

Reply Declaration of Sandeep Chatterjee, Ph.D.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

BLACKBERRY LIMITED
Patent Owner

IPR2019-00925
U.S. Patent No. 8,209,634

REPLY DECLARATION OF SANDEEP CHATTERJEE, PH.D.

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Reply Declaration of Sandeep Chatterjee, Ph.D.

I, Sandeep Chatterjee, Ph.D., declare as follows:

1. I have been asked to review and respond to certain points raised in the “Second Declaration of Rajeev Surati, Ph.D.” dated February 10, 2020 (**Ex. 2013**) (“Surati Declaration”) filed with respect to the IPR petition for U.S. Patent No. 8,209,634 in IPR2019-00925 in support of the Patent Owner’s Response.

2. This Declaration responds to the portions of the Surati Declaration that affirmatively present new facts or new rationale to which a response is warranted. I note that in many instances, Dr. Surati merely states general disagreements with the conclusions that I reached (on which the Petition relied), without actually providing contrary evidence or analysis. As to those statements, I adhere to the analysis in my opening declaration (Ex. 1102).

I. RESPONSE TO DR. SURATI’S OPINIONS ON FIELD OF ART AND PERSON OF ORDINARY SKILL IN THE ART

3. Dr. Surati provides a formulation of a person of ordinary skill in the art similar to the one in my opening declaration. (Ex. 2013, ¶¶7-9.) His formulation shares approximately the same amount of education and experience as mine, but mine also adds experience in development of applications for messaging on wireless devices. (Ex. 1102, ¶13.) In any event, I do not perceive material differences between the two that would impact the application of the prior art to the claims. My opinions would therefore not change if I applied Dr. Surati’s formulation.

II. RESPONSE TO DR. SURATI'S OPINIONS ON THE ALLEGED LACK OF MOTIVATION TO COMBINE ORDING'S USERBAR WITH ABIKO'S EMAIL SYSTEM

4. Dr. Surati argues that the Petitioner did not sufficiently show that a person of ordinary skill in the art would have been motivated to combine Ording with Abiko. (Ex. 2013, ¶¶41, 44-48.) The crux of Dr. Surati's argument is that the Petitioner did not show that a skilled artisan would have been motivated to adapt Ording to incorporate the email program described in Abiko. (*Id.*)

5. Dr. Surati points to Paragraph 80 of my opening declaration to argue that I did not identify a reason for a person of ordinary skill in the art to modify Ording to incorporate Abiko's email program. (Ex. 2013, ¶48.) But Paragraph 80 was not intended to describe motivations to combine Ording and Abiko, but rather, to lay out the combination itself, *i.e.* that userbar 600 of Ording would be adapted to include an icon for the Abiko email program. (Ex. 1102, ¶80.) Other portions of my declaration, as discussed below, provided motivations to combine Ording and Abiko. I will briefly summarize them and also respond to Dr. Surati's positions.

6. First, my opening declaration explained that a person of ordinary skill in the art would have been motivated to combine Ording with Abiko because Abiko provided wireless communications capabilities not disclosed in Ording. (Ex. 1102, ¶¶67, 71-73.) The wireless capabilities of Abiko, as previously explained, "provide a key convenience in that the user need not be tethered to wires to connect to a

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computing network,” a benefit that was “particularly advantageous in the context of electronic messaging, as it allows users to send and receive messages on the go, as Abiko expressly confirms.” (Ex. 1102, ¶73 (citing Abiko, Ex. 1109, ¶0004).) Dr. Surati also did not address, let alone dispute, my opinion that “market and competitive forces would have further encouraged a person of ordinary skill in the art to support the ability to use wireless computing devices, as disclosed in Abiko, with the user interface techniques in *Ording*.” (Ex. 1102, ¶73.)

7. Second, with respect to Abiko’s email program itself, I explained that the “sender-centric” nature of Abiko’s program makes it easier to organize messages based on their senders. (Ex. 1102, ¶¶48, 105.) For example, “Abiko recognized that for many users, it is more important to organize and present messages based on their senders.” (Ex. 1102, ¶105.) Abiko itself explains that “a user who wishes, for example, to create a list of all received mail messages from a particular sender must search through numerous messages one by one by means of a manual input operation.” (Abiko, Ex. 1109, ¶0005 (quoted in Ex. 1102, ¶105).) “Some received messages required are therefore likely to be overlooked and many operations are needed to find the messages.” (*Id.*) Abiko addresses this problem by providing a technique for automatically organizing and displaying received messages based on their respective senders, a unique feature of Abiko that Dr. Surati does not claim was provided by other conventional email clients (including “Apple Mail”).

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