PAUL ANDRE (State Bar No. 196585)
pandre@kramerlevin.com
LISA KOBIALKA (State Bar No. 191404)
lkobialka@kramerlevin.com
JAMES HANNAH (State Bar No. 237978)
jhannah@kramerlevin.com
KRAMER LEVIN NAFTALIS
  & FRANKEL LLP
990 Marsh Road
Menlo Park, CA 94025-1949
Telephone: (650) 752-1700
Facsimile: (650) 752-1800

AARON FRANKEL (*pro hac vice* pending)
afrankel@kramerlevin.com
KRAMER LEVIN NAFTALIS
  & FRANKEL LLP
1177 Avenue of the Americas
New York, NY 10036
Telephone: (212) 715-9100

Attorneys for Plaintiff
BOT M8 LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

BOT M8 LLC, a Delaware Limited Liability Company, Plaintiff, v. SONY CORPORATION OF AMERICA, a New York Corporation; SONY CORPORATION, a Japanese Corporation; and SONY INTERACTIVE ENTERTAINMENT LLC, a California Limited Liability Company, Defendants.	Case No. 3:19-cv-07027-WHA **PLAINTIFF BOT M8 LLC'S AMENDED COMPLAINT FOR PATENT INFRINGEMENT** **DEMAND FOR JURY TRIAL**

1   Plaintiff Bot M8 LLC ("Bot M8") files this Amended Complaint for Patent Infringement and

2   Demand for Jury Trial against Sony Interactive Entertainment, Sony Interactive Entertainment LLC,

3   Sony Corporation of America, and Sony Corporation (collectively, "Sony"), and alleges as follows:

4   **THE PARTIES**

5   1.   Plaintiff Bot M8 is a Delaware Limited Liability Company.

6   2.   Defendant Sony Corporation of America ("SCA") is a corporation organized and

7   existing under the laws of the State of New York, having a principal place of business at 25 Madison

8   Avenue, New York, New York 10010. SCA is a wholly-owned subsidiary of Japanese conglomerate

9   Sony Corporation and is the United States headquarters of Sony Corporation. Upon information and

10 belief, Defendant Sony Corporation of America has authority to negotiate and enter into patent licenses

11 on behalf of Sony Corporation.

12   3.   Defendant Sony Corporation is a corporation organized and existing under the laws of

13 Japan, with a principal place of business at 1-7-1 Konan, Minato-ku, Tokyo 108-0075, Japan. Sony

14 Corporation is a Japanese multinational conglomerate, with businesses including gaming, consumer

15 and professional electronics, entertainment and financial services.

16   4.   Sony Interactive Entertainment is a multinational video game and digital entertainment

17 company that is a wholly-owned subsidiary of Japanese conglomerate Sony Corporation. Defendant

18 Sony Interactive Entertainment LLC ("SIE") is the global and Americas regional headquarters of Sony

19 Interactive Entertainment, located at 2207 Bridgepointe Parkway, San Mateo, California.

20   5.   Sony designs, manufactures, uses, advertises, imports, distributes, offers for sale and

21 sells PlayStation 4 consoles, PlayStation Network services and PlayStation 4 videogames, including

22 single player games and multiplayer games. The PlayStation 4 console is an eighth-generation home

23 video game console developed by Sony, and launched on November 15, 2013 in North America.

24   **JURISDICTION AND VENUE**

25   6.   This action arises under the Patent Act, 35 U.S.C. § 101 *et seq*. This Court has original

26 jurisdiction over this controversy pursuant to 28 U.S.C. §§ 1331 and 1338.

27   7.   Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and (c) and 1400(b).

28
                                           1

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

8.   This Court has personal jurisdiction over Defendants because the Defendants moved to transfer this case from the United States District Court for the Southern District of New York and consented to the jurisdiction and venue of this Court. Additionally, Defendants have committed acts of infringement in this District and SIE's principle place of business is within the District.

9.   This Court has personal jurisdiction over Defendant Sony Corporation because it has committed acts of infringement and has a regular and established place of business within this District through its subsidiary SIE and its regular contacts with and conduct of business within this District. As a foreign corporation, Sony Corporation is subject to venue within this District.

10.   Additionally, this Court can further exercise personal jurisdiction over the Defendants in this action because they have committed acts of infringement and inducement of infringement in this District, including through designing, manufacturing, advertising, using, distributing, offering for sale and selling infringing products and services in this District and because Plaintiff's claims arise out of and relate to Defendants' acts of infringement and inducement of infringement in this District, and because the exercise of jurisdiction by this Court over Defendants would be reasonable. Defendants have more than minimal contacts with this District, such that the maintenance of this action within this District would not offend traditional notions of fair play and substantial justice.

BOT M8'S ASSERTED PATENTS

11.   On March 4, 2008, the USPTO issued U.S. Patent No. 7,338,363 ("the '363 Patent"), titled "Gaming Machine, Server, and Program" to Kazuo Okada. All rights, title, and interests in the '363 Patent have been assigned to Bot M8 who is the sole owner of the '363 Patent. A true and correct copy of the '363 Patent is attached to this Complaint as **Exhibit 1** and is incorporated by reference herein.

12.   The '363 Patent generally relates to a gaming machine, a server and a program. More particularly, the specification values of a game machine can be changed by each game player to meet each player's unique preference. One of the ways this is accomplished is by renewing specification values of a game machine on the basis of the total of the number of medals paid out by a game player

2

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

1   to the gaming machine. Furthermore, a game can be jointly played on two gaming machines, and the

2   total results of the jointly played game can be used to update specification values.

3   13.   On December 13, 2011, the USPTO issued U.S. Patent No. 8,078,540 ("the '540

4   Patent"), titled "Gaming Machine, Gaming Information Authentication and Acquisition Device, and

5   Gaming Information Acquisition Device" to Tatsuhiko Tanimura. All rights, title, and interests in the

6   '540 Patent have been assigned to Bot M8 who is the sole owner of the '540 Patent. A true and correct

7   copy of the '540 Patent is attached to this Complaint as **Exhibit 2** and is incorporated by reference

8   herein.

9   14.   The '540 Patent generally relates to a gaming machine, a gaming information

10   authenticating and loading device, and a loading device for loading gaming information, whereby

11   gaming information recorded on a portable storage medium can be authenticated. Double

12   authentication is used to authenticate gaming information and increase authentication reliability.

13   Namely, before a motherboard loads an authentication program to authenticate actual gaming

14   information, a preliminary authentication is carried out to confirm that the authentication program is a

15   legitimate program which has not been manipulated.

16   15.   On January 10, 2012, the USPTO issued U.S. Patent No. 8,095,990 ("the '990 Patent"),

17   titled "Gaming Machine, Gaming Information Authentication Loading Device and Gaming

18   Information Loading Device" to Tatsuhiko Tanimura. All rights, title, and interests in the '990 Patent

19   have been assigned to Bot M8 who is the sole owner of the '990 Patent. A true and correct copy of the

20   '990 Patent is attached to this Complaint as **Exhibit 3** and is incorporated by reference herein.

21   16.   The '990 Patent generally relates to a gaming machine, a gaming information

22   authentication loading device, and a gaming information loading device. Mutual authentication is used

23   to increase authentication reliability. Namely, before a mutual authentication unit executes an

24   authentication program to authenticate actual gaming information, the mutual authentication unit

25   checks that the authentication program is a legitimate program.

26   17.   On February 16, 2010, the USPTO issued U.S. Patent No. 7,664,988 ("the '988

27   Patent"), titled "Gaming Apparatus Having Memory Fault Detection" to Jun Haishima. All rights, title,

28

3

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

1   and interests in the '988 Patent have been assigned to Bot M8 who is the sole owner of the '988 Patent.

2   A true and correct copy of the '998 Patent is attached to this Complaint as **Exhibit 4** and is

3   incorporated by reference herein.

4   18.   The '988 Patent generally relates to an information process device in which a fault in

5   hardware or software is inspected. Faults include, for example, damage, changes or falsification. The

6   memory device in which a fault inspection program and a boot program are stored is different from

7   another memory device where a game application program is stored. Both memory devices are

8   connected to the same motherboard. If the memory device where the game application program is

9   stored is damaged, the fault inspection program would not be affected. Therefore, fault detection

10   reliability is increased.

11   19.   On February 7, 2012, the USPTO issued U.S. Patent No. 8,112,670 ("the '670 Patent"),

12   titled "Gaming Apparatus Having Memory Fault Detection" to Jun Haishima. All rights, title, and

13   interest in the '670 Patent have been assigned to Bot M8 who is the sole owner of the '670 Patent. A

14   true and correct copy of the '670 Patent is attached to this Complaint as **Exhibit 5** and is incorporated

15   by reference herein.

16   20.   The '670 Patent relates to an information process device in which a fault in hardware or

17   software is inspected. The fault inspection program is stored in a memory device that is different from

18   the memory device storing the boot program. Both memory devices are connected to the same

19   motherboard. If the memory device where the game application program is stored is damaged, the

20   fault inspection program would not be affected. Therefore, fault detection reliability is increased.

21   21.   On March 3, 2009, the USPTO issued U.S. Patent No. 7,497,777 ("the '777 Patent"),

22   titled "Gaming Machine and Computer-Readable Program Product" to Matsuzo Machida. All rights,

23   title, and interest in the '777 Patent have been assigned to Bot M8 who is the sole owner of the '777

24   Patent. A true and correct copy of the '777 Patent is attached to this Complaint as **Exhibit 6** and is

25   incorporated by reference herein.

