

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>NETSOC, LLC,</b>	)	
<b>Plaintiff,</b>	)	
	)	<b>Civil Action No. 3:18-cv-1809</b>
<b>v.</b>	)	
	)	
<b>MATCH GROUP, LLC</b>	)	<b>JURY TRIAL DEMANDED</b>
<b>Defendant.</b>	)	

**PLAINTIFF’S SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

NetSoc, LLC (“NetSoc”) files this Second Amended Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent No. 9,978,107 by Match Group, LLC; POF Media ULC; and, Humor Rainbow, Inc., alleging as follows<sup>1</sup>:

**I. THE PARTIES**

1. Plaintiff NetSoc is a Texas Limited Liability Company with its principal place of business located in Harris County, Texas.

2. On information and belief, the Defendants Match Group, LLC; POF Media ULC; and, Humor Rainbow, Inc. are related entities through the Match Group, Inc. and are identified as follows:

- a. Match Group, LLC (“Match Group”) maintains, owns, administers and operates the website [www.match.com](http://www.match.com) and [www.tinder.com](http://www.tinder.com). Match Group is a domestic corporation organized and existing under the laws of Delaware, with a principal place of business located at 8750 N Central Expressway, Dallas, TX 75231. Match Group has been served. On information and belief, Match Group sells and offers to sell products and services throughout Texas, including in this judicial

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<sup>1</sup> Defendants are not opposed to the Motion for Leave to file this Complaint.

district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas and this judicial district.

- b. Plentyoffish Media ULC (“POF”) maintains, owns, administers and operates the website www.pof.com. POF is a Canadian Company. On information and belief, POF sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas and this judicial district.
- c. Humor Rainbow, Inc. (“Ok Cupid”) maintains, owns, administers and operates the website www.okcupid.com. OK Cupid is a New York corporation. On information and belief, OK Cupid sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas and this judicial district.

## **II. JURISDICTION AND VENUE**

3. This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff’s claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271.

4. This Court also has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. § 1332(a)(1) because

- a. Plaintiff is a limited liability company organized under the laws of the State of Texas;

- b. Defendant Match Group is a Delaware Corporation;
- c. Defendant POF is a company organized in Canada;
- d. Defendant OkCupid is a New York Corporation; and,
- e. the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

5. This Court has personal jurisdiction over all Defendants because: (i) Defendants are present within or has minimum contacts within the State of Texas and this judicial district; (ii) Defendants have purposefully availed itself of the privileges of conducting business in the State of Texas and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendants' business contacts and other activities in the State of Texas and in this judicial district.

6. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendants have committed acts of infringement and, on information and belief, have a regular and established place of business in this District. Further, venue is proper because Defendants conduct substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in Texas and this District.

### **III. INFRINGEMENT ('107 Patent)**

7. On May 22, 2018, U.S. Patent No. 9,978,107 ("the '107 patent", attached as Exhibit A) entitled "Method and System for Establishing and Using a Social Network to Facilitate People in Life Issues" was duly and legally issued by the U.S. Patent and Trademark Office. NetSoc, LLC owns the '107 patent by assignment.

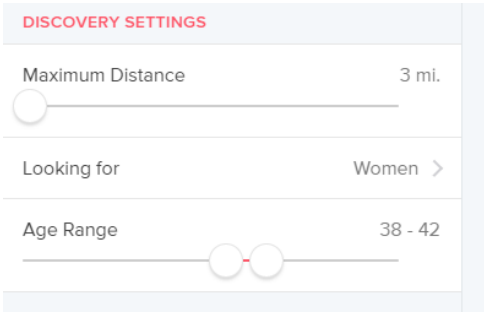
8. The '107 patent relates generally to a method and system for establishing and using a social network to facilitate people in life issues.

**A. Tinder**

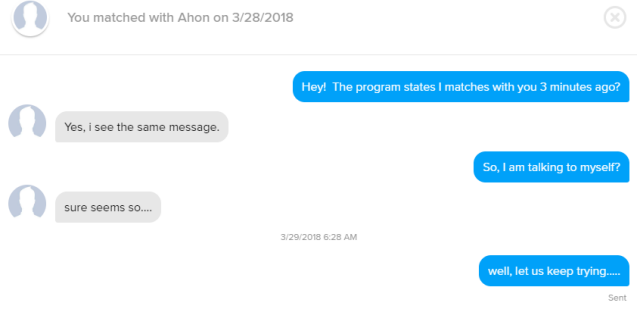
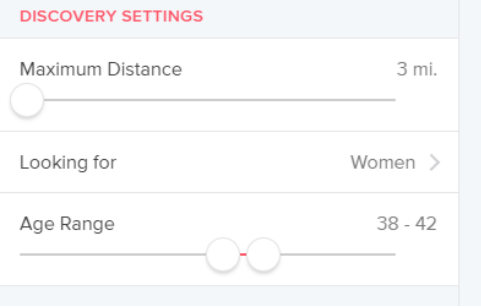
9. Match Group owns, maintains, operates, and administers a website at www.tinder.com that infringes one or more claims of the '107 patent, including at least claims 1-11, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the '107 Patent into service (i.e., used them); but for Defendant's actions, the claimed-inventions embodiments involving Defendant's products and services would never have been put into service. Defendant's acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant's procurement of monetary and commercial benefit from it.

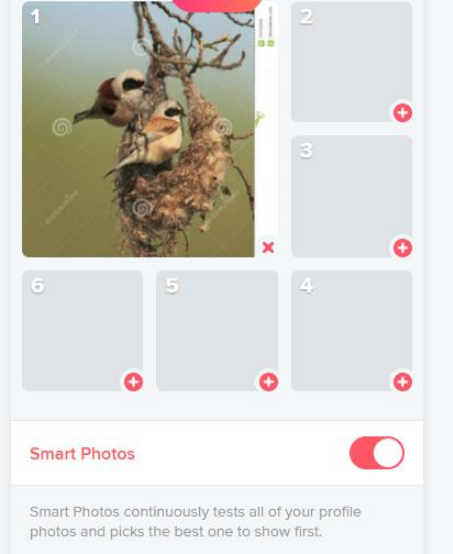
10. Support for the allegations of infringement may be found in the following preliminary table:

CLAIM ELEMENT	PRESENT IN TINDER
1. A method for establishing a social network, the method being implemented on a network computer system and comprising:	Preamble, non-limiting. Plaintiff contends Tinder corresponds to a social network. Plaintiff further contends Tinder is implemented on a network computer system.
maintaining a list comprising a plurality of participants, wherein each participant in the plurality of participants corresponds to one or more individuals,	Users of Tinder create a profile. The profile includes information such as username, address, age, sex, desired matches, and other information.  Plaintiff contends profiles created by one or more individuals are maintained in one or more databases. The one or more databases correspond to a list of one or more individuals. The profile information comes from an individual's Facebook account information and is linked to the individual's Tinder account. According to the IAC 10-K for 2017, on

	<p>page 17, Tinder also allows user access from mobile phones.</p>
<p>wherein the list also includes information associated with at least one of each participant or the one or more individuals that correspond to each participant;</p>	<p>Individual users of Tinder create a profile. The profile includes information such as address, age, sex, desired matches, and others.</p> <p>Plaintiff contends profiles created by one or more individuals, along with the information, are maintained in one or more databases. The one or more databases correspond to a list of one or more individuals.</p>
<p>presenting a user with an interface from which the user makes a selection of a category from a plurality of categories;</p>	<p>Plaintiff contends that Tinder is presented to an individual user through a GUI (graphic user interface) which corresponds to the claimed interface. Plaintiff further contends that under the My Profile section of the GUI, the individual user can make selections of a category from a plurality of categories. The following snippet is taken from a My Profile portion of the GUI and allows the categories of maximum distance and age range to be selected, which corresponds with the plurality of categories.</p> 
<p>in response to receiving the selection of the category by the user, displaying, for the user, some of the information associated with each of multiple participants from the plurality of</p>	<p>Plaintiff contends that the selection of a category from the plurality of categories is used by Tinder to identify participants from the plurality of participants which match the selection of the category by the user. Plaintiff further contends</p>

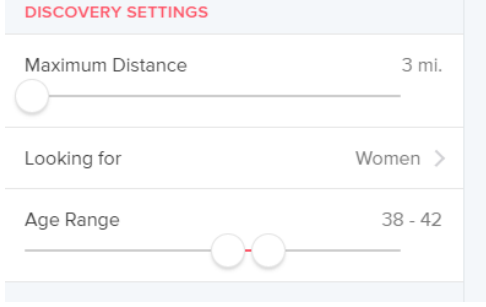
<p>participants which match the selection of the category by the user, while shielding contact information associated with each of the multiple participants;</p>	<p>Tinder displays some information, such as the username, from the information provided by the user to create a profile through the interface to the user. However, not all of the information entered to create a profile is displayed to the user.</p> <p>Plaintiff contends the sorting of individuals based on a user’s category selections and display of profile information corresponds to this claim element.</p>
<p>wherein displaying some of the information associated with each of the multiple participants is based at least in part on a rating of individual participants in the plurality of participants;</p>	<p>Tinder allows a user to “swipe left” or “swipe right” to indicate a liking of the displayed participant or not interested in the displayed participant. Further, Tinder’s algorithm rates participants based on criteria.</p> <p>Plaintiff contends the “swipe left” or “swipe right” or “swipe up” corresponds to this claim element.</p>
<p>enabling the user to send an inquiry message to one or more of the multiple participants, while shielding the contact information from the user, the contact information including any messaging identifier that is associated with each of the one or more participants;</p>	<p>If both the user and the displayed participant indicate, by swiping right, a liking of one another, such that there is a match, a GUI is displayed that allows messaging of the other participant of the match. The GUI does not display all information from the profile of participants in the messaging GUI.</p> <p>Plaintiff contends this messaging functionality of Tinder corresponds to this claim element.</p>
<p>tracking a response time of each of the one or more participants who received the message from the user; and</p>	<p>Tinder tracks date and time when a match is made, i.e. when both participants “swipe right.” The messaging interface displays the date and time of the match. Further, the time for the other participant of the match to respond is displayed.</p>

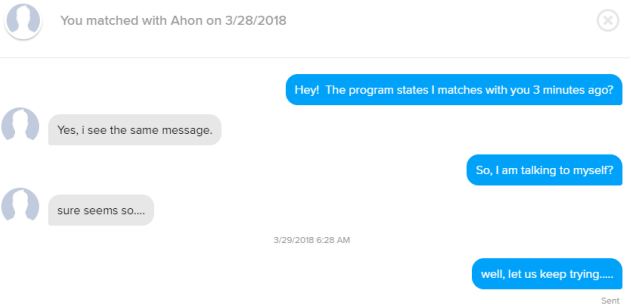
	 <p>Plaintiff contends this described functionality corresponds with this claim element.</p>
<p>updating the rating associated with each of the one or more participants based at least in part on the tracked response time.</p>	<p>Tinder’s messaging interface has the capability to update based upon most recent messaging. Further, Tinder’s algorithm rates participants.</p> <p>Plaintiff contends this functionality corresponds with this claim element.</p>
<p>2. The method of claim 1, wherein receiving the selection of the category from the plurality of categories includes receiving input that identifies a geographic location.</p>	<p>Tinder’s discovery settings allow a user to select from participants located within a certain distance from the user.</p>  <p>Plaintiff contends this Maximum distance setting corresponds to this claim element.</p>
<p>3. The method of claim 1, wherein displaying some of the information associated with each of multiple participants includes displaying an image that is included in the</p>	<p>Tinder allows participants to upload photos for their profile. The photos are capable of being displayed when the participant is selected.</p>

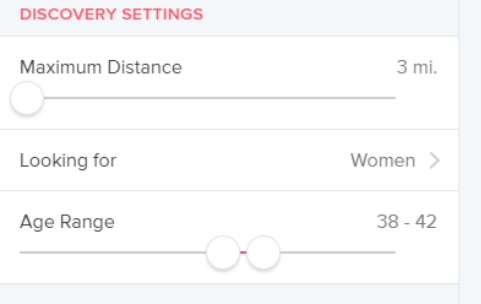
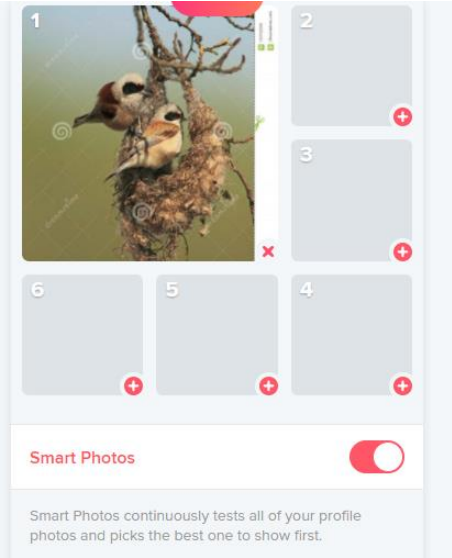
<p>information associated with each of the multiple participants.</p>	 <p>Plaintiff contends this functionality corresponds to the claim limitation.</p>
<p>4. The method of claim 1, further comprising:  identifying information for another participant that matches the category selection of the user based on a referral provided by one or more users of the network computer system.</p>	<p>Tinder’s “swipe right” functionality operates as a referral because the more individual users swipe right on a participant is a criteria that will cause the participant to be displayed higher in a user’s search results.</p> <p>Plaintiff contends this functionality corresponds with this claim element.</p>
<p>5. The method of claim 1, wherein displaying some of the information associated with each of the multiple participants includes displaying information associated with individual participants who match the category selection and have a higher rating in favor of information associated with individual participants who match the category selection and have a lower rating.</p>	<p>Tinder’s algorithm rates participants based on criteria. The algorithm determines, at least partially, the order of the participants displayed in a user’s search. Tinder further includes the functionality of a “Sure-Like” which increases your rating for a match with the other participant receiving the Super-Like.</p> <p>Plaintiff contends both of these functionalities corresponds to this claim element.</p>
<p>6. A computer system comprising:</p>	<p>Tinder is a consumer brand for online dating that</p>



<p>a memory to store a list comprising a plurality of participants, wherein each participant in the plurality of participants corresponds to one or more individuals, wherein the list also includes information associated with at least one of each participant or the one or more individuals that correspond to each participant;</p>	<p>enables users to establish a profile and review the profiles of other users without charge. The profiles are stored in memory of a computer network connected to the Internet and correspond to one or more individuals. The profile includes information such as username, address, age, sex, desired matches, and other information.</p> <p>Plaintiff contends this functionality corresponds with the claim element because, at least in part, the plurality of participants are the Tinder users.</p>
<p>one or more processors that execute instructions to:  maintain the list;</p>	<p>Tinder is a consumer brand for online dating that enables users to establish a profile and review the profiles of other users without charge. The profiles are stored in memory of a computer network connected to the Internet and correspond to one or more individuals. The profile includes information such as username, address, age, sex, desired matches, and other information.</p> <p>Plaintiff contends this functionality corresponds with the claim element because, at least in part, the plurality of participants are the Tinder users.</p>
<p>present a user with an interface from which the user makes a selection of a category from a plurality of categories;</p>	<p>Plaintiff contends that Tinder is presented to an individual user through a GUI (graphic user interface) which corresponds to the claimed interface. Plaintiff further contends that under the My Profile section of the GUI, the individual user can make selections of a category from a plurality of categories. The following snippet is taken from a My Profile portion of the GUI and allows the categories of maximum distance and age range to be selected, which corresponds with the plurality of categories.</p>

	
<p>in response to receiving the selection of the category by the user, present, for the user, some of the information associated with each of multiple participants from the plurality of participants which match the selection of the category by the user, while shielding contact information associated with each of the multiple participants;</p>	<p>Plaintiff contends that the selection of a category from the plurality of categories is used by Tinder to identify participants from the plurality of participants which match the selection of the category by the user. Plaintiff further contends Tinder displays some information, such as the username, from the information provided by the user to create a profile through the interface to the user. However, not all of the information entered to create a profile is displayed to the user.</p> <p>Plaintiff contends the sorting of individuals based on a user’s category selections and display of profile information corresponds to this claim element.</p>
<p>wherein displaying some of the information associated with each of the multiple participants is based at least in part on a rating of individual participants in the plurality of participants;</p>	<p>Tinder allows a user to “swipe left” or “swipe right” to indicate a liking of the displayed participant or not interested in the displayed participant. Further, Tinder’s algorithm rates participants based on criteria.</p> <p>Plaintiff contends the “swipe left” or “swipe right” or “swipe up” corresponds to this claim element.</p>
<p>enabling the user to send an inquiry message to one or more of the multiple participants, while shielding the contact information from the user, the contact information including any messaging</p>	<p>If both the user and the displayed participant indicate, by swiping right, a liking of one another, such that there is a match, a GUI is displayed that allows messaging of the other participant of the match. The GUI does not display all information</p>

<p>identifier that is associated with each of the one or more participants;</p>	<p>from the profile of participants in the messaging GUI.</p> <p>Plaintiff contends this messaging functionality of Tinder corresponds to this claim element.</p>
<p>tracking a response time of each of the one or more participants who received the message from the user; and</p>	<p>Tinder tracks date and time when a match is made, i.e. when both participants “swipe right.” The messaging interface displays the date and time of the match. Further, the time for the other participant of the match to respond is displayed.</p>  <p>The screenshot shows a match notification: "You matched with Ahon on 3/28/2018". Below it is a chat history with a blue bubble: "Hey! The program states I matches with you 3 minutes ago?". A grey bubble replies: "Yes, I see the same message." Another blue bubble says: "So, I am talking to myself?". A grey bubble replies: "sure seems so...". A date separator shows "3/29/2018 6:28 AM". A final blue bubble says: "well, let us keep trying..." with a "Sent" label below it.</p> <p>Plaintiff contends this described functionality corresponds with this claim element.</p>
<p>updating the rating associated with each of the one or more participants based at least in part on the tracked response time.</p>	<p>Tinder’s messaging interface has the capability to update based upon most recent messaging. Further, Tinder’s algorithm rates participants.</p> <p>Plaintiff contends this functionality corresponds with this claim element.</p>
<p>7. The computer system of claim 6, wherein the one or more processors receive the selection of the category from the plurality of categories by receiving input that identifies a geographic location.</p>	<p>Tinder’s discovery settings allow a user to select from participants located within a certain distance from the user.</p>

	 <p>DISCOVERY SETTINGS</p> <p>Maximum Distance 3 mi.</p> <p>Looking for Women &gt;</p> <p>Age Range 38 - 42</p> <p>Plaintiff contends this Maximum distance setting corresponds to this claim element.</p>
<p>8. The computer system of claim 6, wherein the one or more processors display some of the information associated with each of multiple participants by displaying an image that is included in the information associated with each of the multiple participants.</p>	<p>Tinder allows participants to upload photos for their profile. The photos are capable of being displayed when the participant is selected.</p>  <p>Plaintiff contends this functionality corresponds to the claim limitation.</p>
<p>9. The computer system of claim 6, wherein the one or more processors: identify information for another participant that matches the category selection of the user based on a referral</p>	<p>Tinder’s “swipe right” functionality operates as a referral because the more individual users swipe right on a participant is a criteria that will cause the participant to be displayed higher in a user’s search results. The Tinder application software is executing on one or more processors.</p>

<p>provided by one or more users of the network computer system.</p>	<p>Plaintiff contends this functionality corresponds with this claim element.</p>
<p>10. The computer system of claim 6, wherein the one or more processors display some of the information associated with each of the multiple participants by displaying information associated with individual participants who match the category selection and have a higher rating in favor of information associated with individual participants who match the category selection and have a lower rating.</p>	<p>Tinder’s algorithm rates participants based on criteria. The algorithm determines, at least partially, the order of the participants displayed in a user’s search. Tinder further includes the functionality of a “Sure-Like” which increases your rating for a match with the other participant receiving the Super-Like. The Tinder application software is executing on one or more processors.</p> <p>Plaintiff contends these structures correspond to this claim element.</p>
<p>11. The computer system of claim 6, wherein the computer system corresponds to a server, or a combination of servers.</p>	<p>Tinder’s online dating software is at least in part offered through computer systems, data centers, and cloud-based web-hosting, i.e. a server or a combination of servers as explained on p. 22 of the ISA 10K for 2017.</p> <p>Plaintiff contends this structure corresponds to the claim element.</p>

- These allegations of infringement are preliminary and are therefore subject to change.

11. Match Group has and continues to induce infringement. Match Group has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., online dating services on the Internet] and related services that provide online dating services across the Internet such as to cause infringement of claims 1–11 of the ’107 patent, literally or under the doctrine of equivalents. Moreover, Match Group has known of the ’107 patent and the technology underlying it from at least the date of issuance of the patent.

12. Match Group has caused and will continue to cause NETSOC damage by direct and indirect infringement of (including inducing infringement of) the claims of the '107 patent.





**B. Plenty of Fish**

13. POF owns, maintains, operates, and administers a website at www.pof.com that infringes one or more claims of the '107 patent, including at least claims 1-11, literally or under the doctrine of equivalents. Defendant POF put the inventions claimed by the '107 Patent into service (i.e., used them); but for Defendant POF's actions, the claimed-inventions embodiments involving Defendant POF's products and services would never have been put into service. Defendant POF's acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant POF's procurement of monetary and commercial benefit from it.



14. Support for the allegations of infringement may be found in the following preliminary table:

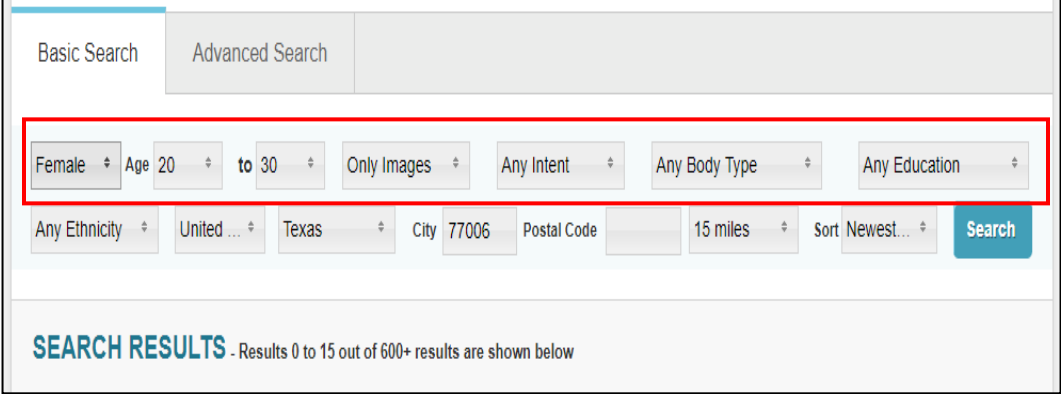
<b>Exemplary Claim 6</b>	<b>Accused Product (pof.com)</b>
6. A computer system comprising:	Plaintiff contends that Plenty of Fish (referred herein as "POF.Com") provides computer system that is, one or more servers to provide its services.

Exemplary Claim 6	Accused Product (pof.com)
	<div data-bbox="751 264 1300 653" style="border: 1px solid black; padding: 5px;"> <p>But as POF’s customer base rapidly grew, its antiquated spinning <b>disk storage</b> was increasingly unable to keep pace. The storage had difficulty replicating data between database instances, and its <b>database servers</b> struggled to respond to calls— with the result that users endured slow-loading pages that featured out-of-date, ‘stale’ data.</p> </div> <div data-bbox="722 659 1330 1045" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>With the IBM solution in place, POF benefits from the ultra-low latency of <b>flash storage</b> for batch requests. In fact, its <b>main database server</b> can now handle more than 60,000 per second. This means that pages load almost instantly, providing a seamless experience for POF users looking for love.</p> </div> <p data-bbox="492 1073 1281 1104"><b>Attachment 1 (Media &amp; Entertainment (2018)) at 2 and 3.</b></p>
<p>a memory to store a list comprising a plurality of participants, wherein each participant in the plurality of participants corresponds to one or more individuals, wherein the list also includes information associated with at least one of each participant or the one or more individuals that correspond to each participant;</p> <p>one or more processors that execute instructions to:</p> <p>maintain the list;</p>	<p>Plaintiff contends that by using one or more servers (which contain processors and memory), POF.Com stores and maintains data of one or more participants or individuals along with their information.</p> <div data-bbox="492 1388 1568 1493" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>POF.Com stores and maintains data of its customers or participants along with their associated information (like age, sex, location, etc.).</p> </div> <div data-bbox="526 1499 992 1793" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>its antiquated spinning <b>disk storage</b> was increasingly unable to keep pace. The storage had difficulty replicating data between database instances, and its <b>database servers</b> struggled to respond to calls— with the result that users endured slow-loading pages that featured out-of-date, ‘stale’ data.</p> </div> <div data-bbox="1013 1499 1528 1793" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>benefits from the ultra-low latency of <b>flash storage</b> for batch requests. In fact, its <b>main database server</b> can now handle more than 60,000 per second. This means that pages load almost instantly, providing a seamless experience for POF users looking for love.</p> </div>

Exemplary Claim 6	Accused Product (pof.com)
	<p data-bbox="505 275 1555 533">Plenty of Fish (POF), a Match Group (MTCH) company, is one of the largest global online dating companies, with 150 million registered users and 65,000 new daily users. Available in 11 languages and more than 20 countries, POF has more conversations than any other dating app, with 2.5 million happening every day. Unlike any dating offering today, singles have more quality conversations on POF, which can lead to stronger connections, smarter matches and better dates. For more information, please visit: <a href="http://iac.com/brand/match-group">iac.com/brand/match-group</a>.</p> <div data-bbox="500 695 1570 940">  <p><b>hello.</b> Houston, Texas im from asia. interested? msg me AshleyDesert269b 22 Actively seeking a relationship High School Online Now</p> </div> <div data-bbox="500 968 1570 1213">  <p><b>loool</b> Houston, Texas to go a bike ride Sara_xada5644 26 Looking for a relationship High School Online Now</p> </div> <div data-bbox="500 1241 1570 1486">  <p><b>hello.</b> Houston, Texas im from asia. interested? msg me SydneyFantastic1a3e 30 Looking for a relationship High School Online Now</p> </div> <div data-bbox="500 1514 1570 1759">  <p><b>LOVE , CARE AND AFFECTION</b> Houston, Texas Hi there. I've decided to consider this site a virtual sidewalk. Thanks in advance for strolling by... know what someone likes to do is nice, learn what they love to do is bet ... naco Cheryl 30 Would like to get married Bachelors degree Online Now</p> </div> <p data-bbox="493 1776 1403 1808"><b>[Snapshot taken from POF.Com website by creating a user profile]</b></p>



Exemplary Claim 6	Accused Product (pof.com)																
	<div data-bbox="496 279 1557 1220" style="border: 1px solid black; padding: 10px;"> <p style="text-align: center; color: #0070C0; margin: 0;"><b>AshleyDesert269b : hello.</b></p> <table border="0" style="width: 100%; font-size: small;"> <tr> <td style="width: 30%;"><b>About</b></td> <td>Non-Smoker with Thin body type</td> <td style="width: 30%;"><b>City</b></td> <td>Houston, Texas</td> </tr> <tr> <td><b>Details</b></td> <td>22 year old Female, 5' 3" (160cm), Non-religious</td> <td><b>Ethnicity</b></td> <td>Caucasian, Pisces</td> </tr> <tr> <td><b>Intent</b></td> <td>AshleyDesert269b is actively seeking a relationship.</td> <td><b>Education</b></td> <td>High school</td> </tr> <tr> <td><b>Personality</b></td> <td>Blue Collar</td> <td><b>Profession</b></td> <td>Manufacturer</td> </tr> </table> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;">  </div> <div style="width: 60%;">  </div> <div style="width: 30%; border: 1px solid #ccc; padding: 5px; font-size: x-small;"> <p style="text-align: center; margin: 0;">Ad closed by Google</p> <p style="text-align: center; background-color: #0070C0; color: white; padding: 2px 5px; margin: 2px 0;">Report this ad</p> <p style="text-align: center; margin: 2px 0;">Why this ad? ⓘ</p> </div> </div> </div> <p data-bbox="496 1251 1404 1283" style="margin-top: 10px;"><b>[Snapshot taken from POF.Com website by creating a user profile]</b></p> <div data-bbox="496 1323 1552 1423" style="border: 1px solid black; border-radius: 10px; padding: 10px; margin-top: 10px;"> <p style="font-size: small;">Information associated with the participant or individual (for example, partial information is shown).</p> </div>	<b>About</b>	Non-Smoker with Thin body type	<b>City</b>	Houston, Texas	<b>Details</b>	22 year old Female, 5' 3" (160cm), Non-religious	<b>Ethnicity</b>	Caucasian, Pisces	<b>Intent</b>	AshleyDesert269b is actively seeking a relationship.	<b>Education</b>	High school	<b>Personality</b>	Blue Collar	<b>Profession</b>	Manufacturer
<b>About</b>	Non-Smoker with Thin body type	<b>City</b>	Houston, Texas														
<b>Details</b>	22 year old Female, 5' 3" (160cm), Non-religious	<b>Ethnicity</b>	Caucasian, Pisces														
<b>Intent</b>	AshleyDesert269b is actively seeking a relationship.	<b>Education</b>	High school														
<b>Personality</b>	Blue Collar	<b>Profession</b>	Manufacturer														
<p>present a user with an interface from which the user makes a selection of a category from a plurality of categories;</p>	<p>Plaintiff contends that POF.Com presents a user with an interface from which the user can make a selection of a category from a plurality of categories.</p>																

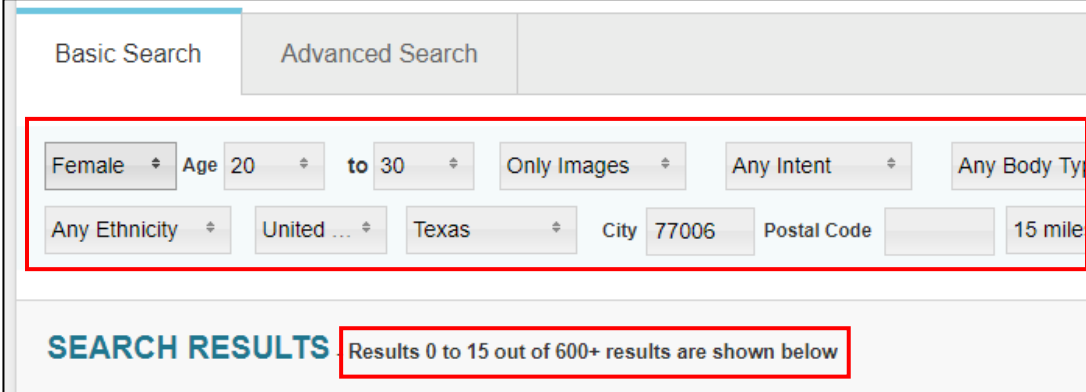
Exemplary Claim 6	Accused Product (pof.com)
	<p data-bbox="503 352 1555 464">Interface for user for making a selection of a category from a plurality of categories (for example, sex, age range, distance, location, etc.).</p> <div data-bbox="500 499 1555 890"><p>The screenshot shows a search interface with two tabs: 'Basic Search' and 'Advanced Search'. Below the tabs is a search bar with several filters: 'Female', 'Age 20 to 30', 'Only Images', 'Any Intent', 'Any Body Type', and 'Any Education'. Below these are more filters: 'Any Ethnicity', 'United ...', 'Texas', 'City 77006', 'Postal Code', '15 miles', 'Sort Newest...', and a 'Search' button. Below the search bar, it says 'SEARCH RESULTS - Results 0 to 15 out of 600+ results are shown below'.</p></div> <p data-bbox="492 974 1404 1010"><b>[Snapshot taken from POF.Com website by creating a user profile]</b></p>

<b>Exemplary Claim 6</b>	<b>Accused Product (pof.com)</b>
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<div style="border: 1px solid black; border-radius: 15px; padding: 10px; width: fit-content;"> <p>User can make a selection of a category from a plurality of categories</p> </div>	
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**[Snapshot taken from POF.Com website by creating a user profile]**

<p>in response to receiving the selection of the category by the user, present, for the user, some of the information associated with each of multiple participants from the plurality of participants which match the selection of the category by</p>	<p>Plaintiff contends that based on the selection of the category, some of the information associated with each of multiple participants from the plurality of participants is displayed to the user which matches the selection of the category by the user. Also, contact information of each of the multiple participants is shielded from the user.</p>
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<b>Exemplary Claim 6</b>	<b>Accused Product (pof.com)</b>
the user, while shielding contact information associated with each of the multiple participants;	<p data-bbox="568 420 1201 493">Receiving selection of the category by the user</p>  <p>The screenshot shows the search interface on POF.com. It features two tabs: 'Basic Search' and 'Advanced Search'. Below the tabs are several filter categories: Gender (Female), Age (20 to 30), Image type (Only Images), Intent (Any Intent), Body type (Any Body Type), Ethnicity (Any Ethnicity), Location (United States, Texas, City 77006, Postal Code, 15 miles). A red box highlights the search filters. Below the filters, the text 'SEARCH RESULTS' is followed by 'Results 0 to 15 out of 600+ results are shown below', which is also highlighted with a red box.</p> <p data-bbox="495 976 1404 1008"><b>[Snapshot taken from POF.Com website by creating a user profile]</b></p>

**Exemplary Claim 6**

**Accused Product (pof.com)**

Receiving selection of the category by the user

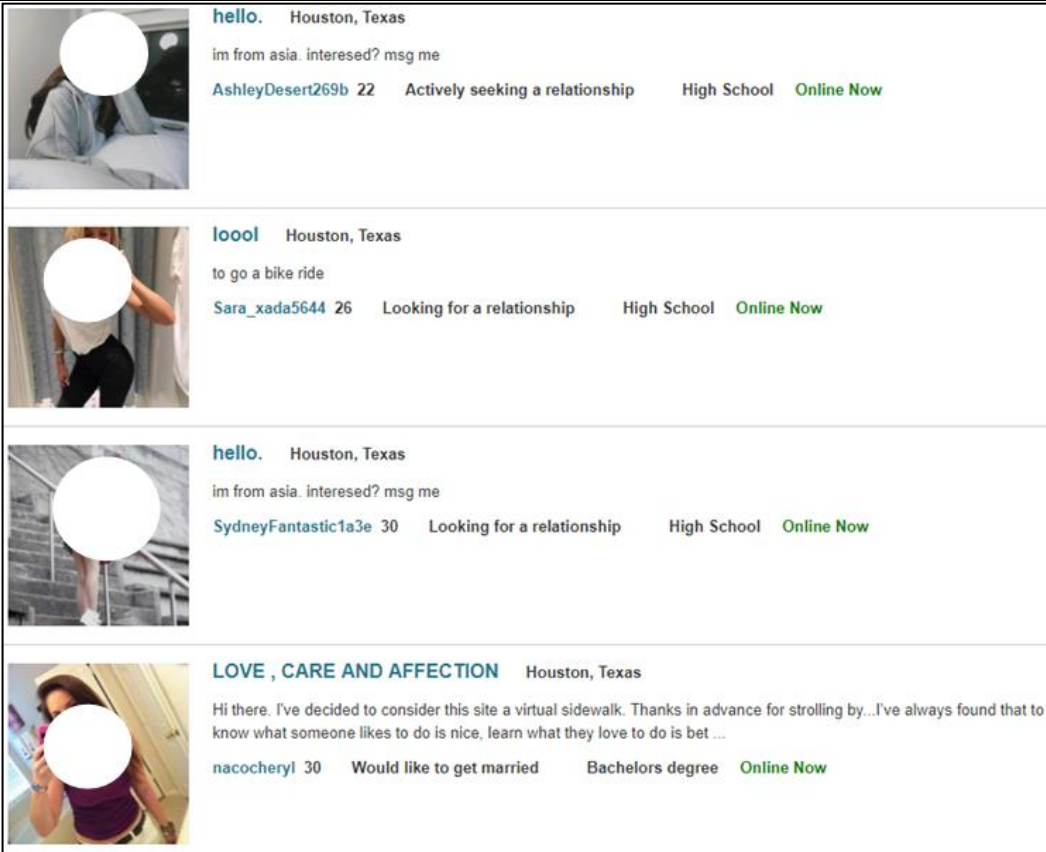
Basic Search | **Advanced Search**

For local searches in the United States, Canada, Australia and the United Kingdom, you can search by postal code or zip code instead of a city name. Have fun searching through millions of dating profiles!



I am a	Male	Sort By	Last Visit
Seeking a	Female	User Wants children?	Anything
Age	22 to 30	Smokes?	Anything
From	United States	Does drugs?	Anything
City or Postal Code / Miles		200	
Province	Anything	Display Type	Detailed
Minimum Height	Anything	Drink	Anything
Maximum Height	Anything	Users With Children	Anything
Religion	Anything	Hair Color	Anything
Ethnicity	Anything	Sign	Anything
Pets	Anything	Eye color	Anything
Search Type	Anything	Body Type	Anything
Education	Anything	Income	Anything
Family Orientation	Anything	Easygoingness	Anything
Self-Confidence	Anything	Openness/ People Dependent	Anything
Profession	Anything	Intent	Anything
Marital Status	Anything	Personality	Anything
Second Language	Anything	Do You Own A Car?	Anything
Ambition	Anything	Longest Relationship	Anything

Clear | Go Fishing!

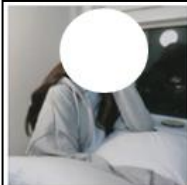

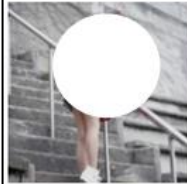
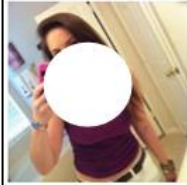
[Snapshot taken from POF.Com website by creating a user profile]

Exemplary Claim 6	Accused Product (pof.com)
	<div data-bbox="506 262 1546 1108"><p>The screenshot displays four user profiles from the POF.com website, all located in Houston, Texas. Each profile includes a profile picture, a name, a bio, and relationship preferences. The profiles are: 1. 'hello.' (22 years old), bio: 'im from asia. interested? msg me', seeking a relationship, High School education, Online Now status. 2. 'loool' (26 years old), bio: 'to go a bike ride', looking for a relationship, High School education, Online Now status. 3. 'hello.' (30 years old), bio: 'im from asia. interested? msg me', looking for a relationship, High School education, Online Now status. 4. 'LOVE , CARE AND AFFECTION' (30 years old), bio: 'Hi there. I've decided to consider this site a virtual sidewalk. Thanks in advance for strolling by...I've always found that to know what someone likes to do is nice, learn what they love to do is bet ...', would like to get married, Bachelors degree, Online Now status.</p></div> <p data-bbox="493 1136 1404 1171"><b>[Snapshot taken from POF.Com website by creating a user profile]</b></p> <div data-bbox="367 1262 1433 1402"><p>Based on the selection of the category, a list of participants (along with some of their information) is presented to the user, matching the selection of the category.</p></div>

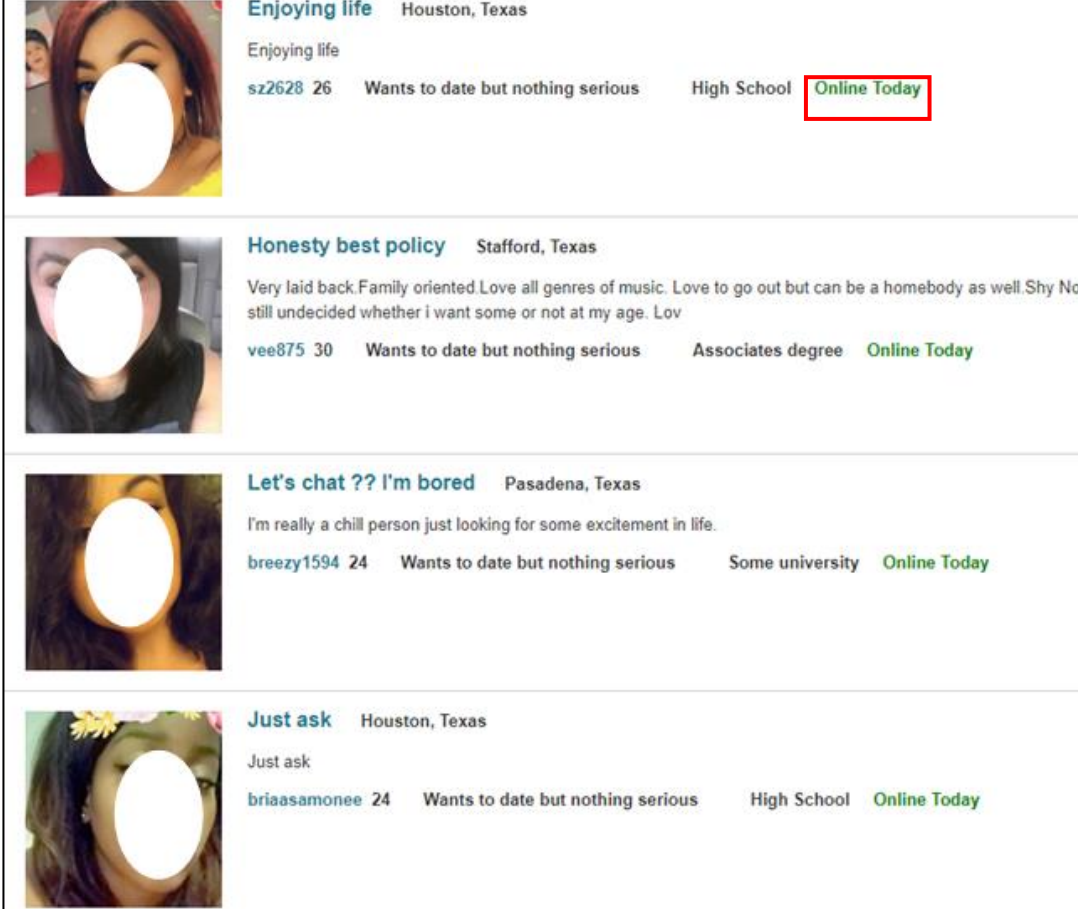
Exemplary Claim 6	Accused Product (pof.com)
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	<div style="border: 1px solid black; padding: 10px;"> <p style="text-align: center; color: #0070C0; font-weight: bold;">AshleyDesert269b : hello.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;"><b>About</b></td> <td style="width: 33%;">Non-Smoker with Thin body type</td> <td style="width: 33%;"><b>City</b></td> <td style="width: 33%;">Houston, Texas</td> </tr> <tr> <td><b>Details</b></td> <td>22 year old Female, 5' 3" (160cm), Non-religious</td> <td><b>Ethnicity</b></td> <td>Caucasian, Pisces</td> </tr> <tr> <td><b>Intent</b></td> <td>AshleyDesert269b is actively seeking a relationship.</td> <td><b>Education</b></td> <td>High school</td> </tr> <tr> <td><b>Personality</b></td> <td>Blue Collar</td> <td><b>Profession</b></td> <td>Manufacturer</td> </tr> </table> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;">  </div> <div style="width: 45%; text-align: right;"> <p style="font-size: small;">Ad closed by Google</p> <p style="background-color: #0070C0; color: white; padding: 2px 5px; display: inline-block;">Report this ad</p> <p style="border: 1px solid #ccc; padding: 2px 5px; display: inline-block; font-size: x-small;">Why this ad? ⓘ</p> </div> </div> <div style="text-align: center; margin-top: 10px;">  </div> </div> <p style="margin-top: 10px;"><b>[Snapshot taken from POF.Com website by creating a user profile]</b></p> <div style="border: 1px solid black; border-radius: 15px; padding: 10px; margin: 10px auto; width: 80%; text-align: center;"> <p style="font-size: small;">Any associated contact information of the participant such as emails, messaging identifier, etc. remains hidden from the user.</p> </div>	<b>About</b>	Non-Smoker with Thin body type	<b>City</b>	Houston, Texas	<b>Details</b>	22 year old Female, 5' 3" (160cm), Non-religious	<b>Ethnicity</b>	Caucasian, Pisces	<b>Intent</b>	AshleyDesert269b is actively seeking a relationship.	<b>Education</b>	High school	<b>Personality</b>	Blue Collar	<b>Profession</b>	Manufacturer
<b>About</b>	Non-Smoker with Thin body type	<b>City</b>	Houston, Texas														
<b>Details</b>	22 year old Female, 5' 3" (160cm), Non-religious	<b>Ethnicity</b>	Caucasian, Pisces														
<b>Intent</b>	AshleyDesert269b is actively seeking a relationship.	<b>Education</b>	High school														
<b>Personality</b>	Blue Collar	<b>Profession</b>	Manufacturer														

<p>wherein displaying some of the information associated with each of the multiple participants is based at least in part on a rating of individual participants in the plurality of participants;</p>	<p>Plaintiff contends that the information associated with each of the multiple participants is displayed based on a rating of individual participant in the plurality of participants. For example, those participants who remain online (or new participants) and who will most likely respond quickly to any user’s inquiry, they are displayed first in the list. That is, list is displayed based on a rating system depending upon responsiveness or response-time of each participant.</p> <div style="border: 1px solid black; border-radius: 15px; padding: 10px; margin: 10px auto; width: 80%; text-align: center;"> <p style="font-size: small;">The information of each participant is displayed based on a rating system (for example, based on “Last Visit”) as “Online Now”, then after “Online Today”. and so on.</p> </div>
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Exemplary Claim 6	Accused Product (pof.com)
	<div data-bbox="506 323 1547 520"><p><b>hello.</b> Houston, Texas im from asia. interested? msg me AshleyDesert269b 22 Actively seeking a relationship High School <b>Online Now</b></p></div> <div data-bbox="506 541 1547 739"><p><b>loool</b> Houston, Texas to go a bike ride Sara_xada5644 26 Looking for a relationship High School <b>Online Now</b></p></div> <div data-bbox="506 760 1547 957"><p><b>hello.</b> Houston, Texas im from asia. interested? msg me SydneyFantastic1a3e 30 Looking for a relationship High School <b>Online Now</b></p></div> <div data-bbox="506 978 1547 1173"><p><b>LOVE , CARE AND AFFECTION</b> Houston, Texas Hi there. I've decided to consider this site a virtual sidewalk. Thanks in advance for strolling by...I've always found that to know what someone likes to do is nice, learn what they love to do is bet ... naco Cheryl 30 Would like to get married Bachelors degree <b>Online Now</b></p></div> <p data-bbox="493 1192 542 1220">***</p>



Exemplary Claim 6	Accused Product (pof.com)
	 <p><b>Enjoying life</b> Houston, Texas          Enjoying life          sz2628 26 Wants to date but nothing serious High School <b>Online Today</b></p> <p><b>Honesty best policy</b> Stafford, Texas          Very laid back. Family oriented. Love all genres of music. Love to go out but can be a homebody as well. Shy. No still undecided whether i want some or not at my age. Lov          vee875 30 Wants to date but nothing serious Associates degree <b>Online Today</b></p> <p><b>Let's chat ?? I'm bored</b> Pasadena, Texas          I'm really a chill person just looking for some excitement in life.          breezy1594 24 Wants to date but nothing serious Some university <b>Online Today</b></p> <p><b>Just ask</b> Houston, Texas          Just ask          briaasamonee 24 Wants to date but nothing serious High School <b>Online Today</b></p> <p><b>[Snapshot taken from POF.Com website by creating a user profile]</b></p>
<p>enabling the user to send an inquiry message to one or more of the multiple participants, while shielding the contact information from the user, the contact information including any messaging identifier that is associated with each of the one or more participants;</p>	<p>Plaintiff contends that user can send enquiry message(s) to one or more participants or candidates, while the contact information associated with each participant (such as emails, messaging identifiers, etc.) remains hidden or shielded from the user.</p>

Exemplary Claim 6	Accused Product (pof.com)																
	<p data-bbox="841 268 1250 304"><b>AshleyDesert269b : hello.</b></p> <table border="0" data-bbox="511 336 1461 472"><tr><td><b>About</b></td><td>Non-Smoker with Thin body type</td><td><b>City</b></td><td>Houston, Texas</td></tr><tr><td><b>Details</b></td><td>22 year old Female, 5' 3" (160cm), Non-religious</td><td><b>Ethnicity</b></td><td>Caucasian, Pisces</td></tr><tr><td><b>Intent</b></td><td>AshleyDesert269b is actively seeking a relationship.</td><td><b>Education</b></td><td>High school</td></tr><tr><td><b>Personality</b></td><td>Blue Collar</td><td><b>Profession</b></td><td>Manufacturer</td></tr></table>   <div data-bbox="1218 655 1534 781"><p>Ad closed by Google</p><p><a href="#">Report this ad</a></p><p><a href="#">Why this ad? ⓘ</a></p></div> <div data-bbox="1161 793 1469 1228"><p>Any type of contact information associated with the participant such as email, messaging identifier, etc. remains hidden or shielded from the user.</p></div> <p data-bbox="495 1260 1404 1297"><b>[Snapshot taken from POF.Com website by creating a user profile]</b></p>	<b>About</b>	Non-Smoker with Thin body type	<b>City</b>	Houston, Texas	<b>Details</b>	22 year old Female, 5' 3" (160cm), Non-religious	<b>Ethnicity</b>	Caucasian, Pisces	<b>Intent</b>	AshleyDesert269b is actively seeking a relationship.	<b>Education</b>	High school	<b>Personality</b>	Blue Collar	<b>Profession</b>	Manufacturer
<b>About</b>	Non-Smoker with Thin body type	<b>City</b>	Houston, Texas														
<b>Details</b>	22 year old Female, 5' 3" (160cm), Non-religious	<b>Ethnicity</b>	Caucasian, Pisces														
<b>Intent</b>	AshleyDesert269b is actively seeking a relationship.	<b>Education</b>	High school														
<b>Personality</b>	Blue Collar	<b>Profession</b>	Manufacturer														

**Exemplary Claim 6**

**Accused Product (pof.com)**



Ad closed by Google

Report this ad

Why this ad? ⓘ

User can send inquiry message(s) to the participant(s), while the contact information remains hidden from the user.

Send a Quick Message!

Send as Priority  Off

Hello,

I liked your profile and wanted to connect with you to discuss further. Please reply.

