

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RIOT GAMES, INC.,
Petitioner,

v.

PALTALK HOLDINGS, INC.,
Patent Owner.

Case Nos. IPR2018-00129, -00130
U.S. Patent No. 5,822,523

Case Nos. IPR2018-00131, -00132
U.S. Patent No. 6,226,686

**DECLARATION OF DR. STEVE R. WHITE
REGARDING U.S. PATENT NOS. 5,822,523 AND 6,226,686**

IPR2018-00129, -00130, -00131, -00132
U.S. Patent Nos. 5,822,523 and 6,226,686

Declaration of Dr. Steve R. White

I do hereby declare and state, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, under Section 1001 of Title 18 of the United States Code.

Dated: November 2, 2017

Dr. Steve R. White: _____



Petitioner Riot Games, Inc. Ex. 1007 p. i

TABLE OF CONTENTS

Exhibit List..... vii

I. INTRODUCTION 1

 A. Engagement 1

 B. Background and Qualifications 1

 C. Compensation 2

 D. Information Considered..... 3

II. LEGAL STANDARDS FOR PATENTABILITY 3

 A. Obviousness..... 5

III. U.S. PATENT NOS. 5,822,523 and 6,226,686 11

 A. Overview of the '523 and '686 Patents (PalTalk Patents) 11

 B. Technical Descriptions of the PalTalk Patents..... 11

 C. Prosecution History of the PalTalk Patents..... 14

 D. Level of Ordinary Skill in the Art 14

 E. Construction of Terms Used in the '523 and '686 Patents 16

 i. “aggregating/aggregated” (All Independent Claims) 16

 ii. “a shared, interactive application” (Claims 686.1, 686.3, 686.7, and 686.18)..... 17

 iii. “group messaging server” (Claims 523.1 and 686.12)..... 17

 iv. “wherein/whereby said aggregated/server message keeps the shared interactive application operating consistently” (Claims 686.1, 686.3, 686.5, and 686.18) 18

IV.	OVERVIEW OF THE PRIOR ART	19
A.	International Publication No. WO 94/11814 to Aldred et al.: Collaborative Working in a Network (“Aldred”) (Ex. 1009)	19
i.	Collaborative Working Environment.....	19
ii.	Network Architecture.....	21
iii.	Sharing Sets.....	24
iv.	Central Serialisation Point	27
B.	RFC 1692: Transport Multiplexing Protocol (TMux)	33
C.	U.S. Patent No. 5,466,200 to Ulrich et al. (Ex. 1012)	37
D.	U.S. Patent No. 5,307,413 to Denzer (Ex. 1014).....	43
E.	RFC 1459: Internet Relay Chat Protocol (Ex. 1025).....	44
V.	ANALYSIS OF THE CHALLENGED CLAIMS	45
A.	Independent Claims.....	46
i.	Preambles (All Independent Claims).....	46
ii.	Messaging Functions (Claims 523.1, 686.1, 686.3, and 686.12)	58
1.	Claims 523.1 and 686.12	58
2.	Claims 686.1 and 686.3	63
iii.	Sending / Receiving (All Independent Claims)	68
iv.	Payload and Identifying Portions (All Independent Claims)....	70
v.	Aggregating (All Independent Claims).....	77
vi.	Forming (Claims 523.1, 686.1, 686.12, and 686.18).....	85

vii.	Transmitting (All Independent Claims).....	86
viii.	Wherein Clause (Claims 686.1, 686.3, 686.7, and 686.18).....	87
B.	Networking Dependent Claims	90
i.	The Internet (Claims 686.2, 686.4, 686.8, 686.13, and 686.19)	90
ii.	Internet and Session Layer Protocol (Claims 523.6 and 686.14)	92
iii.	Group Messaging Protocol (Claims 523.9-10, 686.20-21, 686.39-40, and 686.56-57).....	95
iv.	Upper-Level Protocol + TCP/IP (Claims 523.32, 686.28, 686.47, and 686.64)	97
v.	Upper-Level Protocol Only Group Messaging (Claims 523.33, 686.29, 686.48, and 686.65)	98
vi.	Consistent Operating State (Claims 523.21, 523.22, and 523.24)	102
vii.	Claim 523.18	103
viii.	Claim 523.19	104
ix.	Claim 523.20	104
x.	Claim 523.25	105
xi.	Claim 523.26	105
xii.	Claim 523.31	106
C.	Aggregation and Packet Dependent Claims.....	107
i.	Claims 686.9 and 686.15	107
ii.	Claim 523.2	108

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.