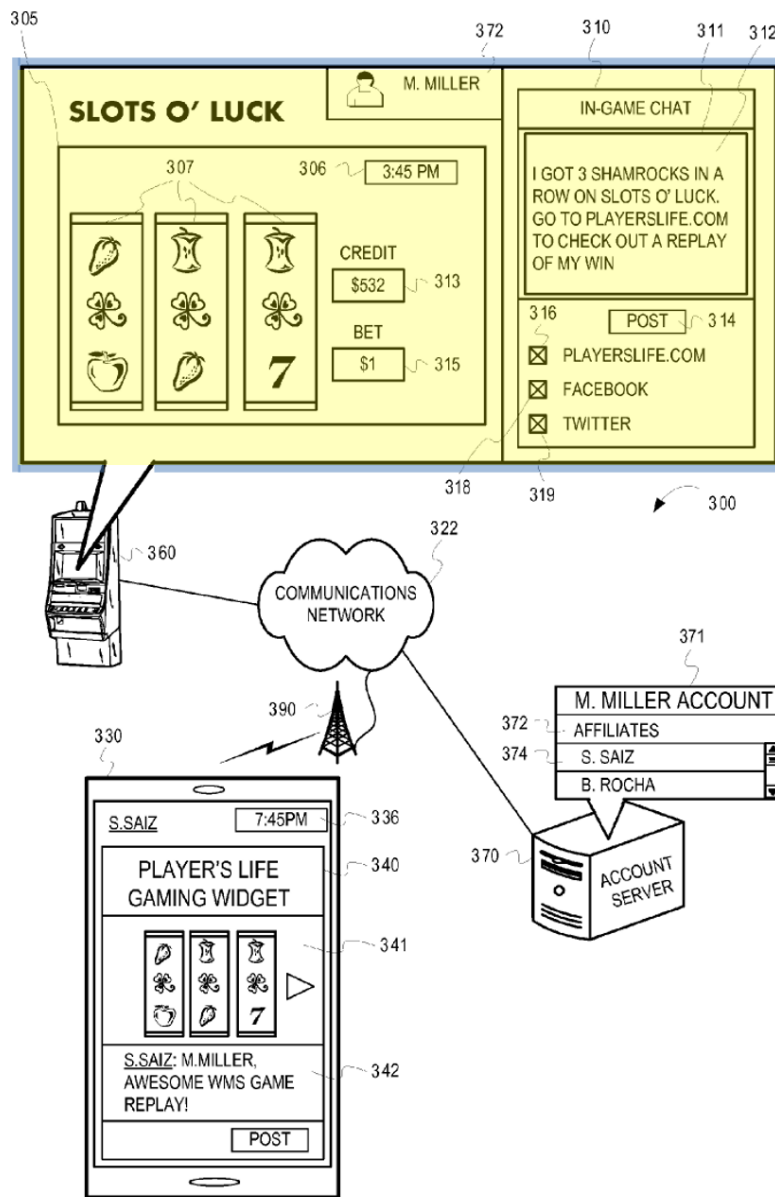
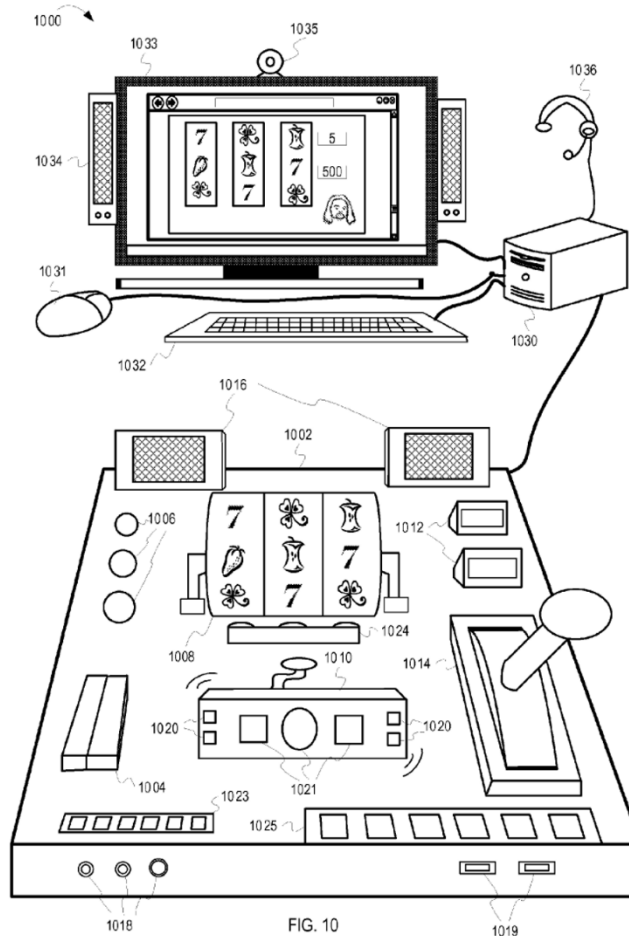


FIG. 3

(EX1006.)

Further, FIG. 10 depicts another device-specific user experience. The system 1000 includes “*reels 1008*, game meters 1012, indicators 1006, a game control device 1010, a *physical lever 1014*, a magnetic card reader 1004, a *video projection device 1024*” and “an electronic (e.g., digital) *button panel 1025* . . . or

any other type of *changeable panel that can change appearance and/or configuration* based on the game being played, the action being performed, and/or other activity presented within an online gaming venue.” (EX1006, 20:39-21:50.)



(EX1006.)

In summary, Barclay '019's user experiences are *variable and distinct* in the input device (e.g., *mouse, physical buttons, levers*), in the output device (e.g., *single display, dual-display, three-dimensional reels*), in presentation of the wagering games (e.g., *GUI layouts, two-dimensional v. three-dimensional reels*),

etc. Thus, the particular user device affects the manner in which the user provides input, receives output, perceives the wagering game, and interacts with and plays the wagering game, thereby receiving variable and distinct user experiences based on the user device. (EX1002, ¶326.)

f. 1[C][2]: “the variable and distinct user experiences including at least one of a three-dimensional user interface and a two-dimensional user interface;”

Barclay '019 discloses this element. (EX1002, ¶¶327-331.)

First, Barclay '019's user experiences include *two-dimensional user interfaces*, shown in FIGS. 3, 7, 10, and 12. These user interfaces include two-dimensional objects, panels, and controls. (EX1002, ¶¶ 328-330.)