Thanks

Send Quick Msg

I am Seeking a	Man	For	Friends
Needs Test	Not Completed	Chemistry	Not Completed
Do you drink?	No	Do you want children?	Does not want children
Marital Status	Single	Do you do drugs?	No

Add to Favorites! Message AshleyDesert269b Now! Send a Gift Now!

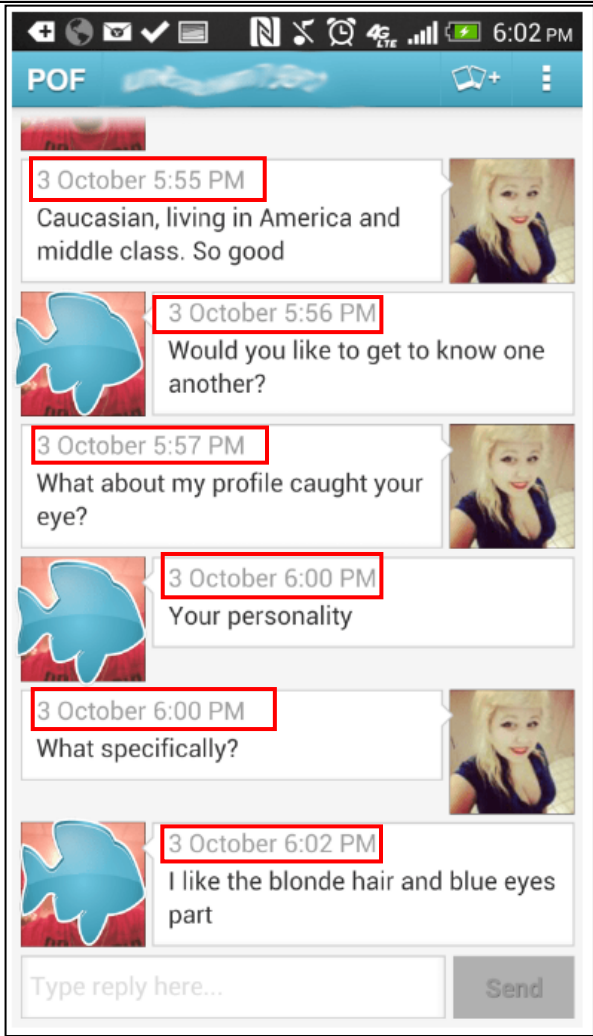
[Snapshot taken from POF.Com website by creating a user profile]

Exemplary Claim 6	Accused Product (pof.com)
	<p><b>To send a Quick Message:</b></p> <p>Compose your message in the message box on the user's profile and click <b>Send Quick</b></p> <p><b>To send a Message:</b></p> <p>Scroll to the bottom of their profile and click Message Username Now. With the longer r you have the following options:</p> <ul style="list-style-type: none"> <li>• Send an inbox gift</li> <li>• Send a rose</li> </ul> <p>For more help with messaging on POF, click <a href="#">here</a>.</p> <div style="border: 1px solid black; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>POF.com provides its own messaging interface so that contact details of the participant(s) such as emails, messaging identifiers, etc. remain hidden from the user.</p> </div>
<p>tracking a response time of each of the one or more participants who received the message from the user; and</p>	<p>Plaintiff contends that response-time of each participant who received the message from the user is tracked. Some participants respond quickly, thus, have quick response-time; while some participants respond slowly, thus, they have slow response-time. And accordingly, each participant's rating within the search results gets updated.</p>

**Exemplary Claim 6**

**Accused Product (pof.com)**

Response-time of each participant is tracked



The notion of **waiting three days to reply back** to a message is now officially defunct. Eighty-nine percent of singles will respond to a message on a dating app **within 12 hours** if interested, and 23 percent of those singles will respond right away (RIGHT AWAY!). How's that for **response time?**

Exemplary Claim 6	Accused Product (pof.com)
	<p><b>DROP THE THREE DAY RULE:</b> The notion of waiting three days to reply back to a message is now defunct. <b>Eighty-nine percent of singles will respond to a message on a dating app within 12 hours if interested</b>, and 23 percent of those singles will respond right away. <b>When someone replies to a message right away, it shows they're interested, and making themselves available!</b> (not what society has, for so long, deemed as desperate or too eager).</p> <p>In fact, 75 percent of singles say leaving a message on "read" and not replying for days at a time is a much more annoying texting habit than replying too quickly.</p> <p>See what kind of a response each message gets – if it has a poor <b>response rate</b>, tweak it or use a different one. Pretty soon you'll have an arsenal of messages women can't wait to respond to.</p> <p><b>2. Sort Your Matches By Most Recent Login</b></p> <p>The "Sort By" option allows you to organize your matches by <b>how recently they were active on the site</b>. Only message users who've logged onto the site recently, preferably <b>within the last 24 hours</b>. Don't waste your time reaching out to people who may never get back to you.</p> <p><b>If you're not a paid member of the site, you can't see the exact date they were last online</b>. But you can still organize it so your matches with the most recent logins appear at the top.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 80%;"> <p>An easy guideline is to roughly mirror their <b>response time</b>. If they take a day or two to write back to you, take around the same amount of time. But on the other hand, if the woman is messaging you back right away, don't leave them hanging for twenty minutes or an hour.</p> <p>Write back and keep that momentum going.</p> </div>
<p>updating the rating associated with each of the one or more participants based at least in part on the tracked response time.</p>	<p>Plaintiff contends that rating of each participant is updated based on his or her response time (that is, quick response-time, slow response-time, no-response, etc.). Activity (including response-time) of each participant is monitored on the website and accordingly each participant's rating gets updated within the list of search results.</p>

Exemplary Claim 6	Accused Product (pof.com)
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Each participant is ranked or rated based on his or her online activity as, for example, “Online Now”, “Online Today”, and so on (that is, based on responsiveness or response-time). Participants who respond to any user inquiry quickly or in short-time (that is, with quick response-time), they are assigned different rating within the list of search results as compared to those participants who do not reply or take too long to respond back (that is, with slow response-time or no response-time).

The screenshot displays four user profiles from a dating application. Each profile is structured as follows:

- Profile 1:** Name: hello. Location: Houston, Texas. Bio: im from asia. interested? msg me. Relationship: Actively seeking a relationship. Education: High School. Status: Online Now.
- Profile 2:** Name: loool. Location: Houston, Texas. Bio: to go a bike ride. Relationship: Looking for a relationship. Education: High School. Status: Online Now.
- Profile 3:** Name: hello. Location: Houston, Texas. Bio: im from asia. interested? msg me. Relationship: Looking for a relationship. Education: High School. Status: Online Now.
- Profile 4:** Name: LOVE , CARE AND AFFECTION. Location: Houston, Texas. Bio: Hi there. I've decided to consider this site a virtual sidewalk. Thanks in advance for strolling by...I've always found that to know what someone likes to do is nice, learn what they love to do is bet ... Relationship: Would like to get married. Education: Bachelors degree. Status: Online Now.

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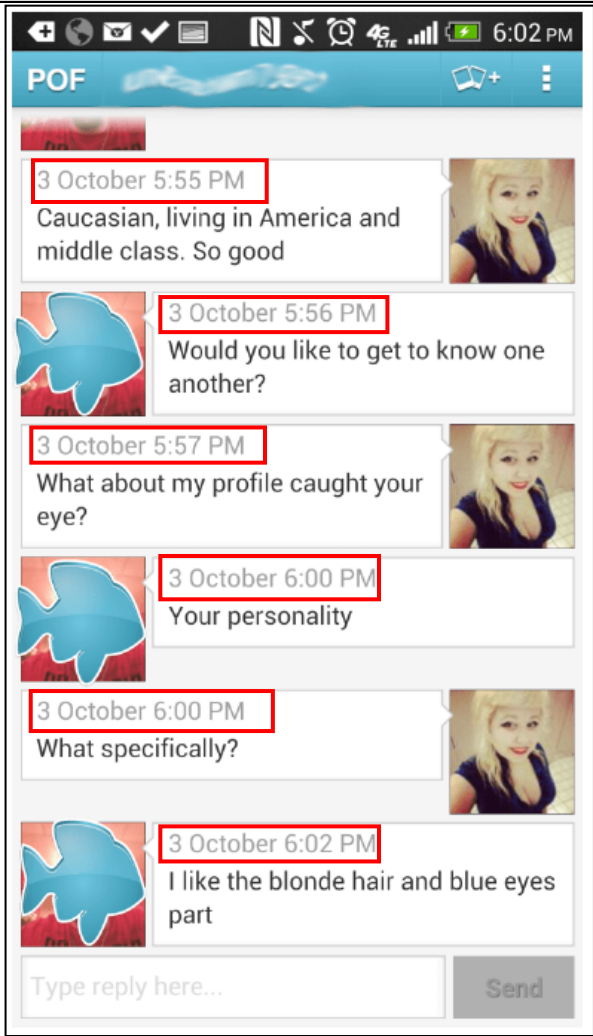
Exemplary Claim 6	Accused Product (pof.com)
	<div data-bbox="516 283 714 483"> </div> <div data-bbox="738 283 1412 388"> <p><b>Enjoying life</b> Houston, Texas                  Enjoying life                  sz2628 26 Wants to date but nothing serious High School <b>Online Today</b></p> </div> <hr/> <div data-bbox="516 514 714 714"> </div> <div data-bbox="738 514 1575 651"> <p><b>Honesty best policy</b> Stafford, Texas                  Very laid back. Family oriented. Love all genres of music. Love to go out but can be a homebody as well. Shy No still undecided whether i want some or not at my age. Lov                  vee875 30 Wants to date but nothing serious Associates degree <b>Online Today</b></p> </div> <hr/> <div data-bbox="516 745 714 945"> </div> <div data-bbox="738 745 1485 861"> <p><b>Let's chat ?? I'm bored</b> Pasadena, Texas                  I'm really a chill person just looking for some excitement in life.                  breezy1594 24 Wants to date but nothing serious Some university <b>Online Today</b></p> </div> <hr/> <div data-bbox="516 976 714 1176"> </div> <div data-bbox="738 976 1485 1092"> <p><b>Just ask</b> Houston, Texas                  Just ask                  briaasamonee 24 Wants to date but nothing serious High School <b>Online Today</b></p> </div>
	<p><b>[Snapshot taken from POF.Com website by creating a user profile]</b></p>



**Exemplary Claim 6**

**Accused Product (pof.com)**

Response-time of each participant is tracked to update his or her rating.



The notion of **waiting three days to reply back** to a message is now officially defunct. Eighty-nine percent of singles will respond to a message on a dating app **within 12 hours** if interested, and 23 percent of those singles will respond right away (RIGHT AWAY!). How's that for **response time?**

See what kind of a response each message gets – if it has a poor **response rate**, tweak it or use a different one. Pretty soon you'll have an arsenal of messages women can't wait to respond to.

Exemplary Claim 6	Accused Product (pof.com)
	<p><b>2. Sort Your Matches By Most Recent Login</b></p> <p>The "Sort By" option allows you to organize your matches by how recently they were active on the site. Only message users who've logged onto the site recently, preferably within the last 24 hours. Don't waste your time reaching out to people who may never get back to you.</p> <p>If you're not a paid member of the site, you can't see the exact date they were last online. But you can still organize it so your matches with the most recent logins appear at the top.</p>

- These allegations of infringement are preliminary and are therefore subject to change.

15. POF has and continues to induce infringement. POF has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., online dating services on the Internet] and related services that provide online dating services across the Internet such as to cause infringement of claims 1–11 of the '107 patent, literally or under the doctrine of equivalents. Moreover, POF has known of the '107 patent and the technology underlying it from at least the date of issuance of the patent.

16. POF has caused and will continue to cause NETSOC damage by direct and indirect infringement of (including inducing infringement of) the claims of the '107 patent.

**C. OKCupid**



















17. OKCupid owns, maintains, operates, and administers a website at www.okcupid.com that infringes one or more claims of the '107 patent, including at least claims 1-11, literally or under the doctrine of equivalents. OKCupid put the inventions claimed by the '107 Patent into service (i.e., used them); but for OKCupid's actions, the claimed-inventions embodiments involving OKCupid's products and services would never have been put into service. OKCupid's acts

complained of herein caused those claimed-invention embodiments as a whole to perform, and OKCupid’s procurement of monetary and commercial benefit from it.

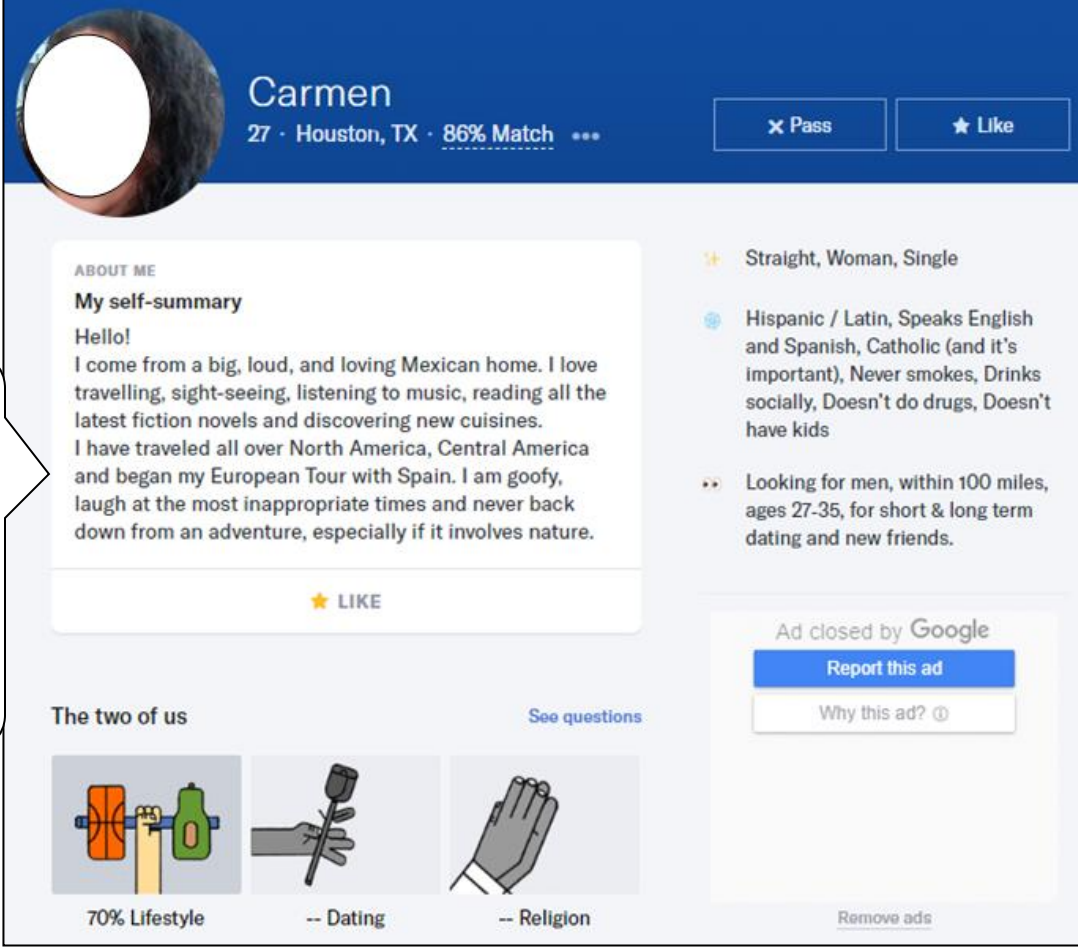
18. Support for the allegations of infringement may be found in the following preliminary table:

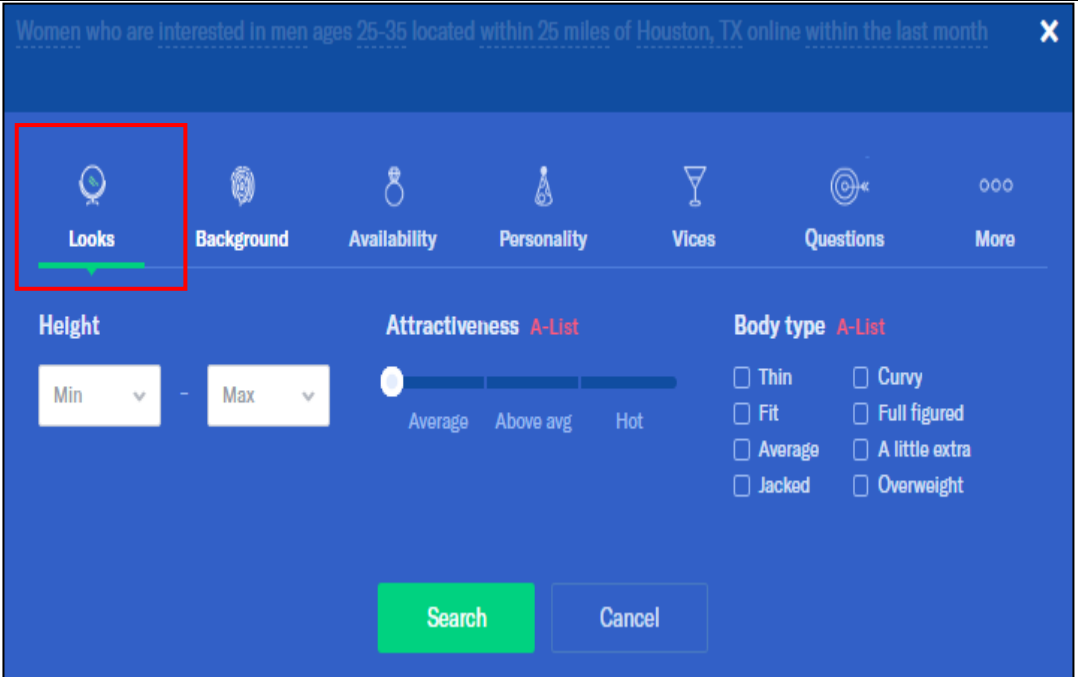
Exemplary Claim 6	Accused Product (okcupid.com)
<p>6. A computer system comprising:</p>	<p>Plaintiff contends that OkCupid.Com provides computer system that is, one or more servers or databases to provide its services.</p> <div data-bbox="500 674 1555 1073" style="border: 1px solid black; padding: 5px;"> <p><b>In General.</b> We may collect Personal Information, including Sensitive Data, and other information. “Personal Information” means individually identifiable information that would allow us to determine the actual identity of, and contact, a specific living person. Sensitive Data includes information, comments or content (e.g. photographs, video, profile, lifestyle) that you optionally provide that may reveal your ethnic origin, nationality, religion and/or sexual orientation. By providing Sensitive Data to us, you consent to the collection, use and disclosure of Sensitive Data as permitted by applicable privacy laws. We may also collect your geolocation information with your consent. We may collect this information through a website, mobile application or other online service. <b>When you provide personal information, the information may be sent to servers located in the United States and other countries around the world.</b></p> </div> <p><b>(Privacy   OkCupid (Webpage, 2016)) at 1.</b></p> <div data-bbox="500 1157 1555 1444" style="border: 1px solid black; padding: 5px;"> <p>We are a growing corporation with users and operations in multiple countries, including the European Union. We have developed data practices designed to assure information is appropriately protected but we cannot always know where personal information may be accessed or processed. While <b>our primary data centers are in the United States</b>, we may transfer personal information or other information to our offices outside of the United States. In addition, we may employ other companies and individuals to perform functions on our behalf. If we disclose personal information to a third party or to our employees outside of the United States, we will seek assurances that any information we may provide to them is safeguarded adequately and in accordance with this Privacy Policy and the requirements of applicable privacy laws.</p> </div> <p><b>Id. at 4.</b></p>
<p>a memory to store a list comprising a plurality of participants, wherein each participant in the plurality of participants corresponds to one or more individuals, wherein the list also includes information</p>	<p>Plaintiff contends that by using one or more servers or data-centers (which contain processors and memory), OkCupid.Com stores and maintains data of one or more participants or individuals along with their information.</p>

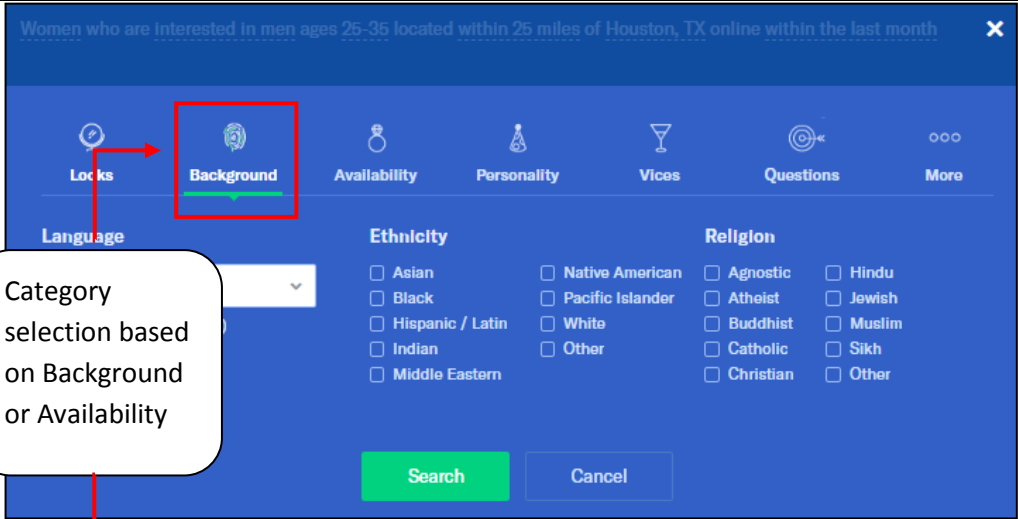
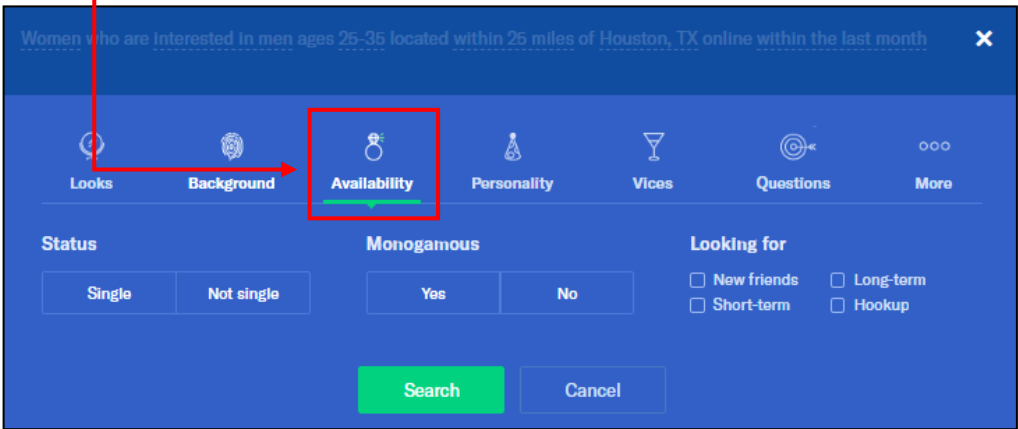
Exemplary Claim 6	Accused Product (okcupid.com)
<p>associated with at least one of each participant or the one or more individuals that correspond to each participant;</p> <p>one or more processors that execute instructions to:</p> <p>maintain the list;</p>	<div data-bbox="488 386 1552 489" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>OkCupid.com maintains data of its customers along with their associated information (like name, age, sex, location, etc.).</p> </div> <div data-bbox="488 554 1552 989" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><b>In General.</b> We may collect Personal Information, including Sensitive Data, and other information. "Personal Information" means individually identifiable information that would allow us to determine the actual identity of, and contact, a specific living person. Sensitive Data includes information, comments or content (e.g. photographs, video, profile, lifestyle) that you optionally provide that may reveal your ethnic origin, nationality, religion and/or sexual orientation. By providing Sensitive Data to us, you consent to the collection, use and disclosure of Sensitive Data as permitted by applicable privacy laws. We may also collect your geolocation information with your consent. We may collect this information through a website, mobile application or other online service. <b>When you provide personal information, the information may be sent to servers located in the United States and other countries around the world.</b></p> </div> <p><b>(Privacy   OkCupid (Webpage, 2016)) at 1.</b></p> <div data-bbox="488 1079 1552 1493" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>We are a growing corporation with users and operations in multiple countries, including the European Union. We have developed data practices designed to assure information is appropriately protected but we cannot always know where personal information may be accessed or processed. While <b>our primary data centers are in the United States</b>, we may transfer personal information or other information to our offices outside of the United States. In addition, we may employ other companies and individuals to perform functions on our behalf. If we disclose personal information to a third party or to our employees outside of the United States, we will seek assurances that any information we may provide to them is safeguarded adequately and in accordance with this Privacy Policy and the requirements of applicable privacy laws.</p> </div> <p><b>Id. at 4.</b></p>

