

UNITED STATES PATENT AND TRADEMARK OFFICE

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

EPIC GAMES, INC.,  
Petitioner,

v.

INGENIOSHARE, LLC,  
Patent Owner

---

**U.S. PATENT NO. 10,708,727**

Case IPR2022-00291

---

**SUPPLEMENTAL DECLARATION OF DR. KEVIN ALMEROOTH  
PURSUANT TO 37 C.F.R. 42.64(b)(2)**

## LIST OF EXHIBITS

Exhibit No.	Description
1001	U.S. Patent No. 10,708,727
1002	File History of U.S. Patent No. 10,708,727
1003	Declaration of Dr. Kevin Almeroth in Support of <i>Inter Partes Review</i> of U.S. Patent No. 10,708,727
1004	<i>Curriculum Vitae</i> of Dr. Kevin Almeroth
1005	U.S. Provisional Patent Application No. 60/527,565
1006	U.S. Provisional Patent Application No. 60/689,686
1007	U.S. Patent Application 2002/0116461 (“Diacakis”)
1008	U.S. Patent No. 7,287,056 (“Loveland”)
1009	U.S. Patent Application 2002/0183114 (“Takahashi”)
1010	U.S. Patent Application 2004/0001480 (“Tanigawa”)
1011	U.S. Patent No. 7,428,580 (“Hullfish”)
1012	IngenioShare’s Infringement Contentions in Texas Litigation
1013	Texas Litigation Proposed Scheduling Order
1014	Fourteenth Supplemental Order Regarding Court Operations Under the Exigent Circumstances Created by the COVID-19 Pandemic
1015	Judge Albright’s Standing Order re Inter-District Transfer
1016	Kurose, J. and Ross, K., Computer Networking: A Top-Down Approach Feature the Internet (2000)
1017	Kuehn, S., A Play Theory Analysis of Computer-Mediated Telecommunication (Apr. 20, 1990)
1018	Telecomputing in Japan
1019	Hernandez, R., ECPA and Online Computer Privacy (1988)

Exhibit No.	Description
1020	Miller, A., Applications of Computer Conferencing to Teacher Education and Human Resource Development (1991)
1021	Benimoff, N. and Burns, M., Multimedia User Interfaces for Telecommunications Products and Services (1993)
1022	Falconer, W. and Hooke, J., Telecommunications Services in the Next Decade (1986)
1023	Hine, N.A., et al., An Adaptable User Interface to a Multimedia Telecommunications Conversation Service for People with Disabilities (1995)
1024	Bazaios, A., et al., Multimedia Architecture Offering Open Distance Learning Services over Internet
1025	Stein, J., et al., Chat and Instant Messaging Systems (2002)
1026	U.S. Patent No. 6,241,612 (“Heredia”)
1027	U.S. Patent Application 2003/0216178 (“Danieli”)
1028	International Patent Application WO 01/45343 (“Davies”)
1029	Grinter, R. and Palen, L., Instant Messaging in Teen Life (2002)
1030	File History of U.S. Patent No. 8,744,407
1031	File History of U.S. Patent No. 9,736,664
1032	U.S. Patent No. 10,708,727 Claim Listing
1033	U.S. Patent No. 6,828,924 (“Gustavsson”)
1034	Patil, S. and Kobsa, A., The Challenges in Preserving Privacy in Awareness Systems (2003)
1035	Unused
1036	Unused
1037	Declaration of Yimeng Dou Pursuant to 37 C.F.R. 42.64(b)(2)
1038	Declaration of Jennifer A. Babbitt Pursuant to 37 C.F.R. 42.64(b)(2)

<b>Exhibit No.</b>	<b>Description</b>
1039	Supplemental Declaration of Dr. Kevin Almeroth Pursuant to 37 C.F.R. 42.64(b)(2)

I, Dr. Kevin C. Almeroth, hereby declare as follows:

1. I have been retained as an expert witness on behalf of Epic Games, Inc. (“Epic Games” or “Petitioner”) to offer technical opinions in connection with the above-captioned Petition for *Inter Partes* Review (“IPR”) of U.S. Patent No. 10,708,727 (“the ’727 Patent”). I previously submitted a declaration containing my technical opinions, which I incorporate by reference here, including my discussion of the technological background of the ’727 Patent. Ex. 1003, ¶¶ 61–71; *see generally id.*

2. I understand that Patent Owner has objected to the authenticity of certain exhibits that I cited in my initial declaration. Specifically, I understand that, among other objections, Patent Owner has objected to the authenticity of Exhibits 1016–1025, 1029, and 1034. I submit this declaration as supplemental evidence under 37 C.F.R. § 42.64(b)(2).

3. Exhibits 1016 (Kurose and Ross) and 1023 (Hine) are chapters of books covering technical subject matter. In my initial declaration, I used these exhibits to show what a POSITA would have known at the time of the ’727 Patent. *See* Ex. 1003, ¶¶ 61–71. As an expert, I routinely rely on these types of books in rendering my opinions, including opinions related to patent invalidity.

4. Exhibits 1017 (Kuehn), 1020 (Cruz), 1024 (Bazaios), and 1029 (Grinter) are papers presented at technical conferences. In my initial declaration, 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.