

EXHIBIT 10

EXHIBIT 10
INITIAL INFRINGEMENT CLAIM CHART FOR U.S. PATENT NO. 12,406,284

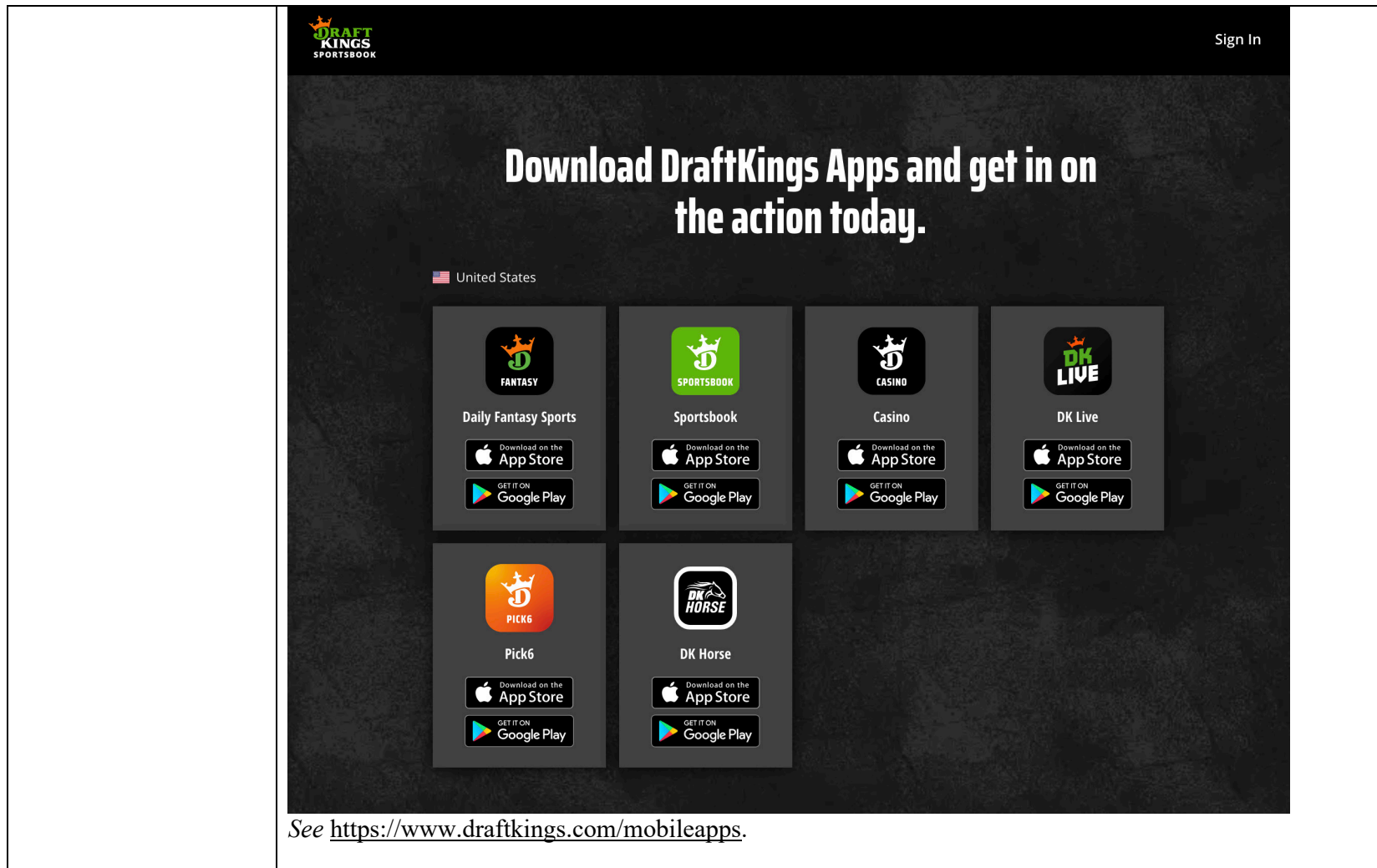
DraftKings infringes, directly and indirectly, at least claims 1–4, 8, 10–14, 16–23, and 25–28 of U.S. Patent No. 12,406,284 (the '284 patent). All of DraftKings' products designed for Apple's iOS and Google's Android operating system that allow gambling or betting (the Accused Products) infringe literally and under the Doctrine of Equivalents, the '284 patent, including:

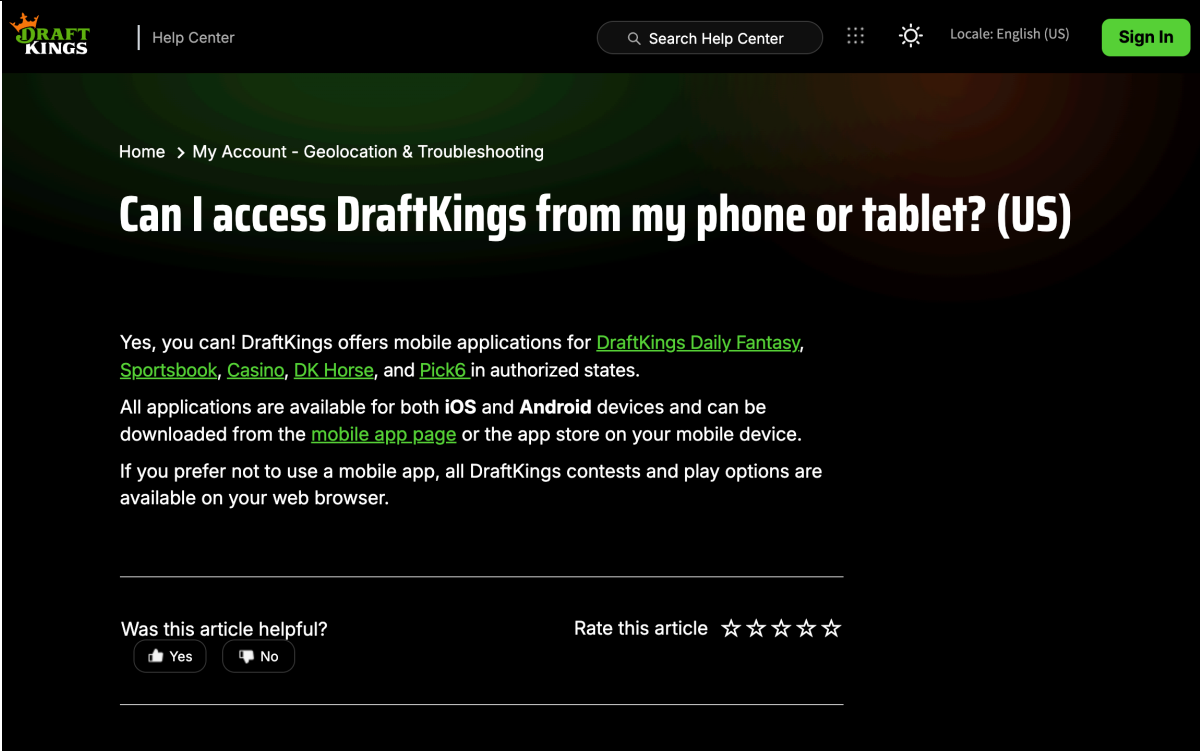
- DraftKings Sportsbook and Casino
- DraftKings Fantasy Sports
- DraftKings Casino Real Money
- DK Horse Racing & Betting
- Golden Nugget Online Casino
- DraftKings Pick6: Fantasy Game

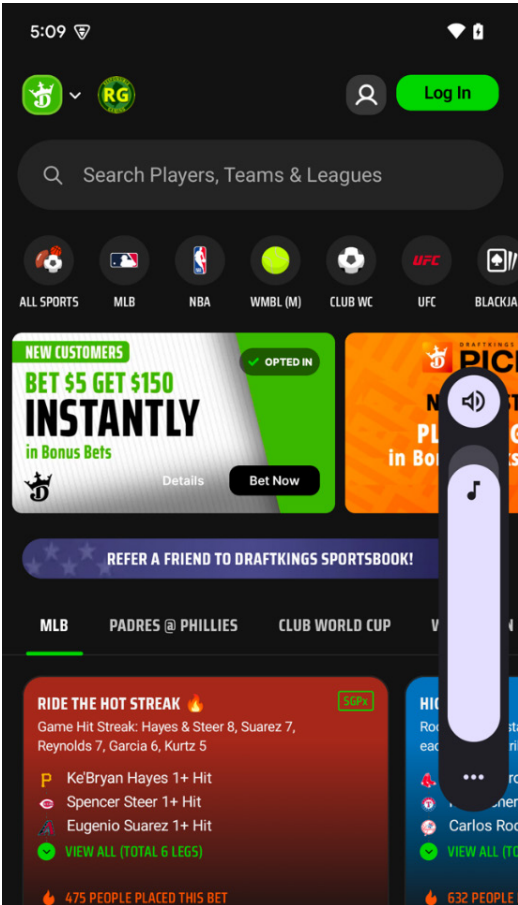
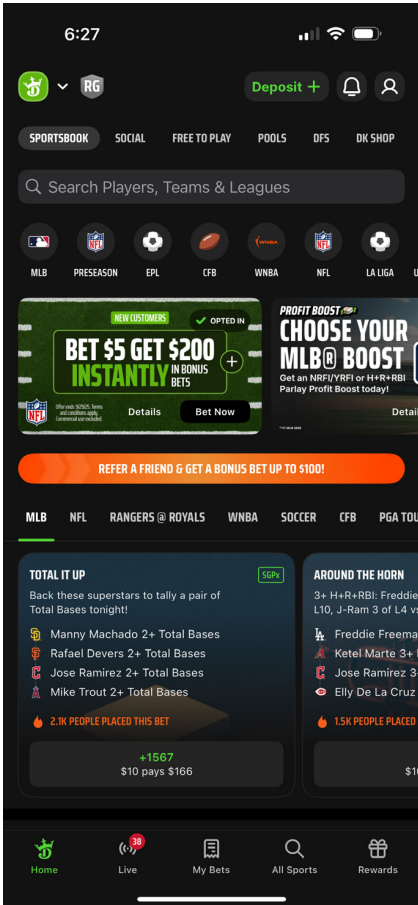
The following claim chart is representative and demonstrates how DraftKings Sportsbook and Casino directly infringes claims 1–4, 8, 10–14, 16–23, and 25–28 of the '284 patent. In addition to directly infringing, DraftKings also induces its customers to infringe by manufacturing and making available the Accused Products and contributorily infringes by manufacturing and making available the Accused Products, which are a material part of the invention of the '284 patent, in a manner in which they are adapted for use to infringe without any substantial non-infringing uses. For example, DraftKings induces its users how to infringe the '284 patent through the use of extensive support and frequently asked questions pages, available at <https://support.draftkings.com/dk/en-us> training guides available at https://support.draftkings.com/dk/en-us/draftkings-new-player-getting-started-guide?id=kb_article_view&sysparm_article=KB0010391, training videos available at [YouTube.com](https://www.youtube.com) (and other social media platforms), and within its mobile applications.

The information included in this chart is derived from publicly available sources, including screenshots of the Accused Products, Internet resources, and a review of the decompiled bytecode of the DraftKings Sportsbook and Casino application using the commercially available JEB Decompiler by PNF Software. The DraftKings Sportsbook and Casino application (APK), version 5.13.0, was obtained from the Google Play Store. Based on information available to Plaintiff at this time, including the aforementioned bytecode analysis, DraftKings Sportsbook and Casino is representative of all Accused Products, including both iOS and Android operating systems (OS) because it utilizes the same or similar backend servers, the GeoComply library and allows for similar functionality for the user.

Claim Element	Accused Products
[1.P] A mobile phone comprising:	The Accused Products include “[a] mobile phone[.]” For example, the Accused Products are designed to run on mobile operating systems, such as Apple iOS and Google Android operating systems, which are available on mobile phones. Mobile App Requirements <i>Due to location services requirements, DraftKings Sportsbook and DraftKings Casino are not available via web on a Mobile Device. To play Sportsbook on a Mobile Device, you must download the DraftKings Sportsbook App. To play Casino on a Mobile Device, you must download the DraftKings Casino App.</i> Note for those on Android: The DraftKings Sportsbook and the DraftKings Casino apps are available to download from the Google Play Store with a few restrictions. • It's legal to bet on sports with us in Michigan or Virginia, but you won't have access to the action from the Google Play Store app. To get skin in the game, just download DraftKings Sportsbook for Android directly from our website. • It's legal to wager in the DraftKings Casino in West Virginia, but you won't have access to the action from the Google Play Store app. If you're in West Virginia, instead we ask that you download DraftKings Casino for Android directly from our Mobile Apps page. See https://help.draftkings.com/hc/en-us/articles/4405236818451-Browser-and-Mobile-Device-Requirements-General-Resolutions-US.



	 See https://support.draftkings.com/dk/en-us/can-i-access-draftkings-from-my-phone-or-tablet-us?id=kb_article_view&sysparm_article=KB0010754.
[1.1] at least one computer processor configured to execute a mobile application that causes the at least one computer processor to:	The Accused Products require “at least one computer processor configured to execute a mobile application[.]” The Accused Products in a mobile application is designed to run on mobile devices, including mobile phones. Those mobile devices each have at least one computer processor. See https://help.draftkings.com/hc/en-us/articles/4405236818451-Browser-and-Mobile-Device-Requirements-General-Resolutions-US.

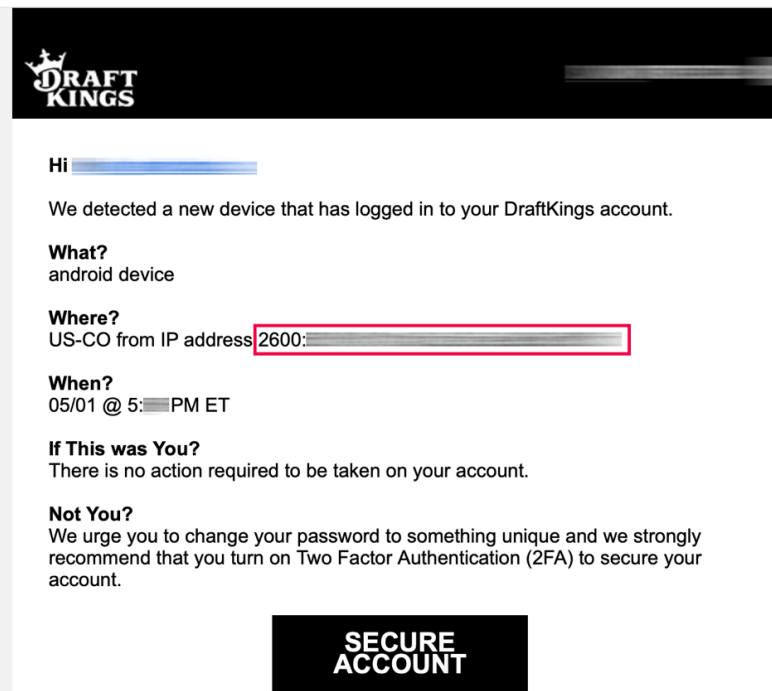
	See also Claim Element 1.P.
[1.2] display a user interface on a touch screen of the mobile phone;	The Accused Products “display a user interface on a touch screen of the mobile phone[.]” The Accused Products offers applications that interact with their gambling service through a user interface on a touch screen of a mobile device as shown in the following screen:  (Android)  (iOS)

[1.3] send location data to one or more server computers, wherein the location data includes GPS data and Internet Protocol (IP) data;

The Accused Products “send location data to one or more server computers, wherein the location data includes GPS data and Internet Protocol (IP) data[.]”