Exemplary Claim 6	Accused Product (okcupid.com)						
	<div data-bbox="500 283 1567 1354"><p style="text-align: right;">Sort by <span>Special Blend</span> ▾</p><table border="0"><tbody><tr><td data-bbox="505 363 841 829"><p><b>Shante'a</b> ● 26 · Fresno, TX</p><p>83% Match   34% Enemy</p></td><td data-bbox="865 363 1201 829"><p><b>MissAntoinette</b> ● 29 · Houston, TX</p><p>85% Match   28% Enemy</p></td><td data-bbox="1226 363 1562 829"><p><b>Carmen</b> ● 27 · Houston, TX</p><p>86% Match   25% Enemy</p></td></tr><tr><td data-bbox="505 875 841 1344"><p><b>Hope</b> 30 · Houston, TX</p><p>75% Match   44% Enemy</p></td><td data-bbox="865 875 1201 1344"><p><b>Jeanette</b> 30 · Pearland, TX</p><p>85% Match   7% Enemy</p></td><td data-bbox="1226 875 1562 1344"><p><b>Melissa</b> 32 · Marvel, TX</p><p>79% Match   36% Enemy</p></td></tr></tbody></table></div> <p data-bbox="492 1375 1469 1417"><b>[Snapshot taken from OkCupid.Com website by creating a user profile]</b></p>	 <p><b>Shante'a</b> ● 26 · Fresno, TX</p> <p>83% Match   34% Enemy</p>	 <p><b>MissAntoinette</b> ● 29 · Houston, TX</p> <p>85% Match   28% Enemy</p>	 <p><b>Carmen</b> ● 27 · Houston, TX</p> <p>86% Match   25% Enemy</p>	 <p><b>Hope</b> 30 · Houston, TX</p> <p>75% Match   44% Enemy</p>	 <p><b>Jeanette</b> 30 · Pearland, TX</p> <p>85% Match   7% Enemy</p>	 <p><b>Melissa</b> 32 · Marvel, TX</p> <p>79% Match   36% Enemy</p>
 <p><b>Shante'a</b> ● 26 · Fresno, TX</p> <p>83% Match   34% Enemy</p>	 <p><b>MissAntoinette</b> ● 29 · Houston, TX</p> <p>85% Match   28% Enemy</p>	 <p><b>Carmen</b> ● 27 · Houston, TX</p> <p>86% Match   25% Enemy</p>					
 <p><b>Hope</b> 30 · Houston, TX</p> <p>75% Match   44% Enemy</p>	 <p><b>Jeanette</b> 30 · Pearland, TX</p> <p>85% Match   7% Enemy</p>	 <p><b>Melissa</b> 32 · Marvel, TX</p> <p>79% Match   36% Enemy</p>					



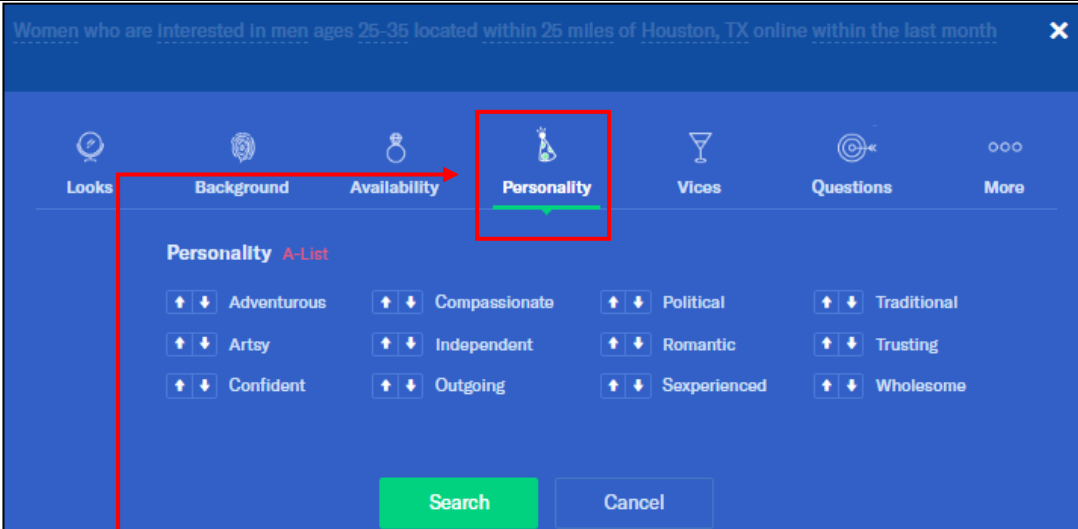
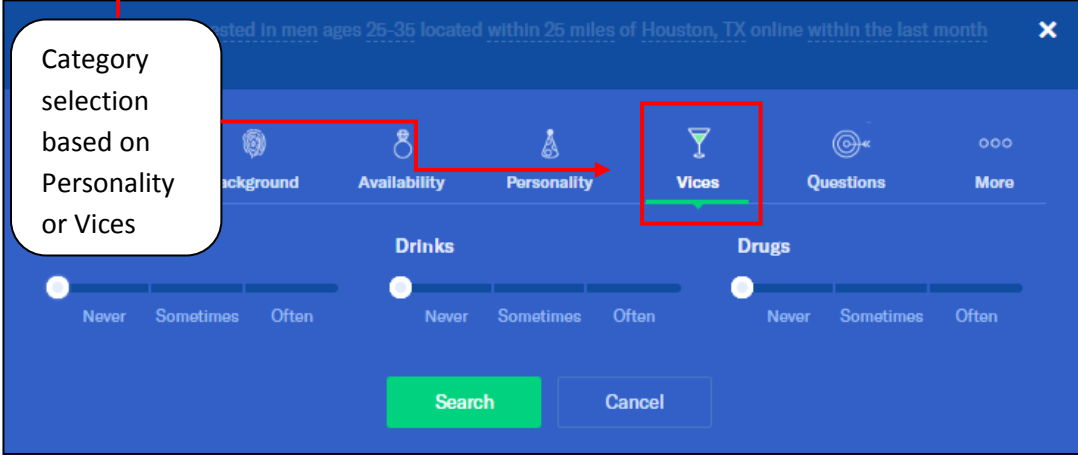
Exemplary Claim 6	Accused Product (okcupid.com)
<p>Information associated with the participant or individual (partial information is shown as an example).</p>	 <p><b>Carmen</b> 27 · Houston, TX · 86% Match</p> <p><b>ABOUT ME</b> <b>My self-summary</b> Hello! I come from a big, loud, and loving Mexican home. I love travelling, sight-seeing, listening to music, reading all the latest fiction novels and discovering new cuisines. I have traveled all over North America, Central America and began my European Tour with Spain. I am goofy, laugh at the most inappropriate times and never back down from an adventure, especially if it involves nature.</p> <p>★ LIKE</p> <p><b>The two of us</b>      See questions</p> <p>70% Lifestyle      -- Dating      -- Religion</p> <p>Ad closed by Google Report this ad Why this ad? @</p> <p>Remove ads</p> <p><b>[Snapshot taken from OkCupid.Com website by creating a user profile]</b></p>
<p>present a user with an interface from which the user makes a selection of a category from a plurality of categories;</p>	<p>Plaintiff contends that OkCupid.Com presents a user with an interface from which the user can make a selection of a category from a plurality of categories (for example, sex, age range, location, etc.).</p>

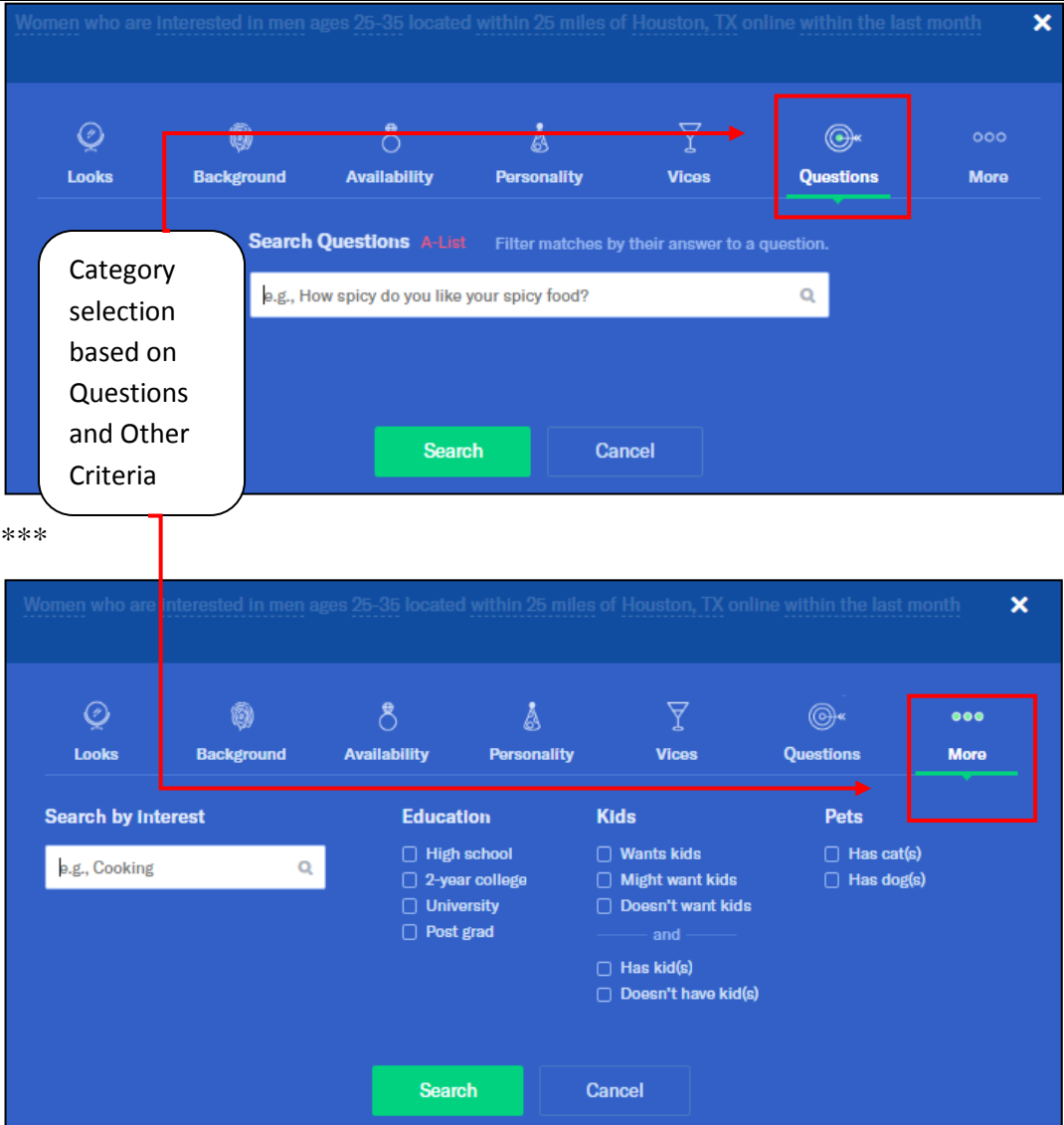
Exemplary Claim 6	Accused Product (okcupid.com)
	 <p>The screenshot shows the OkCupid search filter interface. At the top, it reads "Women who are interested in men ages 25-35 located within 25 miles of Houston, TX online within the last month". Below this is a horizontal menu of filter categories: Looks, Background, Availability, Personality, Vices, Questions, and More. The "Looks" category is highlighted with a red box. Under "Looks", there are three sub-sections: "Height" with "Min" and "Max" dropdowns, "Attractiveness A-List" with a slider ranging from "Average" to "Hot", and "Body type A-List" with checkboxes for "Thin", "Curvy", "Fit", "Full figured", "Average", "A little extra", "Jacked", and "Overweight". At the bottom of the filter panel are "Search" and "Cancel" buttons.</p> <p><b>[Snapshot taken from OkCupid.Com website by creating a user profile]</b></p> <p>Interface for user for making a selection of a category from a plurality of categories (for example, sex, age range, distance, location, looks, etc.).</p> <p>Some additional examples of category selection are:</p>

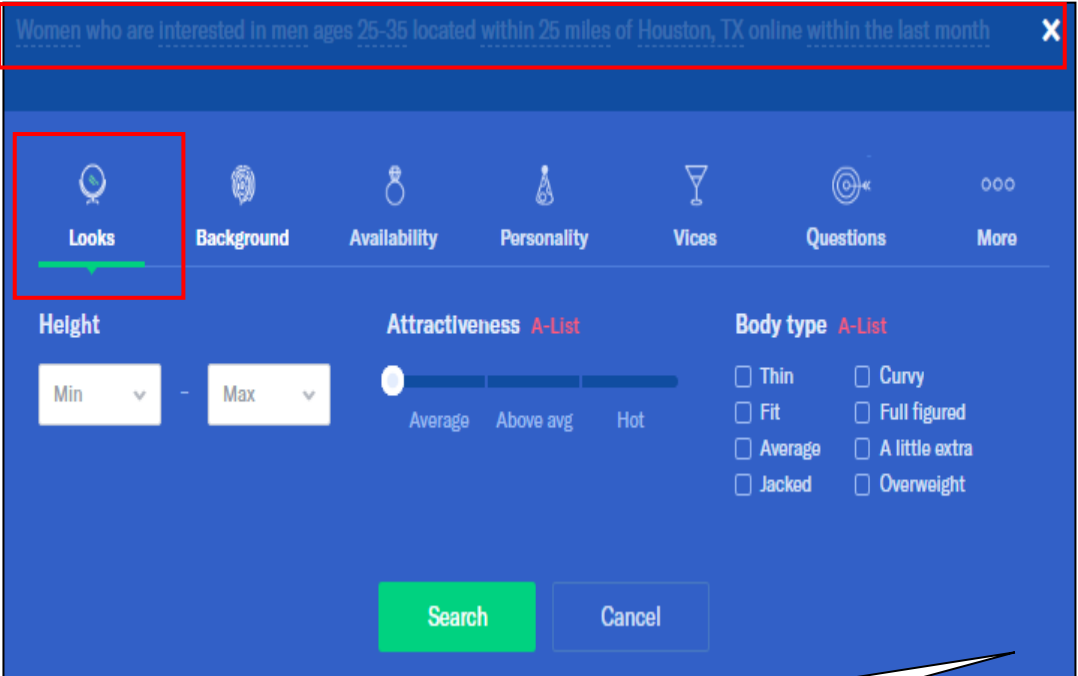
Exemplary Claim 6	Accused Product (okcupid.com)
	 <p>Women who are interested in men ages 26-35 located within 25 miles of Houston, TX online within the last month</p> <p>Language: [Dropdown]</p> <p><b>Background</b> (highlighted with a red box)</p> <p>Availability: [Dropdown]</p> <p>Personality: [Dropdown]</p> <p>Vices: [Dropdown]</p> <p>Questions: [Dropdown]</p> <p>More: [Dropdown]</p> <p><b>Ethnicity</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Asian</li><li><input type="checkbox"/> Black</li><li><input type="checkbox"/> Hispanic / Latin</li><li><input type="checkbox"/> Indian</li><li><input type="checkbox"/> Middle Eastern</li><li><input type="checkbox"/> Native American</li><li><input type="checkbox"/> Pacific Islander</li><li><input type="checkbox"/> White</li><li><input type="checkbox"/> Other</li></ul> <p><b>Religion</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Agnostic</li><li><input type="checkbox"/> Atheist</li><li><input type="checkbox"/> Buddhist</li><li><input type="checkbox"/> Catholic</li><li><input type="checkbox"/> Christian</li><li><input type="checkbox"/> Hindu</li><li><input type="checkbox"/> Jewish</li><li><input type="checkbox"/> Muslim</li><li><input type="checkbox"/> Sikh</li><li><input type="checkbox"/> Other</li></ul> <p>Search Cancel</p> <p>***</p>  <p>Women who are interested in men ages 26-35 located within 25 miles of Houston, TX online within the last month</p> <p>Looks: [Dropdown]</p> <p>Background: [Dropdown]</p> <p><b>Availability</b> (highlighted with a red box)</p> <p>Personality: [Dropdown]</p> <p>Vices: [Dropdown]</p> <p>Questions: [Dropdown]</p> <p>More: [Dropdown]</p> <p><b>Status</b></p> <p>Single Not single</p> <p><b>Monogamous</b></p> <p>Yes No</p> <p><b>Looking for</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> New friends</li><li><input type="checkbox"/> Short-term</li><li><input type="checkbox"/> Long-term</li><li><input type="checkbox"/> Hookup</li></ul> <p>Search Cancel</p> <p>[Snapshot taken from OkCupid.Com website by creating a user profile]</p>

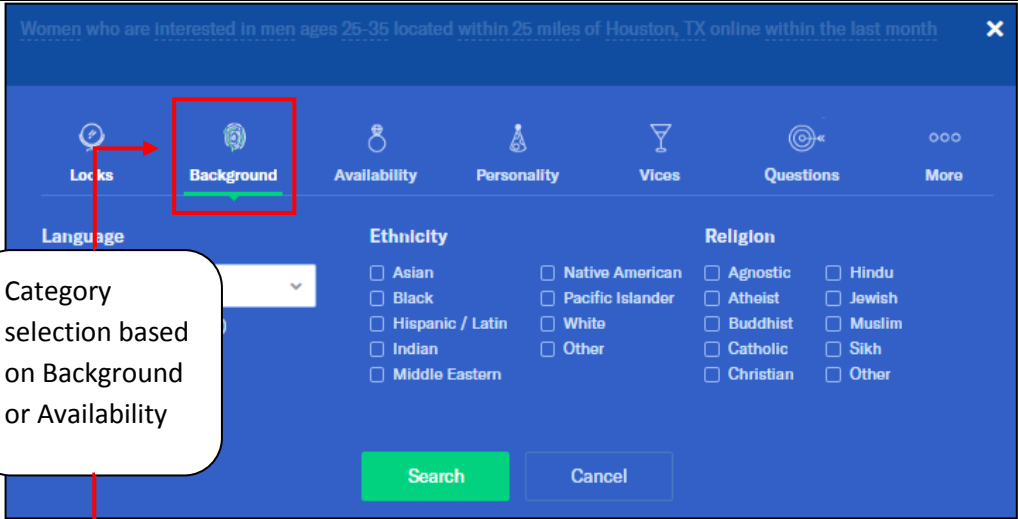
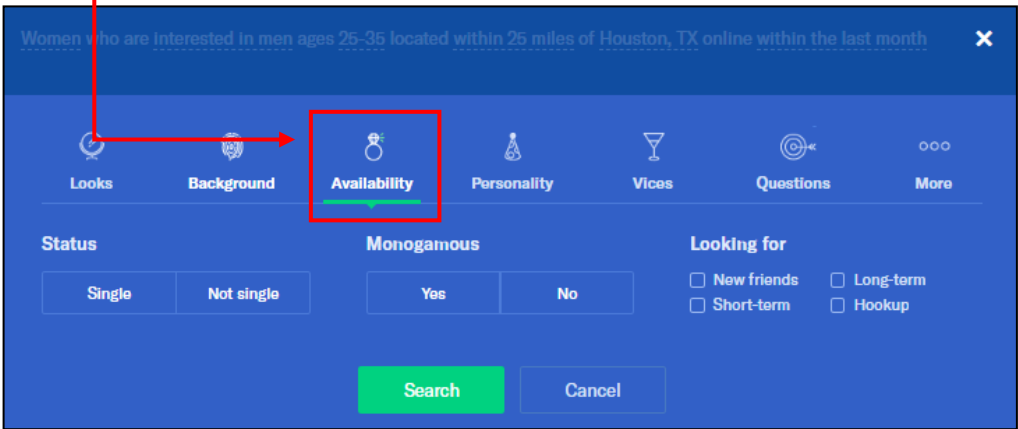
Category selection based on Background or Availability



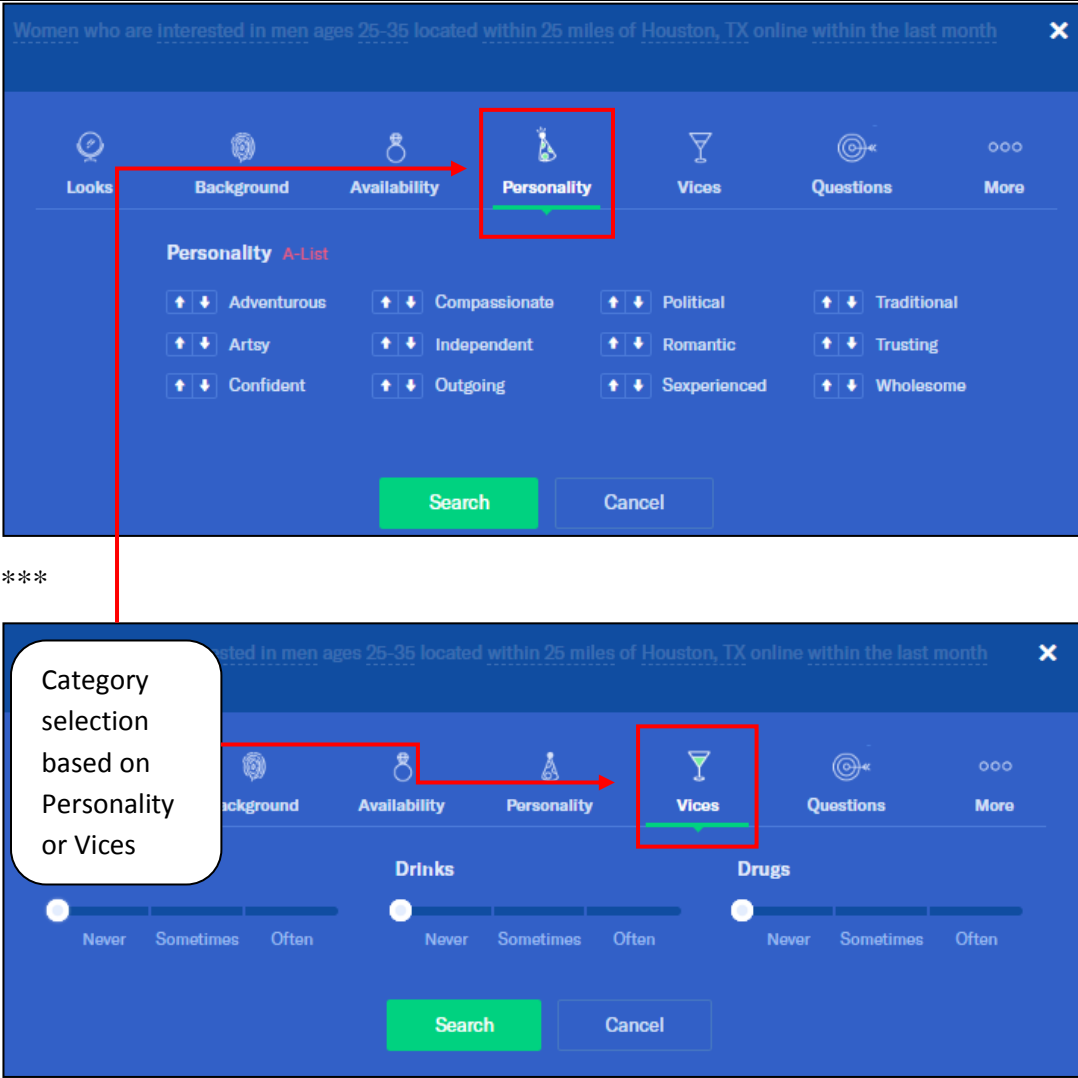
Exemplary Claim 6	Accused Product (okcupid.com)												
	 <p>Women who are interested in men ages 25-35 located within 25 miles of Houston, TX online within the last month</p> <p>Looks Background Availability <b>Personality</b> Vices Questions More</p> <p>Personality A-List</p> <table border="1"><tr><td>Adventurous</td><td>Compassionate</td><td>Political</td><td>Traditional</td></tr><tr><td>Artsy</td><td>Independent</td><td>Romantic</td><td>Trusting</td></tr><tr><td>Confident</td><td>Outgoing</td><td>Sexperienced</td><td>Wholesome</td></tr></table> <p>Search Cancel</p> <p>***</p>  <p>Women who are interested in men ages 25-35 located within 25 miles of Houston, TX online within the last month</p> <p>Background Availability Personality <b>Vices</b> Questions More</p> <p>Drinks Drugs</p> <p>Never Sometimes Often</p> <p>Search Cancel</p> <p>Category selection based on Personality or Vices</p> <p>[Snapshot taken from OkCupid.Com website by creating a user profile]</p>	Adventurous	Compassionate	Political	Traditional	Artsy	Independent	Romantic	Trusting	Confident	Outgoing	Sexperienced	Wholesome
Adventurous	Compassionate	Political	Traditional										
Artsy	Independent	Romantic	Trusting										
Confident	Outgoing	Sexperienced	Wholesome										

Exemplary Claim 6	Accused Product (okcupid.com)
	 <p>Women who are interested in men ages 25-35 located within 25 miles of Houston, TX online within the last month</p> <p>Looks Background Availability Personality Vices Questions More</p> <p>Search Questions A-List Filter matches by their answer to a question.</p> <p>e.g., How spicy do you like your spicy food?</p> <p>Search Cancel</p> <p>****</p> <p>Women who are interested in men ages 25-35 located within 25 miles of Houston, TX online within the last month</p> <p>Looks Background Availability Personality Vices Questions More</p> <p>Search by Interest Education Kids Pets</p> <p>e.g., Cooking</p> <p> <input type="checkbox"/> High school  <input type="checkbox"/> 2-year college  <input type="checkbox"/> University  <input type="checkbox"/> Post grad         </p> <p> <input type="checkbox"/> Wants kids  <input type="checkbox"/> Might want kids  <input type="checkbox"/> Doesn't want kids              and  <input type="checkbox"/> Has kid(s)  <input type="checkbox"/> Doesn't have kid(s)         </p> <p> <input type="checkbox"/> Has cat(s)  <input type="checkbox"/> Has dog(s)         </p> <p>Search Cancel</p> <p>[Snapshot taken from OkCupid.Com website by creating a user profile]</p>
<p>in response to receiving the selection of the category by the user, present, for the user, some of the information associated with each of multiple participants from the plurality of participants which match the selection of the category by</p>	<p>Plaintiff contends that based on the selection of the category, some of the information associated with each of multiple participants from the plurality of participants is displayed to the user which matches the selection of the category by the user. Also, contact information of each of the multiple participants is shielded from the user.</p>

