

Declaration of Tal Lavian in Support of  
Petition for *Inter Partes* Review of  
U.S. Patent No. 8,694,657

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Facebook, Inc.  
Petitioner

v.

Windy City Innovations, LLC  
Patent Owner

U.S. Patent No. 8,694,657

TITLE: REAL TIME COMMUNICATIONS SYSTEM

**DECLARATION OF TAL LAVIAN, PH.D.**

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a. “A method of communicating via an Internet network by using a computer system including a controller computer and a database which serves as a repository of tokens for other programs to access, thereby affording information to each of a plurality of participator computers which are otherwise independent of each other, the method including:” (Claim 189, Preamble) .....	20

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f.	“if the user identities are able to form the group, forming the group and facilitating sending the communications that are not censored from the first participator computer to the second participator computer, wherein the sending is in real time and via the Internet network, and wherein the communications which are received and which present an Internet URL, facilitating handling the Internet URL via the computer system so as to find content specified by the Internet URL and presenting the content at an output device of the second participator computer” (claim 189[e]) .....	57

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U.S. Patent No. 8,694,657

I, Tal Lavian, Ph.D., declare as follows:

**I. INTRODUCTION AND QUALIFICATIONS**

**A. Summary of My Opinions**

1. U.S. Patent No. 8,694,657 purports to describe a computerized technique for facilitating real-time communication between individuals using computers connected via the Internet. As I will explain below, the challenged claims do not recite any feature that would have been regarded as novel or non-obvious to a person of ordinary skill in the art. By April 1996 (the earliest priority date of the '657 patent), real-time collaboration over computer networks was well-known, including video/audio conferencing, whiteboarding, and messaging. One of these references, U.S. Patent No. 6,608,636 to Robert D. Roseman, was filed more than four years before the earliest priority date for the '657 patent. Roseman discloses a networked "virtual conferencing" system that discloses all of the supposedly inventive features of the '657 patent. As I will explain below, all of the challenged claims would have been obvious based on the prior art.

**B. Qualifications and Experience**

2. I have more than 25 years of experience in the networking, telecommunications, Internet, and software fields. I received a Ph.D. in Computer Science from the University of California at Berkeley in 2006 and obtained a Master's of Science ("M.Sc.") degree in Electrical Engineering from Tel Aviv

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