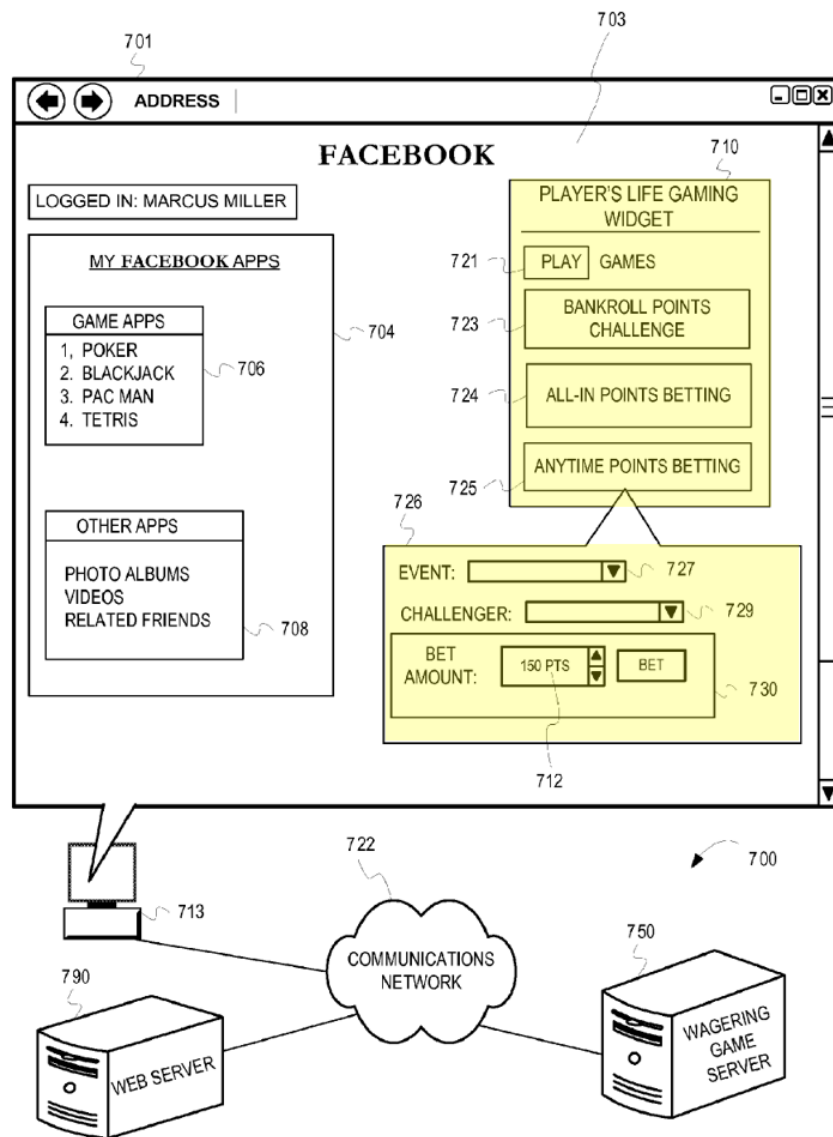


FIG. 7

(EX1006.)

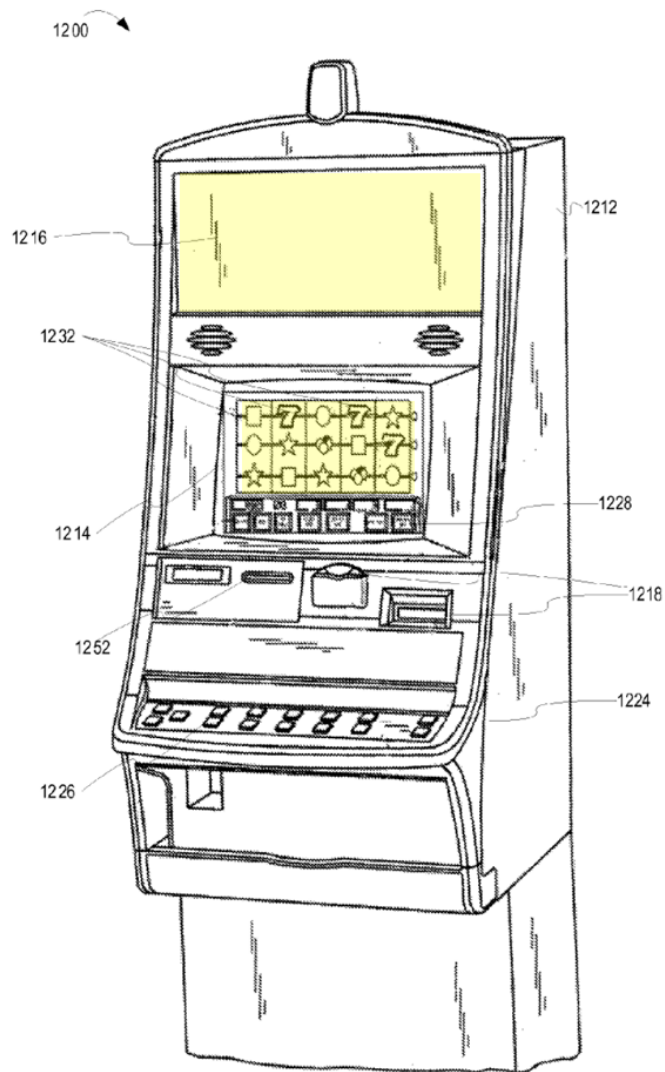
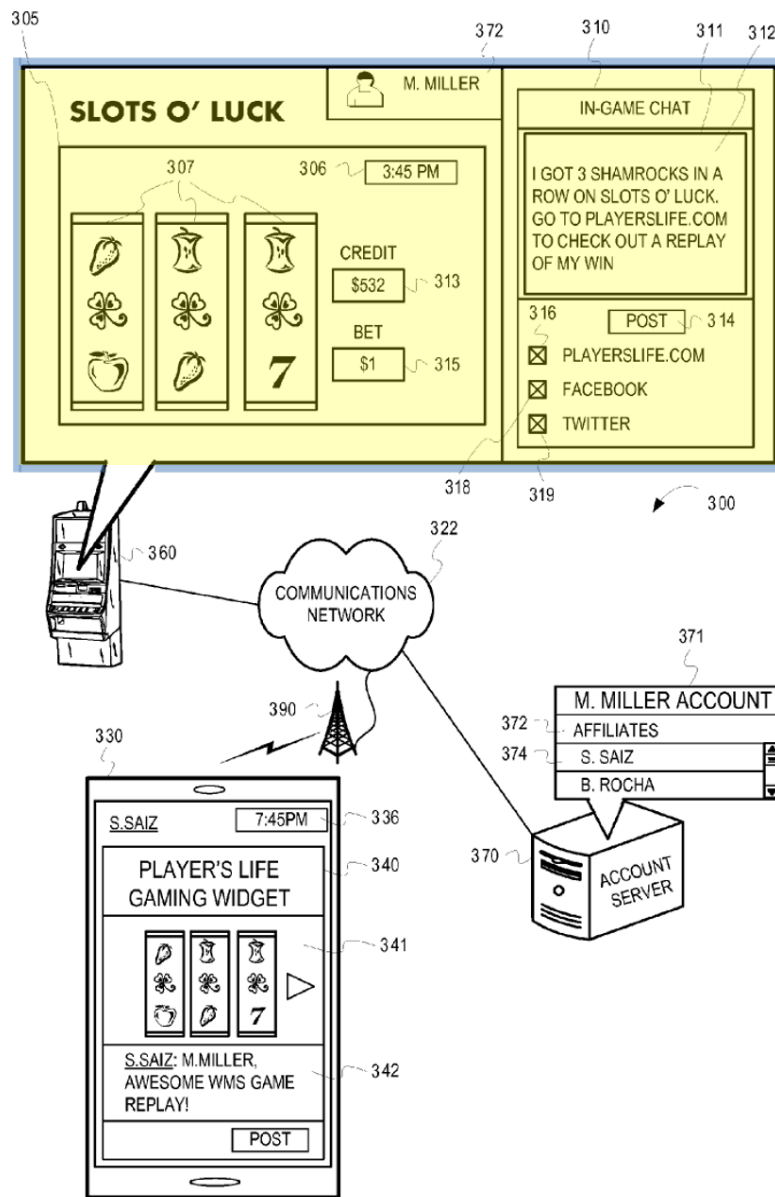
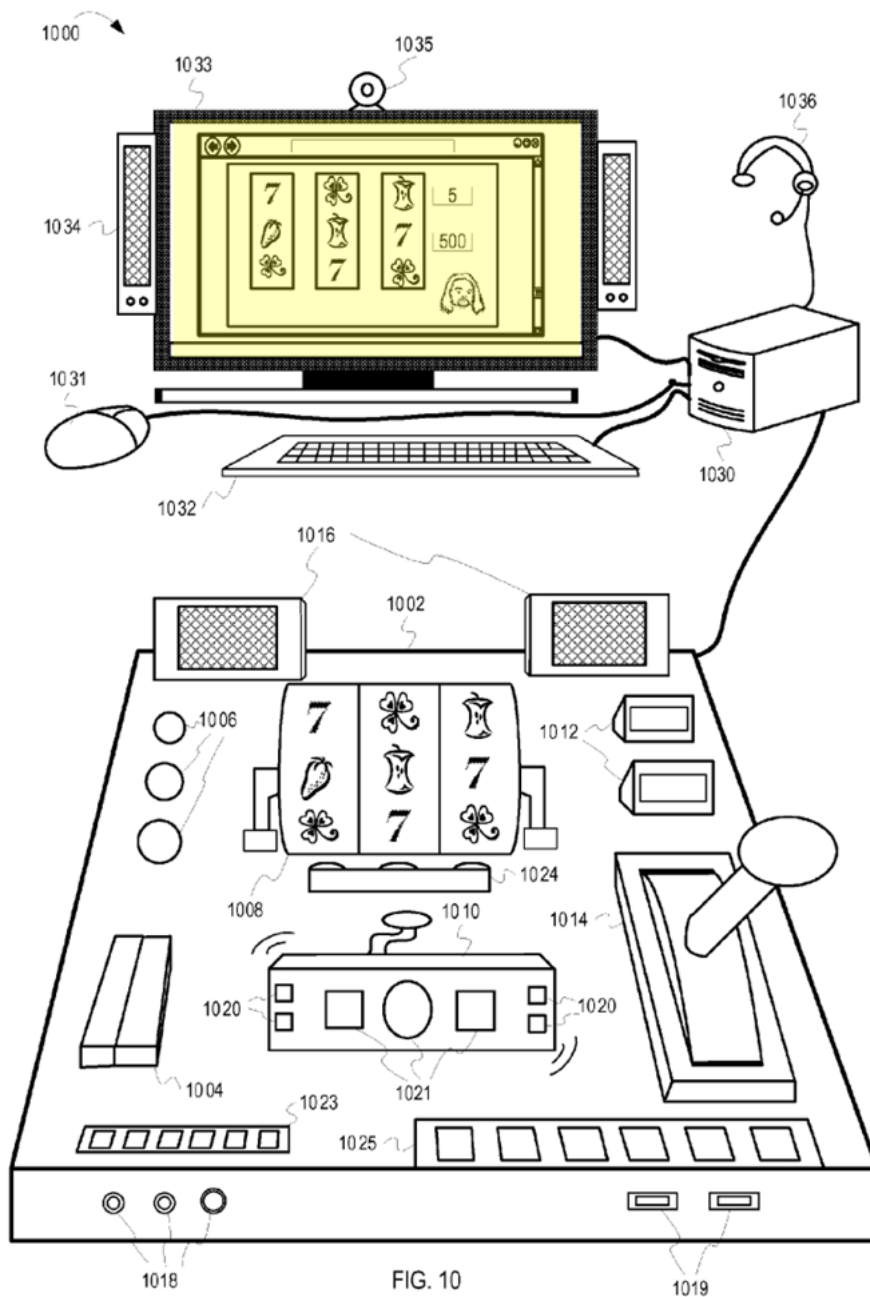