Exemplary Claim 6	Accused Product (okcupid.com)
<p>the user, while shielding contact information associated with each of the multiple participants;</p>	
	<p>Interface for user for making a selection of a category from a plurality of categories (for example, sex, age range, distance, location, looks, etc.).</p> <p><b>[Snapshot taken from OkCupid.Com website by creating a user profile]</b></p> <p>Some additional examples of category selection are:</p>

Exemplary Claim 6	Accused Product (okcupid.com)
	 <p>Women who are interested in men ages 26-35 located within 25 miles of Houston, TX online within the last month</p> <p>Looks Background Availability Personality Vices Questions More</p> <p>Language</p> <p>Ethnicity</p> <ul style="list-style-type: none"><li><input type="checkbox"/> Asian</li><li><input type="checkbox"/> Black</li><li><input type="checkbox"/> Hispanic / Latin</li><li><input type="checkbox"/> Indian</li><li><input type="checkbox"/> Middle Eastern</li><li><input type="checkbox"/> Native American</li><li><input type="checkbox"/> Pacific Islander</li><li><input type="checkbox"/> White</li><li><input type="checkbox"/> Other</li></ul> <p>Religion</p> <ul style="list-style-type: none"><li><input type="checkbox"/> Agnostic</li><li><input type="checkbox"/> Atheist</li><li><input type="checkbox"/> Buddhist</li><li><input type="checkbox"/> Catholic</li><li><input type="checkbox"/> Christian</li><li><input type="checkbox"/> Hindu</li><li><input type="checkbox"/> Jewish</li><li><input type="checkbox"/> Muslim</li><li><input type="checkbox"/> Sikh</li><li><input type="checkbox"/> Other</li></ul> <p>Search Cancel</p> <p>***</p>  <p>Women who are interested in men ages 26-35 located within 25 miles of Houston, TX online within the last month</p> <p>Looks Background Availability Personality Vices Questions More</p> <p>Status</p> <p>Single Not single</p> <p>Monogamous</p> <p>Yes No</p> <p>Looking for</p> <ul style="list-style-type: none"><li><input type="checkbox"/> New friends</li><li><input type="checkbox"/> Short-term</li><li><input type="checkbox"/> Long-term</li><li><input type="checkbox"/> Hookup</li></ul> <p>Search Cancel</p> <p>[Snapshot taken from OkCupid.Com website by creating a user profile]</p>

Category selection based on Background or Availability

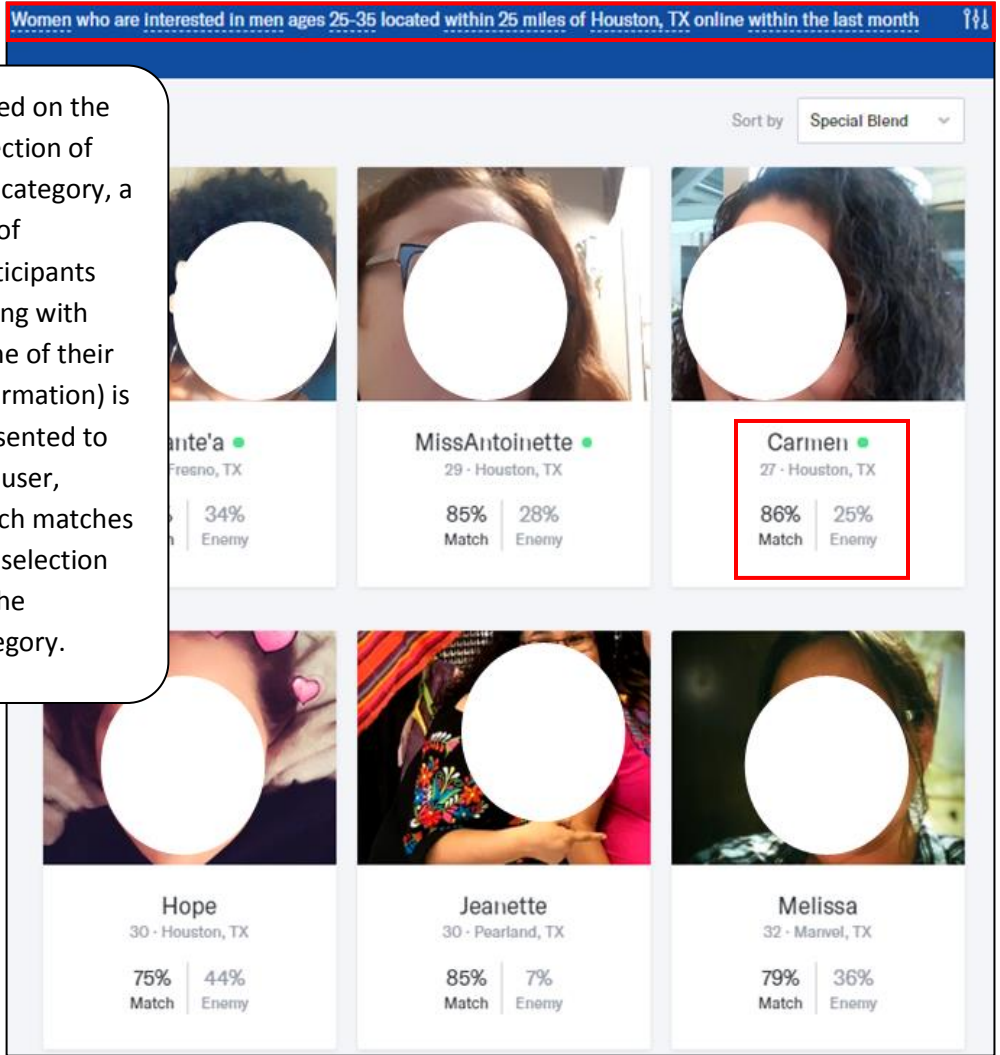
Exemplary Claim 6	Accused Product (okcupid.com)
	 <p>The image shows two screenshots of the OkCupid search filter interface. The top screenshot displays the 'Personality' filter category, which is highlighted with a red box. A red arrow points from this box to the 'Personality' filter icon in the navigation bar. Below the navigation bar, the 'Personality A-List' is shown with various traits like 'Adventurous', 'Compassionate', 'Political', 'Traditional', 'Artsy', 'Independent', 'Romantic', 'Trusting', 'Confident', 'Outgoing', 'Sexperienced', and 'Wholesome'. A green 'Search' button and a grey 'Cancel' button are at the bottom. The bottom screenshot shows the 'Vices' filter category, also highlighted with a red box. A red arrow points from this box to the 'Vices' filter icon in the navigation bar. Below the navigation bar, the 'Vices' section is shown with sliders for 'Drinks' and 'Drugs', each with 'Never', 'Sometimes', and 'Often' options. A green 'Search' button and a grey 'Cancel' button are at the bottom. A white callout box with a red border is overlaid on the bottom screenshot, containing the text: 'Category selection based on Personality or Vices'. A red arrow points from this callout box to the 'Vices' filter icon. The text '***' is located between the two screenshots.</p> <p>***</p> <p>Category selection based on Personality or Vices</p> <p>[Snapshot taken from OkCupid.Com website by creating a user profile]</p>

Exemplary Claim 6	Accused Product (okcupid.com)
	<p>Women who are interested in men ages 25-35 located within 25 miles of Houston, TX online within the last month</p> <p>Looks Background Availability Personality Vices Questions More</p> <p>Search Questions A-List Filter matches by their answer to a question.</p> <p>p.g., How spicy do you like your spicy food?</p> <p>Search Cancel</p> <p>***</p> <p>Women who are interested in men ages 25-35 located within 25 miles of Houston, TX online within the last month</p> <p>Looks Background Availability Personality Vices Questions More</p> <p>Search by Interest Education Kids Pets</p> <p>p.g., Cooking</p> <p><input type="checkbox"/> High school <input type="checkbox"/> Wants kids <input type="checkbox"/> Has cat(s)</p> <p><input type="checkbox"/> 2-year college <input type="checkbox"/> Might want kids <input type="checkbox"/> Has dog(s)</p> <p><input type="checkbox"/> University <input type="checkbox"/> Doesn't want kids</p> <p><input type="checkbox"/> Post grad and</p> <p><input type="checkbox"/> Has kid(s)</p> <p><input type="checkbox"/> Doesn't have kid(s)</p> <p>Search Cancel</p> <p>[Snapshot taken from OkCupid.Com website by creating a user profile]</p>

**Exemplary Claim 6**

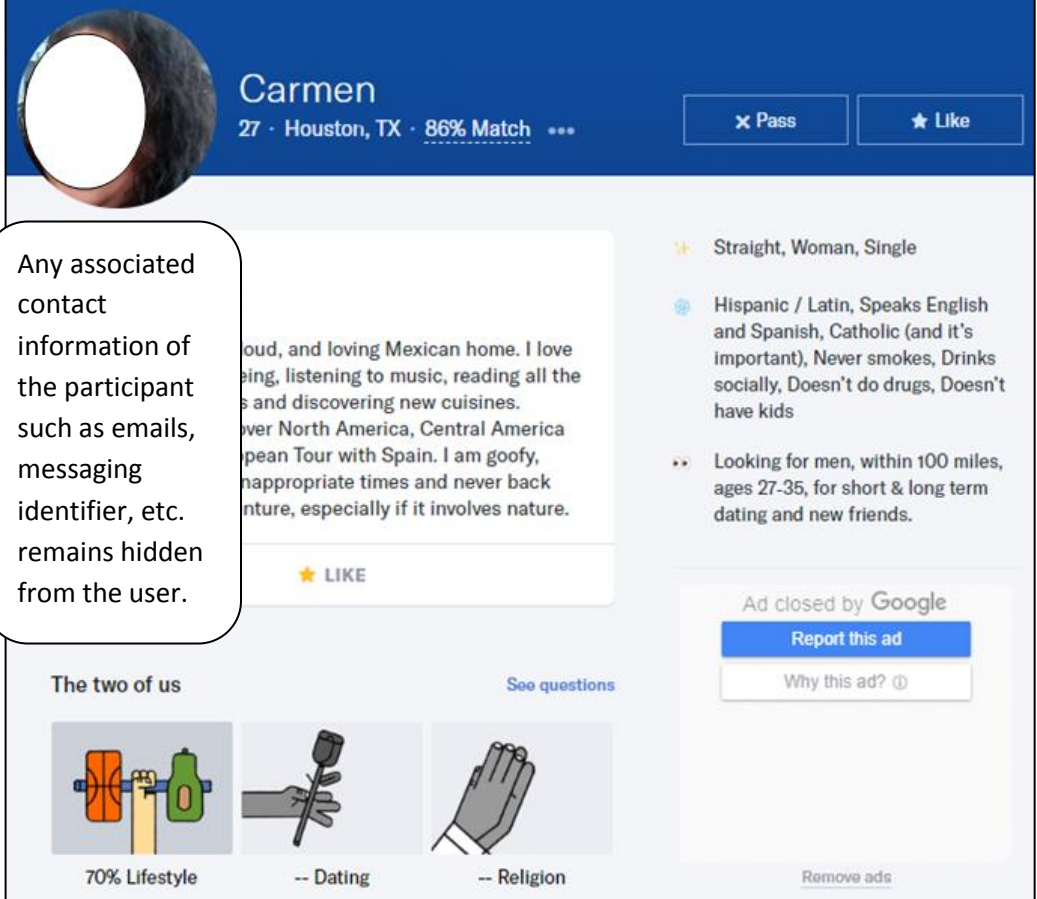
**Accused Product (okcupid.com)**

Based on the selection of the category, a list of participants (along with some of their information) is presented to the user, which matches the selection of the category.



[Snapshot taken from OkCupid.Com website by creating a user profile]

Exemplary Claim 6	Accused Product (okcupid.com)
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<p>Any associated contact information of the participant such as emails, messaging identifier, etc. remains hidden from the user.</p>	 <p>The screenshot shows a user profile for 'Carmen' on OkCupid. The profile header includes a circular profile picture, the name 'Carmen', age '27', location 'Houston, TX', and a match percentage of '86% Match'. There are buttons for 'Pass' and 'Like'. The bio mentions 'proud, and loving Mexican home. I love being, listening to music, reading all the s and discovering new cuisines. over North America, Central America pean Tour with Spain. I am goofy, appropriate times and never back ntire, especially if it involves nature.' Preferences listed include 'Straight, Woman, Single', 'Hispanic / Latin, Speaks English and Spanish, Catholic (and it's important), Never smokes, Drinks socially, Doesn't do drugs, Doesn't have kids', and 'Looking for men, within 100 miles, ages 27-35, for short &amp; long term dating and new friends.' An ad for Google is present with a 'Report this ad' button. Below the profile are icons for '70% Lifestyle', 'Dating', and 'Religion'.</p>
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[Snapshot taken from OkCupid.Com website by creating a user profile]

**Information Available To Others**



















Other OkCupid members can see what you put in your profile: your photos, your essays, your details, your public questions, your first name, and what you're looking for.

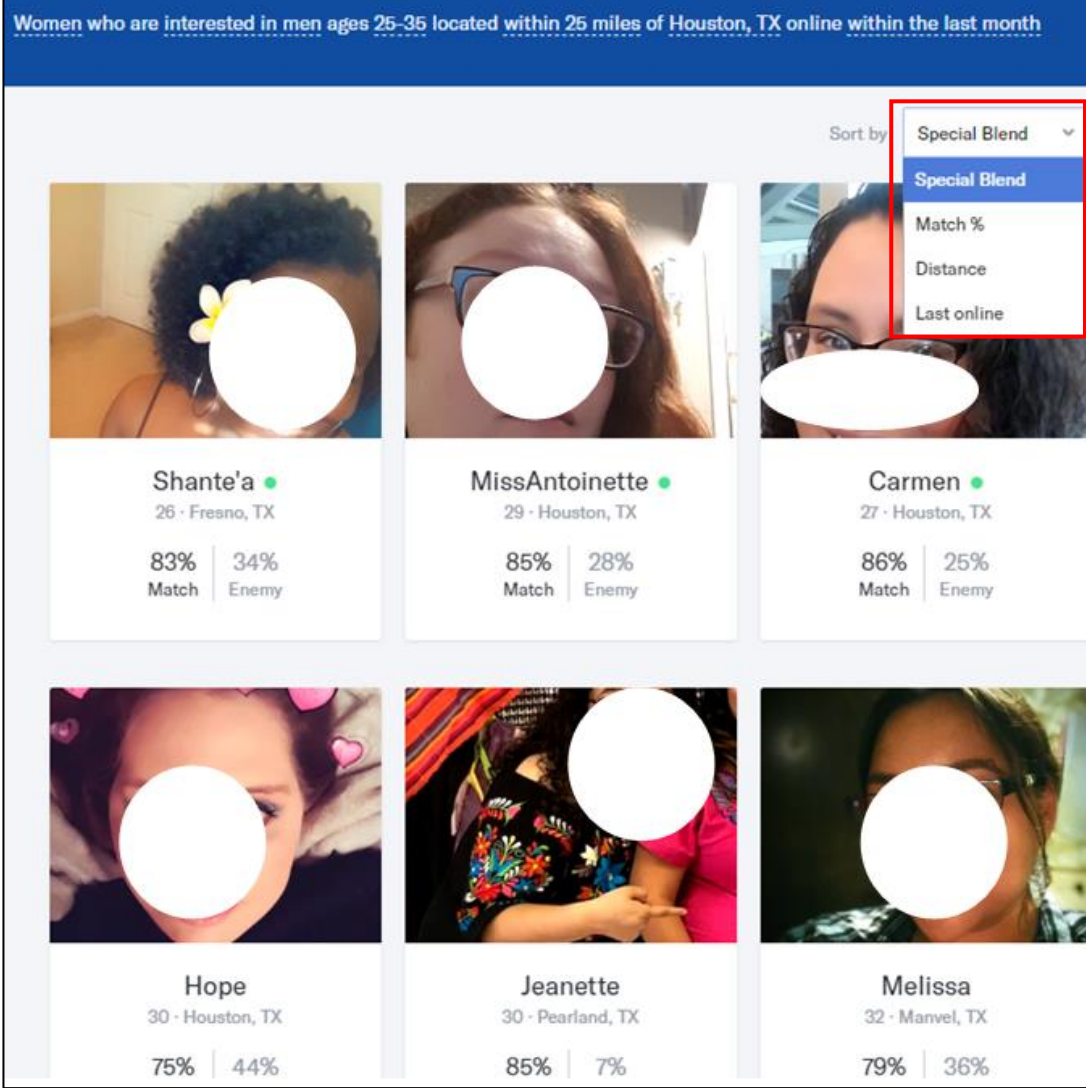
Other users never get to see your email address, billing info, or any other hidden information.

wherein displaying some of the information associated with each of the multiple participants is based at least in part on a rating of

Plaintiff contends that the information associated with each of the multiple participants is displayed based on a rating of individual participants in the plurality of participants.



Exemplary Claim 6	Accused Product (okcupid.com)																		
<p>individual participants in the plurality of participants;</p>	<div data-bbox="500 409 1562 562" style="border: 1px solid black; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>The information of each participant is displayed based on a rating system based on multiple factors like match percentage, distance, activity on the website, response, etc.</p> </div> <div data-bbox="532 625 1523 1675" style="border: 1px solid black; padding: 10px;"> <p style="background-color: #0056b3; color: white; padding: 5px;">Women who are interested in men ages 25-35 located within 25 miles of Houston, TX online within the last month</p> <div style="text-align: right; margin-bottom: 10px;">Sort by <span style="border: 1px solid #ccc; padding: 2px;">Special Blend</span></div> <table border="0" style="width: 100%; text-align: center;"> <tr> <td style="width: 33%;"></td> <td style="width: 33%;"></td> <td style="width: 33%;"></td> </tr> <tr> <td><b>Shante'a</b> 26 · Fresno, TX</td> <td><b>MissAntoinette</b> 29 · Houston, TX</td> <td><b>Carmen</b> 27 · Houston, TX</td> </tr> <tr> <td>83% Match   34% Enemy</td> <td>85% Match   28% Enemy</td> <td>86% Match   25% Enemy</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td><b>Hope</b> 30 · Houston, TX</td> <td><b>Jeanette</b> 30 · Pearland, TX</td> <td><b>Melissa</b> 32 · Marvel, TX</td> </tr> <tr> <td>75% Match   44% Enemy</td> <td>85% Match   7% Enemy</td> <td>79% Match   36% Enemy</td> </tr> </table> </div> <p data-bbox="492 1703 1469 1738"><b>[Snapshot taken from OkCupid.Com website by creating a user profile]</b></p>				<b>Shante'a</b> 26 · Fresno, TX	<b>MissAntoinette</b> 29 · Houston, TX	<b>Carmen</b> 27 · Houston, TX	83% Match   34% Enemy	85% Match   28% Enemy	86% Match   25% Enemy				<b>Hope</b> 30 · Houston, TX	<b>Jeanette</b> 30 · Pearland, TX	<b>Melissa</b> 32 · Marvel, TX	75% Match   44% Enemy	85% Match   7% Enemy	79% Match   36% Enemy
																			
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75% Match   44% Enemy	85% Match   7% Enemy	79% Match   36% Enemy																	

Exemplary Claim 6	Accused Product (okcupid.com)																																			
	 <p>Women who are interested in men ages 25-35 located within 25 miles of Houston, TX online within the last month</p> <p>Sort by Special Blend</p> <ul style="list-style-type: none"> <li>Special Blend</li> <li>Match %</li> <li>Distance</li> <li>Last online</li> </ul> <table border="1"> <thead> <tr> <th>Name</th> <th>Age</th> <th>Location</th> <th>Match %</th> <th>Enemy %</th> </tr> </thead> <tbody> <tr> <td>Shante'a</td> <td>26</td> <td>Fresno, TX</td> <td>83%</td> <td>34%</td> </tr> <tr> <td>MissAntoinette</td> <td>29</td> <td>Houston, TX</td> <td>85%</td> <td>28%</td> </tr> <tr> <td>Carmen</td> <td>27</td> <td>Houston, TX</td> <td>86%</td> <td>25%</td> </tr> <tr> <td>Hope</td> <td>30</td> <td>Houston, TX</td> <td>75%</td> <td>44%</td> </tr> <tr> <td>Jeanette</td> <td>30</td> <td>Pearland, TX</td> <td>85%</td> <td>7%</td> </tr> <tr> <td>Melissa</td> <td>32</td> <td>Manvel, TX</td> <td>79%</td> <td>36%</td> </tr> </tbody> </table> <p>[Snapshot taken from OkCupid.Com website by creating a user profile]</p>	Name	Age	Location	Match %	Enemy %	Shante'a	26	Fresno, TX	83%	34%	MissAntoinette	29	Houston, TX	85%	28%	Carmen	27	Houston, TX	86%	25%	Hope	30	Houston, TX	75%	44%	Jeanette	30	Pearland, TX	85%	7%	Melissa	32	Manvel, TX	79%	36%
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<p>enabling the user to send an inquiry message to one or more of the multiple participants, while shielding the contact information from the user, the contact information including any messaging identifier that is associated with each of the one or more participants;</p>	<p>Plaintiff contends that user can send enquiry message(s) to one or more participants or candidates, while the contact information associated with each participant (such as emails, messaging identifiers, etc.) remains hidden or shielded from the user.</p>																																			

**Exemplary Claim 6**

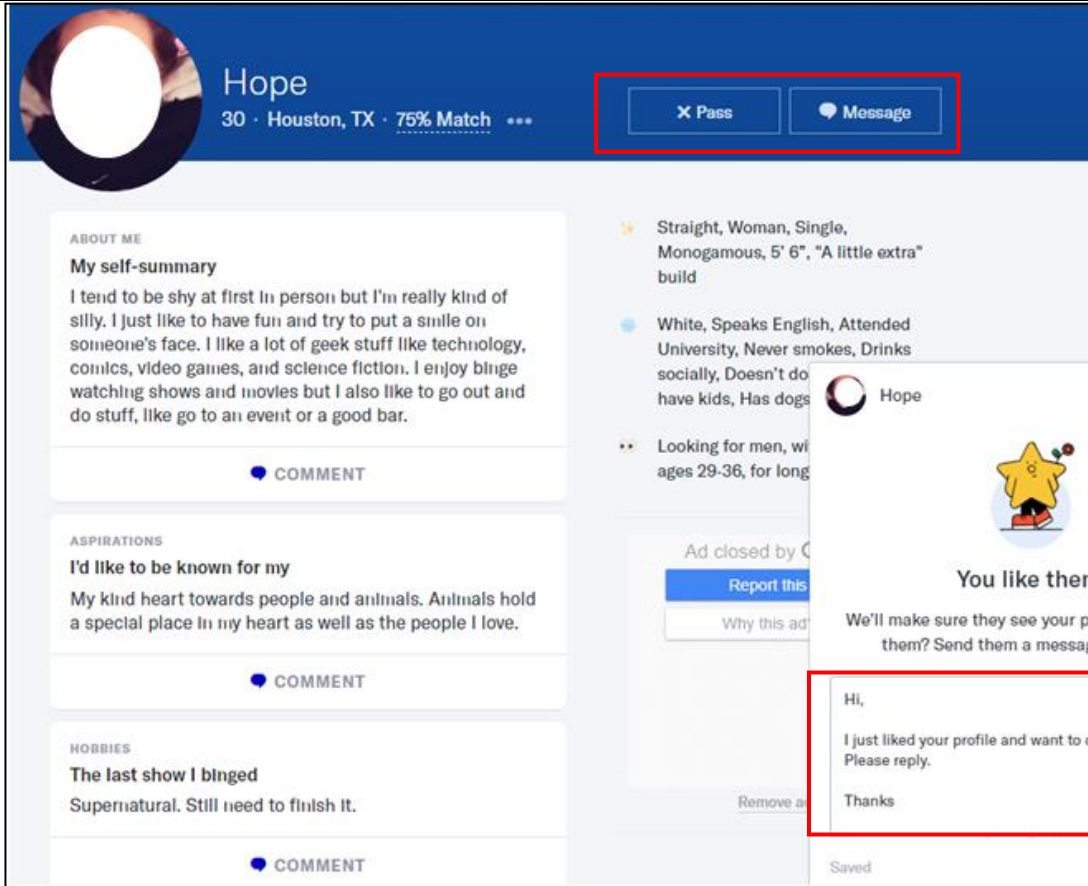
**Accused Product (okcupid.com)**

The screenshot shows a user profile for 'Hope' on OkCupid. The profile header includes a circular profile picture, the name 'Hope', age '30', location 'Houston, TX', and a '75% Match' score. There are 'Pass' and 'Like' buttons. The profile is divided into sections: 'ABOUT ME' with a 'My self-summary' paragraph, 'ASPIRATIONS' with 'I'd like to be known for my' section, and 'HOBBIES' with 'The last show I binged' section. A 'LIKE' button is present under each section. On the right, there are filters for 'Straight, Woman, Single, Monogamous, 5' 6", "A little extra" build', 'White, Speaks English, Attended University, Never smokes, Drinks socially, Doesn't do drugs, Doesn't have kids, Has dogs, Has cats', and 'Looking for men, within 25 miles, ages 29-36, for long-term dating.'. An advertisement for Google is also visible with 'Report this ad' and 'Why this ad?' buttons.

