

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

ALMONDNET, INC.,
Plaintiff,

-v-

ROKU, INC.,
Defendant.

6:21-CV-00876-ADA

ALMONDNET, INC., INTENT IQ,
LLC,
Plaintiffs,

-v-

ADGEAR TECHNOLOGIES INC.,
SAMSUNG ELECTRONICS
AMERICA, INC. F/K/A SAMSUNG
TELECOMMUNICATIONS
AMERICA LLC,
SAMSUNG ELECTRONICS CO.,
LTD.,
Defendants.

6:21-CV-00891-ADA

ALMONDNET, INC., INTENT IQ,
LLC,
Plaintiff,

-v-

META PLATFORMS, INC. F/K/A
FACEBOOK, INC.,
Defendant.

6:21-CV-00896-ADA

ALMONDNET, INC., INTENT IQ,
LLC,
Plaintiff,

-v-

MICROSOFT CORPORATION,
Defendant.

6:21-CV-00897-ADA

**ALMONDNET, INC., INTENT IQ,
LLC,**

Plaintiff,

-v-

**AMAZON.COM, INC.,
AMAZON.COM SERVICES LLC,
AMAZON WEB SERVICES, INC.,**
Defendants.

6:21-CV-00898-ADA

**ORDER APPOINTING TECHNICAL
ADVISOR**

The Court finds that the technology in the above-captioned cases warrants the appointment of a technical advisor. These cases involve U.S. Patent No. 7,822,639, which is entitled “Added- revenue off-site targeted internet advertising,” U.S. Patent No. 7,979,307, which is entitled “Method and stored program for accumulating descriptive profile data along with source information for use in targeting third-party advertisements,” U.S. Patent No. 8,200,822, which is entitled “Media properties selection method and system based on expected profit from profile- based ad delivery,” U.S. Patent No. 8,244,582, which is entitled “Method and stored program for accumulating descriptive profile data along with source information for use in targeting third-party advertisements,” U.S. Patent No. 8,244,586, which is entitled “Computerized systems for added- revenue off-site targeted internet advertising,” U.S. Patent No. 8,566,164, which is entitled “Targeted online advertisements based on viewing or interacting with television advertisements,” U.S. Patent No. 8,671,139, which is entitled “Media properties selection method and system based on expected profit from profile-based ad delivery,” U.S. Patent No. 8,677,398, which is entitled “Systems and methods for taking action with respect to one network-connected

along with source information for use in targeting third-party advertisements,” U.S. Patent No. 8,959,146, which is entitled “Media properties selection method and system based on expected profit from profile-based ad delivery,” U.S. Patent No. 9,508,089, which is entitled “Method and systems for directing profile-based electronic advertisements via an intermediary ad network to visitors who later visit media properties,” U.S. Patent No. 9,830,615, which is entitled “Electronic ad direction through a computer system controlling ad space on multiple media properties based on a viewer's previous website visit,” U.S. Patent No. 10,321,198, which is entitled “Systems and methods for dealing with online activity based on delivery of a television advertisement,” and U.S. Patent No. 10,715,878, which is entitled “Targeted television advertisements based on online behavior. All asserted patents are directed towards various aspects of electronic advertisements.

The '639, '307, '822, '582, '586, '164, '249, '089, and '615 Patents are classified in the field of “Data Processing Systems or Methods, Specially Adapted for Administrative, Commercial, Financial, Managerial, Supervisory or Forecasting Purposes; Systems or Methods Specially Adapted for Administrative, Commercial, Financial, Managerial, Supervisory or Forecasting Purposes, Not Otherwise Provided for.” The '139 and '146 Patents are classified in the field of “Electric Digital Data Processing.” The '398, '198, and '878 Patents are classified in the field of Pictorial Communication, e.g., Television.”

The specifications of the '307, '582, and '249 Patent describes that “the present invention relates to a mercantile method directed to brokerage of attributes of information.” *See, e.g.*, '307 Patent at 1:25–27. The specifications of the '822, '089, '615, '139 and '146 Patent describes that “the present invention relates to electronic advertisement placement based on expected profit from the placement.” *See, e.g.*, '822 Patent at 1:21–23. The

specifications of the '639 and '586 Patents describe that “the present invention relates to expanding the revenue from information capacity of the information-media contents.” *See, e.g.,* '639 Patent at 1:25–27. The specifications of the '398 and '878 Patents describe that “the present invention relates to targeted television advertisements based on observed online (i.e., Internet) behavior of a television viewer without employing personally identifiable information.” *See, e.g.,* '398 Patent at 1:19–21. The specifications of the '164 and '198 Patents describe that “the present invention relates to targeted online advertisements based on observed viewing of or interacting with a television advertisement by a television viewer.” *See, e.g.,* '164 Patent at 1:7–10.

Full appreciation of the parties' upcoming arguments requires a detailed understanding of electrical engineering or computer science.¹ The Court hereby appoints Dr. Joshua J. Yi to serve as the Technical Advisor for the Court in this case. Given his background and qualifications, the Court is satisfied that Dr. Yi's appointment pursuant to the terms of this Order would assist the Court in this case. Dr. Yi's contact information is as follows:

Dr. Joshua J. Yi
13492 Research Blvd; Ste. 120 – #445
Austin, TX 78750-2254
E-mail: josh@joshuayipatentlaw.com

The parties shall send courtesy copies of the following documents no later than one business day after the date of this order or after the last document in the following list is filed:

- (1) **Briefs, joint claim construction statement, and patents:** In paper form, double- sided, stapled or bound (e.g., 3-ring), to the mailing address above,
- (2) **Briefs, exhibits, joint claim construction statement, patents, and**

¹ This is not a ruling on the skill level of a person of ordinary skill in the art.

- tutorial:** In electronic form, on a USB drive, to the mailing address above,
(3) **Word version of the joint claim construction statement:** Via e-mail to the above email address.

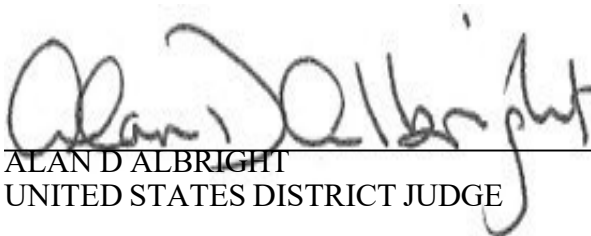
If the document was filed with the Court, the copy must include the CM/ECF header.

Dr. Yi will assist the Court with technical issues related to the claim construction process and advise the Court regarding preliminary and final claim constructions. Dr. Yi may also assist the Court in drafting a claim construction order.

Finally, depending on the needs of the case, Dr. Yi may also assist the Court with motions for summary judgment, *Daubert* motions, trial preparation and rulings, post-trial motions, and any other Court task that requires an appreciation of the complex technology included in the asserted patents.

The parties are **ORDERED** to notify the Court of any conflicts with Dr. Yi within 7 days of this order.

SIGNED this 25th day of October, 2022.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE