UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Facebook, Inc., WhatsApp, Inc.
Petitioners

v.

Uniloc USA, Inc., Uniloc Luxembourg S.A.,
Patent Owner

U.S. Patent No. 8,724,622

TITLE: SYSTEM AND METHOD FOR INSTANT VOIP MESSAGING

DECLARATION OF TAL LAVIAN, PH.D.

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B. Zydney and Shinder Render Obvious Claims 3, 6-8, 10, 11, 13, 18-21, 23, 27, 32-35, and 38. 64

1. Independent Claim 3 64

(a) Preamble of claim 3: "A system comprising:" 65

(b) "a network interface connected to a packet-switched network" (Claim 3[a]) 65

(c) "a messaging system communicating with a plurality of instant voice message client systems via the network interface; and" (Claim 3[b]) 75

(d) "a communication platform system maintaining connection information for each of the plurality of instant voice message client systems indicating whether there is a current connection to each of the plurality of instant voice message client systems," (Claim 3[c]) 80

(e) "wherein the messaging system receives an instant voice message from one of the plurality of instant voice message client systems, and" (Claim 3[d]) 83

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(a) "wherein, upon receipt of an instant voice message, the communication platform system determines if there is the current connection to one of the plurality of instant voice message client systems identified as a recipient of the instant voice message," 106

(b) "and if there is no connection with the one of the plurality of instant voice message client system identified as the recipient, the instant voice message is stored and delivered when the one of the plurality of instant voice message client systems identified as the recipient re-established a connection." 110

7. Dependent Claim 13 111

(a) "wherein each of the instant voice message client systems comprises an instant voice messaging application…" 112

(b) "…[an instant voice messaging application] generating an instant voice message and transmitting the instant voice message over the packet-switched network to the messaging system" ...113

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