26   22.   The '777 Patent generally relates to a gaming program and a gaming machine. An

27   object of the invention is to augment interests in a game. One of the ways this is accomplished is by

28

4

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

the gaming machine displaying a plurality of characters on a display screen and the gaming program calculating an execution order of actions of the plurality of characters in the battle, where execution of actions of different characters can be independent from each other as long as the different characters take combination action.

23.   The Asserted Patents are directed towards specific novel systems, apparatus, and methods for augmenting gaming experience, authentication reliability, and fault inspection reliability. The inventions of the Asserted Patents provide real-world benefits by solving real-world problems and providing real-world improvements within the realm of gaming. For example, the Asserted Patents disclose and specifically claim inventive concepts that represent significant improvements over conventional systems by teaching persons skilled in the art improve videogame matchmaking through the use of specification values, improve videogame authentication reliability through mutual authentication and storage of the fault detection and game application programs on different memory devices, and improve player interest in video games through the use of multiple characters that can operate independently but execute combination actions. Thus, the Asserted Patents disclose more than just a simple combination of generic components to perform conventional activities.

SONY'S INFRINGING PRODUCTS AND TECHNOLOGIES

24.   Since November 2013, Sony has been making, using, designing, advertising, selling, offering for sale, and importing into the United States and this District video game consoles, network services, video games which infringe Bot M8's patents set forth above.

25.   The infringing products and services include (1) the PlayStation 4, PlayStation 4 Slim, and PlayStation 4 Pro consoles (collectively referred to as the "PlayStation 4"); (2) the Sony PlayStation Network; and (3) various Sony-developed video games that include balanced multiplayer matchmaking, control over ally non-player characters or mutual authentication functionality (collectively, the "Accused Products").

26.   Sony has sold over 100 million PlayStation 4 consoles. Sony makes, uses, designs, advertises, sells, offers for sale, and imports into the United States and this District PlayStation 4 consoles. Through the PlayStation Store, Sony enables users to download video games as well as other

5

digital content to be used on the PlayStation 4 console. Through various retailers, Sony enables users to purchase video games stored on digital optical disks to be used on the PlayStation 4 consoles. The PlayStation 4 console can read and execute game information stored on a digital optical disk when such digital optical disk is connected to the PlayStation 4 console. The PlayStation 4 console is a hardware platform, and it typically contains a 1TB hard drive.

27.   The PlayStation Network is an online service which includes various offerings. The PlayStation Store is a digital media shop that offers a range of downloadable content both for purchase and free of charge. The content includes full games, free-to-play games, add-ons, demos, music, movies and background themes. PlayStation Plus is a PlayStation Network subscription service that provides users with access to premium features. These extras include early access to upcoming games, beta trials, regular store discounts, and the ability to have system software updates and game patches download automatically to the console. The PlayStation App which can be integrated in a smart device, allows users to control a PlayStation 4, redeem voucher codes, manage game downloads remotely, message gamer friends, invite friends to join a game, and take control and try out game from the user's own PlayStation 4.

6

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

28. Sony operates the PlayStation Network on PlayStation game servers, powerful computers used to store files including user account information, social network information, gaming programs, and gaming results. Sony's PlayStation game servers are located throughout the United States.

29. Sony makes, uses, designs, advertises, sells, offers for sale, and imports into the United States and this District various video games for use with the PlayStation 4. Sony distributes these PlayStation 4 video games on digital optical disks through retail channels or through digital download from the PlayStation Network to PlayStation 4 consoles. PlayStation 4 games are installed to the console's storage (internal or external). These games are executable by PlayStation 4 consoles. Uncharted 4 is a representative example of a multiplayer game developed and sold by Sony for use with the PlayStation 4.

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

SONY'S INFRINGEMENT OF BOT M8 PATENTS

30.   Sony has infringed and continues to infringe the Asserted Patents in this District and elsewhere in the United States by making, using, advertising, importing, selling, and offering for sale the Accused Products.

31.   In addition to directly infringing the Asserted Patents under 35 U.S.C. § 271(a), either literally, under the doctrine of equivalents, or both, Sony indirectly infringes the Asserted Patents by instructing, directing, and requiring others, including its customers, purchasers, users, and developers, to combine or make all or some of the components of the apparatus/system claims, either literally or under the doctrine of equivalents.

COUNT I
(Direct Infringement of the '363 Patent pursuant to 35 U.S.C. § 271(a))

32.   Bot M8 repeats, realleges, and incorporates by reference, as if fully set forth herein, the allegations of the preceding paragraphs, as set forth above.

33.   Sony infringes Claims 1, 8 and 11 of the '363 Patent in violation of 35 U.S.C. § 271(a).

34.   Sony's infringement is based upon literal infringement or, in the alternative, infringement under the doctrine of equivalents.

35.   Sony's infringement includes, making, using, advertising, importing, selling, and offering for sale PlayStation 4 consoles, PlayStation Network services and multiplayer games developed by Sony and its subsidiaries (collectively, the "'363 Accused Products"). Sony's acts of

8

1   making, using, marketing, importing, selling, and offering for sale the '363 Accused Products were and

2   are without the permission, consent, authorization, or license of Bot M8.

3   36.   The '363 Accused Products practice the patented invention of the '363 Patent and

4   infringed the '363 Patent because they integrate mechanisms of facilitating gaming experiences by

5   renewing and replacing specification value settings after each multiplayer match, and mechanisms of

6   determining a second gaming machine operated by a co-player. The specification values can include

7   total result data, offensive score, support score, who won, who lost, etc. The PlayStation Network and

8   PlayStation 4 operating system running games provide one or more players to competitively play the

9   game, in which a player can be matched with a plurality of available game players.

10   37.   The PlayStation Network and PlayStation 4 operating system serve as a gaming

11 machine determining device, because they provides one or more players to competitively play the

12 game, and a player can be matched with a plurality of available game players.

13   38.   The PlayStation 4 console transmits and receives data from the PlayStation Network

14 servers for multiplayer gaming purposes, using a network processor, an Ethernet controller and a

15 wireless communication module. These data include specification data.

http://gamingbolt.com/inside-the-playstation-4-motherboard-components-explained

9
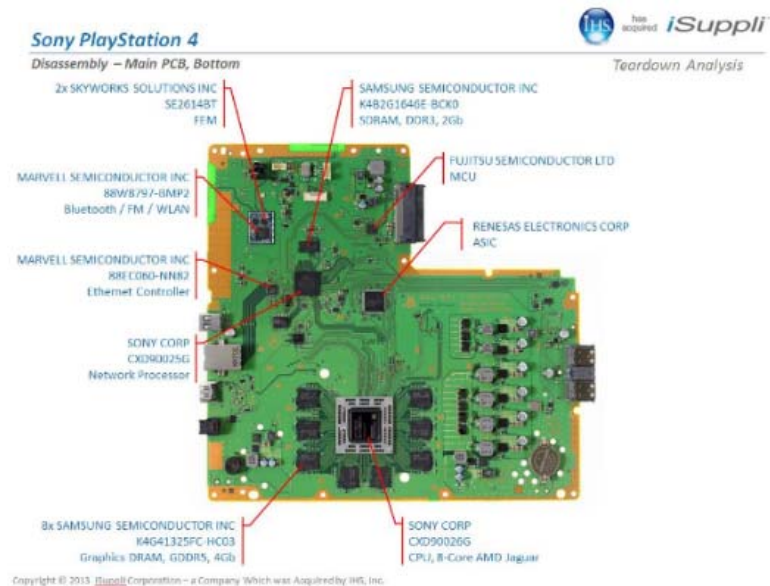
39.   The PlayStation Network interface is the total result data receiving device which receives total game results from the PlayStation game server. These data are retrieved from the server by the PlayStation 4 operating system using the network interface. The PlayStation 4 and PlayStation Network display several specification values, including the total result data, offensive score, support score, who won, and who lost. This information is sent from the PlayStation game server and matchmaking service to end-users' consoles.

http://www.playstationtrophies.org/forum/the-arena/290780-uncharted-4-game-night-birthday-special-june-25th-2016-a-28.html

40.   The PlayStation Network and PlayStation 4 operaing system serve as a specification value determining device for determining a specification value based on the data of the total game result received by the total result data receiving device. The PlayStation Network and PlayStation 4 operating system utilize a specification value in their software code base.

41.   The PlayStation 4 provides a specification value setting in software modules and gaming programs, the specification value can be a character level, points, currency, a title, a rank, or a reward. The specification value can have an effect on matchmaking for the next multiplayer match. The PlayStation 4 operating system, loaded on a PlayStation 4 console, manages computer hardware and software resources and provides services for software modules to set at least one specification

10

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

1 value as a control condition for game control purposes. Game results are written into a memory of the

2 PlayStation 4 console and are calculated by the CPU of the PlayStation 4 console.

3   42.   "Uncharted 4" is a multiplayer, multi-character game made by Naughty Dog, Inc., a

4 subsidiary of Sony Interactive Entertainment. Uncharted 4 can be downloaded to PlayStation 4

5 console from the PlayStation Network or can be bought in physical form through various retailers,

6 such as Amazon.com. The PlayStation 4 operating system runs the Uncharted 4 video game.

