

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

MEMORYWEB, LLC,
Patent Owner.

Case No. IPR2022-00032
U.S. Patent No. 9,552,376

PETITIONER'S REPLY

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	1. A3UM discloses “the interactive map comprising a majority portion of the first screenshot”	19
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UPDATED EXHIBIT LIST

No.	Exhibit Description
1001	U.S. Patent No. 9,552,376
1002	File History of U.S. Patent No. 9,552,376
1003	Declaration of Dr. Loren Terveen regarding U.S. Patent No. 9,552,376
1004	CV of Dr. Loren Terveen
1005	Aperture 3 User Manual, Apple Inc. (Feb. 2010) (" <u>A3UM</u> ")
1006	U.S. Patent App. Pub. No. 2010/0058212 A1 to Belitz et al. (" <u>Belitz</u> ")
1007	RESERVED
1008	U.S. Patent No. 8,160,400 to Snavelly et al.
1009	RESERVED
1010	U.S. Patent No. 9,098,531 (" <u>531 Patent</u> ")
1011	RESERVED
1012	U.S. Patent No. 10,423,658 (" <u>658 Patent</u> ")
1013	U.S. Patent No. 10,621,228 (" <u>228 Patent</u> ")
1014	U.S. Patent No. 11,017,020 (" <u>020 Patent</u> ")
1015	File History of U.S. Patent No. 9,098,531
1016	RESERVED
1017	File History of U.S. Patent No. 10,423,658
1018	File History of U.S. Patent No. 10,621,228
1019	File History of U.S. Patent No. 11,017,020
1020	Declaration of Matthew Birdsell
1021	Apple Inc., www.apple.com (various) (Archive.org: Feb. 17 to Mar. 5, 2010)
1022	Standard Affidavit, Internet Archive (Oct. 8, 2021), available at https://archive.org/legal/affidavit.php

No.	Exhibit Description
1023	Complaint, <i>MemoryWeb, LLC v. Apple, Inc.</i> , Civ. No. 6:21-cv-531, Dkt. 1 (W.D. Tex. May 25, 2021).
1024	Affidavit of Service, <i>MemoryWeb, LLC v. Apple, Inc.</i> , Civ. No. 6:21-cv-531, Dkt. 9 (W.D. Tex. Jun. 11, 2021) (service as of June 10, 2021)
1025	U.S. Patent No. 7,620,496 to Rasmussen
1026	Joint Motion for Entry of Agreed Scheduling Order, <i>MemoryWeb, LLC v. Apple, Inc.</i> , Civ. No. 6:21-cv-531, Dkt. 24 (W.D. Tex. Oct. 1, 2021)
1027	Plaintiff MemoryWeb, LLC's Initial Infringement Contentions, <i>MemoryWeb, LLC v. Apple, Inc.</i> , Civ. No. 6:21-cv-531 (W.D. Tex. Sept. 24, 2021) (service only)
1028	U.S. Patent App. Pub. No. 2011/0074811 A1 to Hanson et al.
1029	<i>Top 11 Technologies of the Decade</i> , IEEE Spectrum, pp. 27-63 (Jan. 2011).
1030	Wikipedia Entry for "Photo sharing" (Archive.org: May 6, 2011), available at https://web.archive.org/web/20110506092919/http://en.wikipedia.org/wiki/Photo_sharing
1031	Wikipedia Entry for "Image organizer" (Archive.org: Apr. 27, 2010), available at https://web.archive.org/web/20100427092553/https://en.wikipedia.org/wiki/Image_organizer
1032	Todd Bogdan, "Announcing Picasa 3.5, now with name tags, better geotagging and more," The Official Google Blog (Sept. 22, 2009) (Archive.org: Nov. 11, 2009), available at https://web.archive.org/web/20091103113337/http://googlephotos.blogspot.com/2009/09/announcing-picasa-35-now-with-name-tags.html
1033	Stephen Shankland, "What's the best Web site for geotagged photos?," CNET (Mar. 18, 2009), available at https://www.cnet.com/tech/computing/whats-the-best-web-site-for-geotagged-photos/
1034	Panoramio, "Embedding a Panoramio map into your web page" (Archive.org: Mar. 28, 2010), available at

No.	Exhibit Description
	https://web.archive.org/web/20100328215828/ http://www.panoramio.com/help/embedding
1035	Shu-Wai Chow, <i>PHP Web 2.0 Mashup Projects</i> , Packt Publishing (2007)
1036	Exchangeable image file format for digital still cameras: Exif Version 2.2, JEITA CP-3451 (Apr. 2002), available at https://www.exif.org/Exif2-2.PDF .
1037	Information Interchange Model Version 4, IPTC-NAA (July 1999)
1038	Guidelines for Handling Image Metadata v. 1.0, Metadata Working Group (Sept. 2008), , available at https://web.archive.org/web/20090206012835/ http://metadatatworkinggroup.org/pdf/mwg_guidance.pdf .
1039	iPhoto '09 Review (Archive.org: May 26, 2009), available at https://web.archive.org/web/20090901000000*/http://www.killersites.com/magazine/2009/iphoto-09-review/
1040	Google Code, Google Maps API Reference (Archive.org: Feb. 23, 2010), available at: http://code.google.com/apis/maps/documentation/reference.html
1041	RESERVED
1042	RESERVED
1043	Flickr, Tour: Maps (Archive.org: Feb. 9, 2010), available at http://www.flickr.com/tour/maps
1044	Devin Coldewey, <i>Review: Aperture 3</i> , CrunchGear (Archive.org: Mar. 22, 2010), available at http://www.crunchgear.com/2010/03/19/review-aperture-3/
1045	Tony Wu, <i>Using Aperture 3: Part 1</i> (Archive.org: Apr. 2, 2010), available at http://www.tonywublog.com/20100330/first-good-impressions-using-aperture-3.html
1046	Complaint for Declaratory Judgment, <i>MyHeritage (USA), Inc. et al. v. MemoryWeb, LLC</i> , Case No. 1:21-cv-02666, Dkt. 1 (N.D. Ill. May 17, 2021)
1047	Apple Inc., <i>Mac OS X v10.6.3 Update</i> (Mar. 29, 2010) (Archive.org Apr. 11, 2010), available at

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