UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, LLC
Petitioner

v.

MEMORYWEB, LLC
Patent Owner

IPR2021-01413
U.S. PATENT 10,621,228

PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE

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I. CLAIM CONSTRUCTION

Even under PO's incorrect interpretations, claims 1-7 (the "Challenged Claims") are unpatentable.

A. Limitations [1b], [1d], [1e]/Claim 3

PO alleges the plain and ordinary meaning requires the "map view" displayed in response to the "first input" must "includ[e]" first and second "thumbnail image[s]…on the interactive map" and an "indication feature" connected to the first thumbnail image. POR, 27-28, 30-31. PO asserts there cannot be any intervening inputs between the first input and displaying the map view. *Id.*, 27-28, 30-31, 52-54, 64-66. As an initial matter, the Okamura-Flora combination does not have any intervening inputs as discussed below in Sections II.D and II.H.

Regardless, the intrinsic record does not restrict these limitations as PO asserts—that displaying a map view is solely responsive to a first input. EX1038, ¶¶9-15, 21-26 (plain meaning encompasses intervening inputs). No restrictions exist in the claim language. *Id.*; EX1001, claims 1, 3. Dr. Reinman's declaration parroting the POR is unhelpful. POR, 27-28, 30-31; EX2038, 73-77, 82-87. The specification is unsupportive; 23:34-35,[1] 29:41-56, and Figure 41 do not exclude intervening inputs. POR, 28; EX1001, 23:34-35; EX1038, ¶¶9-15, 21-26. Dr. Reinman admitted

[1] Column 43 does not exist. PO likely intended column 23.

Figure 41 is not limiting. EX1034, 51:14-19. Mere embodiments should not limit claims. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1323 (Fed. Cir. 2005). And the file history is silent. EX1003.

B. Limitations [1n], [1p]/Claim 5

PO alleges the plain and ordinary meaning requires the "people view" must include displaying a first name and a second name simultaneously in the same view (limitations[1n], [1p]) and the "map view" must display a first indication feature and second indication feature simultaneously in the same view (claim 5). POR, 28-29, 32, 63, 66-68.

The claim language is unsupportive as it does not recite the alleged restriction. EX1001, claims 1, 5. EX1038, ¶¶16-20, 27-30. The specification is not limiting; nowhere (including 22:59-23:4, Figures 32 & 41) is there a **requirement** according to PO's assertion. *Id.* These passages teach an example. The file history is silent. *See generally*, EX1003. Dr. Reinman's declaration is unhelpful as it again parrots the POR. POR, 28-29, 32; EX2038, 78-81, 88-90. The claims should not be limited beyond their plain meaning. *Phillips*, 415 F.3d at 1323. A POSITA would not have understood the plain meaning as having the requirement argued by PO and would have instead understood it encompasses first and second names displayed at different times in a people view and first and second indication features displayed at different times in a map view. EX1038, ¶¶16-20, 27-30. Louie corroborates this

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