7 Uncharted 4 is a representative example of the use of speciation values in the Accused Products for

8 matchmaking purposes.

9   43.   Uncharted 4 includes a multiplayer matchmaking system. The matchmaking system

10 takes into consideration the specification value settings. Uncharted 4 has multiple multiplayer modes

11 including Team Deathmatch, Command, Plunder, Ranked Team Deathmatch, Bounty Hunter, Classic

12 Mode and Survival. These game modes utilize different specification value settings to facilitate

13 matchmaking. For example, in Ranked Team Deathmatch, an initial Rank is determined with 3

14 placement matches. The placement matches are based on the internal "Skill Rating." This is a metric

15 used to judge performance. Skill Rating takes into account one's scoreboard position along with other

16 factors. This Skill Rating can also be a specification value.

17

18 **Game modes**

    Seven game modes are available:

19 - **Team Deathmatch:** Two teams of five compete to be the first to gain 40 enemy KOs.

20 - **Command:** Two teams of five fight for control over three command zones. Teams gain points per second for each command zone and win by being the first to reach 700 points.

21 - **Plunder:** Two teams of four attempt to secure the idol in their respective chests. First team to 3 points wins.

22 - **Ranked Team Deathmatch**: Two teams of five compete to be the first to gain 40 enemy KOs. Players are ranked and matched based on their performance. Rewards are given at the end of the season depending on what ranked you are

23 - **Bounty Hunter:** A new gamemode introduced in the Bounty Hunter DLC. Two teams compete to reach the score limit by collecting Bounties from KO'd players. When you KO a player, they drop a Bounty worth 10 points, which you or your teammates must retrieve before an enemy can swoop in and deny it.

24 - **Classic Mode:** A back-to-basics mode based on team deathmatch from uncharted 2 multiplayer. There's no in-match Store, Radar and more. Also Heavy Weapons will now spawn around the map.

25 - **Survival**: A co-op gamemode where you have to survive waves of enemy

26

27 http://uncharted.wikia.com/wiki/Uncharted_4:_A_Thief's_End_multiplayer

28

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

1
2
3
4
5
6
7

8

http://www.unchartedthegame.com/rank-system/the-system

9
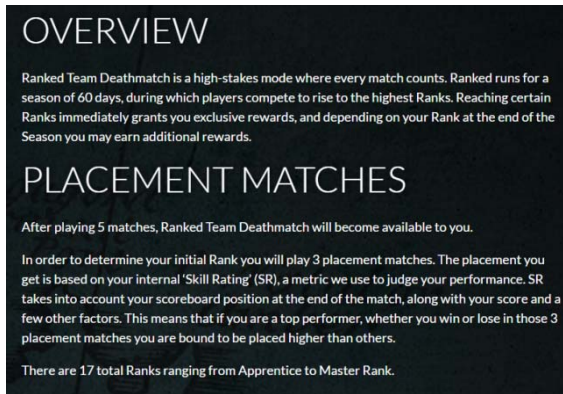
44.   Uncharted 4 includes Rank Points which can be a specification value.

10
11
12
13
14
15
16
17
18
19
20
21
22
23

24

http://www.unchartedthegame.com/rank-system

25
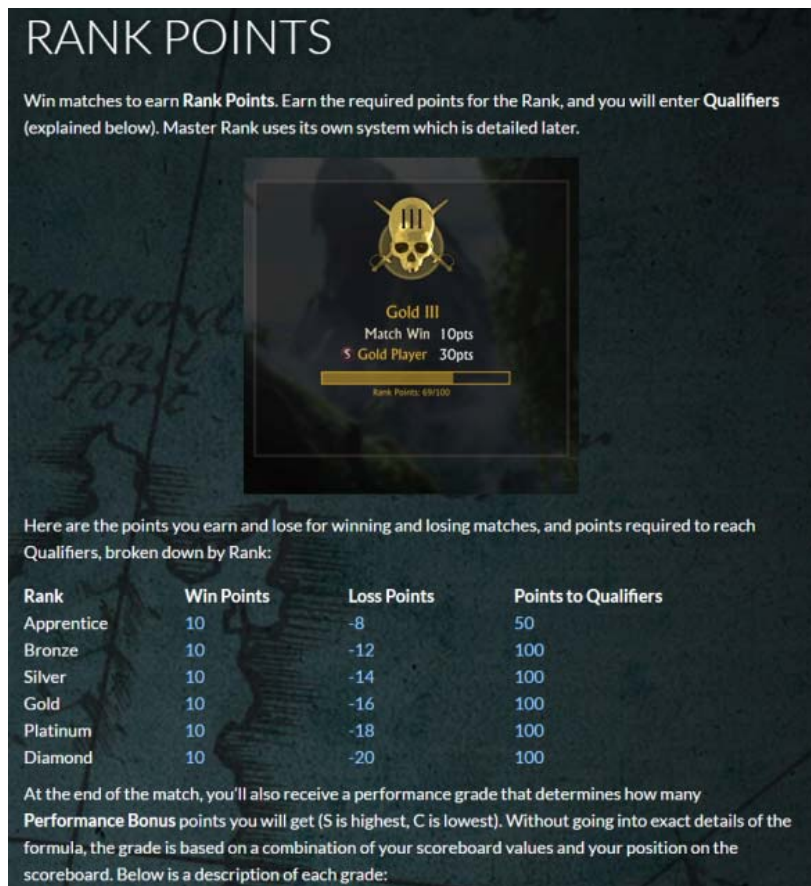
45.   As shown below, the player obtained an "idol" and in game currency both of which may

26

be specification values, impacting matching.

27
28

12

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

http://www.unchartedthegame.com/en-us/multiplayer

46.   Specification values are renewed and replaced after each multiplayer match for matching purposes. For example, in Ranked Team Deathmatch an initial Rank is determined with 3 placement matches. The placement matches are based on the internal "Skill Rating" which is a metric used to judge performance. Skill Rating takes into account one's scoreboard position along with other factors. This Skill Rating is renewed after each match.

OVERVIEW

Ranked Team Deathmatch is a high-stakes mode where every match counts. Ranked runs for a season of 60 days, during which players compete to rise to the highest Ranks. Reaching certain Ranks immediately grants you exclusive rewards, and depending on your Rank at the end of the Season you may earn additional rewards.

PLACEMENT MATCHES

After playing 5 matches, Ranked Team Deathmatch will become available to you.

In order to determine your initial Rank you will play 3 placement matches. The placement you get is based on your internal 'Skill Rating' (SR), a metric we use to judge your performance. SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors. This means that if you are a top performer, whether you win or lose in those 3 placement matches you are bound to be placed higher than others.

There are 17 total Ranks ranging from Apprentice to Master Rank.

http://www.unchartedthegame.com/rank-system/the-system

13

47.   When new specification data are calculated, the PlayStation 4 renews the specification value, set by the specification value setting device, with the specification value determined by the specification value determining device.

48.   The following is an element-by-element analysis of Sony's infringement of Claim 1 of the '363 Patent based on the Uncharted 4.

a.

Claim 1	PlayStation and Uncharted 4: A Thief's End
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	Sony's PlayStation 4 is a gaming machine. There are three versions of the PlayStation 4 referred to as "PlayStation 4," "PlayStation 4 Slim," and "PlayStation 4 Pro" (collectively referred to as "PlayStation 4). Each of these versions infringe the asserted claims of the '363 Patent in the same way, so a single chart will provided for these three PlayStation 4 versions. A PlayStation 4 console along with a PlayStation Network server, for playing streaming or multiplayer networked games, also constitute a gaming machine.

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

b.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The **PlayStation 4 gaming console** (PS4) is a gaming machine which transmits and receives data to and from PlayStation Network servers, e.g., for online multiplayer gaming purposes. NOTE: The PS4 is discussed in detail, but the same analysis is applicable to the PS4 Slim and PS4 Pro consoles. The Technical Specification of the PS4 indicates data transmission and receiving networking capabilities that include: • Ethernet (10 BASE-T, 100BASE-TX, 1000BASE-T)×1 • IEEE 802.11 a/b/g/n/ac • Bluetooth®v4.0 Ethernet Networking: Ethernet (10BASE-T, 100BASE-TX, 1000BASE-T) ×1; IEEE 802.11 a/b/g/n/ac; Bluetooth®v4.0

c.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	**PlayStation.Plus** PlayStation Plus is a paid-for PlayStation Network subscription service that provides users with access to "online multiplayer" portions of PS4 games. PS4 utilizes PlayStation Network servers for gaming, including multiplayer gaming. Online Multiplayer Play online multiplayer matches, join coop parties and raids, compete in official tournaments and community events, and experience the world of connected play (**PlayStation Plus** required). Learn More

15

1

d.

2

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	 **Uncharted 4: A Thief's End** + FOLLOW First Released May 10, 2016 PLAYSTATION 4 Uncharted 4: A Thief's End will explore what it means when Drake is forced back into the world of thieves. 10 Essential Average Rating 779 RATING(S) 9.1 Please Sign In to rate **Uncharted 4: A Thief's End** Developed by: Naughty Dog Published by: Sony Interactive Entertainment, SCEA, SCEE, SCE Australia Genre(s): Action, Adventure Theme(s): Modern • "**Uncharted 4: A Thief's End**" and "Uncharted: The Lost Legacy" ("Uncharted") are video games developed by Naughty Dog and published by Sony Interactive Entertainment (SIE). • Naughty Dog is also a subsidiary of SIE. • Uncharted is exclusively playable on the PS4.

e.

