

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

EPIC GAMES, INC.,  
Petitioner,

v.

INGENIOSHARE, LLC,  
Patent Owner.

---

Case No. IPR2022-00295  
Patent No. 10,492,038

---

**DECLARATION OF PROFESSOR  
GEORGE N. ROUSKAS, PH.D.**

---

Exhibit 2005

## TABLE OF CONTENTS

	<b>Page</b>
INTRODUCTION .....	1
QUALIFICATIONS .....	1
BASES OF OPINIONS .....	6
APPLICABLE LEGAL STANDARDS .....	6
A. Ordinary Skill in the Art .....	6
B. Claim Construction .....	8
C. Obviousness (35 U.S.C. § 103) .....	9
TERMINOLOGY .....	12
GROUND I – CLAIMS 7, 10–12, 22–24, 33–36, 38–41, 46, 49, 51–53, 55, 57–58, AND 64–66 ARE NOT RENDERED OBVIOUS BY TANIGAWA IN VIEW OF HULLFISH .....	12
A. Tanigawa (Exhibit 1010) .....	12
B. Hullfish (Exhibit 1011) .....	18
C. A POSITA Would Not Be Motivated To Combine Tanigawa And Hullfish To Implement The Claimed Invention Of The '038 Patent .....	18
1. Tanigawa And Hullfish Are Incompatible .....	19
2. Petitioner’s Alleged Motivation To Combine Is Nonsense .....	21
D. [7.0] “Network-Based Portal” .....	24

1.	A “Portal” Is <i>Not</i> A User Terminal Or A Client Communication Device .....	26
2.	The ’038 Specification Defines “Portal” As A “Gateway” And Defines A “Gateway” As A “Networked Server” .....	26
3.	The Functionality Of A “Portal” Is Different Than That Of A Client Communication Device .....	27
4.	The Claims Also Distinguish A “Portal” From A Client Communication Device .....	28
5.	Petitioner’s Construction Is Contradictory .....	29
6.	Tanigawa’s User Interface Is Not A “Network-Based Portal” .....	30
7.	Patent Owner’s Construction Of NBP Does Not Exclude A Preferred Embodiment .....	31
8.	Petitioner’s Construction Is Contradictory .....	33
9.	Tanigawa’s User Interface Is Not A “Network-Based Portal” .....	34
10.	[7.0] Summary .....	36
E.	[7.1] “A Prior Registration Process” Is Not Obviated By The Combination Of Tanigawa And Hullfish .....	37
F.	[7.3] “Messages Are Eligible To Be Received ... All Depending On An Identifier” Is Not Rendered Obvious By The Alleged Combination .....	38
G.	[7.4] “Block” Is Not Rendered Obvious By The Alleged Combination .....	40

H.	[7.5] The Alleged Combination Does Not Render Obvious “Enabling, Via The Network-Based Portal, The First Message To Be Received” “Depending On <i>The Identifier</i> ” “In View Of The Second User <i>Not Blocking</i> The First User” .....	42
I.	[7.8] “Even When The Message Is Received” “The Contact Information” “Is <i>Not</i> Provided” Is Not Rendered Obvious By The Alleged Combination .....	42
1.	The Petitioner’s Positions On “NBP” And “Contact Information <i>Not</i> Provided” Are Incompatible .....	42
2.	The Combination Teaches That The Recipient’s Contact Information Is Sent To The Sender’s Client Communication Device .....	44
i.	Tanigawa Teaches A POSITA That Contact Information <i>Is</i> Provided .....	44
ii.	Tanigawa Teaches A POSITA That IM Clients Receive Presence Information .....	46
iii.	Tanigawa Teaches A POSITA That IM Clients Use Client Addresses To Initiate Communication .....	48
3.	Tanigawa Does Not Teach Or Suggest Hiding Contact Information .....	48
4.	Petitioner’s Reliance On Dr. Almeroth Is Misplaced .....	49
5.	Petitioner’s Argument Is Wrong And Is Outweighed By Patent Owner’s Evidence .....	51
6.	The Institution Decision .....	52
7.	[7.8] Summary .....	53

...

GROUND II – CLAIMS 8, 9, 43, 44, 47, 48, 50, AND 54 ARE NOT RENDERED OBVIOUS BY TANIGAWA IN VIEW OF HULLFISH AND LOVELAND .....	53
GROUND III – CLAIMS 37, 42, 56, 59–63, AND 67 ARE NOT RENDERED OBVIOUS BY TANIGAWA IN VIEW OF HULLFISH AND TAKAHASHI .....	54
GROUND IV – CLAIM 45 IS NOT RENDERED OBVIOUS BY TANIGAWA IN VIEW OF HULLFISH, LOVELAND, AND TAKAHASHI .....	54
VII. CONCLUSION .....	55

# 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.