

United States Patent and Trademark Office
Patent Trial and Appeal Board

WhatsApp Inc. and Facebook, Inc.

v.

TriPlay, Inc.

IPR2016-00717

IPR2016-00718

Petitioners' Demonstratives

Supplemental Oral Hearing
March 5, 2019

Claim 1

1. A method comprising:

receiving, by a messaging system, an initial message sent by an originating communication device to a destination communication device, the initial message being characterized, at least, by message format, an initial message layout and data indicative of at least one receiver associated with the initial message, wherein the initial message includes a video;

obtaining, by the messaging system, data indicative of displaying capabilities of the destination communication device;

before delivery to the destination communication device associated with the at least one receiver, enabling, by the messaging system, conversion, in accordance with a criterion related to the displaying capabilities of the destination communication device, of the initial message into an adapted message, wherein the conversion comprises:

- a) providing, by the messaging system, a **clickable icon**:
 - i) based on the video from the initial message and
 - ii) clickable into an adapted version of the video, wherein the adapted version of the video is adapted to the displaying capabilities of the destination communication device, and
- b) determining, by the messaging system, an adapted message layout, comprising the clickable icon; and facilitating, by the messaging system, delivery of the adapted message to the destination communication device.

Claim 6

6. A messaging system comprising an access block operatively coupled to a media block, wherein:

the access block is configured to receive an initial message sent by an originating communication device to a destination communication device, the initial message being characterized, at least, by message format, an initial message layout, and data indicative of at least one receiver associated with the initial message, wherein the initial message includes a video;

the media block is configured to obtain data indicative of displaying capabilities of the destination communication device and enable conversion, in accordance with a criterion related to the displaying capabilities of the destination communication device, of the initial message into an adapted message, wherein the conversion comprises:

a) providing, by the media block, a **clickable icon**:

i) based on the video from the initial message and

ii) clickable into an adapted version of the video, wherein the adapted version of the video is adapted to the displaying capabilities of the destination communication device, and

b) determining, by the media block, an adapted message layout, comprising the clickable icon; and

the access block is further configured to enable transmitting the adapted message to the destination communication device associated with the at least one receiver.

Observations from the Federal Circuit

- “There is no dispute that Coulombe discloses a majority of the claim limitations, with the exception of two limitations: adaptation of video objects (a limitation petitioners find in Bellordre) and clickable icons (a limitation petitioners find in Friedman).”

WhatsApp, Inc., et al. v. TriPlay, Inc.,
Nos. 2017-2549, 2017-2551, 2018 WL 5962733, at *2 (Fed. Cir. Nov. 14, 2018) (emphasis added).

- “Together, Coulombe, Bellordre, and Friedman disclose all the limitations of the ’677 patent.”

Id. (emphasis added).

- TriPlay also conceded this at the first oral hearing before the PTAB.

(06/12/2017 Tr. at 65:17-66:8.)

What Remains to be Resolved by the Board

- As explained by the Federal Circuit:
 - “Accordingly, we *vacate* the Board’s nonobviousness decision and *remand* for further consideration of the motivation to combine the clickable icons of Friedman with Coulombe and Bellordre.”

WhatsApp, Inc., et al. v. TriPlay, Inc.,
Nos. 2017-2549, 2017-2551, 2018 WL 5962733, at *4 (Fed. Cir. Nov. 14, 2018) (emphasis added).

- As explained by the Board:
 - “[T]he Federal Circuit ... remanded for further consideration the motivation to combine the clickable icons of Friedman with Coulombe and Bellordre.”

Order, Paper 44, at 2.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.