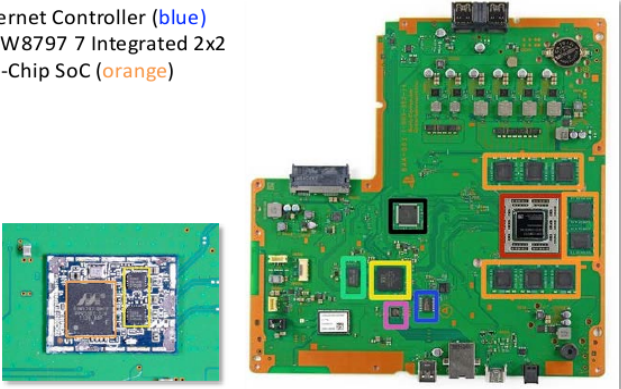| Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	As shown below, Uncharted 4: A Thief's End has an online multiplayer component. Expect the teamwork, over-the-top action-adventure, and detail-rich gameplay environments you've come to expect from the Uncharted series. Uncharted 4 Multiplayer introduces a number of new systems to elevate gameplay including Sidekicks, Mysticals, a grappling hook, and a deeper weapon list than previous multiplayer modes. "**Uncharted 4: The Lost Legacy**" is a related stand-alone video game that shares a multiplayer component and content with Uncharted 4: A Thief's End. MULTIPLAYER AND SURVIVAL Uncharted: The Lost Legacy will come with Uncharted 4's complete suite of multiplayer content, including its competitive multiplayer and cooperative Survival modes, as well as all of the DLC updates released since the launch of Uncharted 4. In addition, instantly unlock the Uncharted 4 Multiplayer Bundle to boost your multiplayer career with access to all the core unlocks*:

16

PLAINTIFF BOT M8, LLC'S 'S AMENDED
COMPLAINT FOR PATENT INFRINGEMENT

CASE NO.: 3:19-cv-07027-WHA

1   f.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising:	A **PlayStation Network Server** (PSN Server) is a gaming machine which transmits and receives data to and from PlayStation 4 consoles and other PlayStation Network servers.
a specification value setting device that sets at least one specification value as a control condition for game control;	
a transmitting device that transmits data of a game result to the server;	A PSN Server may execute a server-side backend or instance for managing multiplayer matches of Uncharted ("Playstation Plus membership required for online play")
a gaming machine determining device that determines a second gaming machine operated by a co-player;	
a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device;	
a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and	
a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	

            g.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising:	The PS4 executing Uncharted has a **specification value setting device** (processor running game software) that sets at least one specification value as a control condition for game control.
a specification value setting device that sets at least one specification value as a control condition for game control;	
a transmitting device that transmits data of a game result to the server;	
a gaming machine determining device that determines a second gaming machine operated by a co-player;	
a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device;	PS4's specification value setting device includes a custom processor: • SCEI (Sony Computer Entertainment, Inc.) CXD90026G SoC, includes AMD "Jaguar" Cores and AMD Radeon GPU (Red)
a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and	
a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	

17

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
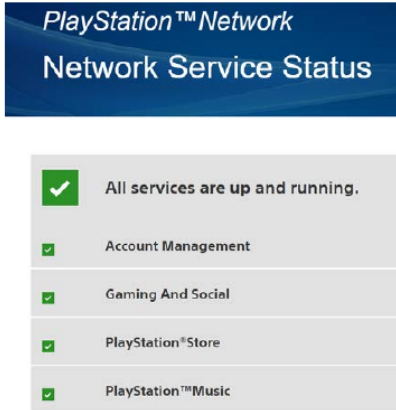COMPLAINT FOR PATENT INFRINGEMENT

1   h.

Claim 1		
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 executing Uncharted sets at least one specification value as a control condition for game control. In particular, the PS4 executing Uncharted sets a specification value as a control condition for **match-making in online multiplayer modes.** Uncharted has several different multiplayer modes including: • Team Deathmatch • Command • Plunder • Ranked Team Deathmatch • Bounty Hunter • Classic Mode • Survival. These game modes utilize different specification value settings.	**Game modes** Seven game modes are available: • **Team Deathmatch**: Two teams of five compete to be the first to gain 40 enemy KOs. • **Command**: Two teams of five fight for control over three command zones. Teams gain points per second for each command zone and win by being the first to reach 700 points. • **Plunder**: Two teams of four attempt to secure the idol in their respective chests. First team to 3 points wins. • **Ranked Team Deathmatch**: Two teams of five compete to be the first to gain 40 enemy KOs. Players are ranked and matched based on their performance. Rewards are given at the end of the season depending on what ranked you are. • **Bounty Hunter**: A new gamemode introduced in the Bounty Hunter DLC. Two teams compete to reach the score limit by collecting Bounties from KO'd players. When you KO a player, they drop a Bounty worth 10 points, which you or your teammates must retrieve before an enemy can swoop in and deny it. • **Classic Mode**: A back-to-basics mode based on team deathmatch from uncharted 2 multiplayer. There's no in-match Store, Radar and more. Also Heavy Weapons will now spawn around the map. • **Survival**: A co-op gamemode where you have to survive waves of enemy

i.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 executing Uncharted **sets a specification value** (an internal Skill Rating or "SR") as a control condition for game control ("The placement you get is based on your internal Skill Rating"; "SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors."). **OVERVIEW** Ranked Team Deathmatch is a high-stakes mode where every match counts. Ranked runs for a season of 60 days, during which players compete to rise to the highest Ranks. Reaching certain Ranks immediately grants you exclusive rewards, and depending on your Rank at the end of the Season you may earn additional rewards. **PLACEMENT MATCHES** After playing 5 matches, Ranked Team Deathmatch will become available to you. In order to determine your initial Rank you will play 3 placement matches. The placement you get is based on your internal 'Skill Rating' (SR), a metric we use to judge your performance. SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors. This means that if you are a top performer, whether you win or lose in those 3 placement matches you are bound to be placed higher than others. There are 17 total Ranks ranging from Apprentice to Master Rank.

18

j.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	In another example, the PS4 executing Uncharted **sets a specification value** (Rank Points) as a control condition for game control ("you will be up into Qualifier Matches").

k.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 executing Uncharted **sets a specification value** (a Match Rating) as a control condition for game control (match-making).

19

1

l.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	A PSN Server executing a server-side backend for Uncharted comprises a specification value setting device that **sets a specification value** (an internal Skill Rating or "SR") as a control condition for game control ("The placement you get is based on your internal Skill Rating"; "SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors."). OVERVIEW Ranked Team Deathmatch is a high-stakes mode where every match counts. Ranked runs for a season of 60 days, during which players compete to rise to the highest Ranks. Reaching certain Ranks immediately grants you exclusive rewards, and depending on your Rank at the end of the Season you may earn additional rewards. PLACEMENT MATCHES After playing 5 matches, Ranked Team Deathmatch will become available to you. In order to determine your initial Rank you will play 3 placement matches. The placement you get is based on your internal 'Skill Rating' (SR), a metric we use to judge your performance. SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors. This means that if you are a top performer, whether you win or lose in those 3 placement matches you are bound to be placed higher than others. There are 17 total Ranks ranging from Apprentice to Master Rank.

m.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 has a **transmitting device**, namely communication components, that transmits data of a game result (multiplayer success/failure) to the server (PlayStation Network servers) The PS4 has communication device(s) that provides wired and wireless network connectivity for transmitting and receiving data, including of a game result to the server. These communication devices include: • Marvell 88EC060-NN82 Ethernet Controller (blue) • Marvell Wireless Avastar 88W8797 7 Integrated 2x2 WLAN/Bluetooth/FM Single-Chip SoC (orange) • Skyworks 2614B 315BB

20

n.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PSN server has a **transmitting device**, namely communication components, that transmits data of a game result (multiplayer success/failure) to another server (PlayStation Network servers) The PSN server has communication device(s) that provides wired and wireless network connectivity for transmitting and receiving data, including of a game result to the server. "In computing, a server is a computer program or a device that provides functionality for other programs or devices, called "clients". https://en.wikipedia.org/wiki/Server_(computing)#Large_servers

o.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/ PSN server's transmitting device **transmits data of a game result** (player death, match win, match loss) to the server (PlayStation Network servers). See below example of player death ("Downed by fyb8").

21

p.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server's transmitting device **transmits data of a game result** (player death, match win, match loss) to the server (PlayStation Network servers). See below example of updated Player Scores and Team Scores (6:3).

q.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server's transmitting device **transmits data of a game result** (intermediary game results such as player's kills, "$50 KO") to the server (PlayStation Network servers).

22

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

r.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server's transmitting device **transmits data of a game result** ("You Won! 40:31") to the server (PlayStation Network servers).

s.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 includes a gaming machine determining device (processor of PS4) that determines **a second gaming machine operated by a co-player** (a PS4 operated by a co-player, represented by an avatar character highlighted below). The PSN Server is a gaming machine determining device that determines a second gaming machine operated by a co-player (a PS4 operated by a co-player, represented by an avatar character highlighted below).