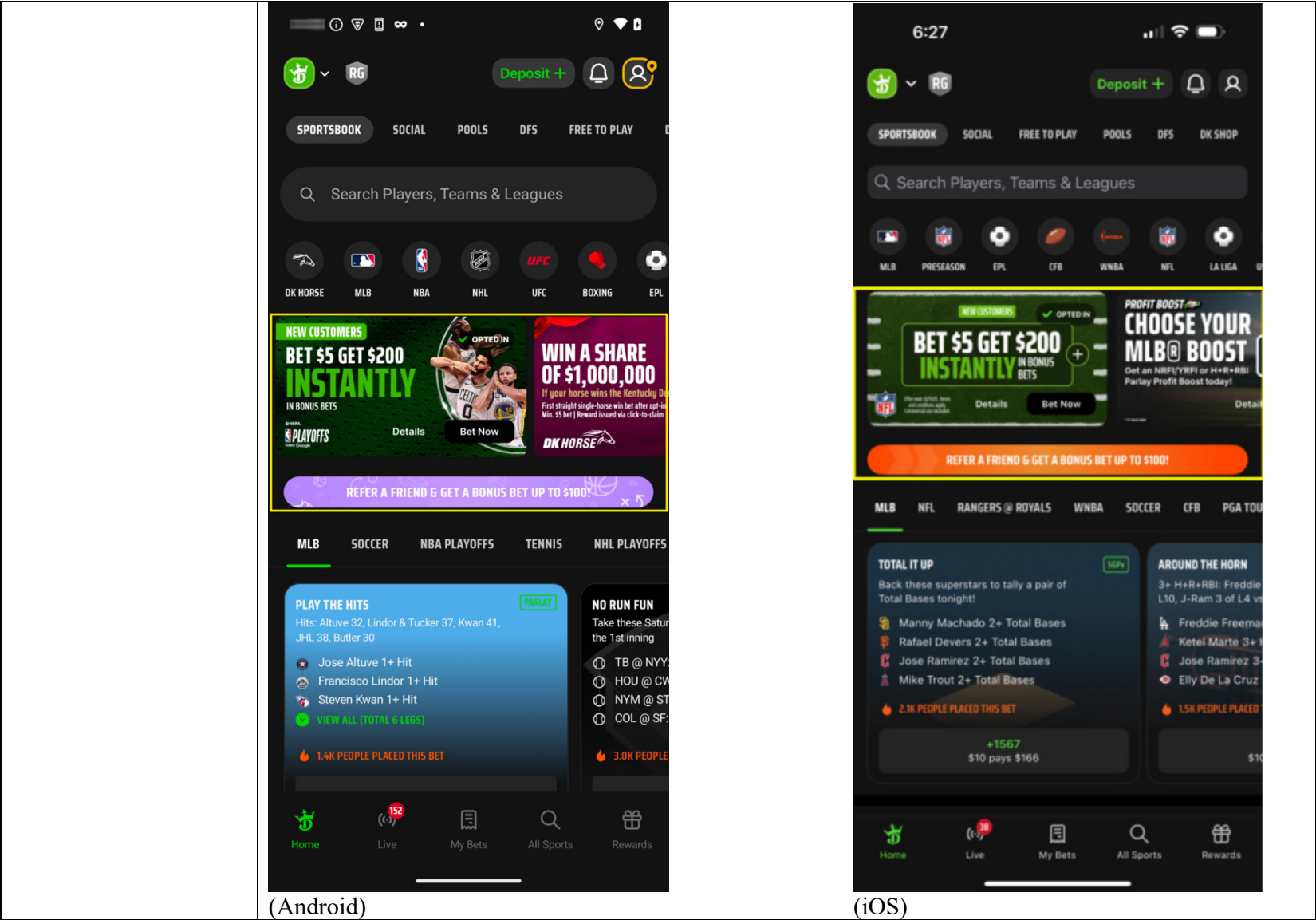
For example, the Accused Products send HTTP communications to one or more server computers. A review of the bytecode confirms that these communications contain GPS data including latitude, longitude, and altitude information as well as Internet Protocol (IP) data (which is included in any HTTP communication). On information and belief, the application code for iOS implementations functions similarly.

That the Accused Products receive IP data is confirmed by the following screenshot of a verification email that indicates the IP address of the user connecting to the Accused Products’ application:



[1.4] receive low priority data from the one or more server computers,	The Accused Products “receive low priority data from the one or more server computers[.]” The Accused Products use many servers that are associated with the gambling service. Some of these servers along with their correlated IP addresses include but are not limited to: • www.draftkings.com (23.211.124.137) • api.sportsbook.com (23.211.124.136) • myaccount.draftkings.com (23.192.223.175) • gaming.draftkings.com (23.64.119.47) • gaming-us-co.draftkings.com (23.211.124.141) One or more of the Accused Products’ servers send low priority data (e.g. advertisements, etc.) to the mobile device, as shown below:
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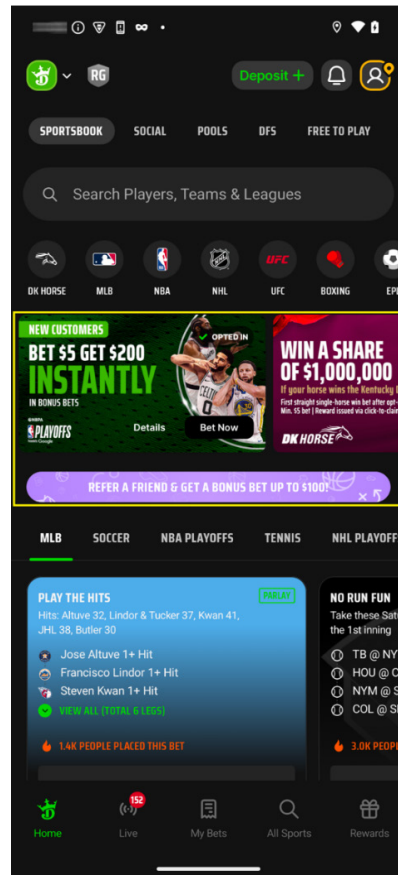
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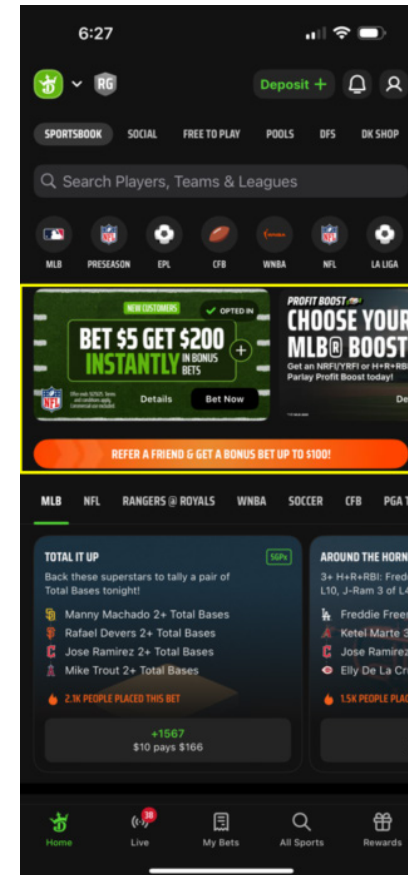
[1.5] wherein the low priority data includes an image, text, or video data, and

The Accused Products include “low priority data [that] includes an image, text, or video data[.]”

The Accused Products place low priority data consisting of, for example, images and text in specified locations. For example, the Accused Products display a carousel of ads and text that are fit in the same location which represents approximately 25% of the application UI screen as shown in the screenshots below as highlighted by the yellow box:



(Android)

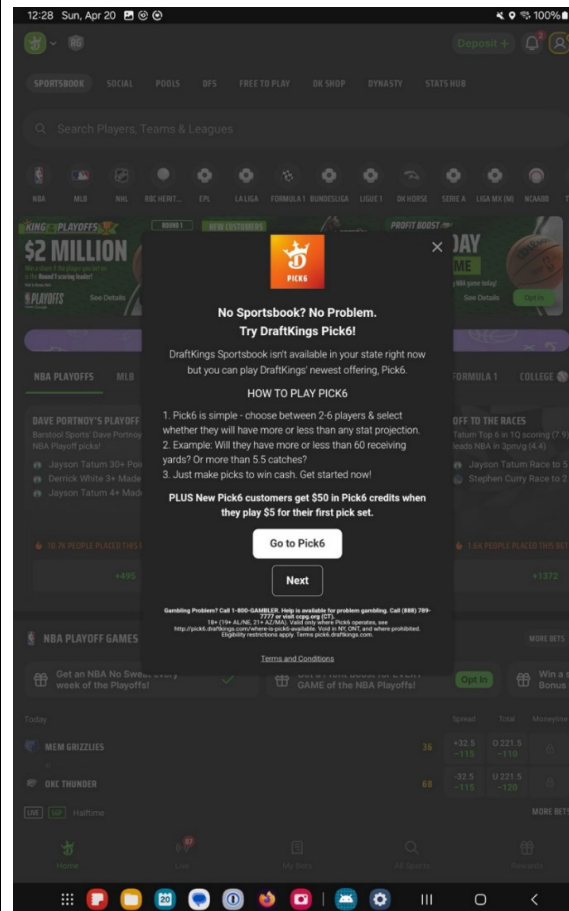


(iOS)

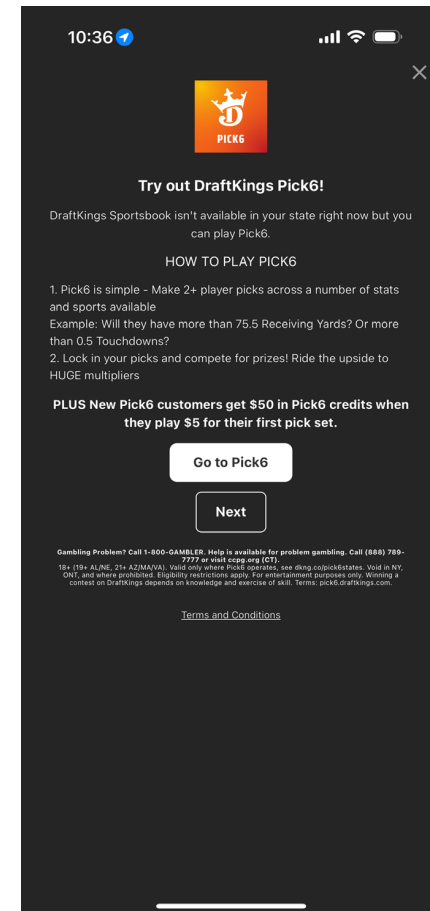
[1.6] wherein the low priority data is based at least on a type of the mobile phone or the location data;

The Accused Products' "low priority data is based at least on a type of the mobile phone or the location data[.]"

The Accused Products include low priority data that are based on location data, as shown in the following screenshot:



(Android)

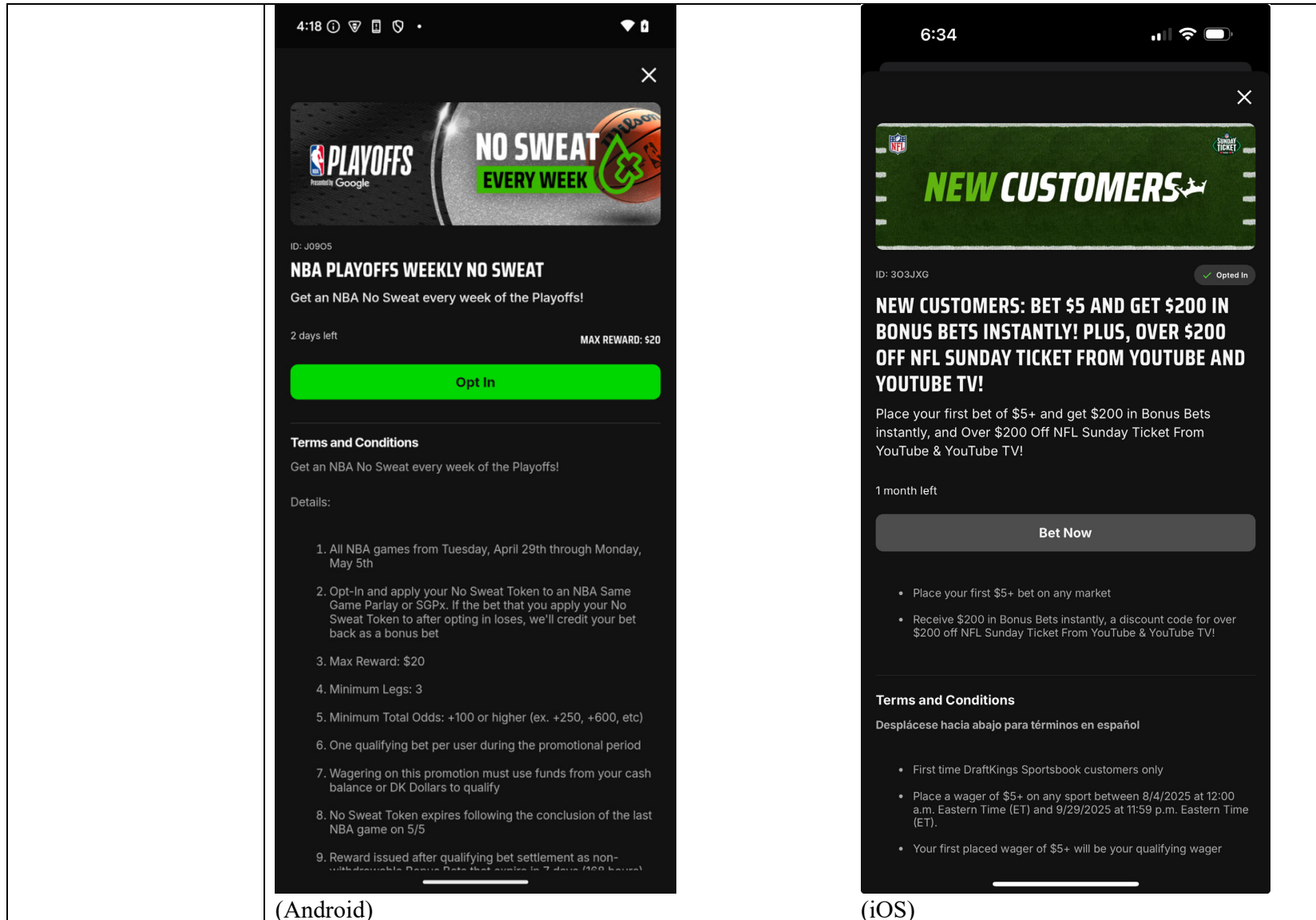


(iOS)

[1.7] identify an area of the user interface to display the low priority data based on information from the one or more server computers that indicates a location to display the low priority data on the user interface such that the low priority data does not interfere with high priority data displayed on the user interface;	The Accused Products “identify an area of the user interface to display the low priority data based on information from the one or more server computers that indicates a location to display the low priority data on the user interface such that the low priority data does not interfere with high priority data displayed on the user interface[.]” A review of the bytecode confirms that the Accused Products make a request to one or more servers for promotions for designated zones on the interface that are specific to the site experience for the location of the device. When building the interface, the Accused Products make the HTTP request to obtain the data required to fill in the interface. On information and belief, the application code for iOS implementations functions similarly. The server responds with a JSON configuration that explains each promotion’s details. Such as the identification of the promotion and links to images to use at their specified zone. It also includes the start date and end date that control the time when the promotion begins and ends.
[1.8] compare a size of the identified area to a size of the low priority data;	The Accused Products “compare a size of the identified area to a size of the low priority data[.]” A review of the bytecode, confirms that the Accused Products create an identified size of the low priority data. It does this through a specific class in the bytecode. This class controls the size of the promotion carousel based upon the size of the interface. It also sets the width, height and many other specific items such as padding, which defines borders, as well as font size, etc. On information and belief, the application code for iOS implementations functions similarly.
[1.9] in response to the comparison, reformat the low priority data to fit the identified area, wherein the reformatting comprises at least one of: converting a format of the low priority data, resizing the low priority data, compressing the	The Accused Products “reformat the low priority data to fit the identified area, wherein the reformatting comprises at least one of: converting a format of the low priority data, resizing the low priority data, compressing the low priority data, decompressing the low priority data, or converting a color of the low priority data[.]” For example, with respect to resizing the low priority data, <i>see</i> Claim Element 1.8. The Accused Products also compress and decompress the data. Specifically, the Accused Products make use of PNG formatted images. PNG is a lossless compressed format. This allows images to be stored and transferred over the internet in a smaller compressed format, when there the image is decompressed when displayed and shown on the interface. For example, an example advertisement image is available at the

