

Filed on behalf of: Snap Inc.

By: Yar R. Chaikovsky (Snap-Blackberry-PH-IPR@paulhastings.com)
Chad Peterman (Snap-Blackberry-PH-IPR @paulhastings.com)
David Okano (Snap-Blackberry-PH-IPR@paulhastings.com)
Paul Hastings LLP

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SNAP INC.,
Petitioner

v.

BLACKBERRY LIMITED
Patent Owner

U.S. Patent No. 8,326,327

**PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT NO. 8,326,327**

TABLE OF CONTENTS

	Page
I. INTRODUCTION	1
II. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8.....	1
III. PAYMENT OF FEES UNDER 37 C.F.R. §§ 42.15 AND 42.103	2
IV. GROUNDS FOR STANDING.....	2
V. PRECISE RELIEF REQUESTED	2
A. Proposed Grounds and Prior Art	2
VI. LEVEL OF ORDINARY SKILL IN THE ART	3
VII. OVERVIEW OF THE '327 PATENT AND PRIOR ART.....	4
A. The '327 Patent	4
B. Prosecution History of the '327 Patent	6
C. <i>Winkler</i>	7
D. <i>Altman</i>	9
E. <i>Lemmela</i>	11
F. <i>Crowley</i>	13
G. <i>Waldman</i>	14
VIII. CLAIM CONSTRUCTION	15
A. “determine/determining at least one action spot within a predetermined distance from the current location of the first mobile device”	16
B. “display the image with the at least one activity spot”	17
IX. DETAILED EXPLANATION OF GROUNDS.....	20
A. Ground 1: Claims 1-3, 8, 10-11, and 13-15 Are Obvious Over <i>Winkler</i> in View of <i>Altman</i>	20
1. Claim 1	20
2. Claim 2	36
3. Claim 3	37
4. Claim 8	38
5. Claim 10	39
6. Claim 11	40
7. Claim 13	40

TABLE OF CONTENTS
(continued)

	Page
8. Claim 14	42
9. Claim 15	42
B. Ground 2: 1-3, 8, and 13-15 are Obvious Over <i>Lemmela</i> in View of <i>Crowley</i>	43
1. Claim 1	43
2. Claim 2	56
3. Claim 3	56
4. Claim 8	57
5. Claim 13	58
6. Claim 14	59
7. Claim 15	60
C. Ground 3: Claims 10-11 Are Obvious Over <i>Lemmela</i> in View of <i>Crowley</i> , and Further in View of <i>Winkler</i>	60
1. Claim 10	60
2. Claim 11	65
D. Ground 4: Claims 9 and 20 Are Obvious Over <i>Lemmela</i> in View of <i>Crowley</i> , and Further in View of <i>Waldman</i>	65
1. Claim 9	65
2. Claim 20	72
X. CONCLUSION.....	73

TABLE OF AUTHORITIES

Page(s)

Cases

Phillips v. AWH Corp.,
415 F.3d 1303 (Fed. Cir. 2005) (en banc)15

U.S. Surgical v. Ethicon, Inc.,
103 F.3d 1554, 1568-70 (Fed. Cir. 1997).....15

Nautilus, Inc. v. Biosig Instruments, Inc.,
572 U.S. 898, 910 (2014).....17

KSR Int.’l Co. v. Teleflex Inc.,
550 U.S. 398, 421 (2007).....*passim*

Statutes

35 U.S.C. § 103(a)2, 3

35 U.S.C. § 102(a)3

35 U.S.C. § 102(b)3

35 U.S.C. § 102(e)3

Other Authorities

37 C.F.R. § 42.81

37 C.F.R. § 42.8(b)(1).....1

37 C.F.R. § 42.8(b)(2).....1

37 C.F.R. § 42.152

37 C.F.R. § 42.1032

37 C.F.R. § 42.100(b)15

LIST OF EXHIBITS

No.	Description
1001	U.S. Patent No. 8,326,327
1002	Declaration of Dr. Samrat Bhattacharjee
1003	CV of Dr. Samrat Bhattacharjee
1004	U.S. Patent No. 8,750,906 (“ <i>Winkler</i> ”)
1005	U.S. Patent Application Publication 2008/0250337 (“ <i>Lemmela</i> ”)
1006	U.S. Patent Application Publication 2007/0281716 (“ <i>Altman</i> ”)
1007	File History of U.S. Patent No. 8,326,327
1008	U.S. Patent No. 7,593,740 (“ <i>Crowley</i> ”)
1009	RESERVED
1010	Complaint for Patent Infringement, Case No. 2:18-cv-02693, CD CA
1011	U.S. Patent Application Publication 2011/0199479 (“ <i>Waldman</i> ”)

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.