FIG. 12

(EX1006.)



(EX1006.)



(EX1006.)

Second, Barclay '019's user experiences include *three-dimensional user interfaces*. (EX1002, ¶ 331.) For example, the system in FIG. 10 (above) includes three-dimensional objects such as “reels 1008, game meters 1012, indicators 1006,

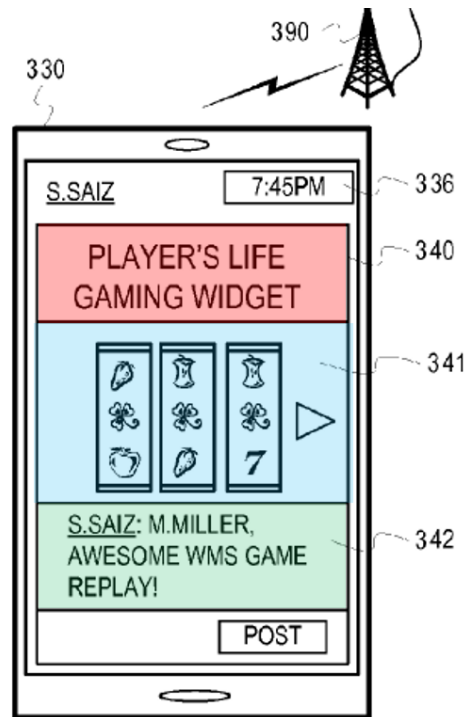
a game control device 1010, a physical lever 1014, a magnetic card reader 1004, [and] a video projection device 1024” (EX1006, 20:39-21:50.)

g. 1[D][1]: “receiving, via the *social network* server, one or more social network *interactions* from one or more *non-players*, ”

Barclay-Barclay discloses or suggests this. (EX1002, ¶¶ 332-341.)

Barclay '019 discloses receiving, via the *social network* server, social network *comments* from a player's social contact S. Saiz. In Barclay '019, a player can post about the game “to one or more *social networking* venues (e.g., to Playerslife.com, to Facebook.com, to Twitter.com, etc.)[.]” (EX1006, 9:48-52.)

As shown in FIG. 3, the *gameplay result (three shamrocks in a row)* is posted on *Playerslife*. “[A] social contact of the first user (e.g., a second user, S. Saiz, who is a friend of the first user, Marcus Miller) . . . views a replay of the player's achievement (e.g., S. Saiz views at 7:45 PM, as indicated by the clock 336, the replay 341) and *posts a comment 342* (e.g., via the post control 343).” (*Id.*, 10:1-11.)



(EX1006, Excerpt of FIG. 3.)

To the extent that Barclay '019 does not disclose that S. Saiz is a *non-player*, Barclay '363 discloses this. Like in Barclay '019, FIG. 4 of Barclay '363 shows that a game *event (winning of 500 credits)* of a wagering game player ("Amy S.") is posted to a *social network* ("FACEPAGE"). (EX1007, [0067]; *see also id.*, [0070].)

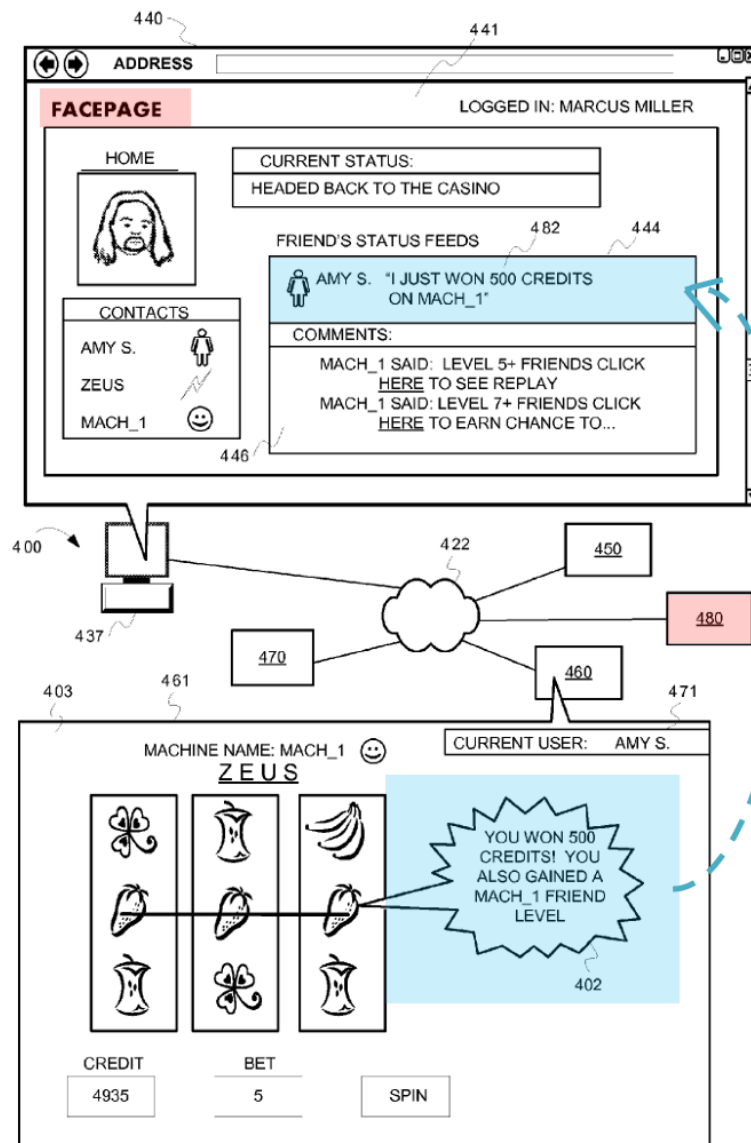


FIG. 4

(EX1007.)

