

*WhatsApp, Inc. and Facebook, Inc., Petitioners v.  
TriPlay, Inc., Patent Owner, Case IPR2015-00740*

*Patent Owner's Oral  
Argument Presentation  
On U.S. Patent No.  
8,332,475 B2*

*May 19, 2016*

UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT TRIAL AND APPEAL BOARD

# The '475 Patent

(12) **United States Patent**  
**Rosen et al.**

(10) **Patent No.:** **US 8,332,475 B2**  
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(54) **MESSAGING SYSTEM AND METHOD**

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(\*) Notice: Subject to any disclaimer, the term of this  
patent is extended or adjusted under 35  
U.S.C. 154(b) by 1143 days.

(21) Appl. No.: **12/064,489**

(22) PCT Filed: **Aug. 22, 2006**

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## Benefits Of '475 Patented Invention

- “...the reduction in need of content analysis and ability to provide layout delivery instructions based on predefined rules and parameters (e.g. in a form of a look up table).” 21:8-13 (emphasis added).
- “The delivery instructions or parts thereof ... may be predefined in the system (e.g. in a form of a lookup table providing matching between originating device and/or destination device and format and/or layout of the message to be converted for delivery).” 16:63-17:4 (emphasis added).
- “Accordingly, for template-based messaging the delivery instructions with regard to layout of the message are based on predefined layout of message matching to template unique identifier and capabilities of destination device.” 21:1-5 (emphasis added).

## *Claim 1: “Configured To Select” Limitation*

1. A system for message communication via a communication media between one or more originating communication devices assigned to a sender and one or more destination communication devices assigned to a receiver, the system comprising:

...

“**a media block** operatively coupled to said access block and **configured to select**, before transmitting, **at least one message format and a message layout** for each of the at least one message formats fitting to each of said at least one destination device”

## Ordinary And Customary Meaning of “Select”

- “[H]eavy presumption’ that a claim term carries its ordinary and customary meaning.” *CCS Fitness, Inc. v. Brunswick Corp.*, 288 F.3d 1359, 1366 (Fed. Cir. 2002) (emphasis added).
- “Select” means “to pick out as a choice among several”
  - The American Heritage Dictionary (2000) (Ex. 2006): “[t]o take as a choice among several; pick out”
  - The Merriam-Webster Dictionary (2004) (Ex. 2007): “to choose from a number or group; pick out”
  - The Microsoft Computer Dictionary, Fifth Edition (2002) (Ex. 2008): “to choose from a number of options or alternatives, such as subroutines or input/output channels”

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