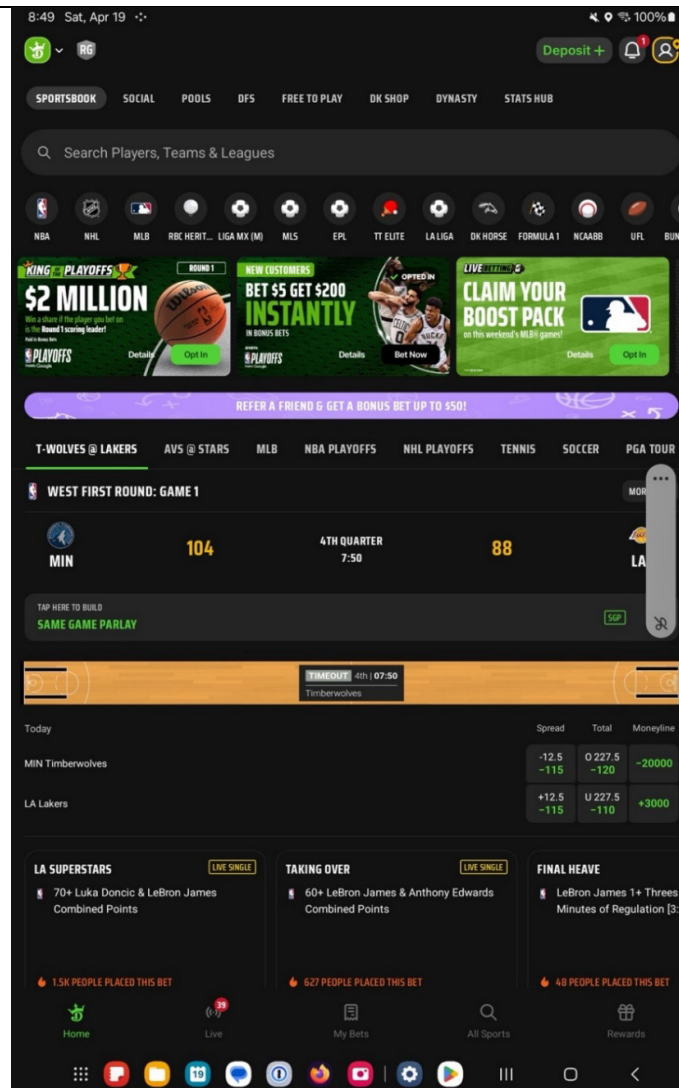
low priority data, decompressing the low priority data, or converting a color of the low priority data; and	following link: https://sportsbook.draftkings.com/static/promos/images/20250413T061634_OSB_NBA_25-Playoffs_Tier1_CRM_Promos_900x300_PromoPageTerms_NoSweat.png for the promotion details image for promotion ID 212917. When running the image through pngcheck, which is a command line tool to display attributes of PNG image files, it shows the following: <pre>File: ./20250413T061634_OSB_NBA_25-Playoffs_Tier1_CRM_Promos_900x300_PromoPageTerms_NoSweat.png (385640 bytes) chunk IHDR at offset 0x0000c, length 13 900 x 300 image, 32-bit RGB+alpha, non-interlaced chunk IDAT at offset 0x00025, length 385583 zlib: deflated, 32K window, default compression chunk IEND at offset 0x5e260, length 0 No errors detected in ./20250413T061634_OSB_NBA_25-Playoffs_Tier1_CRM_Promos_900x300_PromoPageTerms_NoSweat.png (3 chunks, 64.3% compression).</pre> This image shows 64.3% compression via the zlib deflated algorithm. It is then converted by decompressing the image and shown on screen in its full uncompressed format as shown below:
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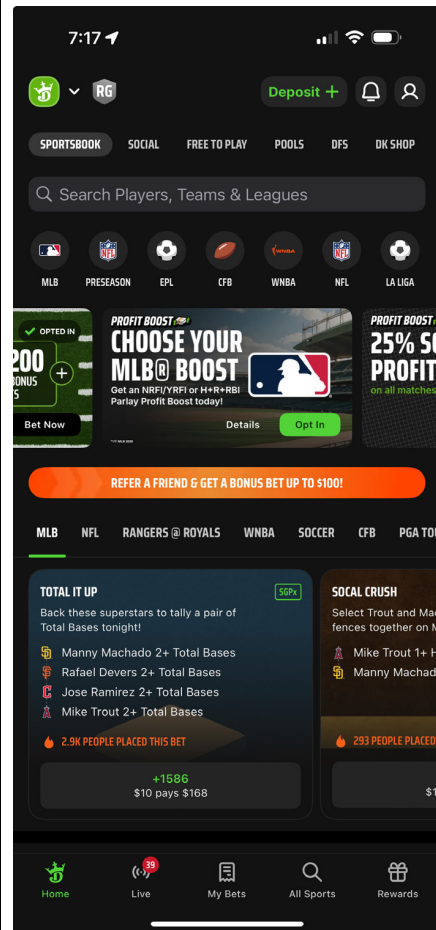
[1.15] display the low priority data at the identified area of the user interface;	The Accused Products “display the low priority data at the identified area of the user interface[.]” <i>See</i> Claim Element 1.7.
[1.16] send, to the one or more server computers, a signal that a user interacted with the low priority data displayed at the identified area of the user interface;	The Accused Products “send, to the one or more server computers, a signal that a user interacted with the low priority data displayed at the identified area of the user interface[.]” The Accused Products present promotions in a carousel. As shown by the Android application below, the carousel shows the first 3 promotions, the first of which is the “King of The Playoffs \$2 Million,” and a button to press to opt into the promotion:

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(Android)

The iOS application similarly shows a carousel with promotions and a button to press to opt into the promotion:

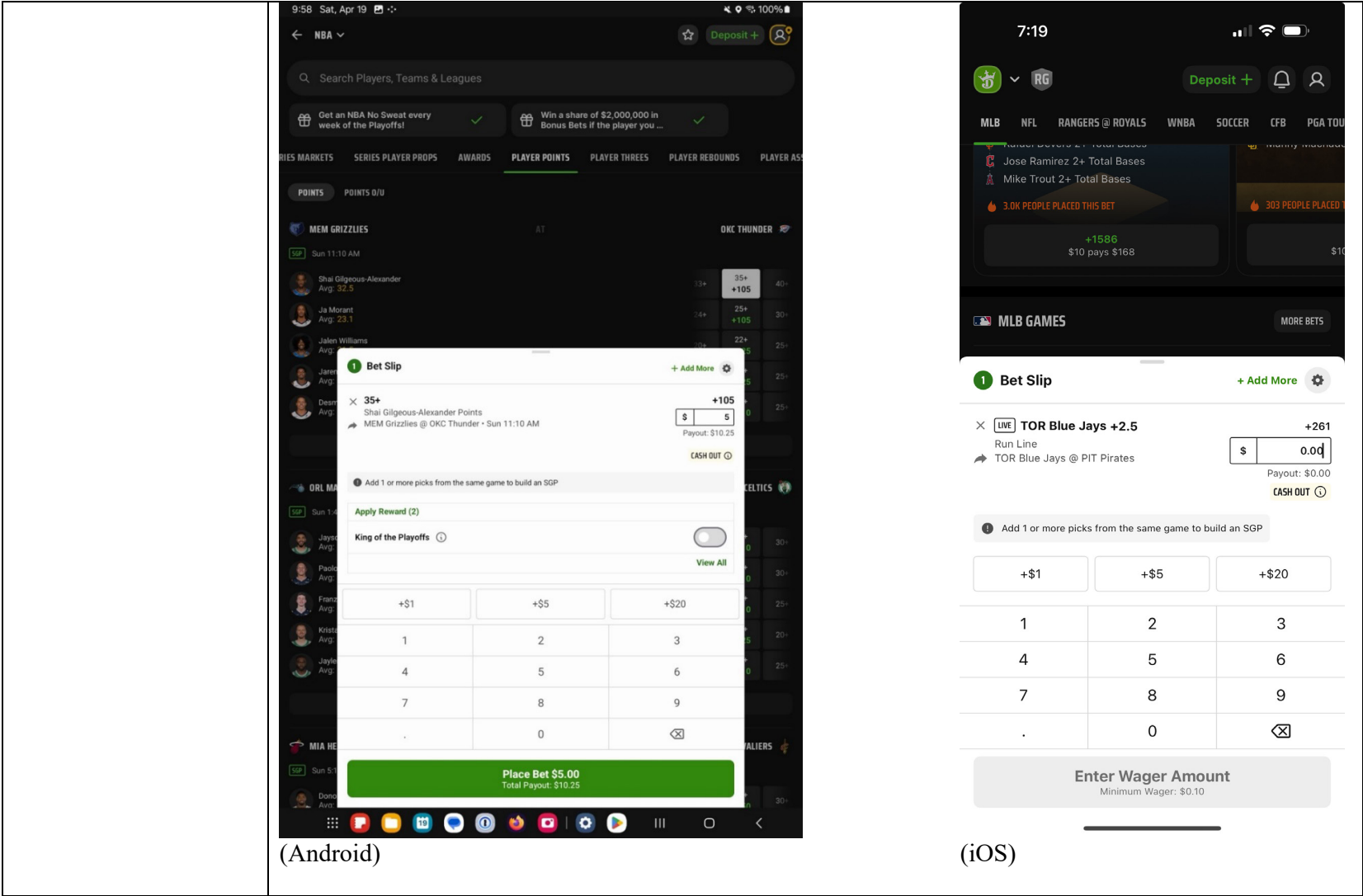


(iOS)

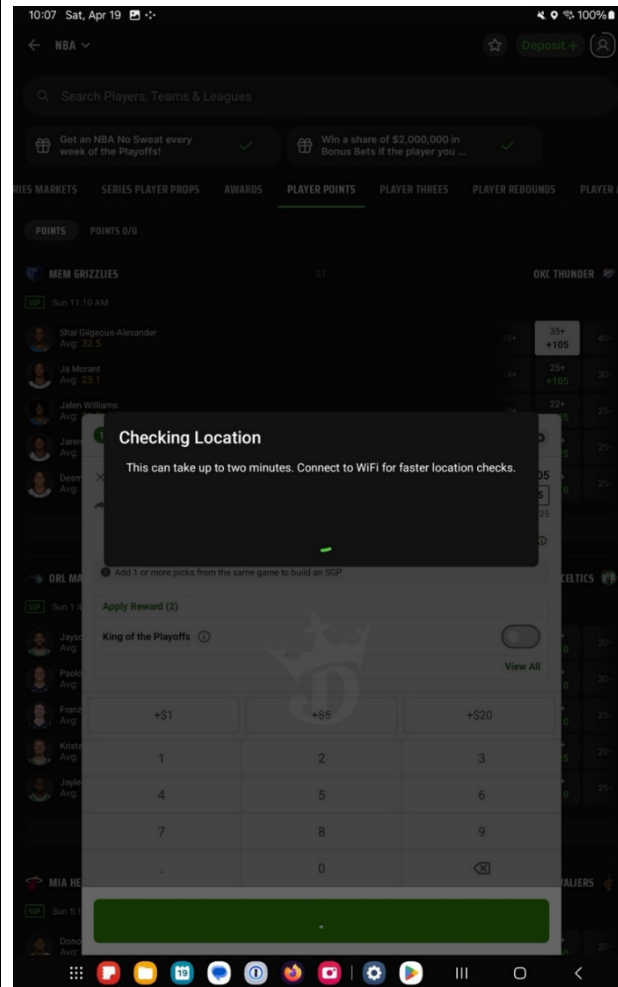
A review of the bytecode confirms that when pressing the “Opt In” button, the Accused Products send communications to the api.draftkings.com server by sending a HTTPS packet that describes the

	promotion as being opted in as well as the promotion ID and what was selected on the user interface. The server then responds with an acknowledgement to the Accused Products' application. On information and belief, the application code for iOS implementations functions similarly.
[1.17] after receiving the signal, display a player prevention alert and prevent the user of the mobile phone from placing a wager via the mobile application based on a determination that the mobile phone is not in a gaming area;	The Accused Products “display a player prevention alert and prevent the user of the mobile phone from placing a wager via the mobile application based on a determination that the mobile phone is not in a gaming area[.]” The Accused Products will show a bet screen allowing the user the ability to attempt to place a wager:

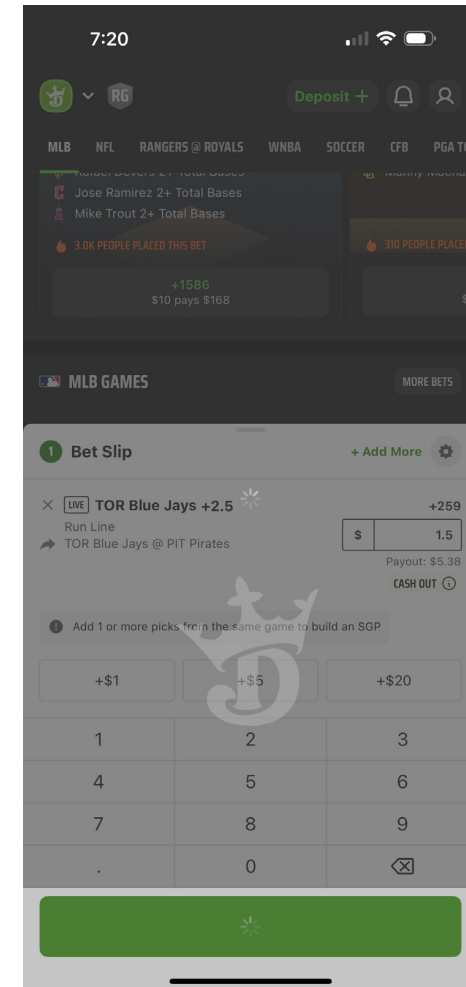
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Upon the user pressing the Place Bet green button, the Accused Products attempt to check if the device is in a gaming area and will show the following screen:

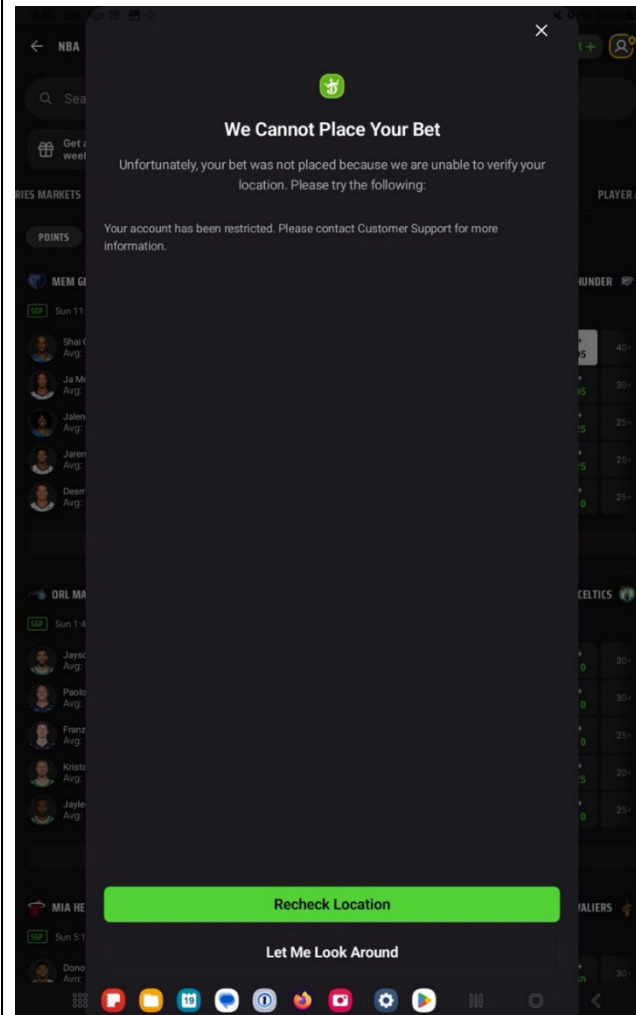


(Android)