Barclay '363 proceeds to describe that in situations such as FIG. 4 above “*friend accounts*” can provide *comments* on the social network post (e.g., as posted by player Amy S.). For example, “a comment feature 143 can present options for the social network account 144 to *comment* about the social network

account 145[.]” (EX1007, [0047]; *see also id.*, [0072], [0082].) “[T]he system can use instructions indicated in *friend accounts' comments* to influence a gaming effect during the wagering game player account's wagering game session. In some embodiments, *instructions indicated in friend accounts' comments* can indicate likes, dislikes, preferences, or some other voting feature related to the wagering game session[.]” (*Id.*, [0083].) In Barclay '363, the *friend accounts* include players and *non-players*, because it states a friend account may or may not own a wagering game player account. (*See id.*, [0084] (“*if the friend account also owns a wagering game player account*, the system can make the friend account's player account eligible to receive rewards on the wagering game network”).)

Thus, in the Barclay-Barclay combination, a social network friend who is a *non-player*, as taught by Barclay '363, would be able to comment on social network posts related to the wagering game to modify play of the game, as taught by both Barclay '019 and Barclay '363. (*Supra* §IV.E.3; *infra* §IV.E.4.j.)

In both Barclay '019 and Barclay '363, the social network *comments* are received “via the *social network* server.” Barclay '019 states a “*social network* server 880 [is] configured to . . . control *social networking communication*[.]” (EX1006, 18:18-21.) Thus, it would have been obvious that the comment on the *social network* (*i.e.*, *Playerslife*, *Facebook*, *Twitter*) would be received by the

social network server that operates the social network and controls the communication. (EX1002, ¶¶ 339-340.)

Similarly, Barclay '363 discloses “a **social network** server 290 configured to . . . control **social networking communications**[.]” (EX1007, [0055].) For example, “[t]he **social network** server 180 can send a **comment** made by the social network account 144 . . . to the account server 170 and/or the wagering game server 150.” (*Id.*, [0047]; *see also id.*, [0054], [0082].)

To the extent that the claim requires that **gaming servers** receive social network interactions via the **social network** server (not conceded), it would have been obvious to a POSITA that **gaming servers** would receive the comments (*e.g.*, from the social network server) in order to analyze the comments and operate the game (*e.g.*, parse comments and enforce the vote). (*See* EX1006, 15:27-32 (“**wagering game server 850** can . . . track activities performed via player input including, but not limited to, gaming promotions, **social communication publishing, affiliate gaming activities**”), 6:58-63; EX1007, [0083].)

h. 1[D][2]: “the one or more **non-players being users with whom the one or more players share an affinity in a **social network**, ”**

Barclay-Barclay discloses or suggests this. (EX1002, ¶¶ 342-343.)

In the combination, a **non-player** social network friend, as taught by Barclay '363, would comment on game-related posts to modify play. (*Supra* §§IV.E.3,

IV.E.4.g.) Barclay '363 states that “the system can receive *comments* from *social networking contacts* associated with the *social network* account[.]” (EX1007, [0072]; *see also id.*, [0082] (“the system can monitor the player-owned social network account for *social networking communications* from one or more *social-contact*-owned *social network* accounts (‘*friend accounts*’) associated with the player-owned social network account”).) The friend account shares an affinity with the player in a social network, consistent with the '132 patent. (*See* EX1001, 9:45-54.)

i. 1[D][3]: “the one or more social network interactions including a comment posted to the social network server by the one or more non-players, the comment being a comment on one or more *events* posted to the *social network* server;”

Barclay-Barclay discloses this element. (EX1002, ¶¶ 344-352.)

First, the combination discloses one or more *events* posted to the *social network* server. Barclay '019 discloses that a “player [M. Miller] can receive a specific gaming result (e.g., a random result of *three shamrocks in a row* via a combination of symbols on the reels 307).” (EX1006, 9:40-44.) The player can publish the result to “one or more *social networking* venues (e.g., to Playerslife.com, to Facebook.com, to Twitter.com, etc.)[.]” (*Id.*, 9:48-52.)

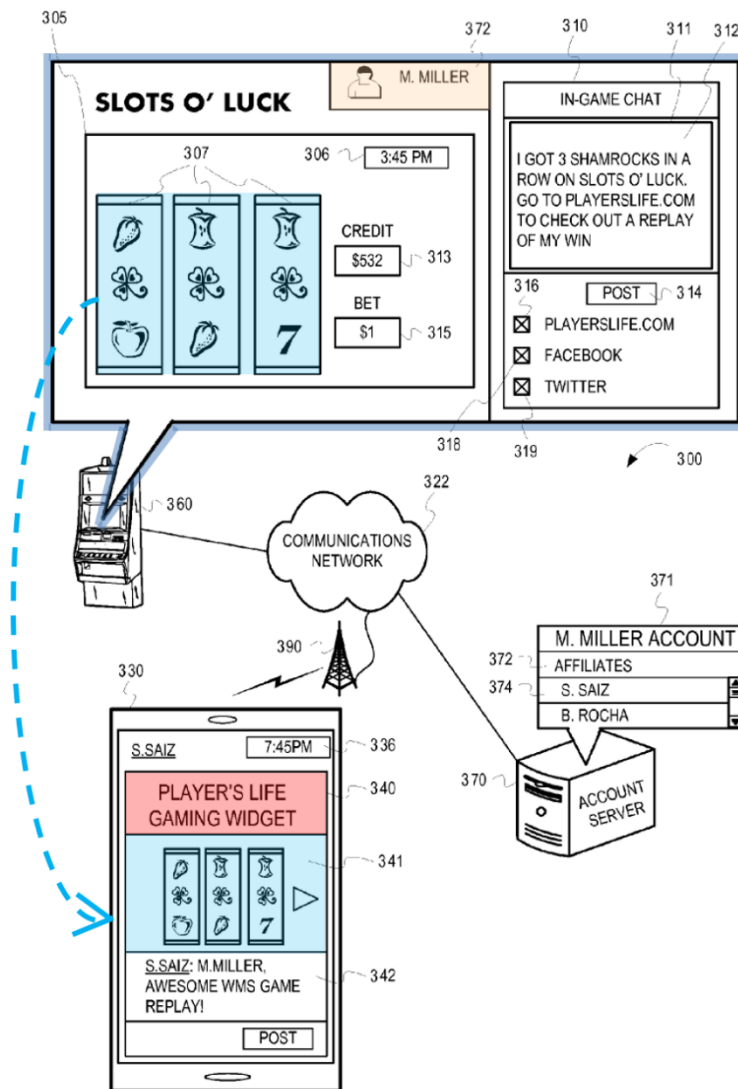


FIG. 3

(EX1006.)

Similarly, in Barclay '363, “the system determines an *event* that occurs to the wagering game player account during the wagering game session and *posts* a social networking message of the event to the player-owned *social networking* account.” (EX1007, [0067].) FIG. 4 shows an *event* is posted to the *social network* server (“FACEPAGE”).

