

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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FACEBOOK, INC., INSTAGRAM, LLC, and WHATSAPP INC.,  
*Petitioners,*

v.

BLACKBERRY LIMITED,  
*Patent Owner*

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IPR2019-00516  
U.S. Patent No. 8,279,173

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**PATENT OWNER'S REPLY TO OPPOSITION TO MOTION TO  
AMEND**

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## I. INTRODUCTION

BlackBerry's proposed substitute claims 21-32 highlight a key benefit disclosed and claimed in the '173 Patent: the ability to arrange tags as desired from different sources while visually indicating the source of each tag. While the original claims already reflect the core solution for achieving this benefit—"a tag type indicator . . . indicative of a tag source"—the proposed substitute claims enhance this benefit by using these "tag type indicator[s]" to display an interspersed list of tags from different sources, *i.e.*, to display "a first tag from a first tag source . . . above a second tag from a second tag source; and the second tag from the second tag source . . . above a third tag from the first tag source."

None of the cited prior art references discloses such an interspersed display, further highlighting the novelty and non-obviousness of both the solution reflected in BlackBerry's original claims ("a tag type indicator . . . indicative of a tag source") and the benefit recited expressly in BlackBerry's proposed substitute claims ("a first tag from a first tag source is displayed above a second tag from a second tag source; and the second tag from the second tag source is displayed above a third tag from the first tag source").

## II. BACKGROUND

BlackBerry's motion to amend proposed substitute claims 21-32. Proposed substitute independent claims 21, 25, and 29 are amended versions of original

independent claims 1, 7, and 13. Substitute dependent claims 22-24, 26-28, and 30-32 are substantively identical to the original dependent claims challenged by Petitioners.

Proposed substitute claim 21 is representative:

1. A method of selecting a photo tag for a tagged photo, comprising:

displaying a photograph comprising at least one subject or object;

receiving a user selection of a location in the photograph corresponding to the at least one subject or object;

displaying a tag list including tags from one or more tag sources matching a search string, wherein the tags in the tag list are displayed in a vertical list, and wherein:

a first tag from a first tag source is displayed above a second tag from a second tag source; and

the second tag from the second tag source is displayed above a third tag from the first tag source;

displaying a tag type indicator for each tag appearing in the tag list, said tag type being indicative of a tag source associated with the tag; and

associating at least one of the tags in the tag list with the at least one subject or object.

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