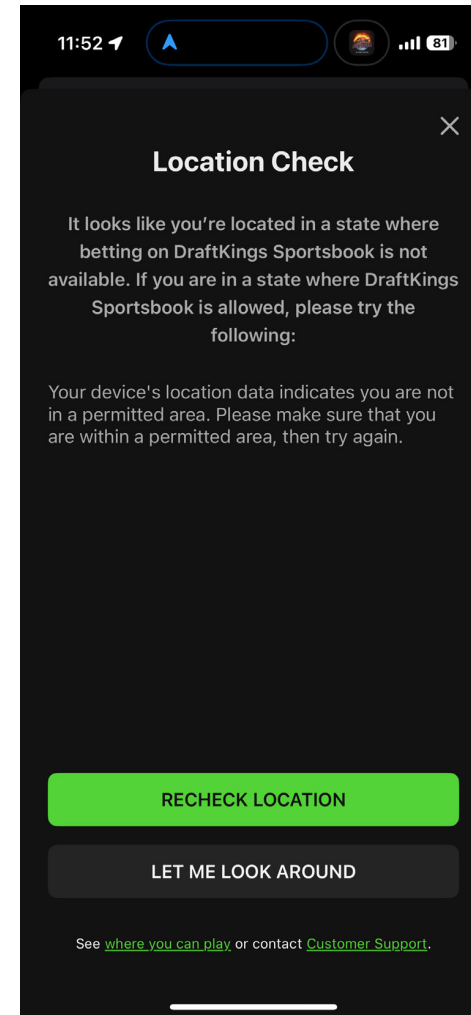


(iOS)

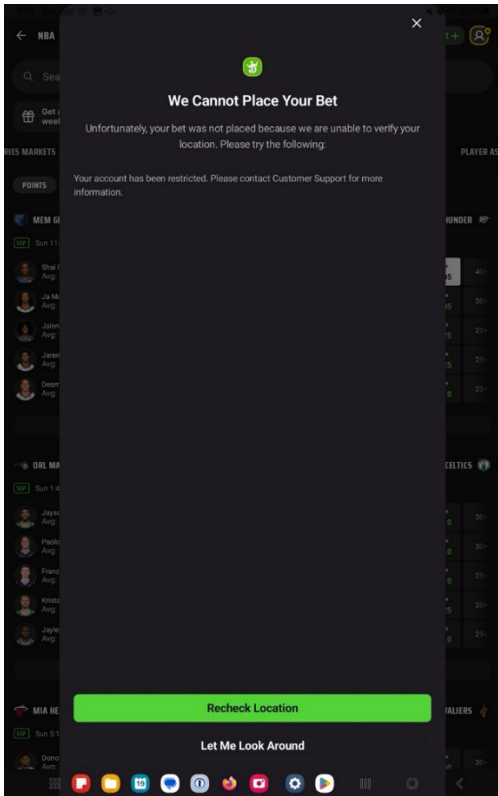
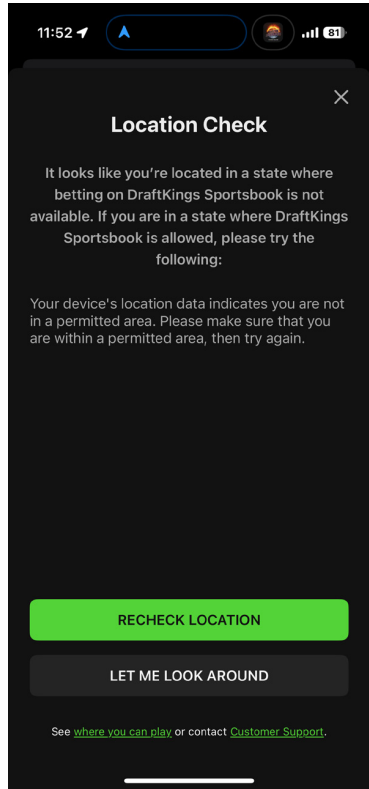
If the Accused Products are unable to detect if the device is in a gaming area, it will display a prevention alert as shown below:

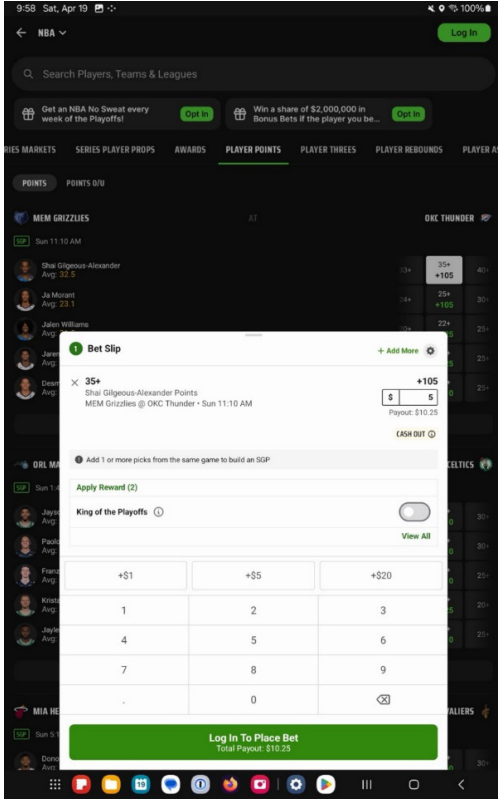
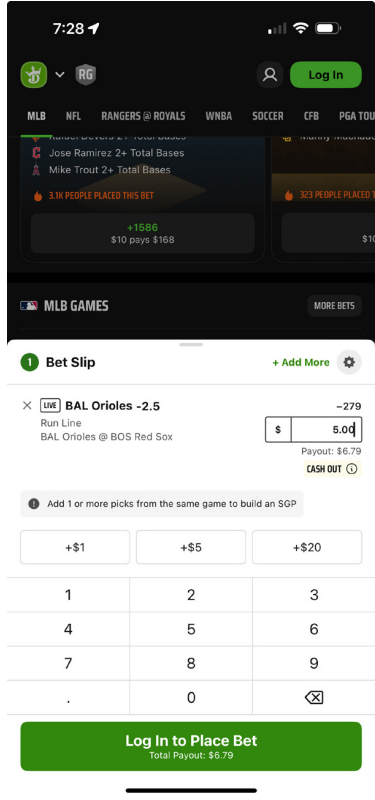


(Android)



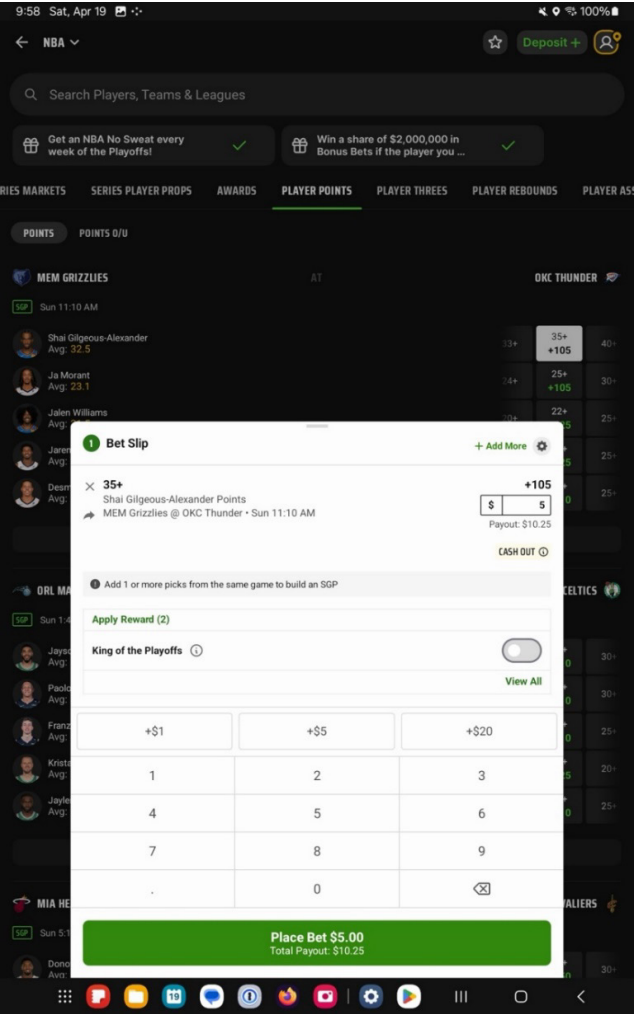
(iOS)

[1.18] receive input from the user, the input indicating an interaction with the touch screen of the mobile phone or a button of the mobile phone;	The Accused Products “receive input from the user, the input indicating an interaction with the touch screen of the mobile phone or a button of the mobile phone[.]” See Claim Element 1.16.
[1.19] based on the received input, remove the player prevention alert;	The Accused Products may “based on the received input, remove the player prevention alert[.]”  (Android)  (iOS)

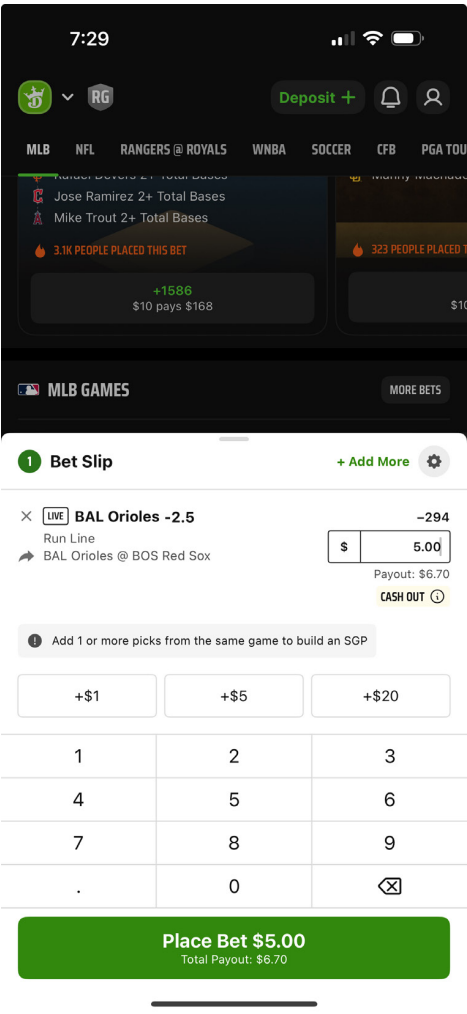
	The user may remove the prevention alert by pressing the “X” in the top right corner or by pressing the “Let Me Look Around” button.
[1.20] determine that the user is enabled to play the mobile application; and	The Accused Products “determine that the user is enabled to play the mobile application[.]” If the Accused Products determine that the user is unable to play the application because they are not logged in, it will display a “Log In To Place Bet” button which will force the user to log into the application to continue play as shown in the screen below:  (Android)  (iOS)

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If the user is logged in, the same screen will change the button to “Place Bet” as shown below:



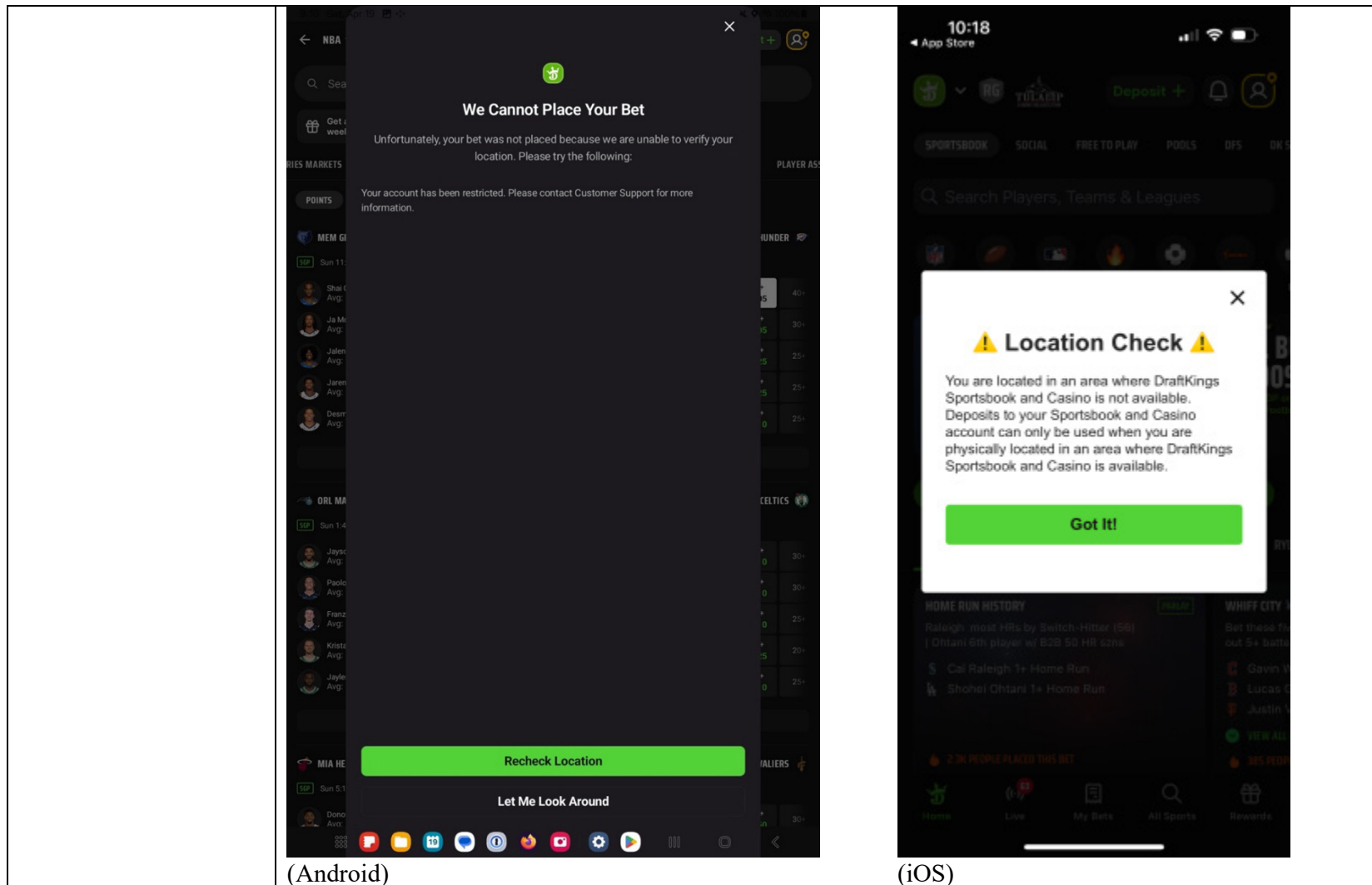
(Android)



(iOS)

