

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TWITTER, INC. AND YELP INC.
Petitioners

v.

EVOLUTIONARY INTELLIGENCE, LLC
Patent Owner

Patent No. 7,010,536

Filing Date: January 28, 1999

Issue Date: March 7, 2006

Inventor: Michael De Angelo

Title: SYSTEM AND METHOD FOR CREATING AND MANIPULATING
INFORMATION CONTAINERS WITH DYNAMIC REGISTERS

Inter Partes Review No. Unassigned

CORRECTED
PETITION FOR *INTER PARTES* REVIEW

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I. INTRODUCTION

Through counsel, real parties in interest Twitter, Inc. and Yelp Inc. (“Petitioners”) hereby petition for initiation of *inter partes* review of claims 2-14 and 16 of U.S. Patent No. 7,010,536, entitled “System and Method for Creating and Manipulating Information Containers With Dynamic Registers” (“the ’536 patent”). Ex. 1001.

On April 25, 2014, the Patent Trial and Appeal Board granted-in-part the petition of Apple, Inc. for *inter partes* review of the ’536 patent in Case IPR2014-00086 (“Apple IPR”) finding there was “a reasonable likelihood that Petitioner would prevail in showing unpatentability of challenged claims 2-12, 14, and 16” as being anticipated under 35 U.S.C. § 102(e) by U.S. Patent No. 5,836,529 to Gibbs (Ex. 1006). Pursuant to 35 U.S.C. § 315(c) and 37 C.F.R. §§ 42.22 and 42.122(b), Petitioners submit concurrently herewith a motion for joinder with the Apple IPR.

II. FORMALITIES

A. Real Party in Interest (§ 42.8(b)(1))

The real parties in interest are Twitter, Inc. and Yelp Inc.

B. Related Matters (§ 42.8(b)(2))

The ’536 patent is the subject of the following civil actions:

- *Evolutionary Intelligence LLC v. Yelp Inc.*, Civil Action No. 4:13-cv-03587 (DMR) (N.D. Cal.)

- *Evolutionary Intelligence LLC v. Apple Inc.*, Case No. 3:13-cv-04201-WHA (N.D. Cal.);
- *Evolutionary Intelligence LLC v. Facebook, Inc.*, Case No. 3:13-cv-04202-JSC (N.D. Cal.);
- *Evolutionary Intelligence LLC v. FourSquare Labs, Inc.*, Case No. 3:13-cv-04203-EDL (N.D. Cal.);
- *Evolutionary Intelligence LLC v. Groupon, Inc.*, Case No. 3:13-cv-04204-LB (N.D. Cal.);
- *Evolutionary Intelligence LLC v. LivingSocial, Inc.*, Case No. 3:13-cv-04205-EDL (N.D. Cal.);
- *Evolutionary Intelligence LLC v. Millennial Media, Inc.*, Case No. 5:13-cv-04206-HRL (N.D. Cal.); and
- *Evolutionary Intelligence LLC v. Twitter, Inc.*, Case No. 5:13-cv-04207-JSW (N.D. Cal.).

Claims 2-12, 14, and 16 of the '536 patent are currently subject to *inter partes* review in the Apple IPR.

C. Fee for *Inter Partes* Review (§ 42.15(a))

This petition for *inter partes* review is accompanied by a payment of \$23,000 and requests review of 13 claims of the '536 patent. 7 C.F.R. § 42.15.

Further, Petitioners authorize a debit from Deposit Account No. 20-1430 for

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