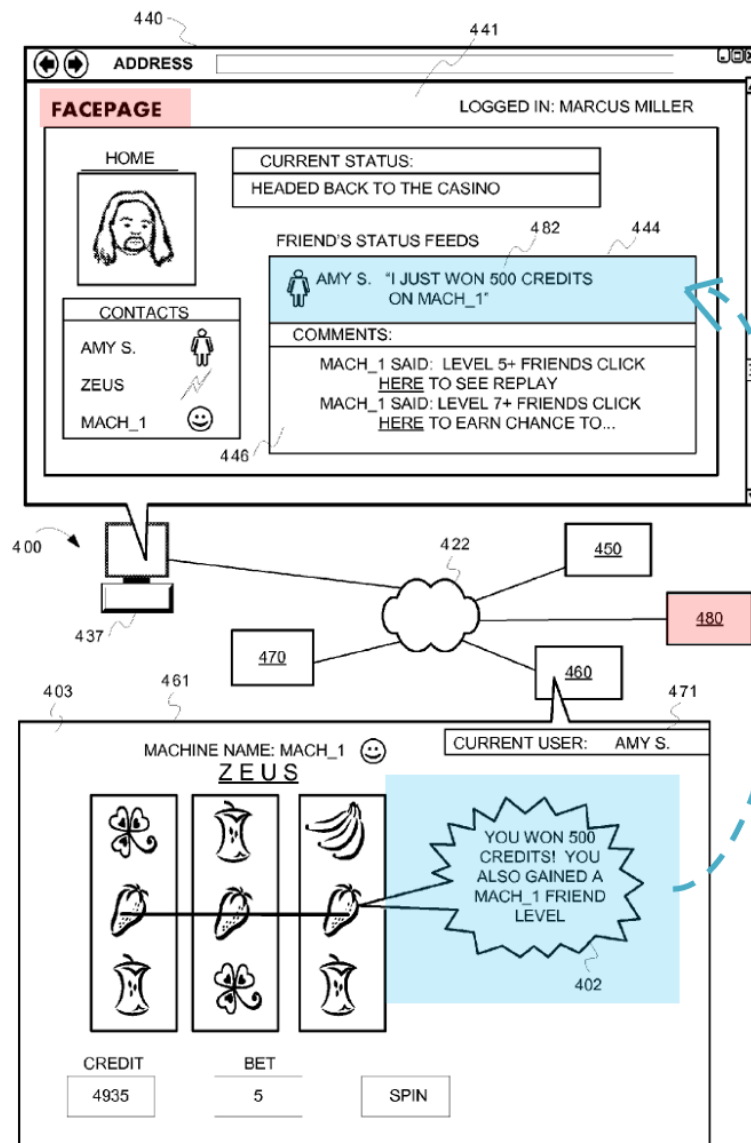


FIG. 4

(EX1007.)

Thus, in the Barclay-Barclay combination, game-related events, as disclosed in either reference, can be posted to the social network, such as a post related to a *player's wagering game session*. (*Supra* §IV.E.3; *see also* EX1007, [0083] (“instructions indicated in friend accounts’ comments can indicate likes, dislikes,

preferences, or some other voting feature related to the *wagering game session*”); EX1006, 9:40-52.)

Second, the combination discloses that a *comment* is posted to the *social network* server by the one or more *non-players*, the comment being a comment on one or more of the posted *events*. In Barclay '019, S. Saiz “views a replay of *the player's achievement* (e.g., S. Saiz views at 7:45 PM, as indicated by the clock 336, the replay 341) [on *Player's Life*] and *posts a comment 342* (e.g., via the *post control 343*).” (EX1006, 10:1-11.) In the combination, a *non-player* friend account as taught by Barclay '363 would comment, as discussed above. (EX1007, [0083]; *see also supra* §IV.E.3.)

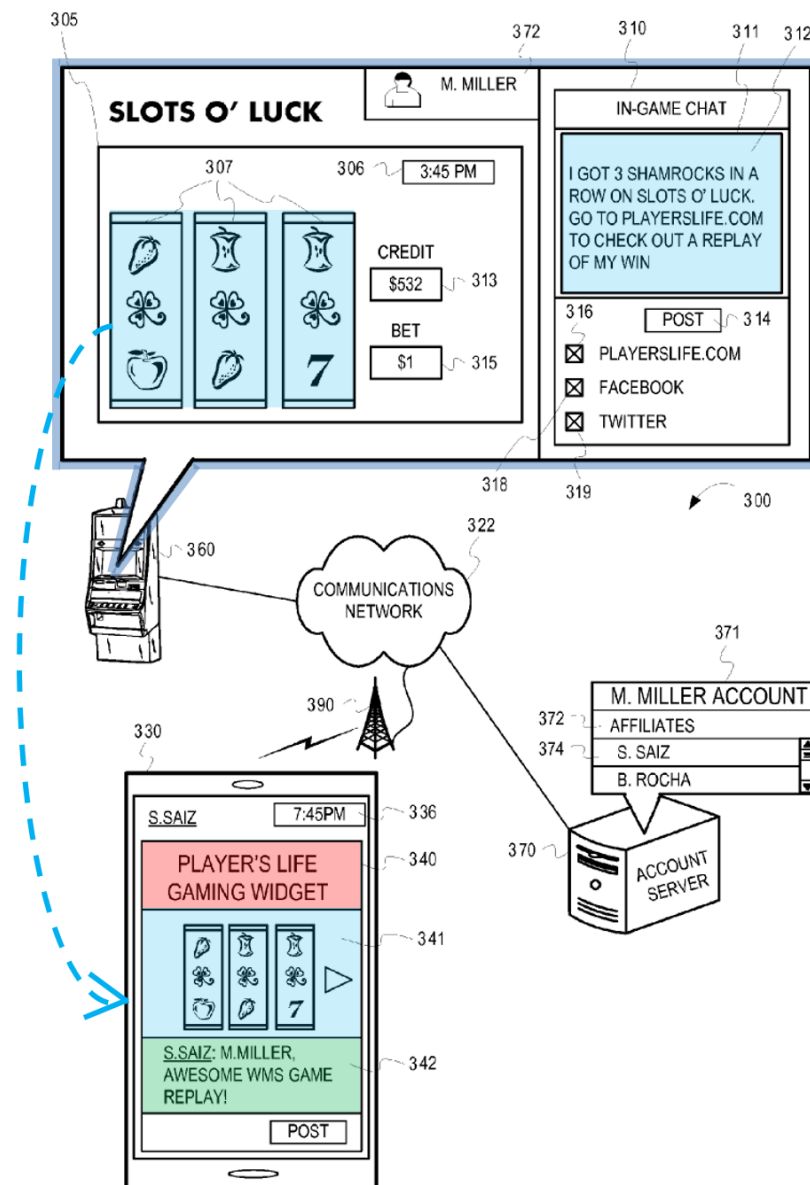


FIG. 3

(EX1006.)

The **comments** are posted to the **social network** “server” for reasons discussed above with respect to 1[D][1]. (*Supra* §IV.E.4.g.)

