

# EXHIBIT 3

# CHART B

6,701,344

**Accused Product: Destiny**

The statements and documents cited below are solely provided by way of example and based on information available to Acceleration Bay, LLC ("Acceleration Bay" or "Plaintiff") at the time this chart was created, and are not to be used by way of limitation or for purposes of construing the claim terms.

Discovery is ongoing, Acceleration Bay has received no discovery from Defendant Activision Blizzard, Inc. ("Defendant" or "Activision") regarding Destiny, and Acceleration Bay is seeking discovery from third parties, including Bungie, the developer of Destiny. Acceleration Bay reserves its right to supplement its infringement contentions as additional information becomes known to it, and relies only on the publicly-available information presently available to it, including playtesting of the Accused Product.

"Accused Product" refers to the PlayStation 3, PlayStation 4, Xbox One and Xbox 360 versions of Destiny (including without limitation Destiny Limited Edition, Destiny Standard Edition, Destiny: The Taken King – Collector's Edition, Destiny: The Taken King – Digital Collector's Edition, Destiny: The Taken King – Legendary Edition, Destiny: The Taken King – Limited Edition, Iron Banner, Prison of Elders, Trials of Osiris, the Dark Below and The House of Wolves), as identified in Acceleration Bay's November 2, 2015 Identification of Accused Products.

Unless otherwise noted in the charting below, Acceleration Bay contends that the Accused Product literally infringes each of the claims identified below. Acceleration Bay prepared these Infringement Contentions without the benefit of disclosure of Defendant's non-infringement theories. To the extent that Defendant contends that it does not literally infringe a claim, Defendant infringes under the doctrine of equivalents. Once Acceleration Bay receives Defendant's non-infringement positions, if any, Acceleration Bay may demonstrate how the described functionality of the Accused Product is at most insubstantially different from claimed functionality and performs the same function in the same way to achieve the same result.

**Claim 1**

**1-a.** A computer network for providing a game environment for a plurality of participants,

The Accused Product meets the recited claim language because it provides a computer network for providing a game environment for a plurality of participants.

For example and without limitation, the following screen capture shows that the Accused Product allows multiple participants to play the game online concurrently, including in sessions of 16 participants:



<http://vgboxart.com/viewfullsize/66658/Destiny/>

All of the Accused Product's game modes incorporate multiplayer functionality, including for example and without limitation, Public Event, Tower, Crucible, Strike, Fireteam, Iron Banner, and in game VOIP voice chat functionality.

As further example and without limitation, the following screen captures show that the Accused Product utilizes a "mesh-based" network that supports "millions of players online at once":

Multiplayer in Destiny is set to be unlike anything that's come before. We spoke with Bungie technical director Chris Butcher about how it works under the hood and what displays to the player in the game. Find out the nuts and bolts of how Destiny differs from both MMOs and multiplayer shooters to carve its own path.

### **How did the big idea for Destiny's multiplayer philosophy start?**

You have all of these examples of people who are doing big server cluster things like World of Warcraft or something like that. But we didn't really want to do that, because if you think about those kinds of games, you've got a centralized server that's simulating everything in the world, but that can only scale up to some number of players. Maybe it's 1,000. Maybe it's 5,000. Maybe it's 20,000. You compare that to the population of a console game and it's tiny.

So what that means is that you have to have dozens or hundreds of these separate servers. So we started out by thinking, "We want to have a single world that everybody can be in."

We took this mesh-based networking that we've been developing for years and years with Halo and adapted that networking to work in a seamless interconnected world full of other players and AIs. So when you're playing a destination you're moving from area to area and every one of those areas has got this mesh networking with a group of players that are in it at this one time. And then it has its own servers for that particular area so you're continuously moving around between these groups of both consoles and also dedicated servers that are hosting it.

That's the thing that I'm really excited that we've been able to do because I think it's been really hard for us. And I don't really think anybody else is going to be able to pull it off in the timeframe we're talking about on consoles.

<http://www.gameinformer.com/b/features/archive/2013/12/06/the-matchmaking-technology-of-destiny.aspx?PostPageIndex=1>

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