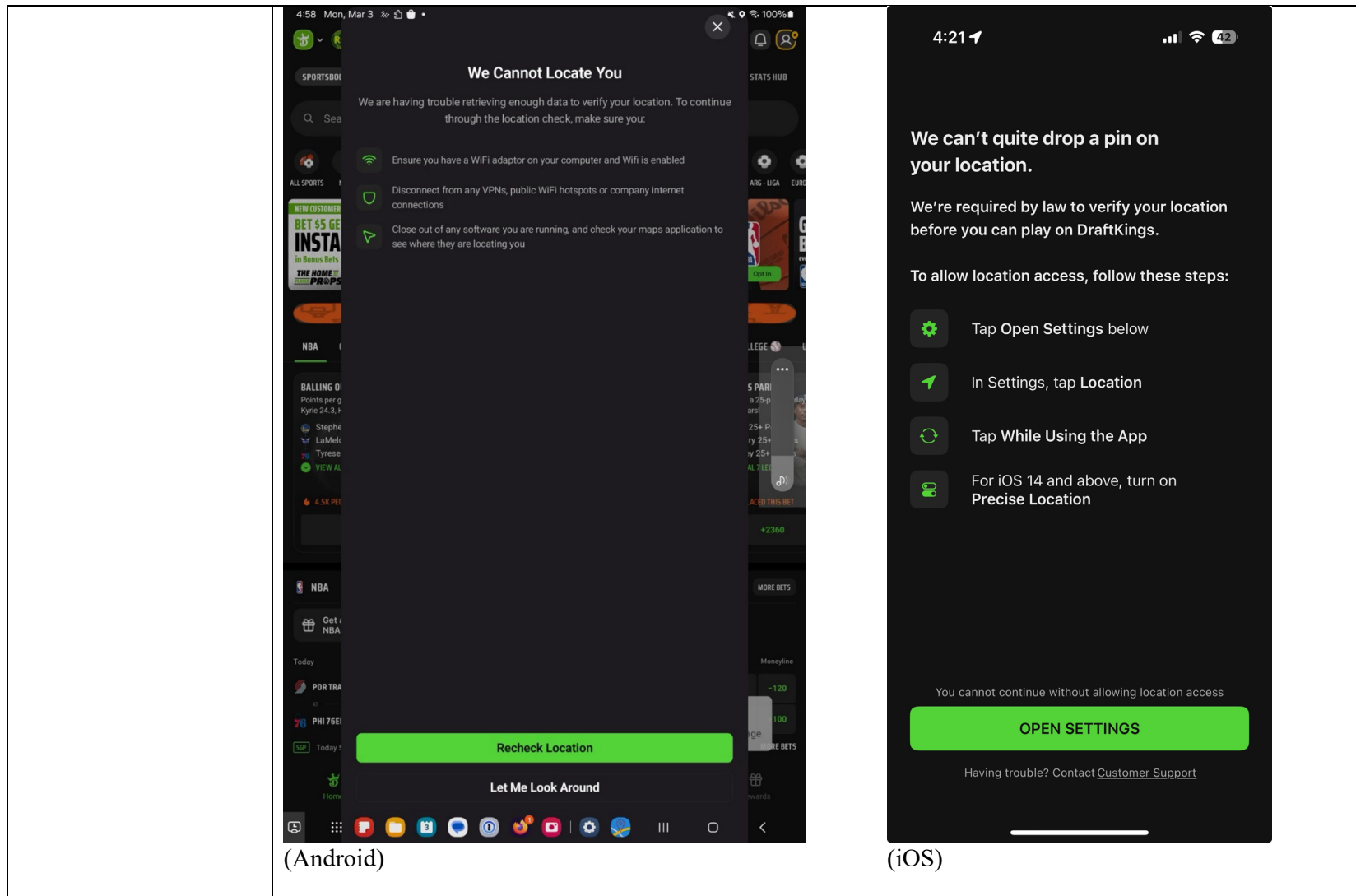
[1.21] based on a determination that the user is enabled to play the mobile application, allow the user to play the mobile application.	The Accused Products determine “that the user is enabled to play the mobile application, allow the user to play the mobile application.” <i>See</i> Claim Element 1.20.
[2] The mobile phone of claim 1, wherein the location data indicates the mobile phone is at an edge of an area where gambling is allowed, and wherein the low priority data is based on the mobile phone being at the edge of the area where gambling is allowed.	The Accused Products include location data “wherein the location data indicates the mobile phone is at an edge of an area where gambling is allowed, and wherein the low priority data is based on the mobile phone being at the edge of the area where gambling is allowed.” For example, as one approaches a border in a geography where gambling is allowed (but has not crossed it), the following message is displayed with the exemplary low priority data:

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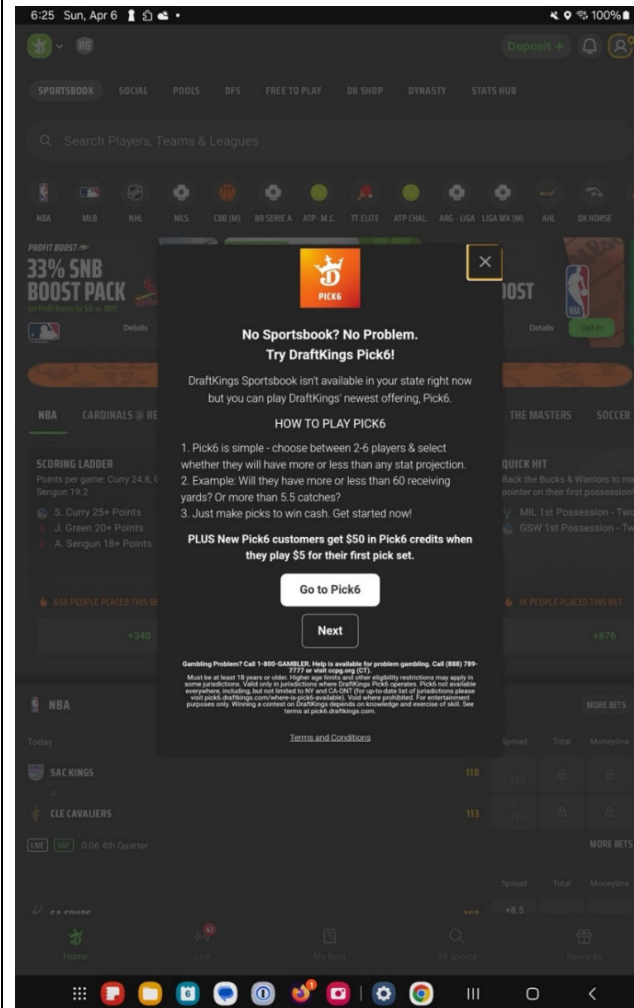


[3.1] The mobile phone of claim 1, wherein, to prevent the user from placing the wager via the mobile application, the at least one computer processor is further configured to:	The Accused Products “prevent the user from placing the wager via the mobile application[.]” <i>See</i> Claim Element 1.17 for preventing the user to place a wager and Claim Element 1.1 for computer processor.
[3.2] repeatedly send location data to the one or more server computers;	The Accused Products “repeatedly send location data to the one or more server computers[.]” This element is met by several different mechanisms within the Accused Products, each of which sends location data to one or more servers. For example, throughout use of the application, a user may be repeatedly prompted to confirm or check their location, as shown below:

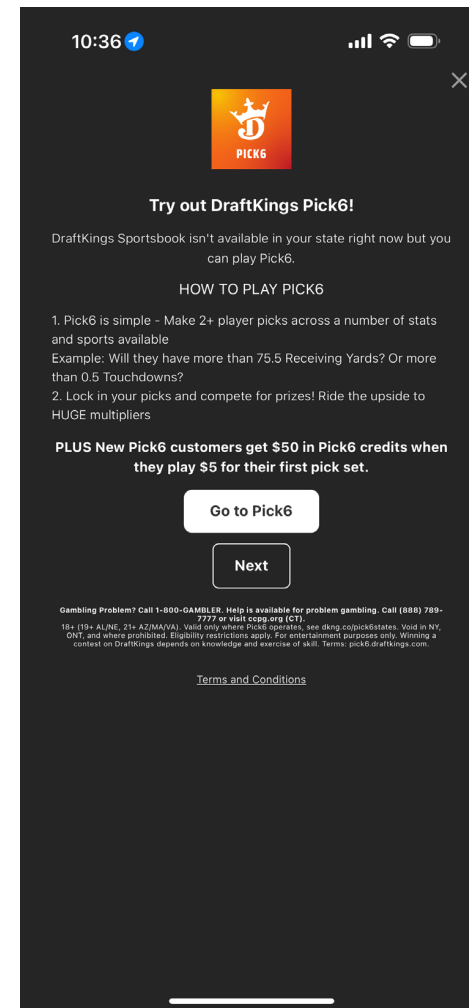
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As a result of this explicit check, which sends data to one or more servers, if the user is not allowed to gamble, the following message is displayed:



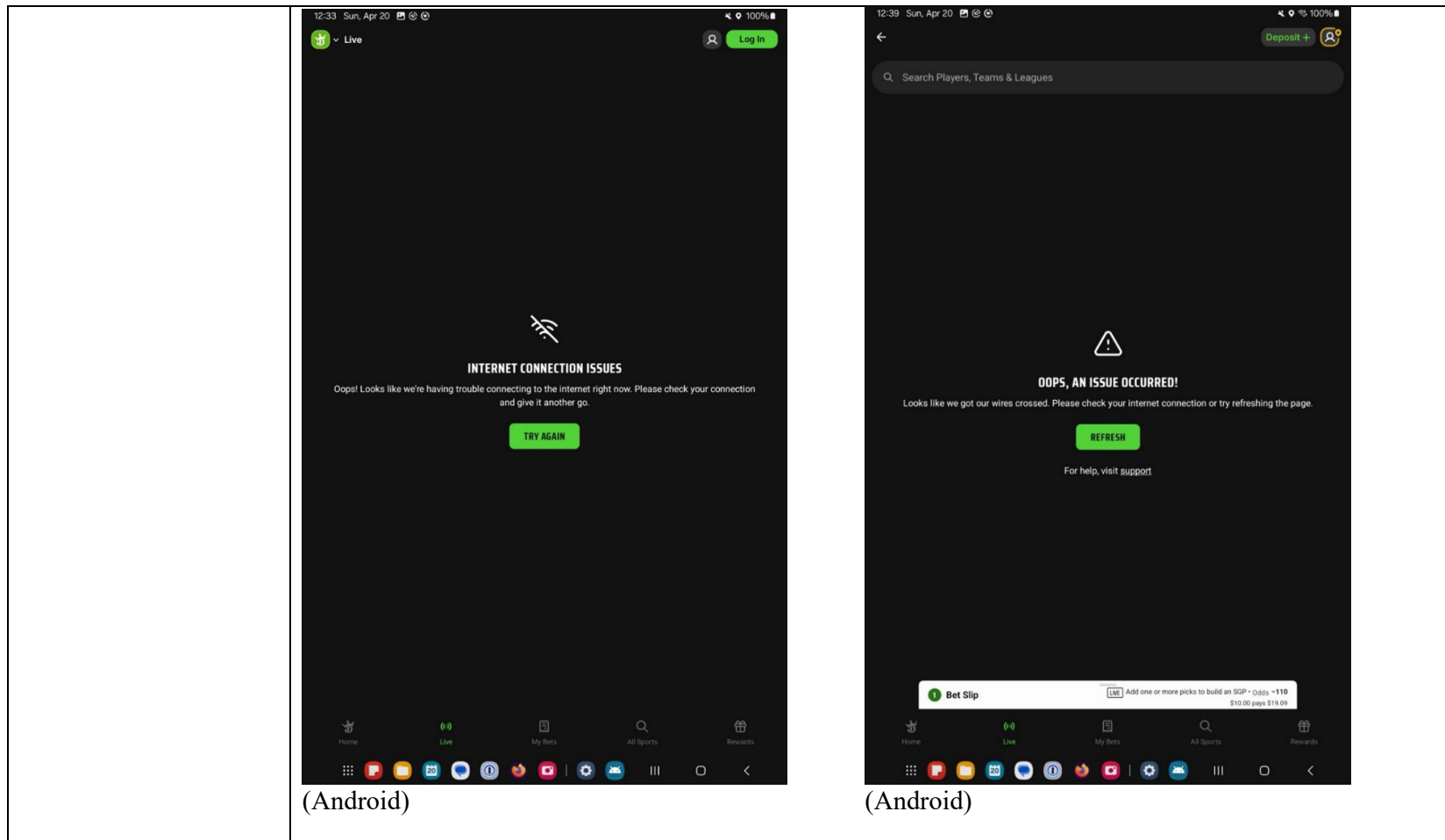
(Android)



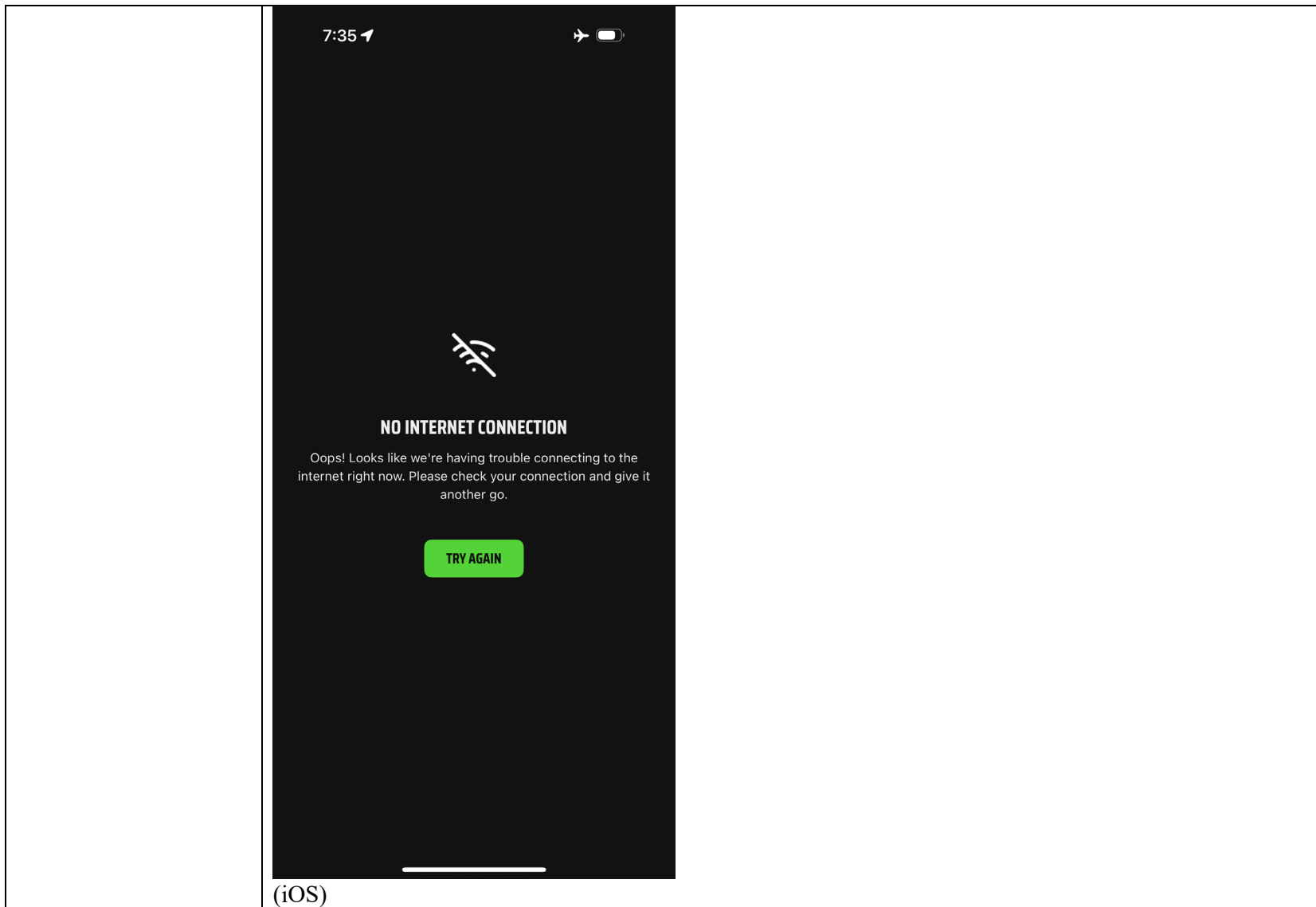
(iOS)

