UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

HAMMOND DEVELOPMENT INTERNATIONAL, INC.,

Patent Owner.

Case No. IPR2020-00411
U.S. Patent No. 9,420,011

DECLARATION OF STUART J. LIPOFF

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A. [Ground 1] Claims 11, 13, 16, and 17 Are Anticipated by Gilmore 28

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2. Independent Claim 11 32

a. [11Preamble] "A non-transitory computer-readable storage medium having stored thereon a computer-executable application software program that, when executed on a communication system, enables one or more communication devices to remotely execute and to provide services to an application, the application software program causing the one or more application servers to perform the method of:" 32

b. [11a1] "establishing a first communications link to one or more communication devices," 36

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c. [11a2] "the first communication link comprising a data connection," 39

d. [11a3] "at least one of the one or more application servers adapted to establish a communication session with the communication device;".....40

e. [11b1] "receiving a request from at least one of the one or more communication devices to establish the communication session, the at least one communication device residing at a location remote from the one or more application servers,".....44

f. [11b2] "wherein the at least one application server is operable to receive, or have previously received, the application over a second communication link,".....45

g. [11b3] "wherein the at least one application server is further operable to execute the received application remote from the communication device and to establish the communication session with the communication device; and" 47

h. [11c1] "sending, to the at least one communication device, a request for a processing service at the communication device,".....48

i. [11c2] "wherein the request for the processing service is communicated to the communication device over the data connection, and" 49

j. [11c3] "wherein the request for the processing service comprises one or more queries for information from a user."....50

3. [Claim 13] "wherein the one or more communication devices is a mobile device." 52

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4. [Claim 16] "wherein the one or more queries comprise a preliminary communication session to acquire unique identification information about the user." 52

5. [Claim 17] "wherein the identification information is processed by the at least one application server, a repository, or the communication device." 53

B. [Ground 2] Claims 1, 2, 4-24, and 26-28 Are Rendered Obvious by Gilmore and Dodrill 54

1. Overview of Dodrill 54

2. Independent Claim 11 57

a. [11c1] Dodrill renders obvious the "request for processing service" in element [11c1] being executable 57

(a) Motivation to combine 62

(b) Expectation of Success 65

3. Independent Claim 1 66

a. [1Preamble] "A non-transitory computer-readable storage medium having stored thereon a computer-executable device software program that, when executed on a communication device, causes the communication device to perform a method for remotely executing an identified application, the method comprising:" 67

(a) Motivation to Combine 71

(b) Expectation of Success 71

b. [1a1] "coupling the communication device to a first communication link, the communication device adapted to communicate a request to

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establish a communication session over the first communication link,”.....72

c. [1a2] “wherein the first communication link comprises a data connection;”.....75

d. [1b] “providing processing services to the identified application, wherein a substantial portion of the identified application is executed at a location remote from the communication device;”.....76

e. [1c1] “transmitting the request to an application server coupled to the first communication link,”.....76

f. [1c2] “wherein, if the identified application is not already present on the application server, the request may cause the application server to communicate with one or more repositories over a second communication link,”.....77

g. [1c3] “the repositories having access to one or more applications maintained in a database coupled to the one or more repositories,”.....78

(a) Motivation to Combine.....81

(b) Expectation of Success.....81

h. [1c4] “the one or more repositories adapted to communicate the identified application over the second communication link to the application server,”.....82

i. [1c5] “wherein the application server is adapted to execute the substantial portion of the identified application remote from the at least one communication device;”.....83

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