Further, in the combination, the **events** are posted to the **social network** “server.” A POSITA would understand that the events would be posted to the

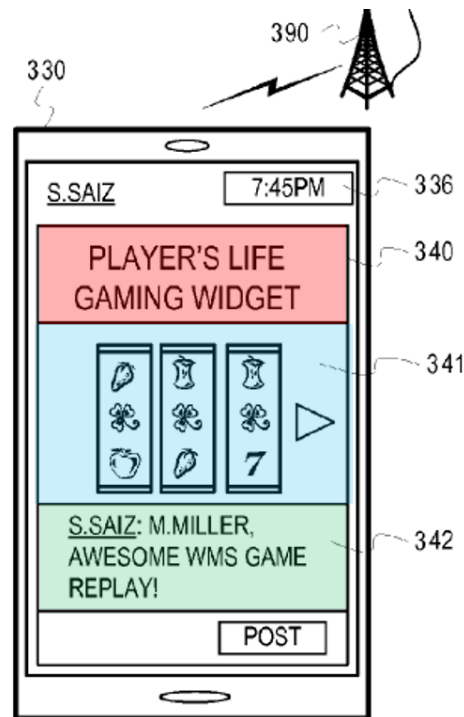
server(s) hosting these social network services. (See EX1006, 18:17-33 (“**social network** server 880 can provide one or more social networking communication mechanisms that **publish (e.g., post, broadcast, etc.) a message** to a mass”)

Similarly, Barclay ’363 states “system 400 transfers a **message** of the win to the **social network** server 480[.]” (EX1007, [0067]; *see also id.*, [0070]; EX1002, ¶352.)

j. 1[E]: “and **modifying play** of the video gaming application based on the one or more social network **interactions** from the one or more **non-players**.”

Barclay-Barclay discloses or suggests this. (EX1002, ¶¶ 353-359.)

In Barclay ’019, S. Saiz “**posts a comment 342** (e.g., via the post control 343). The **comment 342** includes the key phrase 132C (i.e., the phrase ‘WMS game replay’). The server 150, for example, may **award** the second user (e.g., via user account 374) **the default point value** 133C for the usage of the key phrase 132C.” (EX1006, 10:8-15.) Specifically, the server would “parse the message into a plurality of words [and] compare the plurality of words to a library of promotional words and phrases stored on a wagering game server[.]” (*Id.*, 6:58-63; *see also id.*, 3:32-36, 7:32-38.)



(EX1006, Excerpt of FIG. 3.)

In the Barclay-Barclay combination, a *non-player* as taught by Barclay '363 would *comment* on game-related posts. (*Supra* §§IV.E.3, IV.E.4.g.) The system would then *modify play* of the video gaming application as taught in Barclay '363 and Barclay '019. For example, Barclay '363 states “the system can use social networking activity by friend accounts to *affect or control* the wagering game player account associated with the player-owned social contact account. For example, the system can use instructions indicated in *friend accounts' comments* to influence a *gaming effect* during the wagering game player account's wagering game session. In some embodiments, instructions indicated in friend accounts' comments can indicate likes, dislikes, preferences, or some other voting feature

related to the wagering game session that would specify *what the wagering game player account should do during the wagering game session (e.g., vote for the player to bet more, vote for the player to bet more lines, vote for the player to select a specific item, vote for the player to stop a reel at a certain time, etc.)*. . . .

In some embodiments, the wagering game player account can authorize the system to *enforce the results of the vote (e.g., authorize the wagering game machine to bet for the wagering game player account based on audience vote)*.” (EX1007, [0083].) Thus, based on the friend accounts’ comments, the gameplay is modified by *enforcing the results of the vote* (e.g., authorizing a bet) and *issuing any subsequent reward*.

Barclay-Barclay would also modify play of the video gaming application by *giving rewards, items, or opportunities* to the wagering game player, as taught by Barclay ’363. “[T]he system can *provide rewards to the wagering game player account (e.g., a promotion, a privilege, etc.)* based on an amount of social networking communication received by *friend accounts* during the wagering game session. For example, the system can *present a stacked wilds feature, which grants the wagering game player account eligibility for more wilds* based on the amount of social networking activity (e.g., for every ten friend account *comments*, the system makes the wagering game player account eligible for another wild).” (EX1007, [0085].) Barclay ’363 discloses other ways of modifying play based on

comments. (See, e.g., EX1007, [0084] (“if a social-contact-owned social network account (i.e., a *friend account*) makes a *comment* for the player-owned social network account, the system can *make the friend account eligible to be integrated into the game or be eligible for some reward.*”), [0048], [0072].)

5. Claim 2

Barclay-Barclay discloses posting the *events* from the *video gaming application* to the *social network* server as discussed in 1[D][3]. (*Supra* §IV.E.4.i; EX1002, ¶¶360-363.)

In Barclay '019, as shown in FIG. 3, the *gameplay event (three shamrocks in a row)* is posted on *Playerslife*.

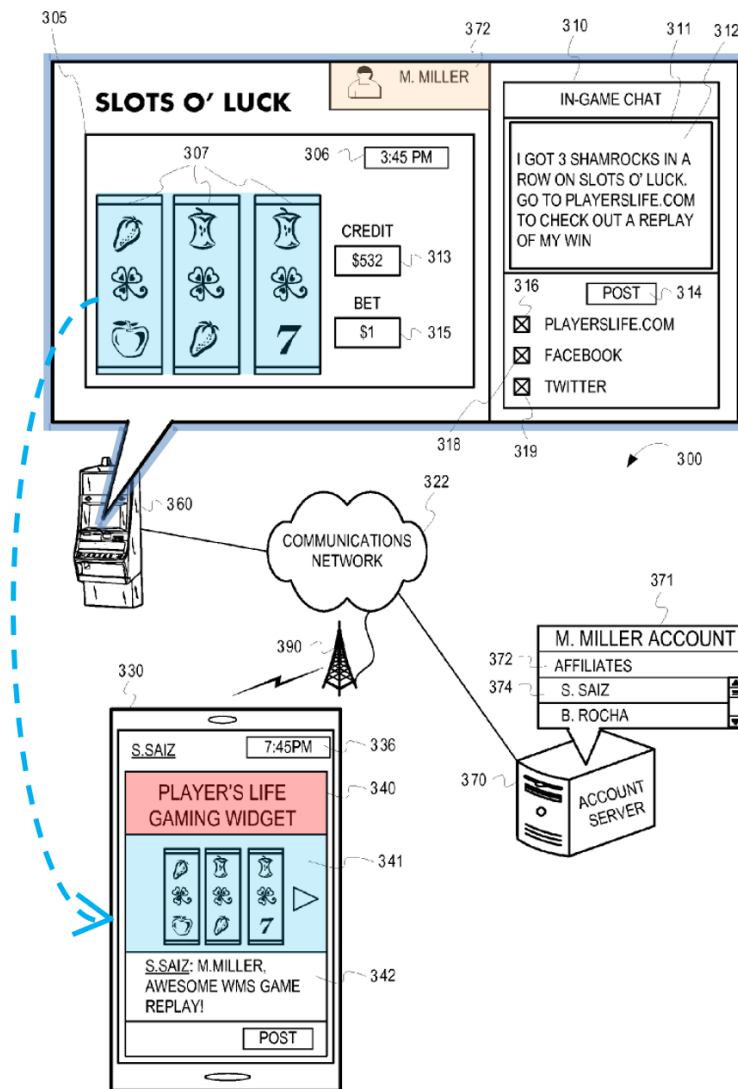


FIG. 3

(EX1006.)

Similarly in Barclay '363, “the system determines an *event* that occurs to the wagering game player account during the wagering game session and *posts* a *social networking message of the event* to the player-owned *social networking* account.” (EX1007, [0067]; *see also id.*, [0069], [0070].) Thus, in the

combination, game events as taught by either reference would be posted from the application to a social network server.