**[Snapshot taken from OkCupid.Com website by creating a user profile]**

**Exemplary Claim 6**

**Accused Product (okcupid.com)**



**[Snapshot taken from OkCupid.Com website by creating a user profile]**

User (after clicking on the “Like” button) can send enquiry message(s) to the participant(s), while the contact information remains hidden from the user.

OkCupid.com provides its own messaging interface so that contact details of the participant(s) such as emails, messaging identifiers, etc. remain hidden from the user.

Exemplary Claim 6	Accused Product (okcupid.com)
	<p><b>How to send a message</b></p> <p>On OkCupid, anyone can send and receive messages for free! Messages are sorted by Liking profiles, so you only see messages from people you're interested in.</p> <p><b>1. Like them</b></p> <p>If you Like each other, we'll always let both of you know for FREE right away.</p> <p>From DoubleTake, swipe right or click the star icon.</p> <p>From Match Search/Discovery, visit their profile, and click/tap the Like button to bring up the message button.</p> <p><b>2. Visit their profile and send a message</b></p> <p>To find a profile you've liked, visit the <a href="#">Who You Like page</a> (the star icon on the app).</p> <p>Once you've liked someone, you'll see a "message" button on their profile. Click to compose a message and send! Please note: You can only send one initial message, so make it a good one!</p> <p>If the other person hasn't liked you yet, you won't see their profile (or your sent message) until they like you back.</p> <p><b>(OkCupid   How to send a message (Webpage)) at 1.</b></p> <p><b>Information Available To Others</b></p> <p>Other OkCupid members can see what you put in your profile: your photos, your essays, your details, your public questions, your first name, and what you're looking for.</p> <p>Other users never get to see your email address, billing info, or any other hidden information.</p> <p><b>(OkCupid   Privacy Controls (Webpage)) at 2.</b></p>
<p>tracking a response time of each of the one or more participants who received</p>	<p>Plaintiff contends that response-time of each participant who received the message from the user is tracked. Different participants have different response-time as quick-response time, slow response-time, no-response, etc. And accordingly, each participant's rating within the search results gets updated.</p>

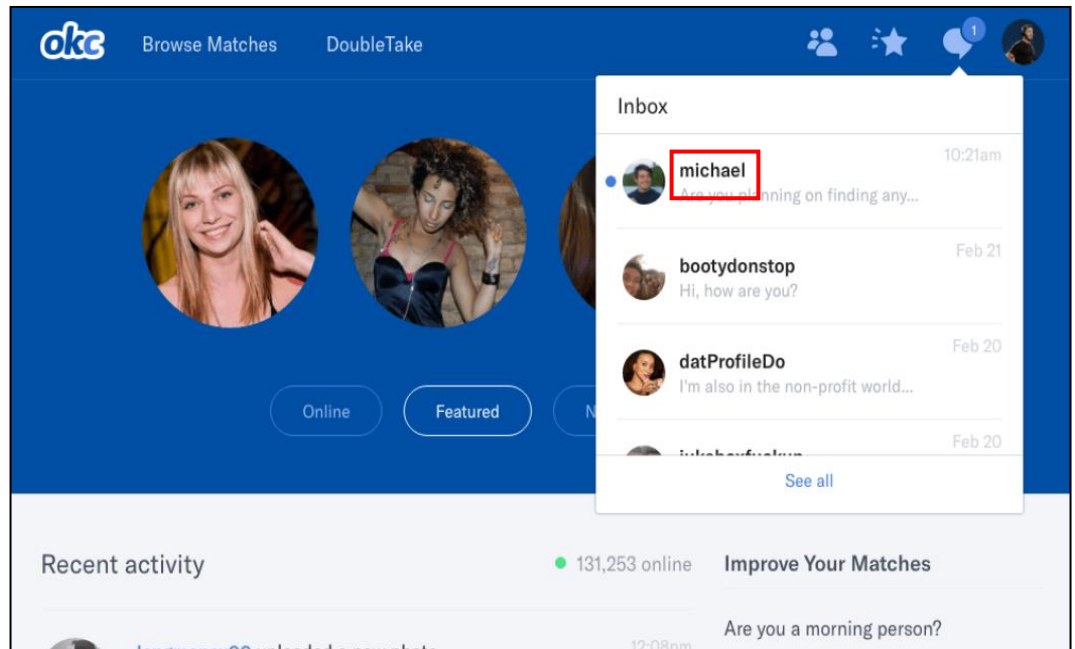
Exemplary Claim 6	Accused Product (okcupid.com)
<p>the message from the user; and</p>	<p><b>3. Wait for their response</b></p> <p>Once you've messaged someone, we'll make sure to promote you to the person around the site so you catch their eye! They will see you in DoubleTake and elsewhere around OkCupid, and can look at your profile and your message together at the same time. If they're interested in you, they can Like you back. This will move your message to the "conversations" page for both of you, so you can write to each other any time.</p> <p><b>(OkCupid   How to send a message (Webpage)).</b></p> <p><b>Usage Information.</b> We collect information about your activity on our services, for instance how you use them (e.g., date and time you logged in, features you've been using, searches, clicks and pages which have been shown to you, referring webpage address, advertising that you click on) and how you interact with other users (e.g., users you connect and interact with, time and date of your exchanges, number of messages you send and receive).</p> <p><b>(Privacy   OkCupid (Webpage, 2018)).</b></p> <div data-bbox="657 1150 1398 1869" style="border: 1px solid black; padding: 10px; margin: 10px auto; width: fit-content;"> </div>



**Exemplary Claim 6**

**Accused Product (okcupid.com)**

**(OkCupid: Global Messaging | Michael P. Geraci (Webpage)) at 1.**



Sadly, this is a typical story. Even on a lively site like OkCupid, only about a third (32%) of first messages get any **response**.

Some people, however, get much better results.

In the next several posts here on **OkTrends**, we'll be taking a closer look at messaging and finding some ways to **improve your own message response rate**. We will not be dispensing generic advice. No. We've done research, and we have actual numbers.

**(Online Dating Advice: Optimum Message Length (Webpage, 2009)) at 1.**

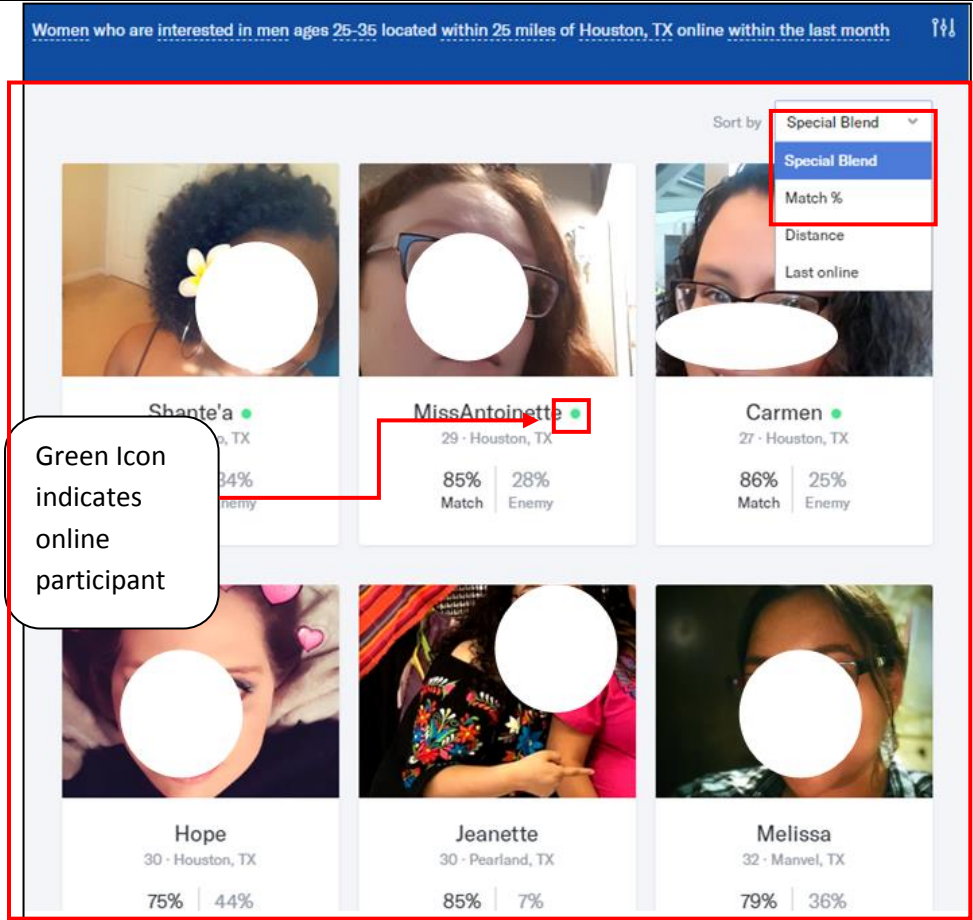
The shortest messages get almost the best **absolute response rate**, and the **reply rate** actually goes down as messages approach extreme length. Apparently, after about 360 words (1800 characters), you start scaring people off. A message like that is the online equivalent of a face tattoo. Of your life story. Let's generate our efficiency table for women:

Exemplary Claim 6	Accused Product (okcupid.com)
<p>updating the rating associated with each of the one or more participants based at least in part on the tracked response time.</p>	<p>Plaintiff contends that rating of each participant is updated based on his or her response time (that is, quick response-time, slow response-time, no-response, etc.). Rating of each participant is based on multiple parameters like match percentage, distance, online activity on the website (which also includes response-time), etc. Online activity including response-time of each participant is monitored and accordingly each participant’s rating gets updated within the search results. That is, the participant who remains active on the website (with quick response time) gets different rating compared to those participants who remain inactive or offline (that is slow or no response-time).</p> <div data-bbox="500 730 1555 961" style="border: 1px solid black; padding: 5px;"> <p>Usage Information. We collect information about your activity on our services, for instance how you use them (e.g., date and time you logged in, features you've been using, searches, clicks and pages which have been shown to you, referring webpage address, advertising that you click on) and how you interact with other users (e.g., users you connect and interact with, time and date of your exchanges, number of messages you send and receive).</p> </div> <p><b>(Privacy   OkCupid (Webpage, 2018)) at 3.</b></p> <div data-bbox="500 1045 1555 1138" style="border: 1px solid black; padding: 5px;"> <p>In practice, we delete or anonymize your information upon deletion of your account (following the safety retention window) or after two years of continuous inactivity, unless:</p> </div>
	<div data-bbox="103 1297 1562 1516" style="border: 1px solid black; border-radius: 15px; padding: 10px;"> <p>Each participant’s activity (including response-time) is tracked and his or her rating gets updated based on the tracked response-time. Active participants (with quick response-time) who will most likely respond to any user’ message, they are assigned different rating compared to inactive or less-active participants (with no or slow response-time). That is, response-time is one of the key parameters in deciding rating of each participant within the search results.</p> </div>



**Exemplary Claim 6**

**Accused Product (okcupid.com)**



[Snapshot taken from OkCupid.Com website by creating a user profile]

Exemplary Claim 6	Accused Product (okcupid.com)
	<div data-bbox="657 262 1396 976" style="border: 1px solid black; padding: 10px; margin-bottom: 10px;"> </div> <p data-bbox="454 472 706 661" style="border: 1px solid black; border-radius: 15px; padding: 5px; display: inline-block;">Response-time of each participant is tracked</p> <p data-bbox="495 1008 1404 1050"><b>(OkCupid: Global Messaging   Michael P. Geraci (Webpage)) at 1.</b></p> <div data-bbox="625 1060 1429 1417" style="border: 1px solid black; padding: 10px; margin-bottom: 10px;"> <p>Sadly, this is a typical story. Even on a lively site like OkCupid, only about a third (32%) of first messages get any <b>response</b>.</p> <p>Some people, however, get much better results.</p> <p>In the next several posts here on <b>OkTrends</b>, we'll be taking a closer look at messaging and finding some ways to <b>improve your own message response rate</b>. We will not be dispensing generic advice. No. We've done research, and we have actual numbers.</p> </div> <p data-bbox="495 1438 1494 1480"><b>(Online Dating Advice: Optimum Message Length (Webpage, 2009)) at 1.</b></p>

- These allegations of infringement are preliminary and are therefore subject to change.

**19.** OKCupid has and continues to induce infringement. OKCupid has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., online dating services on the Internet] and related services that provide online dating services across the Internet such as to cause infringement


of claims 1–11 of the '107 patent, literally or under the doctrine of equivalents. Moreover, OKCupid has known of the '107 patent and the technology underlying it from at least the date of issuance of the patent. OKCupid has caused and will continue to cause NETSOC damage by direct and indirect infringement of (including inducing infringement of) the claims of the '107 patent.

**D. Match.com**

20. Match Group maintains, operates, and administers a website at www.match.com that infringes one or more claims of the '107 patent, including at least claims 1-11, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the '107 Patent into service (i.e., used them); but for Defendant’s actions, the claimed-inventions embodiments involving Defendant’s products and services would never have been put into service. Defendant’s acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant’s procurement of monetary and commercial benefit from it.

21. Support for the allegations of infringement may be found in the following preliminary table:

Exemplary Claim 6	Accused Product (match.com)
<p>6. A computer system comprising:</p> <div data-bbox="87 1520 509 1801" style="border: 1px solid black; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>Match.com provides its own messaging tool or interface so that contact details of the participant(s) such as emails, messaging identifiers, etc. remain hidden from the user.</p> </div>	<p>Plaintiff contends that Match.com provides computer system that is, one or more servers or databases to provide its services.</p> <div data-bbox="570 1404 1468 1801" style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>With a mountain of data in its servers from the 75 million users it has had since it was founded, Match has been able to uncover a series of curious trends. Some findings are obvious. Women are less likely to e-mail with men who live far away, men who are older than they are, and men who are short. Other findings are more nuanced. Catholic women are especially unlikely to e-mail a Hindu or atheist male. While men are most particular about hair colour, a woman’s income is less important to them. “We are so focused on behaviour rather than stated preferences because we find people break from their stated preferences so often,” Thombre says.</p> </div> <p><b>(Inside Match.com   Financial Times (Webpage, 2011)) at 5.</b></p>

Exemplary Claim 6	Accused Product (match.com)
<p>a memory to store a list comprising a plurality of participants, wherein each participant in the plurality of participants corresponds to one or more individuals, wherein the list also includes information associated with at least one of each participant or the one or more individuals that correspond to each participant;</p> <p>one or more processors that execute instructions to: maintain the list;</p>	<p>Plaintiff contends that by using one or more servers or databases (which contain processors and memory), Match.com stores and maintains data of one or more participants or individuals along with their information.</p> <div data-bbox="488 422 1533 537" style="border: 1px solid black; border-radius: 10px; padding: 5px; margin: 10px 0;"> <p>Match.com maintains data of its customers along with their associated information (like name, age, sex, location, etc.).</p> </div> <div data-bbox="522 596 1515 772" style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Match.com is 20 years old now that has helped create 517000 relationships, 92,000 marriages and 1 million babies. Match.com claims that it has more than 70 terabytes of data about its customers that helps them unlock the mysteries of their heart. According to eHarmony, 542 eHarmony users get married daily in US.</p> </div> <p><b>(Looking for a perfect match-Why not try big data analysis this time? (2015, Webpage)) at 3.</b></p> <div data-bbox="732 896 1300 1478" style="border: 1px solid black; padding: 10px; margin: 10px 0;">  <p style="text-align: center;"><b>Big Data at Match.com</b></p> <p>Match.com has helped create 517000 relationships, 92,000 marriages and 1 million babies.</p> <p>Match.com claims that it has more than 70 terabytes of data about its customers that helps them unlock the mysteries of their heart.</p> <p>Match.com uses advanced big data analytics to find out any discrepancies in what people actually do on the website and what they actually confess.</p> </div> <p><b><i>Id.</i> at 1.</b></p>

**Exemplary Claim 6**

**Accused Product (match.com)**

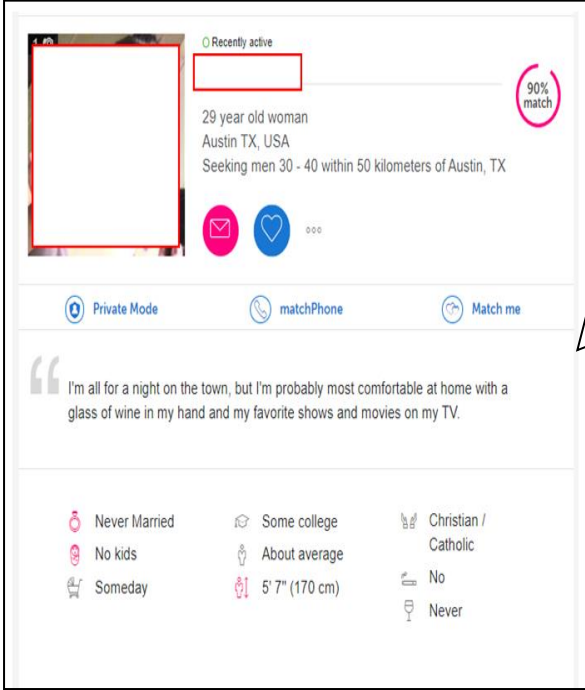
With a mountain of data in its servers from the 75 million users it has had since it was founded, Match has been able to uncover a series of curious trends. Some findings are obvious. Women are less likely to e-mail with men who live far away, men who are older than they are, and men who are short. Other findings are more nuanced. Catholic women are especially unlikely to e-mail a Hindu or atheist male. While men are most particular about hair colour, a woman's income is less important to them. "We are so focused on behaviour rather than stated preferences because we find people break from their stated preferences so often," Thombre says.

**(Inside Match.com | Financial Times (Webpage, 2011)) at 5.**



**(How It Works (2018, Webpage)) at 1.**

Exemplary Claim 6	Accused Product (match.com)
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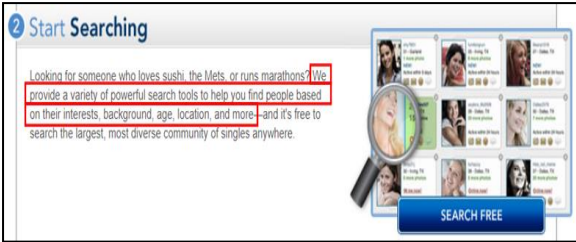


Information associated with the customer or individual (partial information is shown as an example).

**[Snapshot taken from Match.com website by creating a user profile]**

present a user with an interface from which the user makes a selection of a category from a plurality of categories;

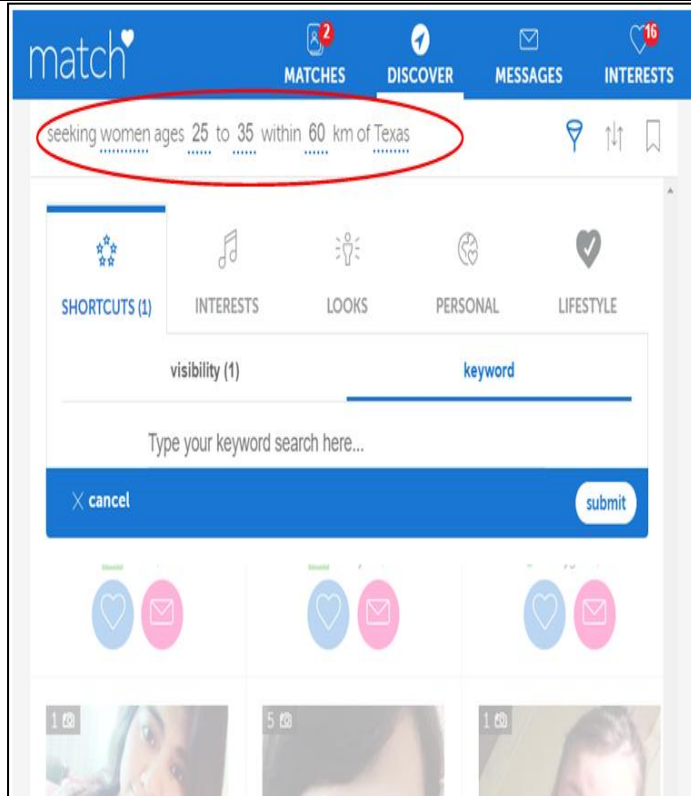
Plaintiff contends that Match.com presents a user with an interface from which the user can make a selection of a category from a plurality of categories (for example, sex, age range, location, etc.).



**(How It Works (2018, Webpage)) at 1.**

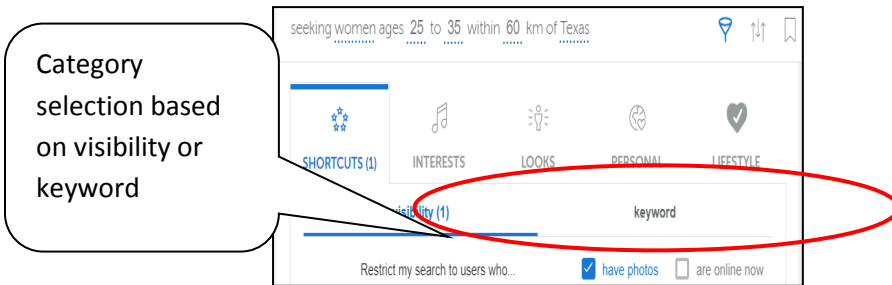
**Exemplary Claim 6**

**Accused Product (match.com)**



**[Snapshot taken from Match.com website by creating a user profile]**

Some additional examples of category selection are:



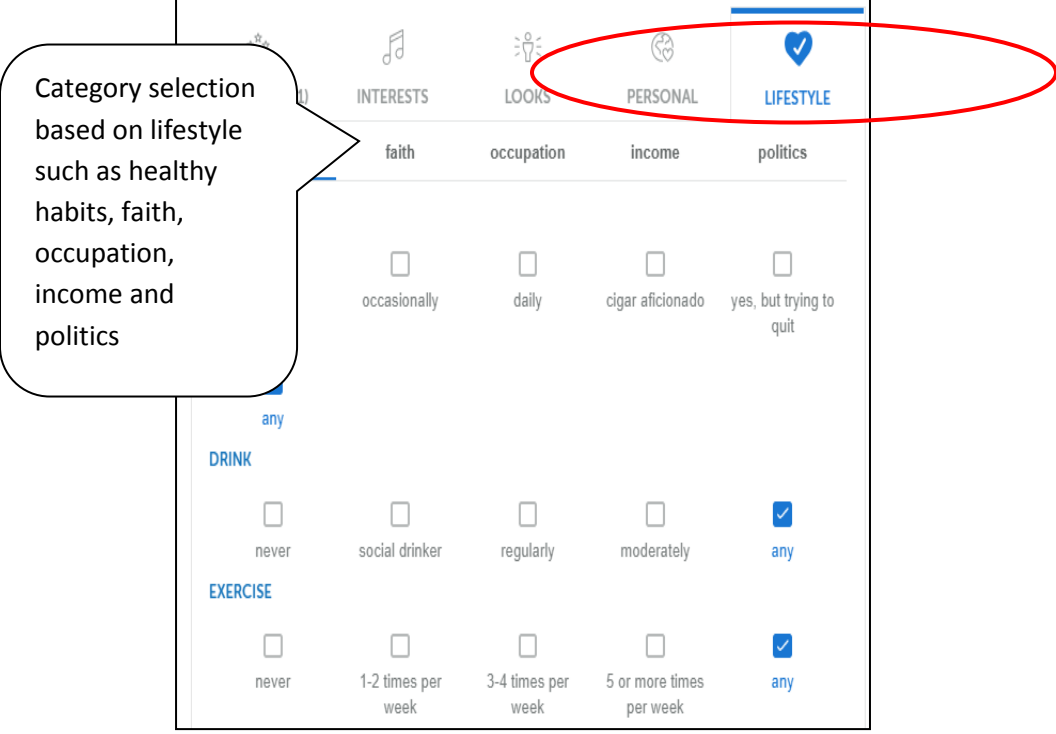
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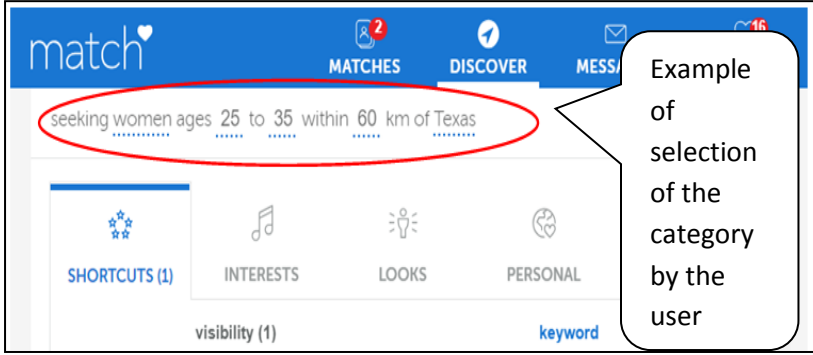
Exemplary Claim 6	Accused Product (match.com)																																								
	<div data-bbox="462 310 734 569"><p>Category selection based on interests like sports, hobbies, and pets</p></div> <div data-bbox="756 262 1281 882"><table border="1"><thead><tr><th colspan="5">SHORTCUTS (1)</th></tr><tr><th colspan="5">INTERESTS</th></tr><tr><th colspan="2">sports</th><th colspan="2">hobbies</th><th colspan="1">pets</th></tr></thead><tbody><tr><td><input type="checkbox"/> aerobics</td><td><input type="checkbox"/> auto racing / motorcross</td><td><input type="checkbox"/> baseball</td><td><input type="checkbox"/> basketball</td><td><input type="checkbox"/> billiards / pool</td></tr><tr><td><input type="checkbox"/> bowling</td><td><input type="checkbox"/> cycling</td><td><input type="checkbox"/> football</td><td><input type="checkbox"/> golf</td><td><input type="checkbox"/> dancing</td></tr><tr><td><input type="checkbox"/> inline skating</td><td><input type="checkbox"/> martial arts</td><td><input type="checkbox"/> running</td><td><input type="checkbox"/> skiing</td><td><input type="checkbox"/> soccer</td></tr><tr><td><input type="checkbox"/> swimming</td><td><input type="checkbox"/> tennis / racquet sports</td><td><input type="checkbox"/> walking / hiking</td><td><input type="checkbox"/> weights / machines</td><td><input type="checkbox"/> yoga</td></tr><tr><td><input type="checkbox"/> other types of exercise</td><td><input type="checkbox"/> hockey</td><td><input type="checkbox"/> volleyball</td><td><input checked="" type="checkbox"/> any</td><td></td></tr></tbody></table></div> <p data-bbox="493 905 542 926">***</p> <p data-bbox="493 1020 542 1041">***</p>	SHORTCUTS (1)					INTERESTS					sports		hobbies		pets	<input type="checkbox"/> aerobics	<input type="checkbox"/> auto racing / motorcross	<input type="checkbox"/> baseball	<input type="checkbox"/> basketball	<input type="checkbox"/> billiards / pool	<input type="checkbox"/> bowling	<input type="checkbox"/> cycling	<input type="checkbox"/> football	<input type="checkbox"/> golf	<input type="checkbox"/> dancing	<input type="checkbox"/> inline skating	<input type="checkbox"/> martial arts	<input type="checkbox"/> running	<input type="checkbox"/> skiing	<input type="checkbox"/> soccer	<input type="checkbox"/> swimming	<input type="checkbox"/> tennis / racquet sports	<input type="checkbox"/> walking / hiking	<input type="checkbox"/> weights / machines	<input type="checkbox"/> yoga	<input type="checkbox"/> other types of exercise	<input type="checkbox"/> hockey	<input type="checkbox"/> volleyball	<input checked="" type="checkbox"/> any	
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Exemplary Claim 6	Accused Product (match.com)																												
<div style="border: 1px solid black; border-radius: 15px; padding: 10px; width: fit-content; margin-bottom: 20px;"> <p>Category selection based on looks such as body types, hair colors, eye colors and height</p> </div>	<div style="border: 1px solid black; padding: 10px;"> <div style="display: flex; justify-content: space-between; border-bottom: 1px solid #ccc; margin-bottom: 10px;"> <span>SHORTCUTS (1)</span> <span>INTERESTS</span> <span style="border: 2px solid red; border-radius: 50%; padding: 2px;">LOOKS</span> <span>PERSONAL</span> <span>LIFESTYLE</span> </div> <div style="display: flex; justify-content: space-between; border-bottom: 1px solid #ccc; margin-bottom: 10px;"> <span style="border-bottom: 2px solid blue;">body types</span> <span>hair colors</span> <span>eye colors</span> <span>height</span> </div> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><input type="checkbox"/> slender</td> <td style="text-align: center;"><input type="checkbox"/> big and beautiful</td> <td style="text-align: center;"><input type="checkbox"/> curvy</td> <td style="text-align: center;"><input type="checkbox"/> about average</td> <td style="text-align: center;"><input type="checkbox"/> athletic and toned</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> full-figured</td> <td style="text-align: center;"><input type="checkbox"/> heavysset</td> <td style="text-align: center;"><input type="checkbox"/> a few extra pounds</td> <td style="text-align: center;"><input type="checkbox"/> stocky</td> <td style="text-align: center;"><input checked="" type="checkbox"/> any</td> </tr> </table> </div> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <div style="display: flex; justify-content: space-between; border-bottom: 1px solid #ccc; margin-bottom: 10px;"> <span>SHORTCUTS (1)</span> <span>INTERESTS</span> <span style="border: 2px solid red; border-radius: 50%; padding: 2px;">LOOKS</span> <span style="border-bottom: 2px solid blue;">PERSONAL</span> <span>LIFESTYLE</span> </div> <div style="display: flex; justify-content: space-between; border-bottom: 1px solid #ccc; margin-bottom: 10px;"> <span style="border-bottom: 2px solid blue;">family</span> <span>ethnicity</span> <span>astrology</span> <span>education</span> <span>languages</span> </div> <div style="margin-bottom: 10px;"> <p><b>MARITAL STATUS</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><input type="checkbox"/> never married</td> <td style="text-align: center;"><input type="checkbox"/> widow / widower</td> <td style="text-align: center;"><input type="checkbox"/> currently separated</td> <td style="text-align: center;"><input type="checkbox"/> divorced</td> </tr> </table> </div> <div style="margin-bottom: 10px;"> <p><b>HAS KIDS</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><input type="checkbox"/> yes, and they sometimes live at home</td> <td style="text-align: center;"><input type="checkbox"/> no</td> <td style="text-align: center;"><input type="checkbox"/> yes, and they live away from home</td> <td style="text-align: center;"><input type="checkbox"/> yes, and they live at home</td> </tr> </table> </div> <div> <p><b>WANTS KIDS</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><input type="checkbox"/> definitely</td> <td style="text-align: center;"><input type="checkbox"/> someday</td> <td style="text-align: center;"><input type="checkbox"/> not sure</td> <td style="text-align: center;"><input type="checkbox"/> probably not</td> <td style="text-align: center;"><input type="checkbox"/> no, i don't want kids</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> no, but it's ok if my partner has kids</td> <td style="text-align: center;"><input checked="" type="checkbox"/> any</td> <td colspan="3"></td> </tr> </table> </div> </div> <div style="border: 1px solid black; border-radius: 15px; padding: 10px; width: fit-content; margin-top: 20px; float: right;"> <p>Category selection based on personal such as family, ethnicity, astrology, education, and languages</p> </div>	<input type="checkbox"/> slender	<input type="checkbox"/> big and beautiful	<input type="checkbox"/> curvy	<input type="checkbox"/> about average	<input type="checkbox"/> athletic and toned	<input type="checkbox"/> full-figured	<input type="checkbox"/> heavysset	<input type="checkbox"/> a few extra pounds	<input type="checkbox"/> stocky	<input checked="" type="checkbox"/> any	<input type="checkbox"/> never married	<input type="checkbox"/> widow / widower	<input type="checkbox"/> currently separated	<input type="checkbox"/> divorced	<input type="checkbox"/> yes, and they sometimes live at home	<input type="checkbox"/> no	<input type="checkbox"/> yes, and they live away from home	<input type="checkbox"/> yes, and they live at home	<input type="checkbox"/> definitely	<input type="checkbox"/> someday	<input type="checkbox"/> not sure	<input type="checkbox"/> probably not	<input type="checkbox"/> no, i don't want kids	<input type="checkbox"/> no, but it's ok if my partner has kids	<input checked="" type="checkbox"/> any			
<input type="checkbox"/> slender	<input type="checkbox"/> big and beautiful	<input type="checkbox"/> curvy	<input type="checkbox"/> about average	<input type="checkbox"/> athletic and toned																									
<input type="checkbox"/> full-figured	<input type="checkbox"/> heavysset	<input type="checkbox"/> a few extra pounds	<input type="checkbox"/> stocky	<input checked="" type="checkbox"/> any																									
<input type="checkbox"/> never married	<input type="checkbox"/> widow / widower	<input type="checkbox"/> currently separated	<input type="checkbox"/> divorced																										
<input type="checkbox"/> yes, and they sometimes live at home	<input type="checkbox"/> no	<input type="checkbox"/> yes, and they live away from home	<input type="checkbox"/> yes, and they live at home																										
<input type="checkbox"/> definitely	<input type="checkbox"/> someday	<input type="checkbox"/> not sure	<input type="checkbox"/> probably not	<input type="checkbox"/> no, i don't want kids																									
<input type="checkbox"/> no, but it's ok if my partner has kids	<input checked="" type="checkbox"/> any																												
<p>***</p>																													

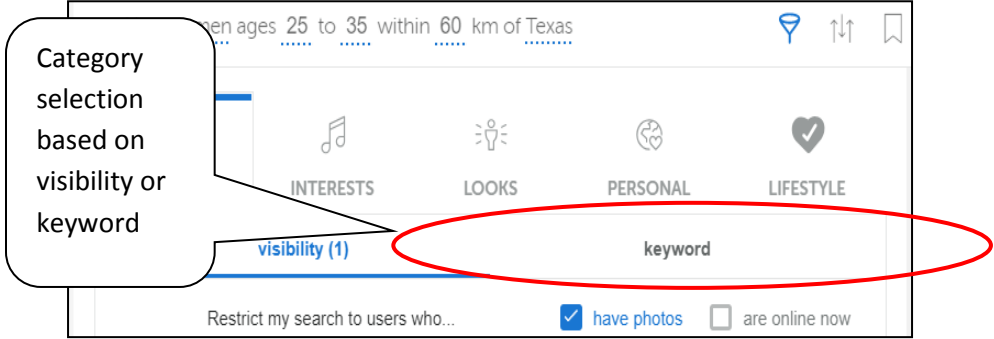
Exemplary Claim 6	Accused Product (match.com)
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	 <p style="margin-top: 10px;"><b>[Snapshot taken from Match.com website by creating a user profile]</b></p>
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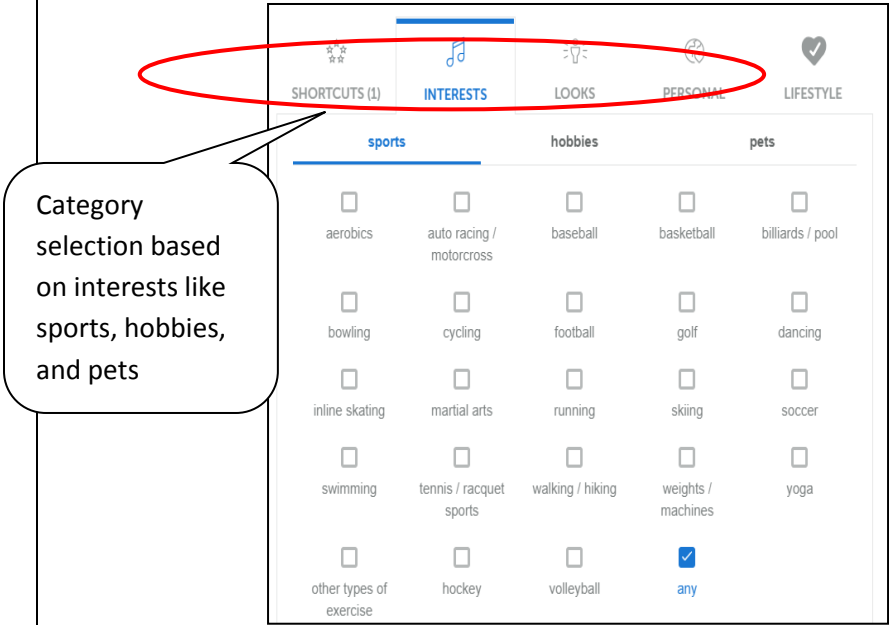
<p>in response to receiving the selection of the category by the user, present, for the user, some of the information associated with each of multiple participants from the plurality of participants which match the selection of the category by the user, while shielding contact information associated with each of the multiple participants;</p>	<p>Plaintiff contends that based on the selection of the category, some of the information associated with each of multiple participants from the plurality of participants is displayed to the user which matches the selection of the category by the user. Also, contact information of each of the multiple participants is shielded from the user.</p> <div style="text-align: center; margin: 20px 0;">  </div> <p style="margin-top: 10px;"><b>[Snapshot taken from Match.com website by creating a user profile]</b></p>
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**Exemplary Claim 6** **Accused Product (match.com)**

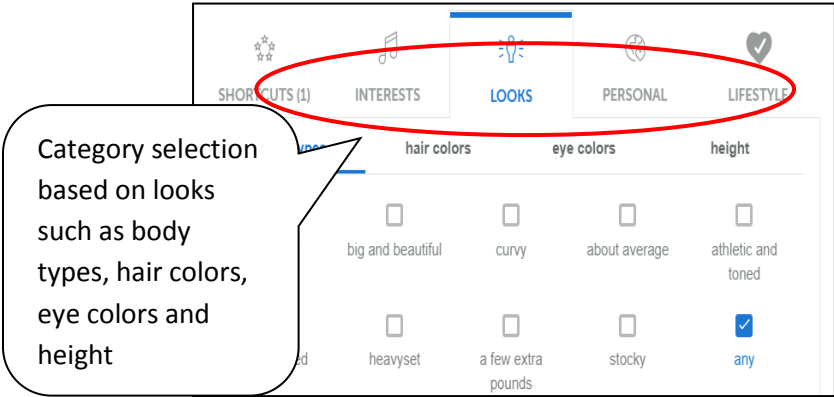
Some additional examples of category selection are:



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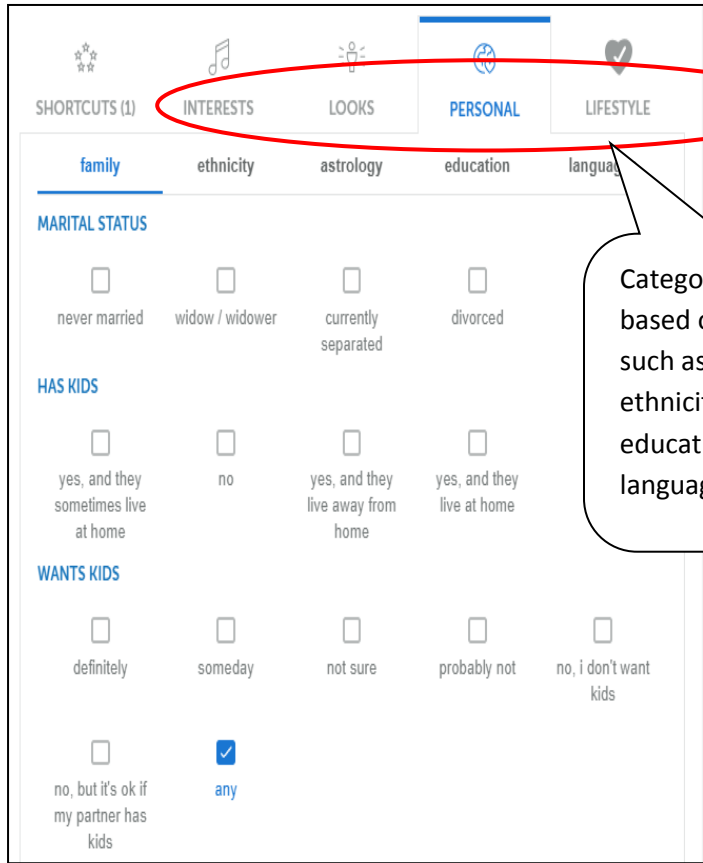


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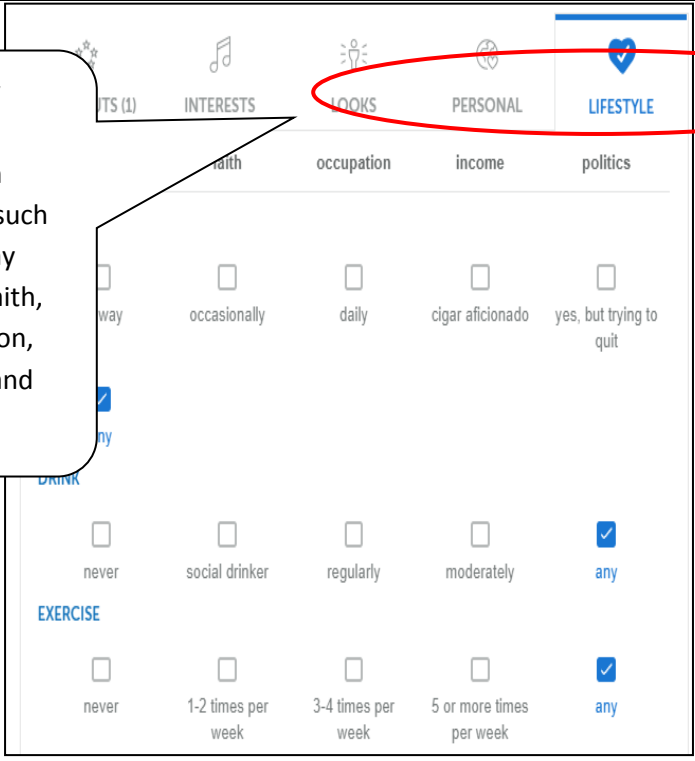


**Exemplary Claim 6** **Accused Product (match.com)**

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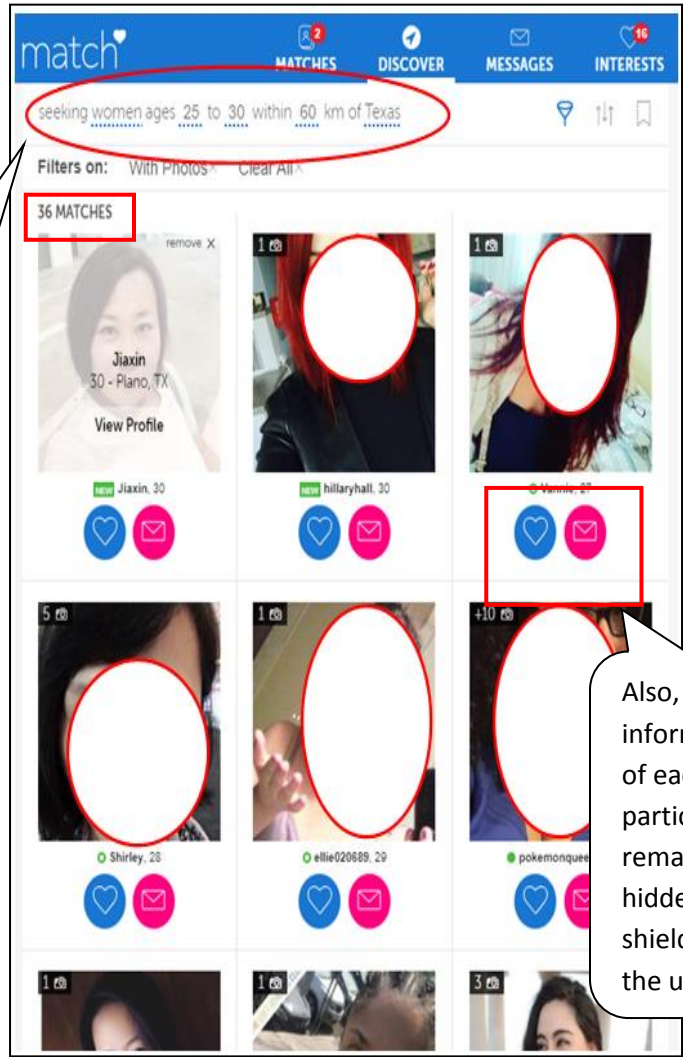
\*\*\*

Exemplary Claim 6	Accused Product (match.com)
	 <p data-bbox="535 315 763 735">Category selection based on lifestyle such as healthy habits, faith, occupation, income and politics</p> <p data-bbox="487 1050 1429 1092"><b>[Snapshot taken from Match.com website by creating a user profile]</b></p>

**Exemplary Claim 6**

**Accused Product (match.com)**

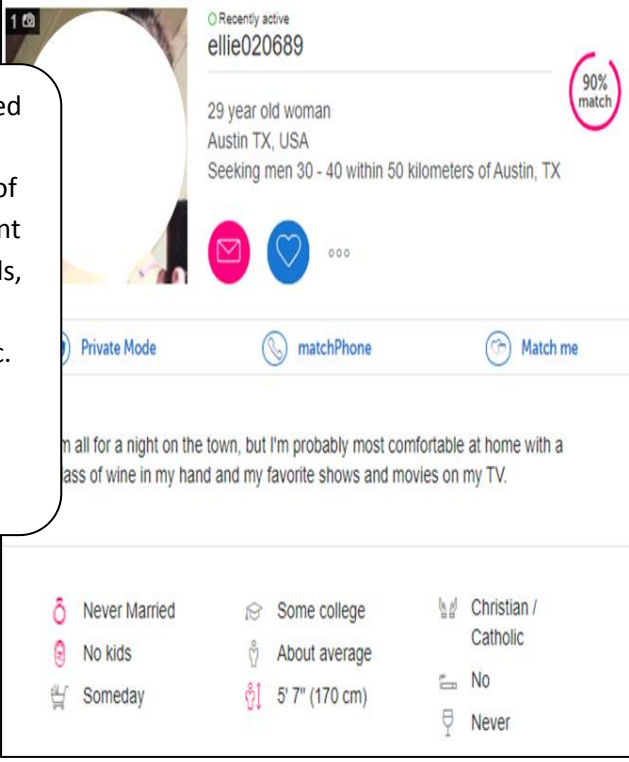
Based on the selection of the category, a list of participants (along with some of their information) is displayed to the user, which matches the selection of the category.