23

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

t.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server includes a total result data receiving device (communication devices of PS4) that receives from the server data of a **total game result** (Performance Bonus, performance grade) **achieved by the first gaming machine and the second gaming machine** based on the data of the game result transmitted by the transmitting device ("average performance of your party is used to calculate the grade your whole party receives"). *See* prior discussion of communications hardware with respect to Claim element "a transmitting device that transmits data of a game result to the server." At the end of the match, you'll also receive a performance grade that determines how many **Performance Bonus** points you will get (S is highest, C is lowest). Without going into exact details of the formula, the grade is based on a combination of your scoreboard values and your position on the scoreboard. Below is a description of each grade: **S** You are performing well above expected for your Rank 30 bonus points for a win 12 bonus points for a loss If you consistently score S or A, you will quickly ascend out of your current Rank. If you score B, you will climb at a steady rate. If you are getting Cs often, it probably means you are out of your league and will have a hard time maintaining your current Rank. At the lower Ranks, getting a high grade can almost entirely negate point loss from a lost match. When playing in a party, the average performance of your party is used to calculate the grade your whole party receives.

u.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (20-Game Average Match Rating) based on the data of the total game result received by the total result data receiving device ("Master Rank will still judge performance using score at the end of the match"). **MASTER RANK:** Master Rank players will be competing among each other for top spots on the Global Leaderboards with their 20-Game Average Match Rating. When reaching Master Rank, players will start with a 200 Match Rating. Master Rank will still judge performance using score at the end of the match. However, instead of a letter grade result, players will get a Match Rating. Match Rating ranges from -1000 to 1000. By earning Match Ratings higher than a player's own 20-Game Average, they will be able to raise their Average. Be warned, should a player's average drop below 0, they will be ejected from Master Rank. Master Rank is unaffected by win or loss, only player performance is evaluated. In order to keep Master Players actively competing to keep themselves on top, players will lose points for being away for too long. After 6 days without playing a match of Ranked King of the Hill, Master Rank players will start to decay their 20-Game Average. Quitting or forfeiting a match will result in an automatic -1000 Match Rating.

24

v.

Claim 1	

1. A first gaming machine for transmitting and receiving data to and from a server, comprising:
 	
a specification value setting device that sets at least one specification value as a control condition for game control;
 	
a transmitting device that transmits data of a game result to the server;
 	
a gaming machine determining device that determines a second gaming machine operated by a co-player;
 	
a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device;
 	
a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and
 	
a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.
	A PSN Server executing a server-side backend for Uncharted:
	    - is a specification value determining device (as part of a system of PS4 + PSN Server) or
	    - includes a specification value determining device (processor of PSN server)
	that determines a specification value (20-Game Average Match Rating) based on the data of the total game result received by the total result data receiving device ("Master Rank will still judge performance using score at the end of the match").

w.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server includes a specification value renewing device (processor) that renews to replace the specification value set by the specification value setting device ("players will get a Match Rating") with the specification value determined by the specification value determining device ("By earning Match Ratings higher than a player's own 20-Game Average, they will be able to raise their Average.").

25

x.

Claim 1	

1. A first gaming machine for transmitting and receiving data to and from a server, comprising:
 	
a specification value setting device that sets at least one specification value as a control condition for game control;
 	
a transmitting device that transmits data of a game result to the server;
 	
a gaming machine determining device that determines a second gaming machine operated by a co-player;
 	
a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device;
 	
a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and
 	
a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.
	The PS4/PSN server includes a specification value renewing device (processor of PS4) that renews to replace the specification value set by the specification value setting device ("Relic Boosters will give a 300% increase to the relics earned from completing a Multiplayer match, plus a stacking shared bonus, which all players in the match receive") with the specification value determined by the specification value determining device.
	
	 • VIP Bonus
	   ○ Purchasing any Uncharted Points pack now awards VIP status, which gives you a permanent 20% bonus to all Relics earned from challenges within Uncharted 4
	   ○ Anyone who previously purchased an Uncharted Points pack will also have VIP status
	   ○ Any Uncharted Points pack over 300UP now comes with a set of one-use Relic Boosters.
	     ▪ Relic Boosters give you a 300% increase to the Relics earned from completing a Multiplayer match, plus a stacking shared bonus, which all players in the match receive
	 • The more players activate a booster in a match, the bigger the reward for everyone!

49.   The following is an element-by-element analysis of Sony's infringement of Claim 8 of the '363 Patent based on the Uncharted 4.

26

a.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	The PlayStation Network server is a server for transmitting and receiving data (data shared by players in a multiplayer game session) to and from a first gaming machine (PS4 console) operated by a game player and a second gaming machine (another PS4 console) operated by a co-player.

b.

Claim 8	PlayStation and Uncharted 4: A Thief's End
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	Sony's PlayStation 4 is a gaming machine. A PlayStation 4 console along with a PlayStation Network server, for playing streaming or multiplayer networked games, also constitute a gaming machine.

27

1

        c.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	The **PlayStation 4 gaming console** (PS4) is a gaming machine which transmits and receives data to and from PlayStation Network servers, e.g., for online multiplayer gaming purposes. NOTE: The PS4 is discussed in detail, but the same analysis is applicable to the PS4 Slim and PS4 Pro consoles. The Technical Specification of the PS4 indicates data transmission and receiving networking capabilities that include: • Ethernet (10 BASE-T, 100BASE-TX, 1000BASE-T)×1 • IEEE 802.11 a/b/g/n/ac • Bluetooth®v4.0 Ethernet Networking: Ethernet（10BASE-T, 100BASE-TX, 1000BASE-T）×1, IEEE 802.11 a/b/g/n/ac, Bluetooth®v4.0

        d.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	**PlayStation.Plus** PlayStation Plus is a paid-for PlayStation Network subscription service that provides users with access to "online multiplayer" portions of PS4 games. PS4 utilizes PlayStation Network servers for gaming, including multiplayer gaming, by transmitting and receiving data from multiple PlayStation 4 consoles (first and second gaming machines) participating in a multiplayer gaming session. **Online Multiplayer** Play online multiplayer matches, join coop parties and raids, compete in official tournaments and community events, and experience the world of connected play (PlayStation Plus required). **Learn More**

28

PLAINTIFF BOT M8, LLC'S 'S AMENDED
COMPLAINT FOR PATENT INFRINGEMENT

CASE NO.: 3:19-cv-07027-WHA

e.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	 **Uncharted 4: A Thief's End** + FOLLOW First Released May 10, 2016 PLAYSTATION 4 Uncharted 4: A Thief's End will explore what it means when Drake is forced back into the world of thieves. 10 Essential Average Rating 779 RATING(S) 9.1 Please Sign In to rate **Uncharted 4: A Thief's End** Developed by: **Naughty Dog** Published by: **Sony Interactive Entertainment, SCEA, SCEE, SCE Australia** Genre(s): **Action, Adventure** Theme(s): **Modern** • "**Uncharted 4: A Thief's End**" and "Uncharted: The Lost Legacy" ("Uncharted") are video games developed by Naughty Dog and published by Sony Interactive Entertainment (SIE). • Naughty Dog is also a subsidiary of SIE. • Uncharted is exclusively playable on the PS4.

f.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	As shown below, Uncharted 4: A Thief's End has an online multiplayer component, with data transmitted to and from player's PlayStation 4 gaming machines by the PlayStation Network servers. Expect the teamwork, over-the-top action-adventure, and detail-rich gameplay environments you've come to expect from the Uncharted series. Uncharted 4 Multiplayer introduces a number of new systems to elevate gameplay including Sidekicks, Mysticals, a grappling hook, and a deeper weapon list than previous multiplayer modes. "**Uncharted 4: The Lost Legacy**" is a related stand-alone video game that shares a multiplayer component and content with Uncharted 4: A Thief's End. MULTIPLAYER AND SURVIVAL Uncharted: The Lost Legacy will come with Uncharted 4's complete suite of multiplayer content, including its competitive multiplayer and cooperative Survival modes, as well as all of the DLC updates released since the launch of Uncharted 4. In addition, instantly unlock the Uncharted 4 Multiplayer Bundle to boost your multiplayer career with access to all the core unlocks*:

29

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

g.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	A **PlayStation Network Server** (PSN Server) is a server which transmits and receives data to and from PlayStation 4 consoles (first and second gaming machines). A PSN Server may execute a server-side backend or instance for managing multiplayer matches of Uncharted ("Playstation Plus membership required for online play")

h.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	The PlayStation Network server executing Uncharted has a **specification value setting device** (processor running game software) that sets at least one specification value as a control condition for game control. In particular, Uncharted sets a specification value as a control condition for **match-making in online multiplayer modes**. Uncharted has several different multiplayer modes including: • Team Deathmatch • Command • Plunder • Ranked Team Deathmatch • Bounty Hunter • Classic Mode • Survival. These game modes utilize different specification value settings.	

30

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
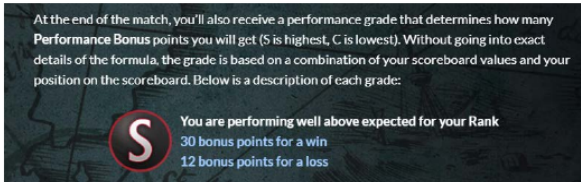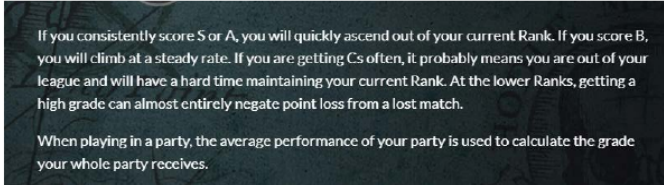COMPLAINT FOR PATENT INFRINGEMENT

i.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	Uncharted **sets a specification value** (an internal Skill Rating or "SR") as a control condition for game control ("The placement you get is based on your internal Skill Rating"; "SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors.").

j.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	In another example, Uncharted **sets a specification value** (Rank Points) as a control condition for game control ("you will be up into Qualifier Matches").

