

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHOPIFY, INC., PRICELINE.COM LLC, and BOOKING.COM B.V.,
Petitioner,

v.

DDR HOLDINGS, LLC,
Patent Owner.

Case IPR2018-01011¹
Patent 9,639,876

PATENT OWNER'S DEMONSTRATIVE EXHIBITS

¹ Priceline.com and Booking.com B.V., who filed a petition in IPR2019-00438, have been joined as petitioners in this proceeding.

SHOPIFY, INC.
Petitioner

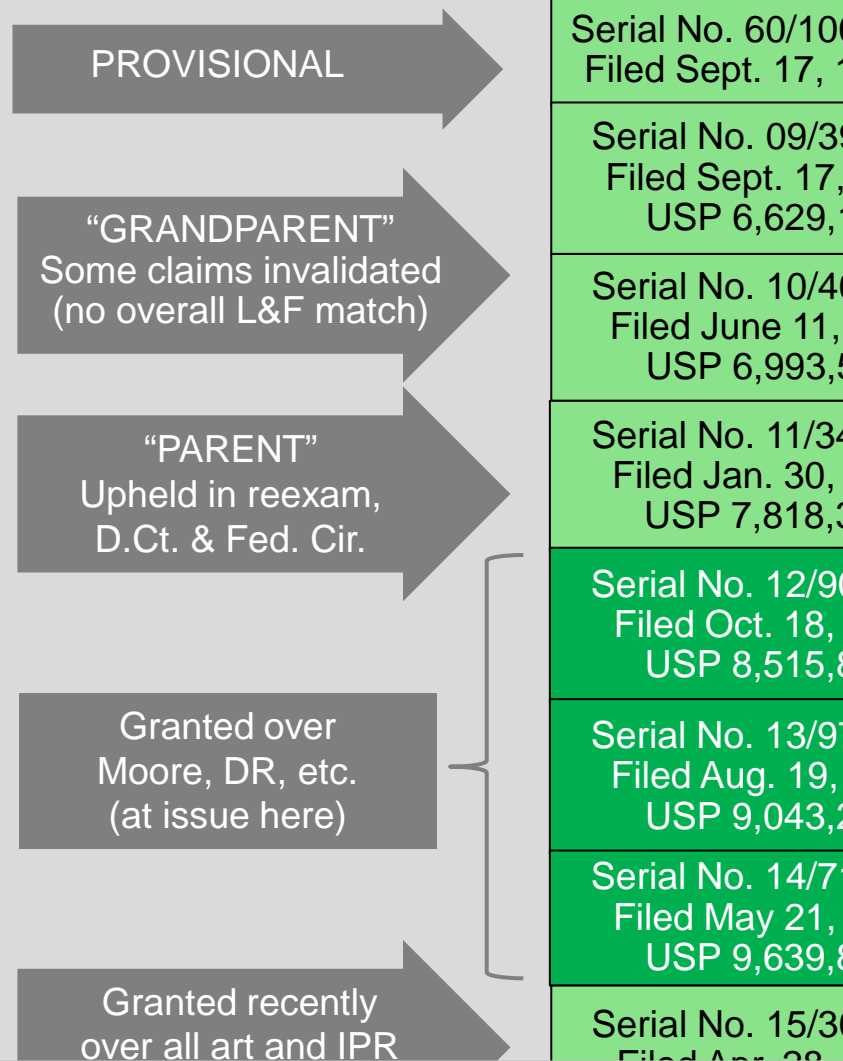
v.

DDR HOLDINGS, LLC
Patent Owner

Case IPR2018-01008 to 12 & IPR2018-
U.S. Patent 9,639,876
U.S. Patent 9,043,228
U.S. Patent 8,515,825

Patent Owner Demonstrati

The DDR Patents



Court decisions emphasized the importance of



Federal Circuit description of DDR patents

The common specification of the patents-in-suit explained that the patents-in-suit directed the third-party merchants to “lure the [host website's] visitor traffic to the third-party merchant” (2:26–30). The patents-in-suit disclose a system that provides a “method for directing visitor traffic to a third-party merchant (host) On activation of a hyperlink on a host website, the system directs the visitor traffic to a third-party merchant— ... the system generates and directs the visitor traffic to a third-party merchant that displays product information from the third-party merchant” (“look and feel.” *Id.* at 3:9–21). Thus, the host website directs the visitor traffic to the third-party merchant's products, but retain its visitor traffic by displaying this information on a third-party merchant-generated web page that “gives the viewer of the page the appearance of a third-party merchant's pages served by the host” website. *Id.* at 2:56–63, 3:26–30.

[T]he claimed system generates and directs the visitor traffic to a third-party merchant's page that presents product information from the third-party merchant's website from the host website.... When the limitations ... are taken as a whole in combination, the claims recite an invention that is not directed to a method of doing business on the Internet.

Court decisions emphasized the importance of



District Court
(D. Del.) description
of the same patents
at issue here

The Court concludes that ... the three patents at issue relate to '399 that they share the **same inventive concept**. See Circuit Court of Appeals in *DDR Holdings, LLC v. Hotels.com, Inc.*, 775 F.3d 1245 (Fed. Cir. 2014) regarding [the] '399 [patent].

The three patents at issue, even though they claim to be the same entity, still address the issue of how to attract a customer's attention through the **use of a computer program** and **third party outsource provider**. The patents claim to be the same entity, still address the issue of how to attract a customer's attention through the use of a computer program and third party outsource provider. The patents claim to be the same entity, still address the issue of how to attract a customer's attention through the use of a computer program and third party outsource provider. The patents claim to be the same entity, still address the issue of how to attract a customer's attention through the use of a computer program and third party outsource provider.

DDR Holdings, LLC v. Pri...
Dist. Ct. of Del.

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