Also, contact information of each participant remains hidden or shielded from the user

**[Snapshot taken from Match.com website by creating a user profile]**

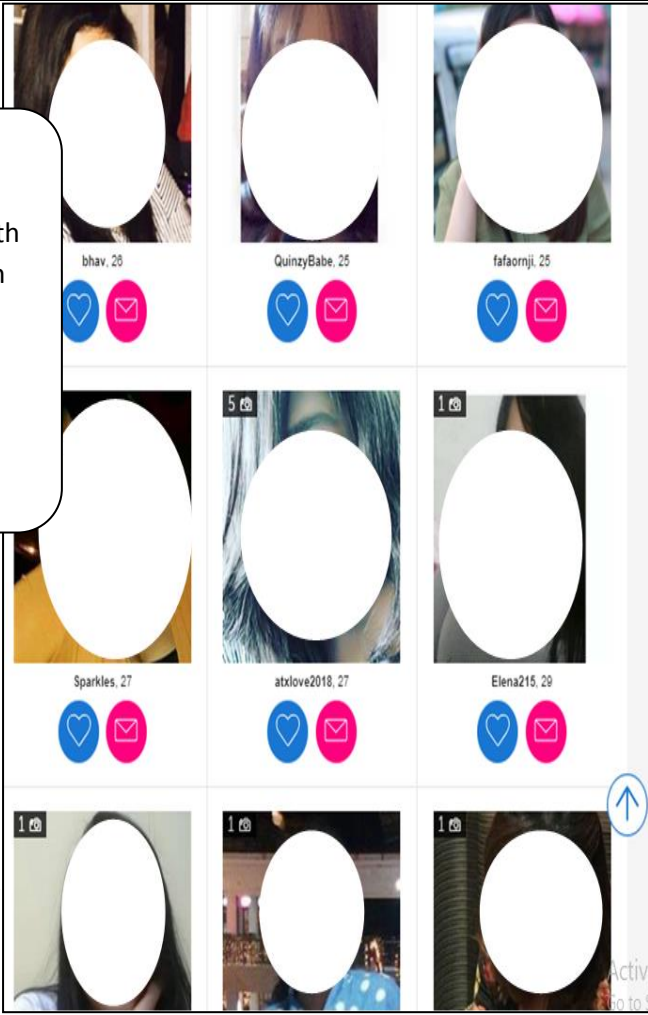
Exemplary Claim 6	Accused Product (match.com)
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<p>Any associated contact information of the participant such as emails, messaging identifier, etc. remains hidden from the user.</p>	 <p><b>[Snapshot taken from Match.com website by creating a user profile]</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>We will review your profile before it's posted to the site, so it might take an hour or two before the text is available to be viewed by other members. We'll let you know via email once it has been reviewed and approved.</p> <p><b>We may reject profiles that contain any of the following:</b></p> <p>Abusive language of any kind, including profanity, vulgarity, racism, illegal activity, etc. Any direct contact information, including email addresses, URLs, instant messenger IDs, phone numbers, addresses, etc. Unauthorized use of copyrighted or trademarked material. Business or political advertisements or solicitations. References to illegal activities or drug use. Languages other than English or Spanish. Material that exploits or solicits personal information from individuals under the age of 18. Overt solicitation for sex or descriptions of sexual activity, anatomy, etc. Solicitation of multiple or additional partners. Insufficient or illegible content.</p> </div> <p><b>(Profile Guidelines (2017, Webpage)) at 1.</b></p>
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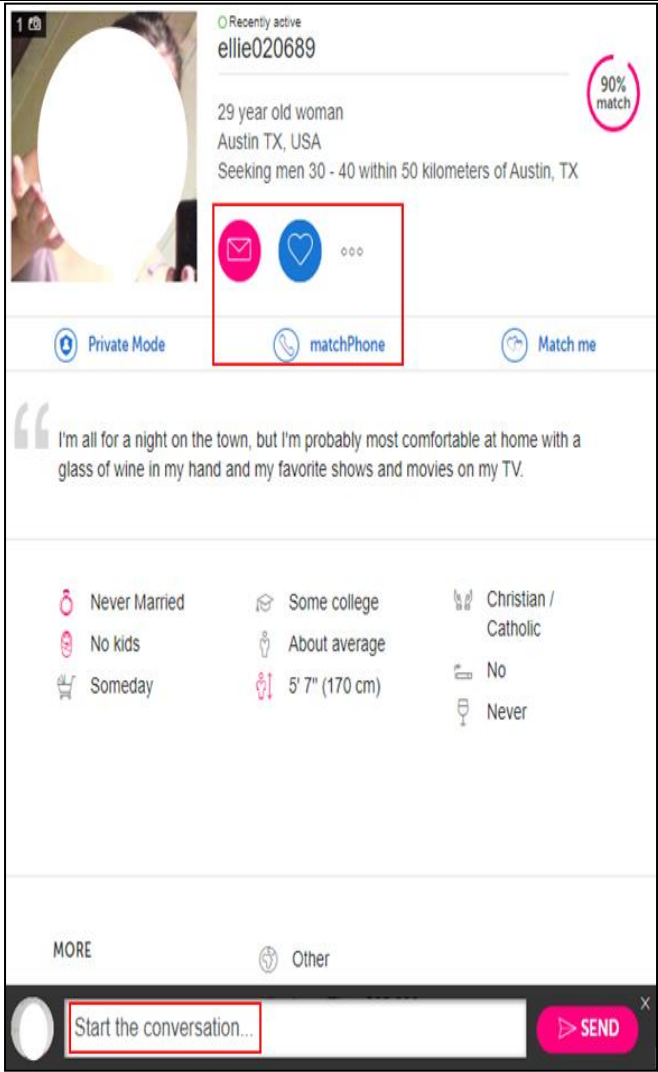
<p>wherein displaying some of the information associated with each of the multiple participants is based at least in part on a rating of</p>	<p>Plaintiff contends that the information associated with each of the multiple participants is displayed based on a rating of individual participants in the plurality of participants. That is, those candidates who remain online or active most of the time on the website, they are given different rating in the list as compared to those candidates who remain less active or offline on the website.</p>
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Exemplary Claim 6	Accused Product (match.com)
<p>individual participants in the plurality of participants;</p>	<div data-bbox="511 394 1015 724" style="border: 1px solid black; border-radius: 15px; padding: 10px; margin-bottom: 20px;"> <p>The information of each participant is displayed based on a rating system; new or online or active candidates are given higher rating in the list and are therefore displayed first in the list, compared to less active or offline candidates.</p> </div> <div data-bbox="641 378 1396 1407"> <p>The screenshot shows the Match.com interface. At the top, there are navigation tabs: MATCHES, DISCOVER, MESSAGES, and INTERESTS. Below this, a search filter is displayed: "Seeking women ages 25 to 30 within 60 km of Texas", which is circled in red. Underneath, it says "Filters on: With Photos Clear All". A section titled "36 MATCHES" shows a grid of profile cards. Three specific profiles are highlighted with red boxes and arrows pointing to a larger view on the left:</p> <ul style="list-style-type: none"> <li><b>Jiaxin</b>: Status "Online now", 30 year old woman, Plano TX, USA, Seeking men 25 - 35.</li> <li><b>hillaryhall</b>: Status "Active", 30 year old woman, Houston TX, USA, Seeking men 34 - 90.</li> <li><b>ellie020689</b>: Status "Recently active", 29 year old woman, Austin TX, USA, Seeking men 30 - 40.</li> </ul> </div> <p data-bbox="495 1428 1421 1470"><b>[Snapshot taken from Match.com website by creating a user profile]</b></p>

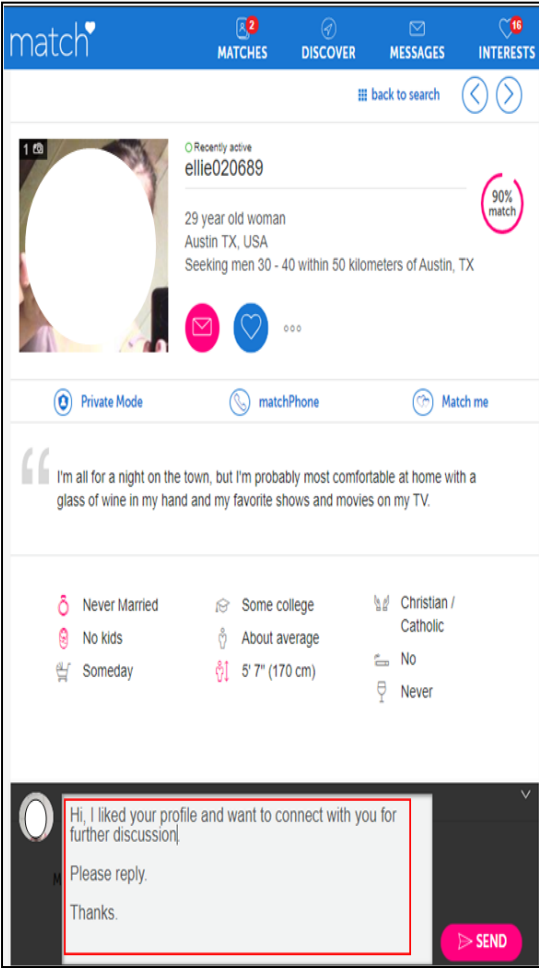


Exemplary Claim 6	Accused Product (match.com)
<p data-bbox="495 367 755 787">Offline candidates or candidates with less activity on the website, they are assigned low rating within the list.</p> <p data-bbox="121 997 641 1239">Any type of contact information associated with the participant such as email, messaging identifier, etc. remains hidden or shielded from the user.</p>	 <p data-bbox="495 1302 1421 1344"><b>[Snapshot taken from Match.com website by creating a user profile]</b></p>
<p data-bbox="89 1375 462 1795">enabling the user to send an inquiry message to one or more of the multiple participants, while shielding the contact information from the user, the contact information including any messaging identifier that is associated with each of the one or more participants;</p>	<p data-bbox="495 1375 1485 1543">Plaintiff contends that user can send enquiry message(s) to one or more participants or candidates, while the contact information associated with each participant (such as emails, messaging identifiers, etc.) remains hidden or shielded from the user.</p>

**Exemplary Claim 6** **Accused Product (match.com)**



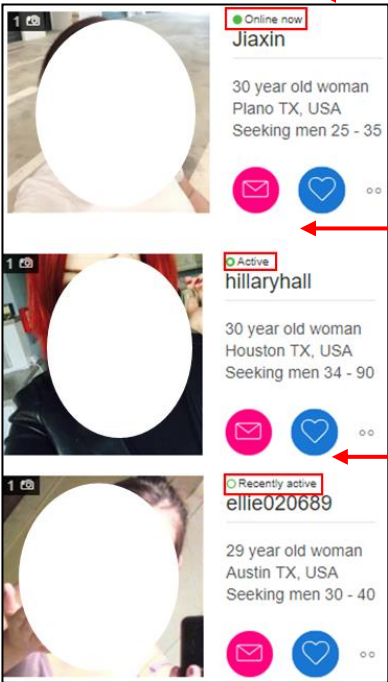
**[Snapshot taken from Match.com website by creating a user profile]**

Exemplary Claim 6	Accused Product (match.com)
	 <p data-bbox="354 850 734 1224">User can send inquiry message(s) to the participant(s), while the contact information remains hidden from the user.</p> <p data-bbox="493 1249 1421 1285"><b>[Snapshot taken from Match.com website by creating a user profile]</b></p>

Exemplary Claim 6	Accused Product (match.com)
	<p data-bbox="623 275 1419 373">We will review your profile before it's posted to the site, so it might take an hour or two before the text is available to be viewed by other members. We'll let you know via email once it has been reviewed and approved.</p> <p data-bbox="623 405 1057 436"><b>We may reject profiles that contain any of the following:</b></p> <p data-bbox="623 464 1393 688">Abusive language of any kind, including profanity, vulgarity, racism, illegal activity, etc. Any direct contact information, including email addresses, URLs, instant messenger IDs, phone numbers, addresses, etc. Unauthorized use of copyrighted or trademarked material Business or political advertisements or solicitations References to illegal activities or drug use Languages other than English or Spanish Material that exploits or solicits personal information from individuals under the age of 18 Overt solicitation for sex or descriptions of sexual activity, anatomy, etc. Solicitation of multiple or additional partners Insufficient or illegible content</p> <p data-bbox="501 716 1070 751"><b>(Profile Guidelines (2017, Webpage)) at 1.</b></p> <div data-bbox="615 833 1419 1171" style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p data-bbox="935 852 1105 884" style="text-align: center;"><b>Email - Sending</b></p> <p data-bbox="623 917 1409 972">Once you have subscribed, you are free to email any of our members. There are several options for composing new emails:</p> <p data-bbox="623 999 1419 1161">You can respond to emails you've already received by clicking on Reply Now while viewing any of your messages. To compose a new email from your inbox, click on Compose Email in the left-side navigation and type in the username of one of your Connections. You can click on Email her/him from any profile page. You can choose a connection from the left-side navigation of your Match inbox to send an email to. If a connection is not visible in your left-side navigation, you can click on See all, then click on the photo of any connection available on your Connections page.</p> </div> <p data-bbox="501 1194 1027 1230"><b>(Email-Sending (2017, Webpage)) at 1.</b></p> <div data-bbox="623 1310 1412 1451" style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p data-bbox="623 1314 1409 1446">The match.com site has its own instant messaging tool, so there's no need to give out your personal details. In fact, we encourage all our members to stay within the site to build relationships over time before they share any personal contact information - we've already got all the tools and features you need in one place, so what are you waiting for!?</p> </div> <p data-bbox="501 1476 1308 1512"><b>(Getting in touch with your matches (2018, Webpage)) at 2.</b></p>
<p data-bbox="94 1556 448 1751">tracking a response time of each of the one or more participants who received the message from the user; and</p>	<p data-bbox="492 1556 1503 1629">Plaintiff contends that responsiveness or response-time of each participant who received the message from the user is tracked.</p>

Exemplary Claim 6	Accused Product (match.com)
	<div data-bbox="938 268 1101 302" style="text-align: center;"><b>Email - Sending</b></div> <p data-bbox="630 331 1393 394">Once you have subscribed, you are free to email any of our members. There are several options for composing new emails:</p> <p data-bbox="630 415 1409 592">You can respond to emails you've already received by clicking on Reply Now while viewing any of your messages. To compose a new email from your inbox, click on Compose Email in the left-side navigation and type in the username of one of your Connections. You can click on Email her/him from any profile page. You can choose a connection from the left-side navigation of your Match inbox to send an email to. If a connection is not visible in your left-side navigation, you can click on See all, then click on the photo of any connection available on your Connections page.</p> <p data-bbox="500 617 1026 651"><b>(Email-Sending (2017, Webpage)) at 1.</b></p> <div data-bbox="607 764 743 814" style="text-align: center;"><b>Response Time</b></div> <p data-bbox="607 831 1435 982">With phone calls among those courting and getting to know each other, there is an unwritten etiquette that says that phone messages should not be returned too soon, lest the person returning the call seem too desperate. But because everyone usually has their cell phone with them and because the norm has become to respond to texts immediately, the response time on received texts is much shorter. Waiting for two days to respond to a girl's flirty text is far too long; if you are interested and want to be flirty in return, you should respond within one day. Note: If you receive a voicemail you should NOT respond with a text. Responding to voicemails with texts will send the message that you are not that interested.</p> <p data-bbox="500 1020 1195 1054"><b>(Text Flirting Tips for Guys (2017, Webpage)) at 3.</b></p> <div data-bbox="695 1142 938 1171" style="text-align: center;"><b>Do: Mind your manners</b></div> <p data-bbox="695 1180 1344 1348">Email etiquette can be far more obvious to women than you might think. Checking your message for punctuation or spelling errors is worth the time; your goal is to position yourself as a catch. Ask initial questions that aren't overly personal, allow enough response time (many don't check email on weekends) and respond to questions thoughtfully.</p> <p data-bbox="493 1381 1520 1457"><b>(Match - Find Singles with Match's Online Dating Personals Service (2011, Webpage)) at 1.</b></p>

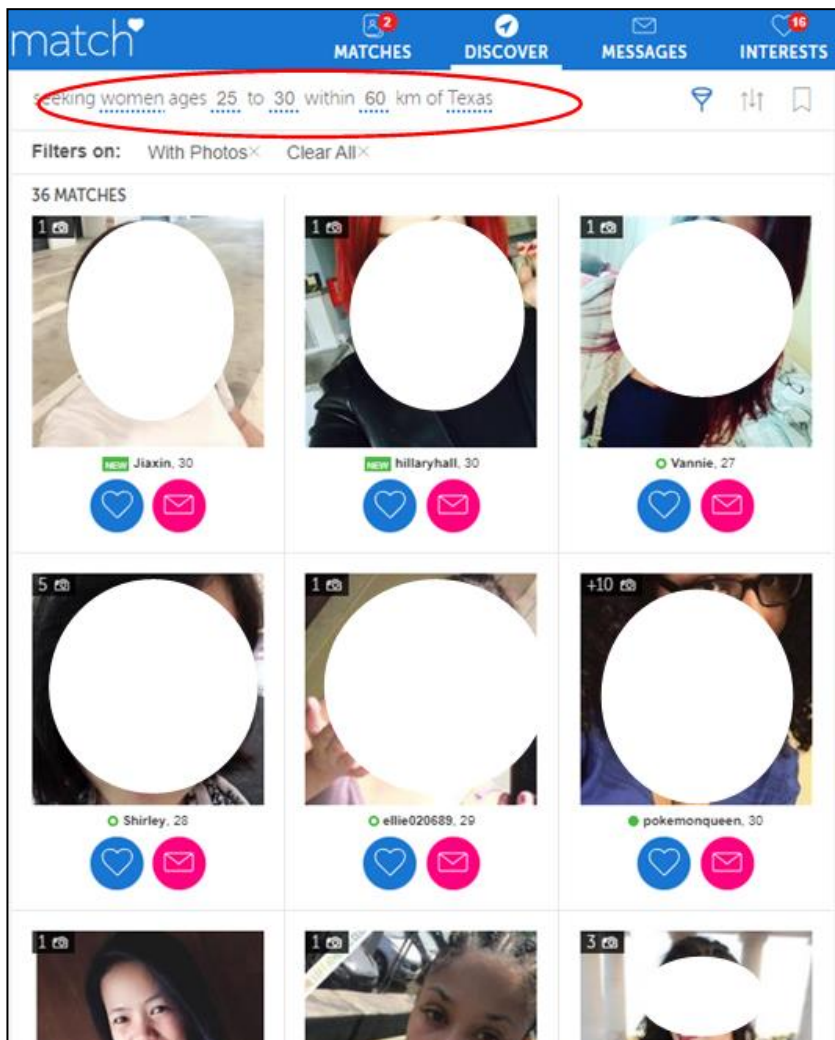
Exemplary Claim 6	Accused Product (match.com)
<p>New, online or active candidates who most likely respond to any user’s query quickly or within a short time (that is, highly responsive candidates) are assigned different ratings compared to those candidates who remain less active or remain offline most of the time.</p>	<div data-bbox="662 262 1377 741" style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;"><b>"Online Now" and "Active Within" Explanation</b></p> <p>The "Online Now/Active Within" status field indicates how recently a member has used various Match services. This status field is updated under these circumstances:</p> <p>The member has signed into Match The member has accessed their Match.com by Mail messages in their registered email address The member has sent or replied to Match.com messages from their registered email address</p> <p>Generally speaking, if "Online Now" is indicated, the member has performed one of the actions above within the last hour. "Active Within" displays the time since the member has used one of the services in hours, days or weeks.</p> <p>Since all of our members benefit from knowing how recently other members have been active on Match, we do not currently have a feature that enables you to turn this status field off.</p> </div> <p style="text-align: center;"><b>("Online Now" and "Active Within" Explanation (2017, Webpage)) at 1.</b></p> <div data-bbox="812 898 1221 1339" style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> </div> <div data-bbox="496 1360 1539 1581" style="border: 1px solid black; padding: 5px;"> <p>If there’s anything more stressful than waiting for your Crush to reply to a text, we haven’t discovered it. Time seems to stop when you press “Send” and minutes turn into years. Should you panic when 24 hours have passed without a reply? No. Should you send a follow-up text? HECK NO. Your Crush is probably just busy. What you should do now is: get even busier. Call friends, call your parents, go to the gym, the library, or just lock your phone in your car for a while. Distract</p> </div> <p style="text-align: center;"><b>(The top 5 Most Cryptic Texts, Decrypted (2018, Webpage)) at 1.</b></p>
<p>updating the rating associated with each of the one or more participants</p>	

Exemplary Claim 6	Accused Product (match.com)
<p>based at least in part on the tracked response time.</p>	<p>Plaintiff contends that the rating of each participant is updated based on his or her responsiveness or response time. That is, those candidates who remain online or active most of the time on the website are given higher rating in the list because it is highly likely that they will respond quickly to any user's query and are, therefore, displayed first in the list compared to those candidates who remain less active or offline or inactive on the website. That is, response-time is one of the key parameters in updating the rating of each participant.</p>  <p>The screenshot shows three Match.com profiles. The first profile, 'Jiaxin', is marked as 'Online now'. The second profile, 'hillaryhall', is marked as 'Active'. The third profile, 'ellie020689', is marked as 'Recently active'. Red boxes highlight these status indicators. Red arrows point from the text 'remain online or active' to the 'Online now' status of 'Jiaxin' and from the text 'those candidates who remain less active' to the 'Recently active' status of 'ellie020689'.</p>



**Exemplary Claim 6**

**Accused Product (match.com)**

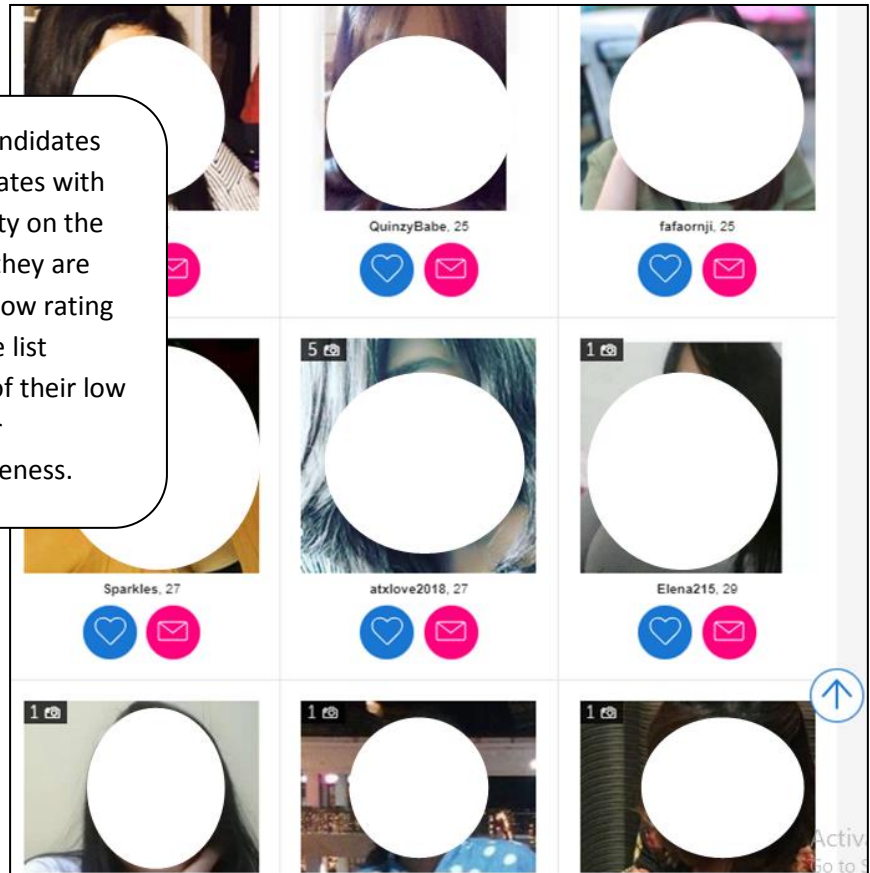


[Snapshot taken from Match.com website by creating a user profile]



<b>Exemplary Claim 6</b>	<b>Accused Product (match.com)</b>
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Offline candidates or candidates with low activity on the website, they are assigned low rating within the list because of their low activity or responsiveness.



[Snapshot taken from Match.com website by creating a user profile]

**"Online Now" and "Active Within" Explanation**

The "Online Now/Active Within" status field indicates how recently a member has used various Match services. This status field is updated under these circumstances:

The member has signed into Match The member has accessed their Match.com by Mail messages in their registered email address The member has sent or replied to Match.com messages from their registered email address

Generally speaking, if "Online Now" is indicated, the member has performed one of the actions above within the last hour. "Active Within" displays the time since the member has used one of the services in hours, days or weeks.

Since all of our members benefit from knowing how recently other members have been active on Match, we do not currently have a feature that enables you to turn this status field off.

**Attachment 8 ("Online Now" and "Active Within" Explanation (2017, Webpage)) at 1.**

Exemplary Claim 6	Accused Product (match.com)
	<div data-bbox="500 325 1544 573" style="border: 1px solid black; padding: 5px;"> <p><b>Response Time</b></p> <p>With phone calls among those courting and getting to know each other, there is an unwritten etiquette that says that phone messages should not be returned too soon, lest the person returning the call seem too desperate. But because everyone usually has their cell phone with them and because the norm has become to respond to texts immediately, the response time on received texts is much shorter. Waiting for two days to respond to a girl's flirty text is far too long; if you are interested and want to be flirty in return, you should respond within one day. Note: If you receive a voicemail you should NOT respond with a text. Responding to voicemails with texts will send the message that you are not that interested.</p> </div> <p data-bbox="492 598 1382 632"><b>Attachment 6 (Text Flirting Tips for Guys (2017, Webpage)) at 3.</b></p> <div data-bbox="500 730 1539 1018" style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;"><b>No Response to Emails</b></p> <p>There are several reasons why you may not be getting responses to emails that you have sent to a particular member:</p> <p>Not all members check their email on a frequent basis. Some members choose not to respond to all contacts, although Match encourages everyone to reply to all messages received. Not all members are subscribers. Only paying subscribers, or recipients of the Reply for Free feature, can reply to emails they receive.</p> </div> <p data-bbox="492 1045 1321 1079"><b>Attachment 2 (No Response to Emails (2017, Webpage)) at 1.</b></p>

- These allegations of infringement are preliminary and are therefore subject to change.

22. Match Group has and continues to induce infringement. Match Group has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., online dating services on the Internet] and related services that provide online dating services across the Internet such as to cause infringement of claims 1–11 of the '107 patent, literally or under the doctrine of equivalents. Moreover, Match Group has known of the '107 patent and the technology underlying it from at least the date of issuance of the patent.

23. Match Group has caused and will continue to cause NETSOC damage by direct and indirect infringement of (including inducing infringement of) the claims of the '107 patent.

#### **IV. JURY DEMAND**

NETSOC hereby requests a trial by jury on issues so triable by right.

#### **V. PRAYER FOR RELIEF**

- i. WHEREFORE, NETSOC prays for relief as follows:
  - a. enter judgment that Defendants have infringed the claims of the '107 patent through each of tinder.com; okcupid.com; pof.com; and match.com;
  - b. award NETSOC damages in an amount sufficient to compensate it for Defendants' infringement of the '107 patent, in an amount no less than a reasonable royalty or lost profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. § 284;
  - c. award NETSOC an accounting for acts of infringement not presented at trial and an award by the Court of additional damage for any such acts of infringement;
  - d. declare this case to be "exceptional" under 35 U.S.C. § 285 and award NETSOC its attorneys' fees, expenses, and costs incurred in this action;
  - e. declare Defendants' infringement to be willful and treble the damages, including attorneys' fees, expenses, and costs incurred in this action and an increase in the damage award pursuant to 35 U.S.C. § 284;
  - f. a decree addressing future infringement that either (i) awards a permanent injunction enjoining Defendants and their agents, servants, employees, affiliates, divisions, and subsidiaries, and those in association with Defendants from infringing the claims of the Patents-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in an amount consistent with the fact that for

future infringement the Defendants will be an adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the future infringement will be willful as a matter of law; and

g. award NETSOC such other and further relief as this Court deems just and proper.

Respectfully submitted,

**Ramey & Schwaller, LLP**

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Houston, Texas 77006  
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