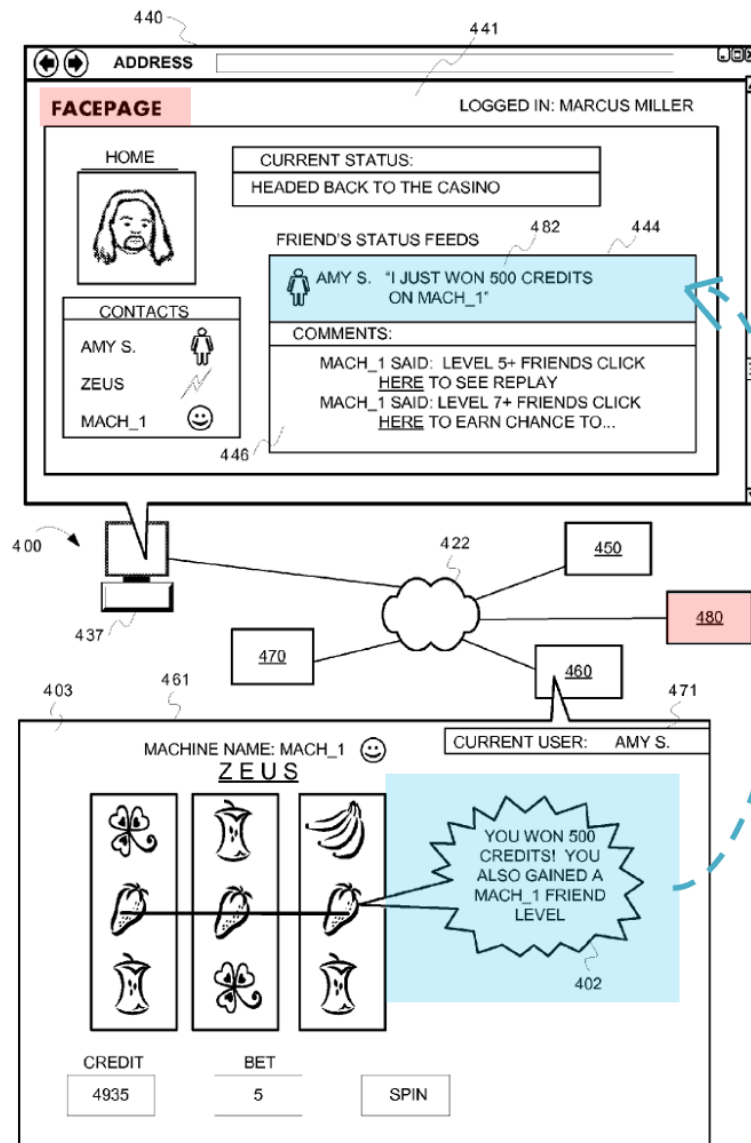


FIG. 4

(EX1007.)

As discussed above, Barclay-Barclay discloses posting the events to a social network “server.” (*Supra* §§IV.E.4.g, IV.E.4.i.)

6. Claim 3

Barclay-Barclay discloses that the social network interactions include an *indication of approval* by the non-players of the events. (*Supra* §IV.E.4.i.)

In the combination, a player would post an event related to *their wagering game session*. (*Supra* §IV.E.3; *see also* EX1007, FIG. 5.) Barclay '363 discloses that “*friend accounts' comments* can indicate *likes*, dislikes, preferences, or some other voting feature related to the wagering game session[.]” (EX1007, [0083].) The “like” is an *indication of approval*. (EX1002, ¶¶ 364-365.)

7. Claim 5

Barclay-Barclay discloses *modifying play* based on social network *interactions* from the one or more *players*. (EX1002, ¶¶ 366-369.)

In Barclay '019, to the extent that S. Saiz is a *player* (e.g., due to his ability to receive game-related rewards), when *S. Saiz* “posts a *comment 342*” that “includes the key phrase 132C (i.e., the phrase ‘WMS game replay’),” “server 150, for example, may *award the second user (e.g., via user account 374) the default point value* 133C for the usage of the key phrase 132C.” (EX1006, 10:8-15.)

Barclay '019 also discloses that “server 150 can track a number of times that *other users activate* the link 111 and visit the website. The server [sic] 150 can *award points that vary in value based on the number of activated links to the online gaming venue*[.]” (EX1006, 5:14-25.) Further, “if enough *users click* on

the post of the message 312 . . . the first user may *‘re-win’ the wagering game win.*” (*Id.*, 10:30-37.) A POSITA would have understood these statements apply to both players and non-players in Barclay ’363.

Further, in Barclay ’363, “[i]f the friend account also owns a *wagering game player account*, the system can *make the friend account's player account eligible to receive rewards on the wagering game network.*” (EX1007, [0084].)

8. Claim 6

Barclay-Barclay discloses this claim. (EX1002, ¶¶ 370-373.)

First, Barclay ’019 discloses *different levels of play* for selection. In addition to the full level of play (*e.g.*, Miller in FIG. 3), Barclay ’019 discloses a *different level of play* for a “bankrolling player.” For example, “a player sitting at a wagering game machine bank can offer a certain amount of points to win if another player, at the bank, hits a specific gaming event[.]” (EX1006, 13:45-54.) The bankrolling play is a different level of play. A POSITA would find it obvious that the bankrolling play is available for selection. (EX1002, ¶ 371.)

Second, Barclay ’019 discloses *modifying play* of the *video gaming application* based on the selection of the *different level of play*. In a bankrolled gameplay, “[i]f the other player achieves the specific gaming event, then *the other player wins the points bankrolled by the first player.* The first player that bankrolled the points could also *win points for initiating a points wagering*

session that utilized the player's bankroll of points. For example, the first player could *receive points from the other player* (e.g., as a signup fee for the points wagering session and/or if the other player does not attain the event) *and/or receive points from a casino* for initiating the points wagering session.” (EX1006, 13:52-61.)

As discussed above, in Barclay-Barclay, modifying play of the video gaming application includes enforcing a vote (e.g., how much to wager) and providing rewards accordingly. (*Supra* §IV.E.4.j.) Thus, in the combination, such play would be modified based on the player's selection of levels of play, because the wagering player and the bankrolling player would receive different rewards. (EX1002, ¶¶ 372-373.)

9. Claim 7

a. 7[PR]

To the extent limiting, Barclay '019 discloses this preamble. Barclay '019 discloses “[o]ne or more non-transitory, machine-readable storage media having instructions stored thereon, which when executed by a set of one or more processors causes the set of one or more processors to perform operations.” (EX1006, claims 17-20, 22; *see also id.*, 19:50-20:35.) A POSITA would have found it obvious that Barclay '019 discloses a computer program product. (EX1002, ¶ 374.)

b. 7[A][1]-7[E]

Barclay-Barclay discloses or suggests these as discussed with respect to 1[A][1]-1[E]. (*Supra* §IV.E.4.b-IV.E.4.j; EX1002, ¶¶ 375-383.)

10. Claims 8 and 10-11

Barclay-Barclay discloses or suggests these as discussed with respect to claims 2, 5, and 6. (*Supra* §§IV.E.5, IV.E.7-IV.E.8; EX1002, ¶¶384-386.)

11. Claim 12

a. 12[PR]-12[B]

Barclay-Barclay discloses these. (EX1002, ¶¶ 387-389.) Barclay '019 discloses “a wagering game system (‘system’)” that performs its operations. (EX1006, 2:60, 6:23-29, 9:12; *see also id.*, Abstract, FIG. 8, claim 11.) Its system comprises “one or more processors.” (*Id.*, claim 11; *see also id.*, 19:50-20:2, FIG. 9.) And its system comprises “one or more memory storage devices configured to store instructions, which when executed by at least one of the one or more processors, cause the system to perform operations[.]” (*Id.*, claim 11; *see also id.*, 19:50-20:35, FIG. 9; *supra* §IV.E.4.)

b. 12[C][1]-12[G]

Barclay-Barclay discloses or suggests these as discussed with respect to 1[A][1]-1[E]. (*Supra* §IV.E.4.b-IV.E.4.j.) Regarding 12[E][3], Barclay '019 discloses both three-dimensional and two-dimensional user interfaces configured

to operate concurrently, such as in FIG. 10 below. (EX1002, ¶¶ 390-401.)