	Otherwise, the user is allowed to proceed with gaming if the user is within a geographic area where they are allowed to engage in gaming activity. In addition to the explicit checks, a review of the bytecode confirms that there are a number of location checks that occur without explicit user involvement. Specifically, the Accused Products, in part, utilize the Google Play services GMS location API, including a fused location provider for providing geofencing and geographical area handling. On information and belief, the application code for iOS implementations functions similarly. This includes determining its location via GPS, cellular, and Wi-Fi as a fused source of locational data. As noted in the Google Android documentation found at https://developers.google.com/location-context/fused-location-provider, it states: <i>The fused location provider is a location API in Google Play services that intelligently combines different signals to provide the location information that your app needs.</i> <i>The fused location provider manages the underlying location technologies, such as GPS and Wi-Fi, and provides a simple API that you can use to specify the required quality of service.</i> Using the aforementioned APIs along with Google Android's Geofence API, the Accused Products also "repeatedly: determine whether the mobile device is within or without a geographical area in which the user is allowed to engage in gaming activity on the mobile device." Specifically, the Accused Products use Android's Geofence and GeofencingEvent objects, and receive geofence events through a custom BroadcastReceiver implementation. This is further explained in Google's documentation found at https://developer.android.com/develop/sensors-and-location/location/geofencing, which states that "for each geofence, you can ask Location Services to send you entrance and exit events, or you can specify a duration within the geofence area to wait, or dwell, before triggering an event." The documentation additionally states, "[a] BroadcastReceiver gets updates when an event occurs, such as a transition into or out of a geofence, and can start long-running background work."
[3.3] detect a disruption in a connection to the one or more server computers; and	The Accused Products "detect a disruption in a connection to the one or more server computers[.]" When the Accused Products detect a disruption in a connection to one or more server computers, the interface may notify the user with the following modal screens:

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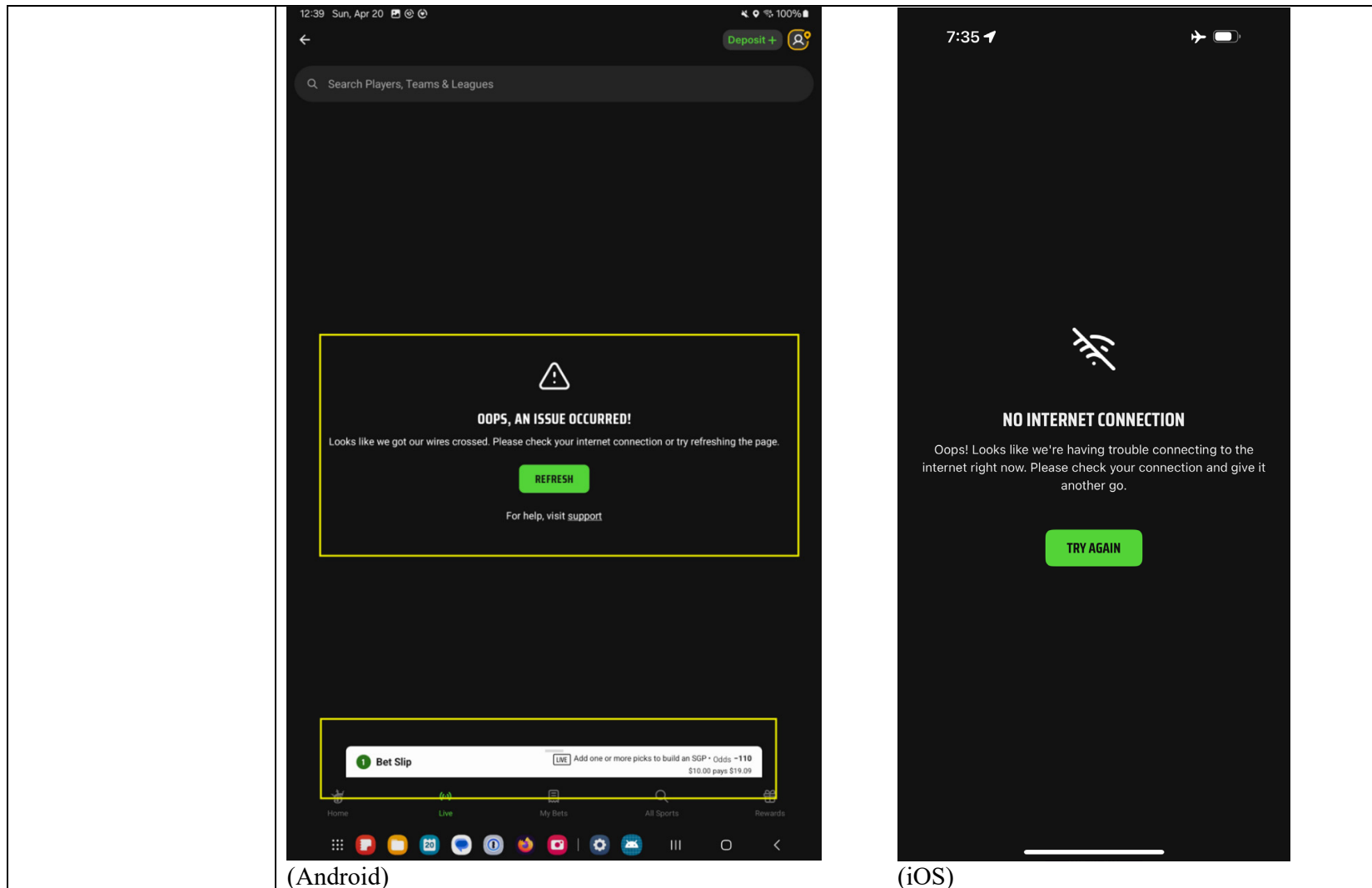


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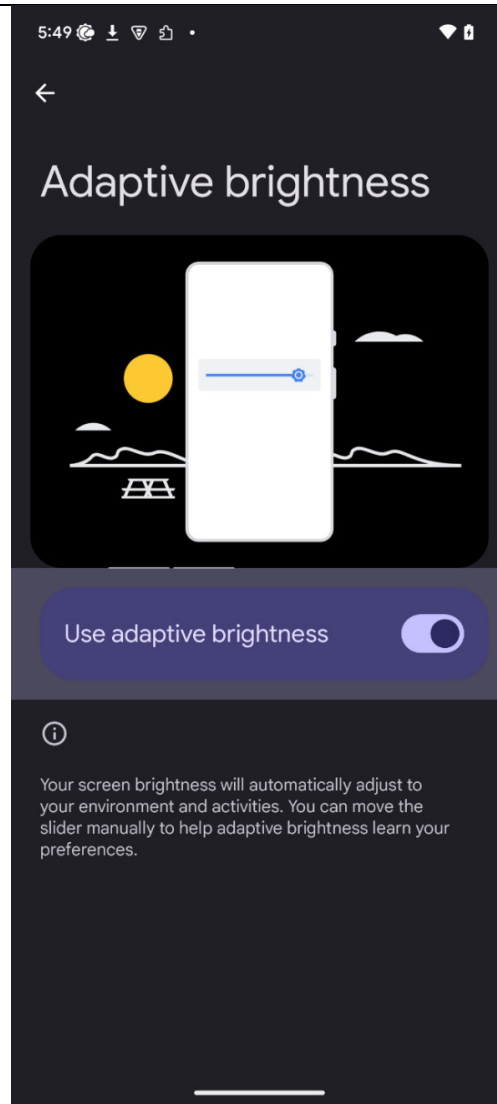
[3.4] in response to the disruption:	<i>See</i> Claim Element 3.3.
[3.5] prevent the user from placing the wager via the mobile application; and	The Accused Products “prevent the user from placing the wager via the mobile application[.]” <i>See</i> Claim Element 3.3.
[3.6] display second low priority data on the touch screen of the mobile phone.	The Accused Products “display second low priority data on the touch screen of the mobile phone.” The Accused Products display additional second low priority data on the touch screen when there is a disruption in the connection to one or more internet servers:

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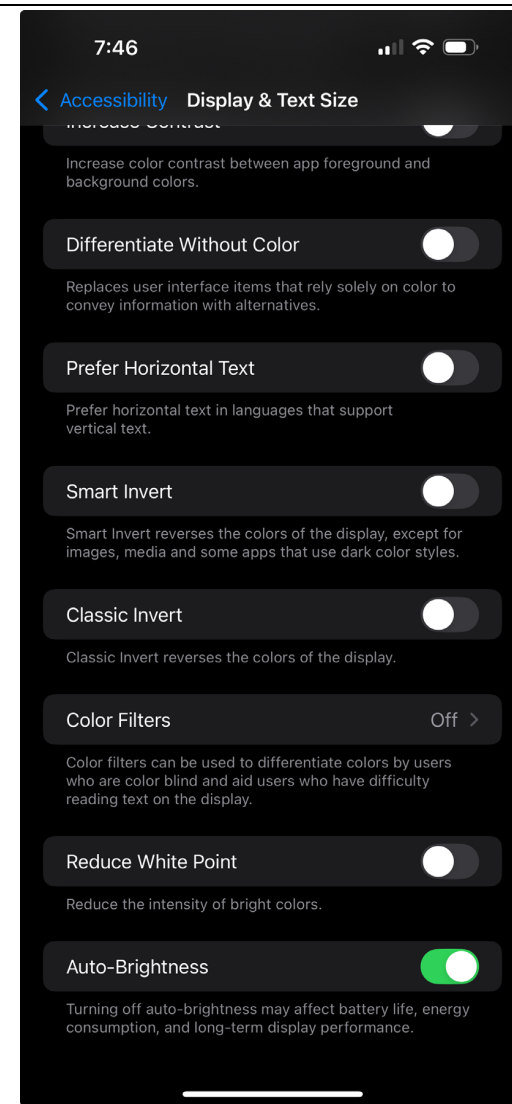


[4] The mobile phone of claim 1, wherein the low priority data includes a display time and wherein the at least one computer processor is further configured to: determine the low priority data has been displayed at the identified area of the touch screen for the display time; and in response to a determination that the low priority data has been displayed at the identified area of the touch screen for the display time, display second low priority data at the identified area.	The Accused Products include functionality “wherein the low priority data includes a display time and wherein the at least one computer processor is further configured to: determine the low priority data has been displayed at the identified area of the touch screen for the display time; and in response to a determination that the low priority data has been displayed at the identified area of the touch screen for the display time, display second low priority data at the identified area.” <i>See</i> Claim Element 1.7, describing how the promotions have start times and end times. A review of the bytecode confirms that when the end time is reached, a new and different promotion is shown. On information and belief, the application code for iOS implementations functions similarly.
[8.1] The mobile phone of claim 1, wherein the at least one computer processor is further configured to: detect, via a light sensor of the mobile phone, that a level of ambient light is above a predefined threshold; and alter a	The Accused Products include “at least one computer processor is further configured to: detect, via a light sensor of the mobile phone, that a level of ambient light is above a predefined threshold; and alter a brightness level of the touch screen of the mobile phone.” The computer processor on mobile devices used by the Accused Products support ambient light detection via a sensor of the mobile phone. The amount of light obtained from the environment can dim or brighten the display of the phone. This is known as adaptive brightness where “screen brightness will automatically adjust to your environment and activities” as shown in the screenshot below:

brightness level of the touch screen of the mobile phone.



(Android)



(iOS)

[10.1] The mobile phone of claim 1, wherein the low priority data includes a digital signature from the one or more server computers and a timestamp, and the at least one computer processor is further configured to:	The Accused Products use “the low priority data includ[ing] a digital signature from the one or more server computers and a timestamp, and the at least one computer processor[.]” The Accused Products utilize SSL (Secure Socket Layer) communication protocol over HTTP, known as HTTPS. SSL certificates have a key pair: a public and a private key, which exist as a digital certificate. These keys work together to establish an encrypted connection. The certificate also contains what is called the “subject,” which is the identity of the certificate/website owner. The Accused Products use a 90-day certificate from Let’s Encrypt which is automatically renewed before its expiration as shown below:
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Certificate Viewer: api.draftkings.com

General

Details

Issued To

Common Name (CN)	api.draftkings.com
Organization (O)	<Not Part Of Certificate>
Organizational Unit (OU)	<Not Part Of Certificate>

Issued By

Common Name (CN)	R10
Organization (O)	Let's Encrypt
Organizational Unit (OU)	<Not Part Of Certificate>

Validity Period

Issued On	Thursday, March 13, 2025 at 6:45:47 AM
Expires On	Wednesday, June 11, 2025 at 6:45:46 AM

SHA-256 Fingerprints

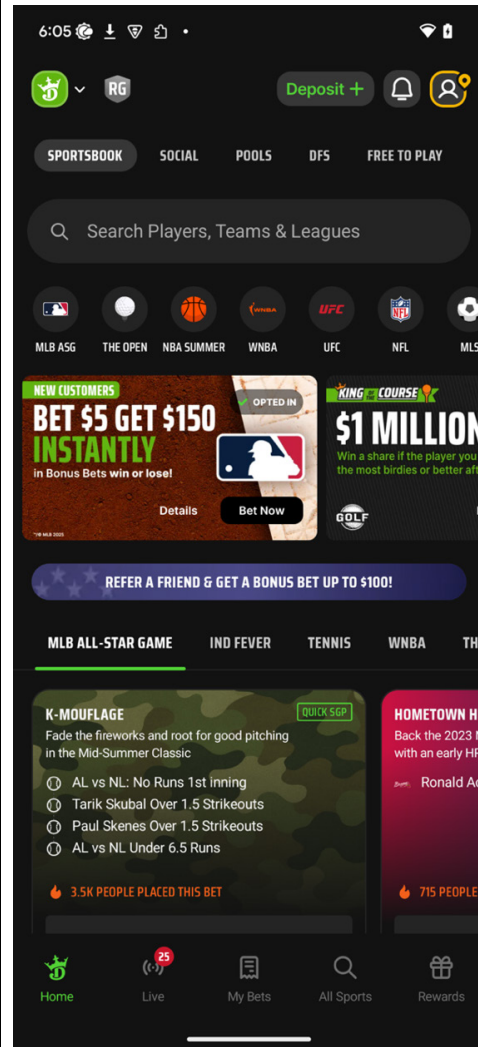
Certificate	74685340c7bec7191325ae2e7166ee7a8a5f4f6487f8afebadc45dce603ebd8a
Public Key	780a278a410c573867864b67f70eae0a84c5bd605c58874f7368fb00c48123af

The SSL certificate is only valid between those dates. The Accused Products use the date/time via the SSL protocol to determine the validity of whether to accept the digital certificate.