31

1   k.

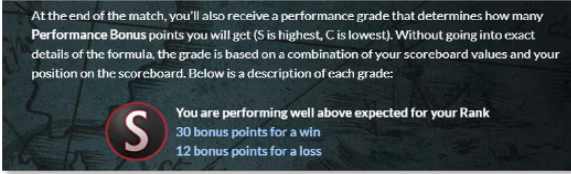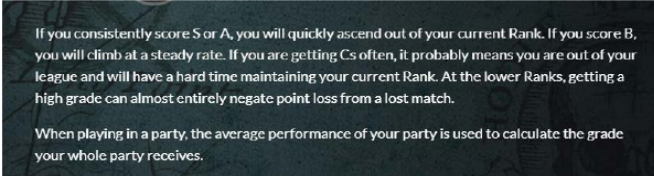| Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	Uncharted **sets a specification value** (a Match Rating) as a control condition for game control (match-making). **MASTER RANK:** Master Rank players will be competing among each other for top spots on the Global Leaderboards with their 20-Game Average Match Rating. When reaching Master Rank, players will start with a 200 Match Rating. Master Rank will still judge performance using score at the end of the match. However, Instead of a letter grade result, players will get a Match Rating. Match Rating ranges from -1000 to 1000. By earning Match Ratings higher than a player's own 20-Game Average, they will be able to raise their Average. Be warned, should a player's average drop below 0, they will be ejected from Master Rank. Master Rank is unaffected by win or loss, only player performance is evaluated. In order to keep Master Players actively competing to keep themselves on top, players will lose points for being away for too long. After 6 days without playing a match of Ranked King of the Hill, Master Rank players will start to decay their 20-Game Average. Quitting or forfeiting a match will result in an automatic -1000 Match Rating.

l.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	A PSN Server executing a server-side backend for Uncharted comprises a specification value setting device that **sets a specification value** (an internal Skill Rating or "SR") as a control condition for game control ("The placement you get is based on your internal Skill Rating"; "SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors."). **OVERVIEW** Ranked Team Deathmatch is a high-stakes mode where every match counts. Ranked runs for a season of 60 days, during which players compete to rise to the highest Ranks. Reaching certain Ranks immediately grants you exclusive rewards, and depending on your Rank at the end of the Season you may earn additional rewards. **PLACEMENT MATCHES** After playing 5 matches, Ranked Team Deathmatch will become available to you. In order to determine your initial Rank you will play 3 placement matches. The placement you get is based on your internal 'Skill Rating' (SR), a metric we use to judge your performance. SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors. This means that if you are a top performer, whether you win or lose in those 3 placement matches you are bound to be placed higher than others. There are 17 total Ranks ranging from Apprentice to Master Rank.

32

1

m.

2

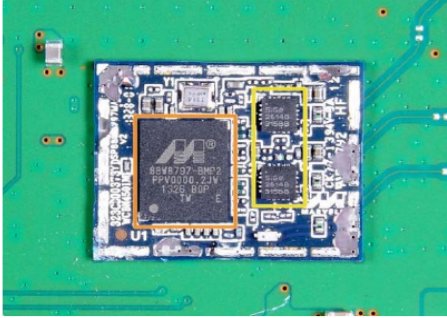| Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;	The PS4/PSN server includes a total result data receiving device (communication devices of PS4) that receives from the server data of a **total game result** (Performance Bonus, performance grade) **achieved by the first gaming machine and the second gaming machine** based on the data of the game result transmitted by the transmitting device ("average performance of your party is used to calculate the grade your whole party receives"). *See* prior discussion of communications hardware with respect to Claim element "a transmitting device that transmits data of a game result to the server." At the end of the match, you'll also receive a performance grade that determines how many **Performance Bonus** points you will get (S is highest, C is lowest). Without going into exact details of the formula, the grade is based on a combination of your scoreboard values and your position on the scoreboard. Below is a description of each grade: **S** You are performing well above expected for your Rank 30 bonus points for a win 12 bonus points for a loss If you consistently score S or A, you will quickly ascend out of your current Rank. If you score B, you will climb at a steady rate. If you are getting Cs often, it probably means you are out of your league and will have a hard time maintaining your current Rank. At the lower Ranks, getting a high grade can almost entirely negate point loss from a lost match. When playing in a party, the average performance of your party is used to calculate the grade your whole party receives.

n.

Claim 8	
a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and	The PS4/PSN server includes a game result totaling device (processor of PS4) that totalizes the game result of the first gaming machine and the game result of the second gaming machine based on the data of the total game result received by the total result data receiving device ("Master Rank will still judge performance using score at the end of the match"). At the end of the match, you'll also receive a performance grade that determines how many **Performance Bonus** points you will get (S is highest, C is lowest). Without going into exact details of the formula, the grade is based on a combination of your scoreboard values and your position on the scoreboard. Below is a description of each grade: **S** You are performing well above expected for your Rank 30 bonus points for a win 12 bonus points for a loss If you consistently score S or A, you will quickly ascend out of your current Rank. If you score B, you will climb at a steady rate. If you are getting Cs often, it probably means you are out of your league and will have a hard time maintaining your current Rank. At the lower Ranks, getting a high grade can almost entirely negate point loss from a lost match. When playing in a party, the average performance of your party is used to calculate the grade your whole party receives.

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

1   o.

Claim 8	

a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device;
 	
a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and
	A PSN Server executing a server-side backend for Uncharted:
	    - is a game result totaling device (as part of a system of PS4 + PSN Server) or
	    - includes a game result totaling device (processor of PSN server)
	that totalizes the game result based on the data of the total game result received by the total result data receiving device ("Master Rank will still judge performance using score at the end of the match").

p.

Claim 8	
a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (20-Game Average Match Rating) based on the data of the total game result received by the total result data receiving device ("Master Rank will still judge performance using score at the end of the match").

34

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

1

q.

Claim 8	

a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device;
 	
a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and
	A PSN Server executing a server-side backend for Uncharted:
	  - is a specification value determining device (as part of a system of PS4 + PSN Server) or
	  - includes a specification value determining device (processor of PSN server)
	that determines a specification value (20-Game Average Match Rating) based on the data of the total game result received by the total result data receiving device ("Master Rank will still judge performance using score at the end of the match").
	
	MASTER RANK:
	
	Master Rank players will be competing among each other for top spots on the Global Leaderboards with their 20-Game Average Match Rating. When reaching Master Rank, players will start with a 200 Match Rating. Master Rank will still judge performance using score at the end of the match. However, instead of a letter grade result, players will get a Match Rating. Match Rating ranges from -1000 to 1000. By earning Match Ratings higher than a player's own 20-Game Average, they will be able to raise their Average. Be warned, should a player's average drop below 0, they will be ejected from Master Rank. Master Rank is unaffected by win or loss, only player performance is evaluated.
	
	In order to keep Master Players actively competing to keep themselves on top, players will lose points for being away for too long. After 6 days without playing a match of Ranked King of the Hill, Master Rank players will start to decay their 20-Game Average. Quitting or forfeiting a match will result in an automatic -1000 Match Rating.

r.

Claim 8	
a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	The PSN Server has a determined specification value transmitting device (communications hardware of PSN server) that transmits the specification value determined by the specification value determining device to the first gaming machine (PS4) and the second gaming machine (PS4 console). ● Marvell Wireless Avastar 88W8797 7 Integrated 2x2 WLAN/Bluetooth/FM Single-Chip SoC The Technical Specification of the PS4 indicates data transmission and receiving networking capabilities that include: • Ethernet (10 BASE-T, 100BASE-TX, 1000BASE-T)×1 • IEEE 802.11 a/b/g/n/ac • Bluetooth®v4.0 Ethernet

PLAINTIFF BOT M8, LLC'S 'S AMENDED
COMPLAINT FOR PATENT INFRINGEMENT

CASE NO.: 3:19-cv-07027-WHA

50.   The following is an element-by-element analysis of Sony's infringement of Claim 11 of the '363 Patent based on the Uncharted 4.
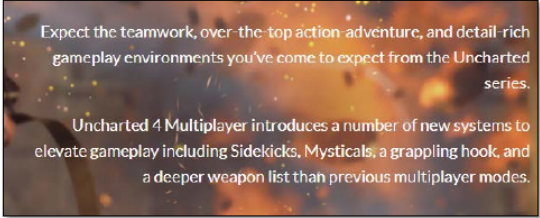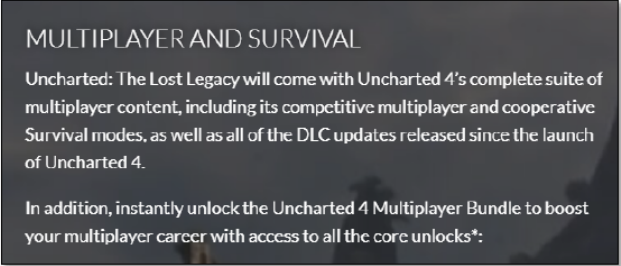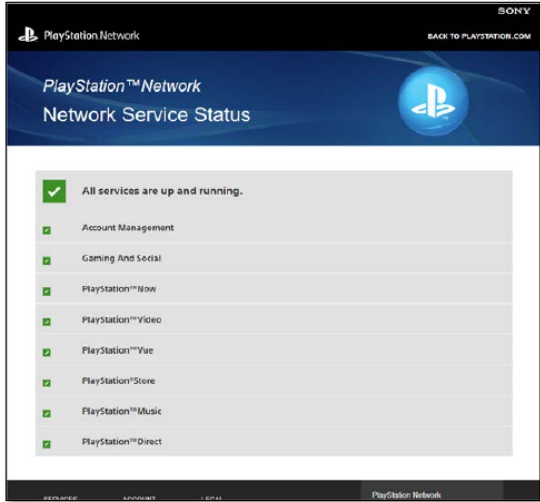
a.