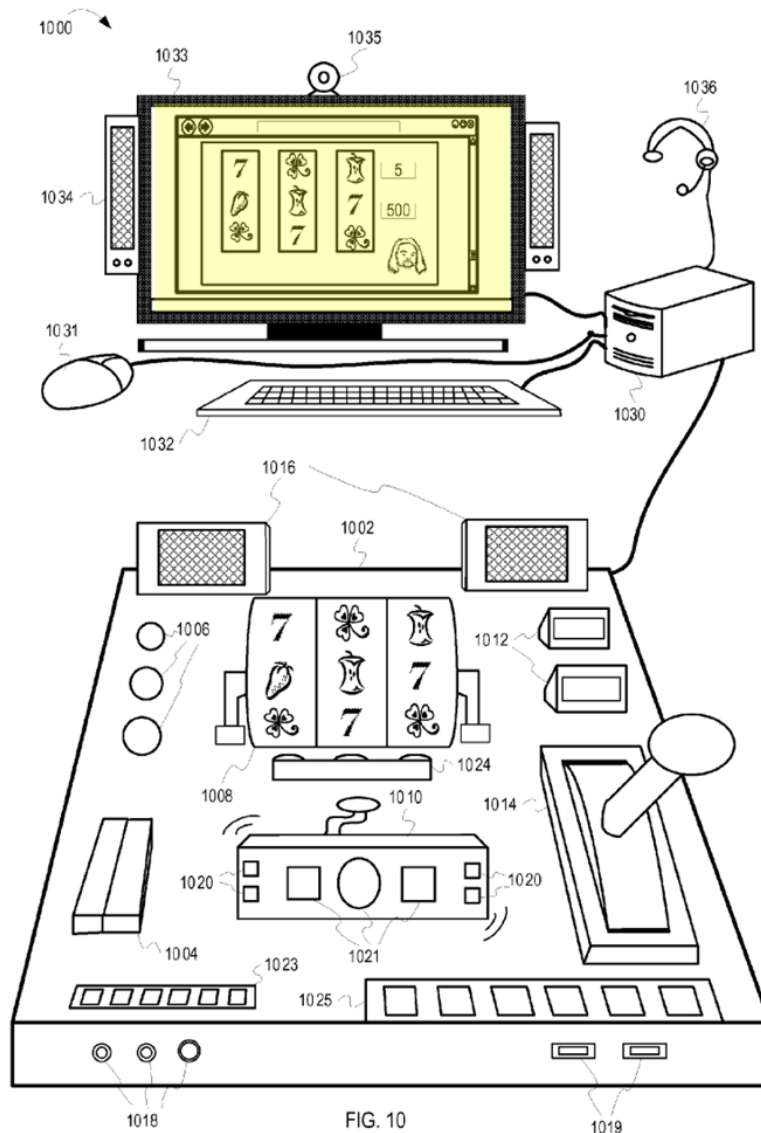


FIG. 10

(EX1006.)

12. Claims 13-15 and 17-18

Barclay-Barclay discloses or suggests these as discussed with respect to claims 2-3 and 5-6. (*Supra* §IV.E.5-IV.E.8; EX1002, ¶¶ 402-406.) As claim 14 is not substantively different from corresponding independent claim 12, the

combination discloses or renders obvious claim 14 as discussed above with respect to claim element 12[F][3]. (*Supra* §IV.E.11.b).

F. Ground 6: Barclay '019, Barclay '363, and FarmVille Render Obvious Claims 4, 9, and 16.

1. A POSITA would have been motivated to combine Barclay-Barclay and FarmVille.

The references are analogous to the patent because they are from the same field of endeavor and address the same technical problems of integrating social-network interactions with online video games. (EX1006, Abstract, 2:40-56; EX1007, Title, Abstract, [0041]; EX1004, 53; EX1002, ¶¶407-411; EX1001, Abstract.)

In FarmVille, a barn-raising post includes text “Click here to help” to indicate the effect a click would have on FarmVille play. (*See* EX1017, 1.) In the combination, Barclay-Barclay’s game-related post would similarly include text indicating effects certain comments have on play (*e.g.*, explanatory text such as “Comment ‘bet X more points’ to vote for the player to bet more,” “Comment ‘select [item]’ to vote for the player to select the item,” “Comment ‘stop now’ to vote for the player to stop the reel”). (*See, e.g.*, EX1007, [0083]; EX1002, ¶408.)

The combination would predictably ensure Barclay-Barclay’s comment-based play easier to understand and use, thus encouraging participation and engagement. It also would have been obvious to try, as there were a finite number

of predictable ways to provide instructions, including providing them in a separate page (e.g., FAQ page) or within the post itself. Applying that known communication technique to Barclay-Barclay's posts would have been a routine design choice for improving user experience, and it would have been straightforward with a reasonable expectation of success. FarmVille's known benefits would prompt its application in the same field based on design incentives/market forces. (EX1002, ¶¶ 409-411.)

2. Claims 4/9/16

Barclay-Barclay-FarmVille discloses these claims. (EX1002, ¶¶ 412-415.)

In FarmVille, the barn-raising post indicates the effects of clicking on the link by labeling it "***Click here to help.***" As discussed above, in the Barclay-Barclay-FarmVille combination, a game-related post would similarly include text indicating the effects certain comments have on play, such as "Comment 'bet X more points' to vote for the player to bet more." (Supra §IV.F.1.)



(EX1017, 1.)

V. NOTICES AND STATEMENTS

Pursuant to 37 C.F.R. §42.8(b)(1), Twitch Interactive, Inc., Amazon.com Services LLC, and Amazon.com, Inc. are the real parties-in-interest for Petitioner.

Pursuant to 37 C.F.R. §42.8(b)(2), Petitioner identifies the following related matters.

- *CP Studios, LLC v. Twitch Interactive, Inc.*, No. 1:25-cv-1542, (D. Del.)
- *CP Studios LLC v. Twitch Interactive, Inc.*, No. 1:26-cv-571, (D. Del.)

Pursuant to 37 C.F.R. §42.8(b)(3), Petitioner identifies the following counsel (and a power of attorney accompanies this Petition).

Lead Counsel	Backup Counsel
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Pursuant to 37 C.F.R. §42.8(b)(4), service information for lead and back-up counsel is provided above. Petitioner consents to electronic service by email to Twitch_CPStudios_IPRs@mofo.com.

Pursuant to 37 C.F.R. §42.104(a), Petitioner certifies that the '132 patent is available for *inter partes* review and that Petitioner is not barred or estopped from requesting an *inter partes* review challenging the patent claims on the grounds identified in this Petition.

The USPTO is authorized to charge any required fees, including the fee as set forth in 37 C.F.R. §42.15(a) and any excess claim fees, to Deposit Account No. **03-1952**, referencing Docket No. **78194-00000.86**.

Dated: August 20, 2026

Respectfully submitted,

By /s/ Alex S. Yap

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Certification of Word Count (37 C.F.R. §42.24)

I hereby certify that this Petition for *Inter Partes* Review has 13,982 words (as counted by the “Word Count” feature of the Microsoft Word™ word-processing system), exclusive of “a table of contents, a table of authorities, mandatory notices under §42.8, a certificate of service or word count, or appendix of exhibits or claim listing.”

Dated: August 20, 2026

By /s/ Alex S. Yap
Alex S. Yap

IPR2026-00451
Patent No. 9,604,132

Certificate of Service (37 C.F.R. §42.6(e)(4) and 42.205(a))

I hereby certify that the attached Petition for *Inter Partes* Review and supporting materials were served as of the below date by UPS, which is a means at least as fast and reliable as Priority Mail Express®, on the Patent Owner at the correspondence address indicated for U.S. Patent No. 9,604,132:

Patent Law Works, LLP
4516 South 700 East, Suite 290
Salt Lake City, UT
UNITED STATES

Dated: August 20, 2026

/s/ Alex S. Yap
Alex S. Yap