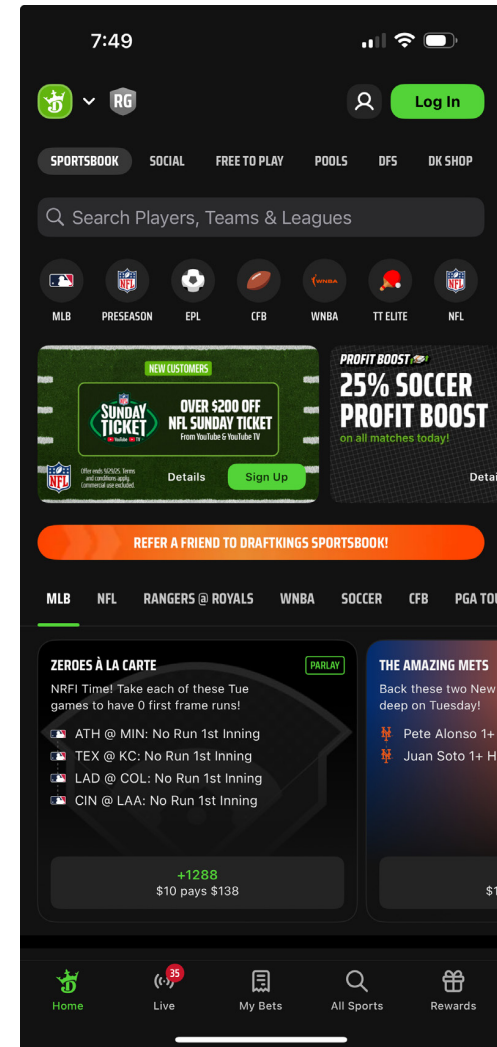
[10.2] authenticate the digital signature from the one or more server computers; and	The Accused Products “authenticate the digital signature from the one or more server computers[.]” <i>See</i> Claim Element 10.1.
[10.3] determine that the timestamp is within a predefined time from a current time.	The Accused Products “determine that the timestamp is within a predefined time from a current time[.]” <i>See</i> Claim Element 10.1.
[11.1] The mobile phone of claim 1, wherein the at least one computer processor is further configured to:	<i>See</i> Claim Element 1.1.
[11.2] determine the low priority data received from the one or more server computers is approved for display by:	<i>See</i> Claim Element 1.4.
[11.3] identifying a first border of an image of the mobile application;	The Accused Products identify “a first border of an image of the mobile application[.]” <i>See</i> Claim Element 1.8 regarding padding as border.
[11.4] identifying a second border of an image in the low priority data;	The Accused Products identify “a second border of an image in the low priority data[.]” <i>See</i> Claim Element 1.8 whereby the class sets multiple padding levels which define multiple secondary borders for display of the low priority images. This specifically includes cardPadding, bottomActionSpacing, endCapPadding, endCapMessageHorizontalPadding, endCapMessageTextBottomPadding, buttonHorizontalPadding, tagContentPadding, horizontalPadding, pagerContentPadding, and buttonContentPadding.
[11.5] overlaying the image in the low priority data on top of	The Accused Products overlay “the image in the low priority data on top of the image of the mobile application[.]”

the image of the mobile application; and

For example, the Accused Products will show the following screen that has the “K-Mouflage” low priority image and data in the lower left hand corner of the screen:

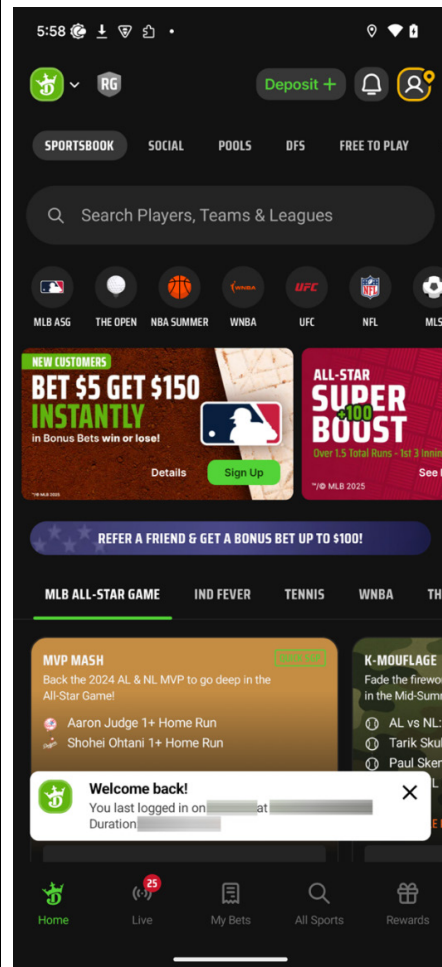


(Android)

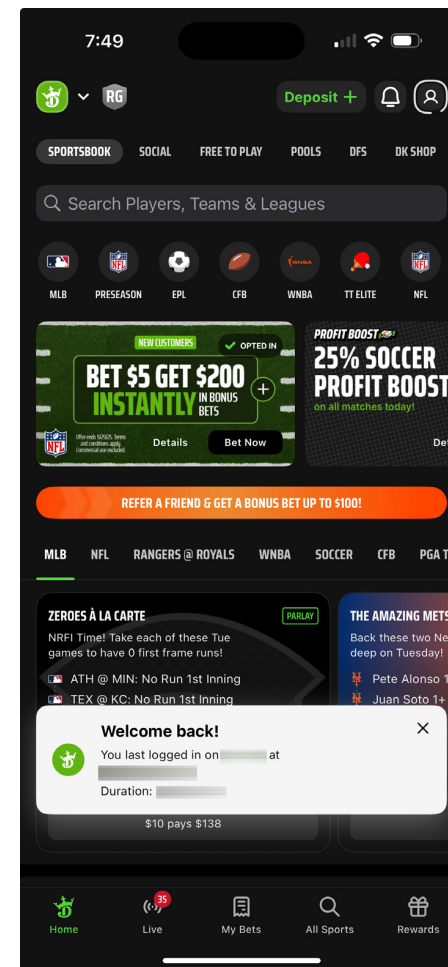


(iOS)

Upon logging in, the Accused Products overlay the K-Mouflage image/data with a “Welcome Back!” bubble and Accused Products logo as shown below:



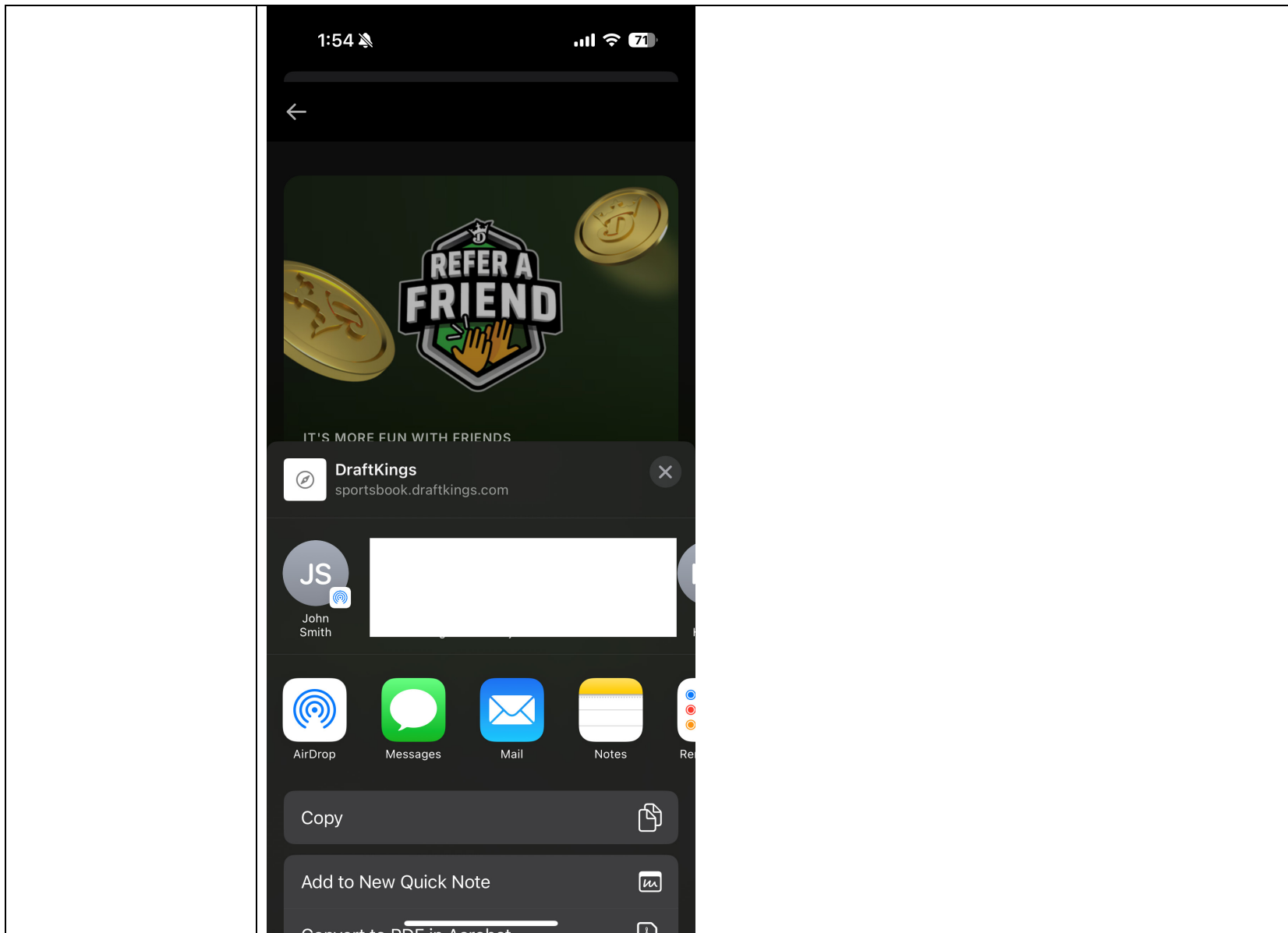
(Android)



(iOS)

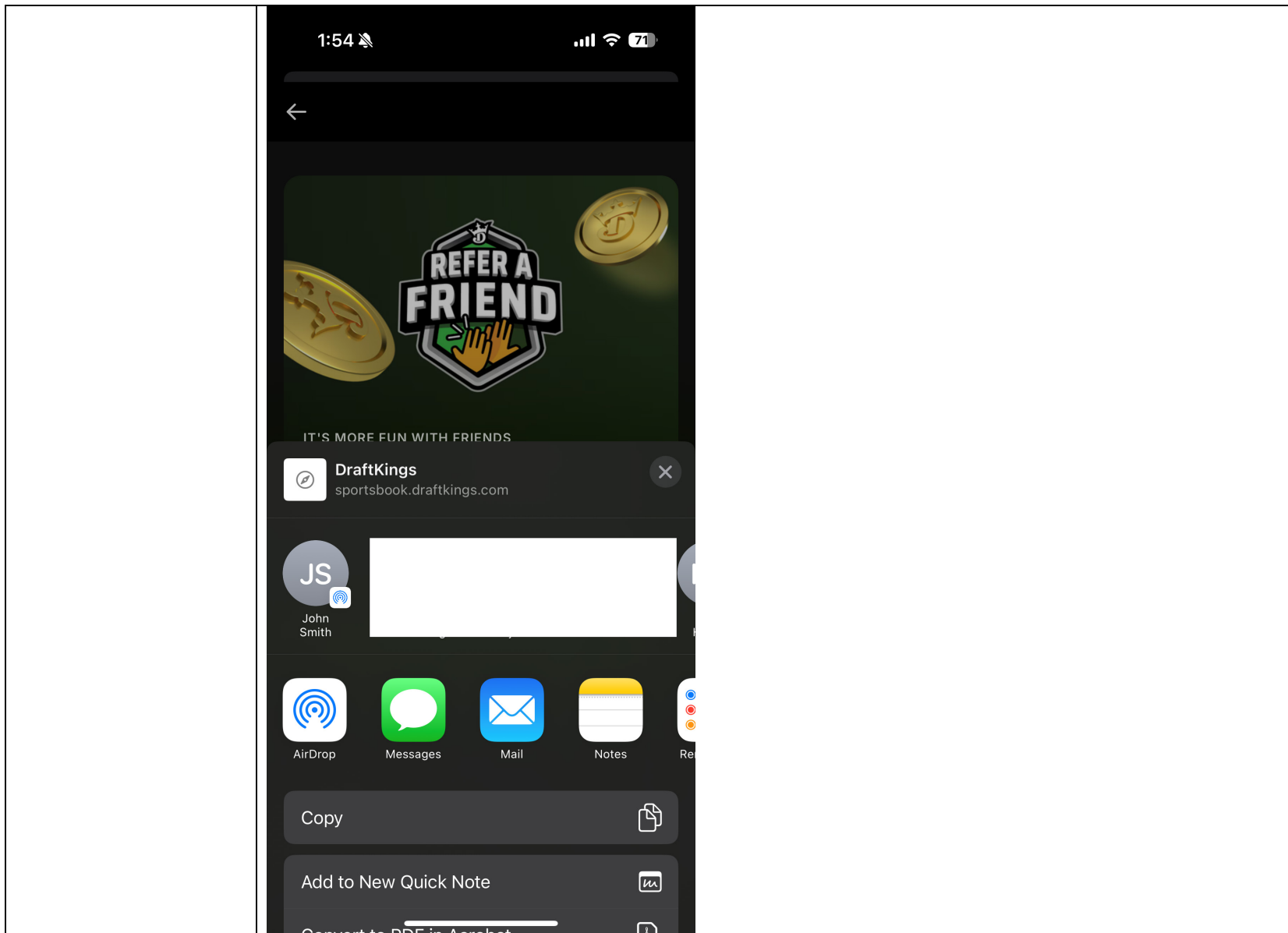
[11.6] while the images are overlain, determining the first border and second border are separated by a predetermined number of pixels.	The Accused Products include “while the images are overlain, determining the first border and second border are separated by a predetermined number of pixels.” On information and belief, and based on review of the bytecode, all the images within the Accused Products are controlled and included within various containers, all of which have controllable properties such as borders, paddings, and margins. This specifically includes cardPadding, bottomActionSpacing, endCapPadding, endCapMessageHorizontalPadding, endCapMessageTextBottomPadding, buttonHorizontalPadding, tagContentPadding, horizontalPadding, pagerContentPadding, and buttonContentPadding. On information and belief, the Accused Products set these properties after determining pixels (or other distance values that correspond to pixels) that separate images from containers or containers/elements from other containers. <i>See also</i> Claim Element 1.8.
[12.1] The mobile phone of claim 1, wherein the at least one computer processor is further configured to:	The Accused Products include functionality “wherein the at least one computer processor is further configured to[.]” <i>See</i> Claim Element 1.1.
[12.2] detect a second mobile phone based on a signal from the second mobile phone, wherein the signal includes Bluetooth data or near field communication (NFC) data;	The Accused Products “detect a second mobile phone based on a signal from the second mobile phone, wherein the signal includes Bluetooth data or near field communication (NFC) data[.]” For example, the Accused Products include functionality for sharing of referrals via Apple’s AirDrop functionality:

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	On information and belief, when AirDrop is initiated it sends and receives at least a Bluetooth radio frequency signal to detect nearby mobile phones: 2.2 Device Discoverability When opening the sharing pane on an iOS device, nearby devices appear in the user interface if they are discoverable [10]. In particular, receiver devices can be discovered by <i>everybody</i> or by <i>contacts only</i>, which is the default setting. In either case, an AirDrop sender will attempt to perform a mutual authentication handshake with a responding receiver. Note that the issues addressed in our paper (i.e., the leakage of contact identifiers of sender and receiver during the authentication process) affect both settings. Heinrich, <i>et al.</i>, “PrivateDrop: Practical Privacy Preserving Authentication for Apple AirDrop,” 30th Usenix Security Symposium, 3578, available at https://www.usenix.org/system/files/sec21-heinrich.pdf (Heinrich).
[12.3] target the detected second mobile phone via a targeting interface; and	The Accused Products “target the detected second mobile phone via a targeting interface[.]” As explained for Claim Element 12.2, the Accused Products allow for sharing of referral links via AirDrop (e.g. in the screenshot below the user “John Smith” is targeted:

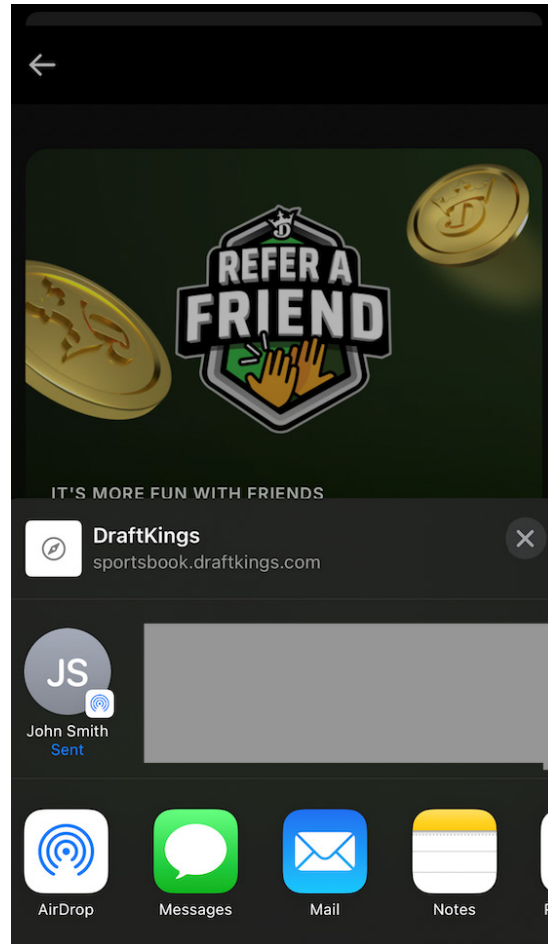
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[12.4] transmit the low priority data to the targeted second mobile phone.