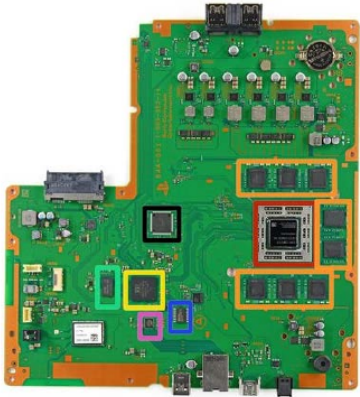| Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	**Uncharted** is a program (video game software) stored on media (DVD disc or a hard drive for download) for directing a computer (processor board of PS4) of a first gaming machine (PS4 console) capable of transmitting and receiving data to and from a server (PlayStation Network server).

36

b.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	 • "**Uncharted 4: A Thief's End**" and "Uncharted: The Lost Legacy" ("Uncharted") are video games developed by Naughty Dog and published by Sony Interactive Entertainment (SIE). • Naughty Dog is also a subsidiary of SIE. • Uncharted is exclusively playable on the PS4.

c.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	As shown below, Uncharted 4: A Thief's End has an online multiplayer component. "**Uncharted 4: The Lost Legacy**" is a related stand-alone video game that shares a multiplayer component and content with Uncharted 4: A Thief's End.

37

d.

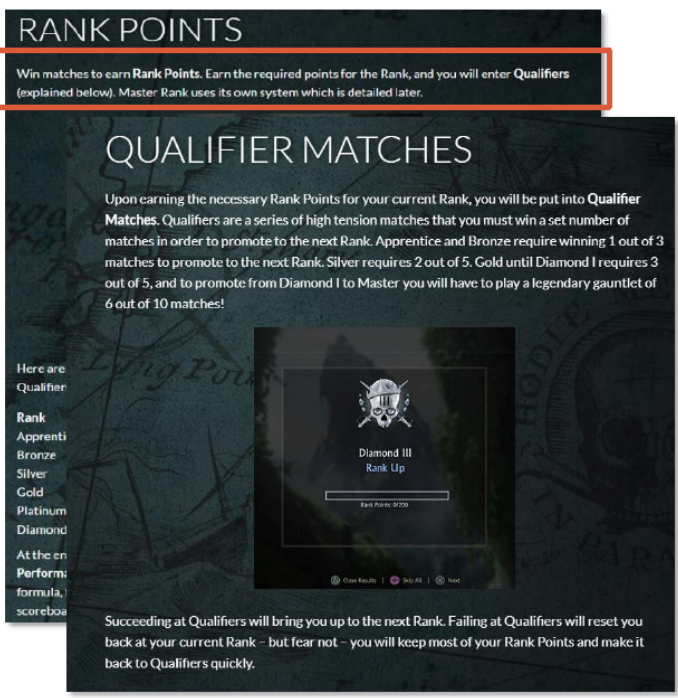| Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	A **PlayStation Network Server** (PSN Server) is a gaming machine which transmits and receives data to and from PlayStation 4 consoles and other PlayStation Network servers. A PSN Server may execute a server-side backend or instance for managing multiplayer matches of Uncharted ("Playstation Plus membership required for online play")

e.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	The PS4 executing Uncharted has a **specification value setting device** (processor running game software) that sets at least one specification value as a control condition for game control. PS4's specification value setting device includes a custom processor: • SCEI (Sony Computer Entertainment, Inc.) CXD90026G SoC, includes AMD "Jaguar" Cores and AMD Radeon GPU (**Red**)

38

1

f.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	The PS4 executing Uncharted sets at least one specification value as a control condition for game control. In particular, the PS4 executing Uncharted sets a specification value as a control condition for **match-making in online multiplayer modes**. Uncharted has several different multiplayer modes including: • Team Deathmatch • Command • Plunder • Ranked Team Deathmatch • Bounty Hunter • Classic Mode • Survival. These game modes utilize different specification value settings.	Game modes Seven game modes are available: • **Team Deathmatch**: Two teams of five compete to be the first to gain 40 enemy KOs. • **Command**: Two teams of five fight for control over three command zones. Teams gain points per second for each command zone and win by being the first to reach 700 points. • **Plunder**: Two teams of four attempt to secure the idol in their respective chests. First team to 3 points wins. • **Ranked Team Deathmatch**: Two teams of five compete to be the first to gain 40 enemy KOs. Players are ranked and matched based on their performance. Rewards are given at the end of the season depending on what ranked you are • **Bounty Hunter**: A new gamemode introduced in the Bounty Hunter DLC. Two teams compete to reach the score limit by collecting Bounties from KO'd players. When you KO a player, they drop a Bounty worth 10 points, which you or your teammates must retrieve before an enemy can swoop in and deny it. • **Classic Mode**: A back-to-basics mode based on team deathmatch from uncharted 2 multiplayer. There's no in-match Store, Radar and more. Also Heavy Weapons will now spawn around the map. • **Survival**: A co-op gamemode where you have to survive waves of enemy

g.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	The PS4 executing Uncharted **sets a specification value** (an internal Skill Rating or "SR") as a control condition for game control ("The placement you get is based on your internal Skill Rating"; "SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors."). OVERVIEW Ranked Team Deathmatch is a high-stakes mode where every match counts. Ranked runs for a season of 60 days, during which players compete to rise to the highest Ranks. Reaching certain Ranks immediately grants you exclusive rewards, and depending on your Rank at the end of the Season you may earn additional rewards. PLACEMENT MATCHES After playing 5 matches, Ranked Team Deathmatch will become available to you. In order to determine your initial Rank you will play 3 placement matches. The placement you get is based on your internal 'Skill Rating' (SR), a metric we use to judge your performance. SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors. This means that if you are a top performer, whether you win or lose in those 3 placement matches you are bound to be placed higher than others. There are 17 total Ranks ranging from Apprentice to Master Rank.

39

h.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	In another example, the PS4 executing Uncharted **sets a specification value** (Rank Points) as a control condition for game control ("you will be up into Qualifier Matches"). RANK POINTS Win matches to earn **Rank Points**. Earn the required points for the Rank, and you will enter **Qualifiers** (explained below). Master Rank uses its own system which is detailed later. QUALIFIER MATCHES Upon earning the necessary Rank Points for your current Rank, you will be put into **Qualifier Matches**. Qualifiers are a series of high tension matches that you must win a set number of matches in order to promote to the next Rank. Apprentice and Bronze require winning 1 out of 3 matches to promote to the next Rank. Silver requires 2 out of 5. Gold until Diamond I requires 3 out of 5, and to promote from Diamond I to Master you will have to play a legendary gauntlet of 6 out of 10 matches! Here are Qualifier Rank Apprenti Bronze Silver Gold Platinum Diamond At the en Perform: formula, scoreboa Diamond III Rank Up Rank Points: 0/200 Succeeding at Qualifiers will bring you up to the next Rank. Failing at Qualifiers will reset you back at your current Rank – but fear not – you will keep most of your Rank Points and make it back to Qualifiers quickly.

i.

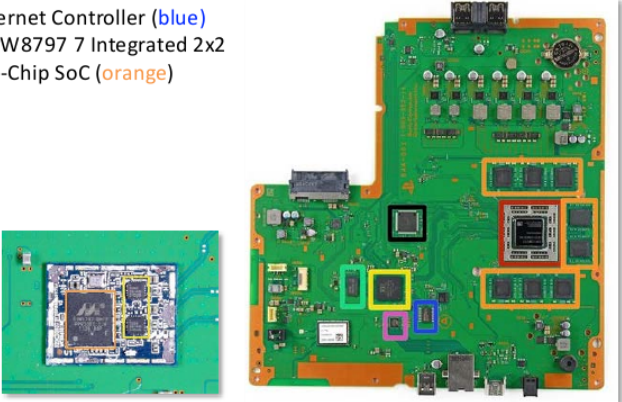| Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	The PS4 executing Uncharted **sets a specification value** (a Match Rating) as a control condition for game control (match-making). MASTER RANK: Master Rank players will be competing among each other for top spots on the Global Leaderboards with their 20-Game Average Match Rating. When reaching Master Rank, players will start with a 200 Match Rating. Master Rank will still judge performance using score at the end of the match. However, Instead of a letter grade result, players will get a Match Rating. Match Rating ranges from -1000 to 1000. By earning Match Ratings higher than a player's own 20-Game Average, they will be able to raise their Average. Be warned, should a player's average drop below 0, they will be ejected from Master Rank. Master Rank is unaffected by win or loss, only player performance is evaluated. In order to keep Master Players actively competing to keep themselves on top, players will lose points for being away for too long. After 6 days without playing a match of Ranked King of the Hill, Master Rank players will start to decay their 20-Game Average. Quitting or forfeiting a match will result in an automatic -1000 Match Rating.