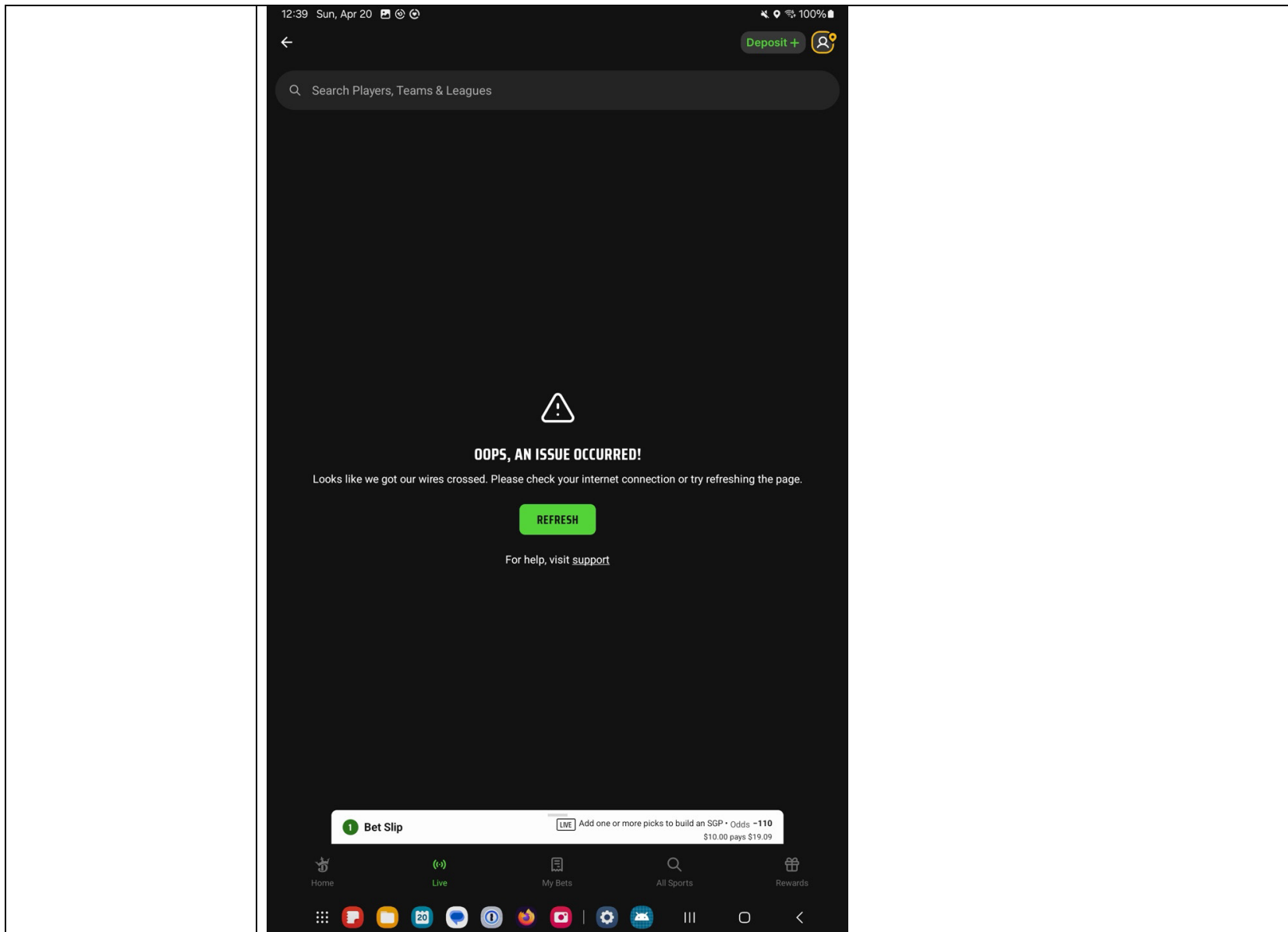
The Accused Products “transmit the low priority data to the targeted second mobile phone[.]”

After the link is shared and the AirDrop user is selected, the referral is transmitted to a second mobile phone, as indicated by the “sent” status shown below:



[13] The mobile phone of claim 1, wherein to compare the size of the identified area to the size of the low priority data, the at least one computer processor is further configured to compare an amount of pixels of the identified area to an amount of pixels of the low priority data.	The Accused Products “compare the size of the identified area to the size of the low priority data, the at least one computer processor is further configured to compare an amount of pixels of the identified area to an amount of pixels of the low priority data.” <i>See Claim Elements 1.8–1.9.</i>
[14] The mobile phone of claim 1, wherein the location data further includes cellular phone data.	The Accused Products’ “location data further includes cellular phone data.” A review of the bytecode confirms, the Accused Products send cellular phone data for location tracking purposes to one or more servers which includes Mobile Country Code (mcc), Mobile Network Code (mnc), and Location Area Code (lac). On information and belief, the application code for iOS implementations functions similarly.
[16.1] The mobile phone of claim 1, wherein to display the low priority data, the at least one processor is further configured to: display an indication that a priority of the low priority data is greater than a priority of second low priority data	The Accused Products include functionality “wherein to display the low priority data, the at least one processor is further configured to: display an indication that a priority of the low priority data is greater than a priority of second low priority data[.]” For example, the following indication is displayed to indicate the relative importance of low priority data:

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[17] The mobile phone of claim 1, wherein to display the low priority data, the at least one processor is further configured to compare at least one of a current time or a current date to at least one of a start time or a start date included in the low priority data.	The Accused Products “display the low priority data, the at least one processor is further configured to compare at least one of a current time or a current date to at least one of a start time or a start date included in the low priority data.” <i>See</i> Claim Element 1.8, whereby the low priority data promotions have a start and end date/time.
[18] The mobile phone of claim 1, wherein the player prevention alert comprises a warning that a location of the mobile phone cannot be determined.	The Accused Products provide a “player prevention alert comprises a warning that a location of the mobile phone cannot be determined.” <i>See</i> Claim Element 1.17.
[19.P] A mobile phone, comprising:	The Accused Products include “[a] mobile phone[.]” <i>See</i> Claim Element 1.1.
[19.1] means for displaying a user interface of a mobile application on a touch screen of the mobile phone;	The Accused Products display “a user interface of a mobile application on a touch screen of the mobile phone[.]” <i>See</i> Claim Element 1.2.
[19.2] means for sending location data to one or more server computers, wherein the location data includes	The Accused Products sends “location data to one or more server computers, wherein the location data includes GPS data and Internet Protocol (IP) data[.]” <i>See</i> Claim Element 1.3.

GPS data and Internet Protocol (IP) data;	
[19.3] means for receiving low priority data from the one or more computers,	The Accused Products receive “low priority data from the one or more computers[.]” <i>See Claim Element 1.4.</i>
[19.4] wherein the low priority data includes an image, text, or video data, and	The Accused Products provide “low priority data [that] includes an image, text, or video data[.]” <i>See Claim Element 1.5.</i>
[19.5] wherein the low priority data is based at least on a type of the mobile phone or the location data;	The Accused Products’ “low priority data is based at least on a type of the mobile phone or the location data[.]” <i>See Claim Element 1.6.</i>
[19.6] means for identifying an area of the user interface to display the low priority data based on information from the one or more server computers that indicates a location to display the low priority data on the user interface such that the low priority data does not interfere with high priority data displayed on the user interface;	The Accused Products “identify[] an area of the user interface to display the low priority data based on information from the one or more server computers that indicates a location to display the low priority data on the user interface such that the low priority data does not interfere with high priority data displayed on the user interface[.]” <i>See Claim Element 1.7.</i>
[19.7] means for comparing a size of the	The Accused Products compare the “size of the identified area to a size of the low priority data[.]”

identified area to a size of the low priority data;	<i>See</i> Claim Element 1.5.
[19.8] means for reformatting the low priority data to fit the identified area in response to the comparison wherein the means for reformatting comprises at least one of:	The Accused Products “reformat[] the low priority data to fit the identified area[.]” <i>See</i> Claim Elements 1.7–1.9.
[19.9] means for converting a format of the low priority data,	The Accused Products provide a “means for converting a format of the low priority data[.]” <i>See</i> Claim Element 1.9.
[19.10] means for resizing the low priority data,	The Accused Products utilize a “means for resizing the low priority data[.]” <i>See</i> Claim Element 1.9.
[19.11] means for compressing the low priority data,	The Accused Products utilize a “means for compressing the low priority data[.]” <i>See</i> Claim Element 1.9.
[19.12] means for decompressing the low priority data, or	The Accused Products utilize a “means for decompressing the low priority data[.]” <i>See</i> Claim Element 1.9.
[19.13] means for converting a color of the low priority data; and	The Accused Products utilize a “means for converting a color of the low priority data[.]” <i>See</i> Claim Element 1.9.
[19.14] means for displaying the low priority data at the identified area of the user interface;	The Accused Products utilize a “means for displaying the low priority data at the identified area of the user interface[.]” <i>See</i> Claim Element 1.7.

[19.15] means for sending, to the one or more server computers, a signal that a user interacted with the low priority data displayed at the identified area of the user interface;	The Accused Products utilize a “means for sending, to the one or more server computers, a signal that a user interacted with the low priority data displayed at the identified area of the user interface[.]” <i>See Claim Element 1.16.</i>
[19.16] means for, after receiving the signal, displaying a player prevention alert and preventing the user of the mobile phone from placing a wager via the mobile application based on a determination that the mobile phone is not in a gaming area;	The Accused Products utilize a “means for, after receiving the signal, displaying a player prevention alert and preventing the user of the mobile phone from placing a wager via the mobile application based on a determination that the mobile phone is not in a gaming area[.]” <i>See Claim Element 1.17.</i>
[19.17] means for receiving input from the user, the input indicating an interaction with the touch screen of the mobile phone or a button of the mobile phone;	The Accused Products utilize a “means for receiving input from the user, the input indicating an interaction with the touch screen of the mobile phone or a button of the mobile phone[.]” <i>See Claim Element 1.16.</i>
[19.18] means for removing the player prevention alert based on the received input;	The Accused Products utilize a “means for removing the player prevention alert based on the received input[.]” <i>See Claim Element 1.17.</i>

[19.19] means for determining that the user is enabled to play the mobile application; and	The Accused Products utilize a “means for determining that the user is enabled to play the mobile application[.]” <i>See</i> Claim Element 1.20.
[19.20] means for allowing the user to play the mobile application based on a determination that the user is enabled to play the mobile application.	The Accused Products utilize a “means for allowing the user to play the mobile application based on a determination that the user is enabled to play the mobile application.” <i>See</i> Claim Element 1.20.
[20.1] The mobile phone of claim 19, wherein the means for preventing the user of the mobile phone from placing a wager via the mobile application comprises:	The Accused Products utilize a “means for preventing the user of the mobile phone from placing a wager via the mobile application[.]” <i>See</i> Claim Element 1.17.
[20.2] means for repeatedly sending location data to the one or more server computers;	The Accused Products utilize a “means for repeatedly sending location data to the one or more server computers[.]” <i>See</i> Claim Element 3.2.
[20.3] means for detecting a disruption in a connection to the one or more server computers;	The Accused Products utilize a “means for detecting a disruption in a connection to the one or more server computers[.]” <i>See</i> Claim Element 3.3.
[20.4] in response to the disruption:	<i>See</i> Claim Element 3.3.

[20.5] means for preventing the user from placing the wager via the mobile application; and	The Accused Products utilize a “means for preventing the user from placing the wager via the mobile application[.]” <i>See</i> Claim Element 3.3.
[20.6] means for displaying a second low priority data at the mobile phone.	The Accused Products utilize a “means for displaying a second low priority data at the mobile phone.” <i>See</i> Claim Element 3.6.
[21] The mobile phone of claim 19, wherein the location data indicates the mobile phone is at an edge of an area where gambling is allowed, and wherein the low priority data is based on the mobile phone being at the edge of the area where gambling is allowed..	The Accused Products’ “location data indicates the mobile phone is at an edge of an area where gambling is allowed, and” the Accused Products’ “low priority data is based on the mobile phone being at the edge of the area where gambling is allowed.” <i>See</i> Claim 2.
[22] The mobile phone of claim 19, wherein the means for comparing the size of the identified area to the size of the low priority data comprises means for comparing an amount of pixels of the identified area to an amount of pixels of the low priority data.	The Accused Products “comprise[a] means for comparing an amount of pixels of the identified area to an amount of pixels of the low priority data.” <i>See</i> Claim Elements 1.8–1.9.

[23] The mobile phone of claim 19, wherein the location data further includes cellular phone data.	The Accused Products' "location data further includes cellular phone data." <i>See</i> Claim Element 24.
[25.1] The mobile phone of claim 19, wherein the means for displaying the low priority data comprises: means for displaying an indication that a priority of the low priority data is greater than a priority of second low priority data.	The Accused Products include functionality "wherein the means for displaying the low priority data comprises: means for displaying an indication that a priority of the low priority data is greater than a priority of second low priority data." <i>See</i> Claim Element 16.
[26] The mobile phone of claim 19, wherein the means for displaying the low priority data comprises means for comparing a current time to a start time included in the low priority data.	The Accused Products provide a "means for displaying the low priority data comprises means for comparing a current time to a start time included in the low priority data." <i>See</i> Claim Element 1.8, whereby the low priority data promotions have a start and end date/time.
[27] The mobile phone of claim 19, wherein the means for displaying the low priority data comprises means for comparing a current date to a start	The Accused Products provide a "means for displaying the low priority data comprises means for comparing a current date to a start date included in the low priority data." <i>See</i> Claim Element 1.8, whereby the low priority data promotions have a start and end date/time.

date included in the low priority data.	
[28.1] The mobile phone of claim 19, wherein the low priority data includes a display time and wherein the mobile phone further comprises: means for determining the low priority data has been displayed at the identified area of the touch screen for the display time; and means for displaying second low priority data at the identified area in response to a determination that the low priority data has been displayed at the identified area of the touch screen for the display time.	The Accused Products include functionality “wherein the low priority data includes a display time and wherein the mobile phone further comprises[.]” <i>See Claim 4.</i>