40

1

j.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	A PSN Server executing a server-side backend for Uncharted comprises a specification value setting device that **sets a specification value** (an internal Skill Rating or "SR") as a control condition for game control ("The placement you get is based on your internal Skill Rating"; "SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors."). **OVERVIEW** Ranked Team Deathmatch is a high-stakes mode where every match counts. Ranked runs for a season of 60 days, during which players compete to rise to the highest Ranks. Reaching certain Ranks immediately grants you exclusive rewards, and depending on your Rank at the end of the Season you may earn additional rewards. **PLACEMENT MATCHES** After playing 5 matches, Ranked Team Deathmatch will become available to you. In order to determine your initial Rank you will play 3 placement matches. The placement you get is based on your internal 'Skill Rating' (SR), a metric we use to judge your performance. SR takes into account your scoreboard position at the end of the match, along with your score and a few other factors. This means that if you are a top performer, whether you win or lose in those 3 placement matches you are bound to be placed higher than others. There are 17 total Ranks ranging from Apprentice to Master Rank.

k.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	The PS4 has a **transmitting device**, namely communication components, that transmits data of a game result (multiplayer success/failure) to the server (PlayStation Network servers) The PS4 has communication device(s) that provides wired and wireless network connectivity for transmitting and receiving data, including of a game result to the server. These communication devices include: • Marvell 88EC060-NN82 Ethernet Controller (blue) • Marvell Wireless Avastar 88W8797 7 Integrated 2x2 WLAN/Bluetooth/FM Single-Chip SoC (orange) • Skyworks 2614B 315BB

41

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

1

l.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	The PSN server has a **transmitting device**, namely communication components, that transmits data of a game result (multiplayer success/failure) to another server (PlayStation Network servers) The PSN server has communication device(s) that provides wired and wireless network connectivity for transmitting and receiving data, including of a game result to the server. "In computing, a server is a computer program or a device that provides functionality for other programs or devices, called "clients". https://en.wikipedia.org/wiki/Server_(computing)#La rge_servers *PlayStation™Network* **Network Service Status** ✓ All services are up and running. ☑ Account Management ☑ Gaming And Social ☑ PlayStation®Store ☑ PlayStation™Music

m.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	The PS4/ PSN server's transmitting device **transmits data of a game result** (player death, match win, match loss) to the server (PlayStation Network servers). See below example of player death ("Downed by fyb8").

42

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

n.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	The PS4/PSN server's transmitting device **transmits data of a game result** (player death, match win, match loss) to the server (PlayStation Network servers). See below example of updated Player Scores and Team Scores (6:3).

o.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	The PS4/PSN server's transmitting device **transmits data of a game result** (intermediary game results such as player's kills, "$50 KO") to the server (PlayStation Network servers).

43

1

p.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	The PS4/PSN server's transmitting device **transmits data of a game result** ("You Won! 40:31") to the server (PlayStation Network servers).

q.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player;	The PS4 includes a gaming machine determining device (processor of PS4) that determines **a second gaming machine operated by a co-player** (a PS4 operated by a co-player, represented by an avatar character highlighted below). The PSN Server is a gaming machine determining device that determines a second gaming machine operated by a co-player (a PS4 operated by a co-player, represented by an avatar character highlighted below).

44

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

r.

Claim 11	
receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/PSN server includes a total result data receiving device (communication devices of PS4) that receives from the server data of a **total game result** (Performance Bonus, performance grade) **achieved by the first gaming machine and the second gaming machine** based on the data of the game result transmitted by the transmitting device ("average performance of your party is used to calculate the grade your whole party receives"). *See* prior discussion of communications hardware with respect to Claim element "a transmitting device that transmits data of a game result to the server." At the end of the match, you'll also receive a performance grade that determines how many **Performance Bonus** points you will get (S is highest, C is lowest). Without going into exact details of the formula, the grade is based on a combination of your scoreboard values and your position on the scoreboard. Below is a description of each grade: **S** You are performing well above expected for your Rank 30 bonus points for a win 12 bonus points for a loss If you consistently score S or A, you will quickly ascend out of your current Rank. If you score B, you will climb at a steady rate. If you are getting Cs often, it probably means you are out of your league and will have a hard time maintaining your current Rank. At the lower Ranks, getting a high grade can almost entirely negate point loss from a lost match. When playing in a party, the average performance of your party is used to calculate the grade your whole party receives.

s.

Claim 11	
receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (20-Game Average Match Rating) based on the data of the total game result received by the total result data receiving device ("Master Rank will still judge performance using score at the end of the match"). **MASTER RANK:** Master Rank players will be competing among each other for top spots on the Global Leaderboards with their 20-Game Average Match Rating. When reaching Master Rank, players will start with a 200 Match Rating. Master Rank will still judge performance using score at the end of the match. However, Instead of a letter grade result, players will get a Match Rating. Match Rating ranges from -1000 to 1000. By earning Match Ratings higher than a player's own 20-Game Average, they will be able to raise their Average. Be warned, should a player's average drop below 0, they will be ejected from Master Rank. Master Rank is unaffected by win or loss, only player performance is evaluated. In order to keep Master Players actively competing to keep themselves on top, players will lose points for being away for too long. After 6 days without playing a match of Ranked King of the Hill, Master Rank players will start to decay their 20-Game Average. Quitting or forfeiting a match will result in an automatic -1000 Match Rating.

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

1   t.

Claim 11	

receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine;
 	
determining a specification value based on the data of the total result; and
 	
renewing to replace the set specification value with the determined specification value.
	A PSN Server executing a server-side backend for Uncharted:
	        - is a specification value determining device (as part of a system of PS4 + PSN Server) or
	        - includes a specification value determining device (processor of PSN server)
	that determines a specification value (20-Game Average Match Rating) based on the data of the total game result received by the total result data receiving device ("Master Rank will still judge performance using score at the end of the match").
	
	MASTER RANK:
	
	Master Rank players will be competing among each other for top spots on the Global Leaderboards with their 20-Game Average Match Rating. When reaching Master Rank, players will start with a 200 Match Rating. Master Rank will still judge performance using score at the end of the match. However, instead of a letter grade result, players will get a Match Rating. Match Rating ranges from -1000 to 1000. By earning Match Ratings higher than a player's own 20-Game Average, they will be able to raise their Average. Be warned, should a player's average drop below 0, they will be ejected from Master Rank. Master Rank is unaffected by win or loss, only player performance is evaluated.
	
	In order to keep Master Players actively competing to keep themselves on top, players will lose points for being away for too long. After 6 days without playing a match of Ranked King of the Hill, Master Rank players will start to decay their 20-Game Average. Quitting or forfeiting a match will result in an automatic -1000 Match Rating.

u.

Claim 11	
receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/PSN server includes a specification value renewing device (processor) that renews to replace the specification value set by the specification value setting device ("players will get a Match Rating") with the specification value determined by the specification value determining device ("By earning Match Ratings higher than a player's own 20-Game Average, they will be able to raise their Average.") **MASTER RANK:** Master Rank players will be competing among each other for top spots on the Global Leaderboards with their 20-Game Average Match Rating. When reaching Master Rank, players will start with a 200 Match Rating. Master Rank will still judge performance using score at the end of the match. However, instead of a letter grade result, players will get a Match Rating. Match Rating ranges from -1000 to 1000. By earning Match Ratings higher than a player's own 20-Game Average, they will be able to raise their Average. Be warned, should a player's average drop below 0, they will be ejected from Master Rank. Master Rank is unaffected by win or loss, only player performance is evaluated. In order to keep Master Players actively competing to keep themselves on top, players will lose points for being away for too long. After 6 days without playing a match of Ranked King of the Hill, Master Rank players will start to decay their 20-Game Average. Quitting or forfeiting a match will result in an automatic -1000 Match Rating.

46

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

v.

Claim 11	

receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine;
 	
determining a specification value based on the data of the total result; and
 	
renewing to replace the set specification value with the determined specification value.
	The PS4/PSN server includes a specification value renewing device (processor of PS4) that renews to replace the specification value set by the specification value setting device ("Relic Boosters will give a 300% increase to the relics earned from completing a Multiplayer match, plus a stacking shared bonus, which all players in the match receive") with the specification value determined by the specification value determining device.
	
	• VIP Bonus
	   ○ Purchasing any Uncharted Points pack now awards VIP status, which gives you a permanent 20% bonus to all Relics earned from challenges within Uncharted 4
	   ○ Anyone who previously purchased an Uncharted Points pack will also have VIP status
	   ○ Any Uncharted Points pack over 300UP now comes with a set of one-use Relic Boosters.
	     ■ Relic Boosters give you a 300% increase to the Relics earned from completing a Multiplayer match, plus a stacking shared bonus, which all players in the match receive
	• The more players activate a booster in a match, the bigger the reward for everyone!

51.   The following is an element-by-element analysis of Sony's infringement of Claim 1 of the '363 Patent based on MLB The Show.

a.

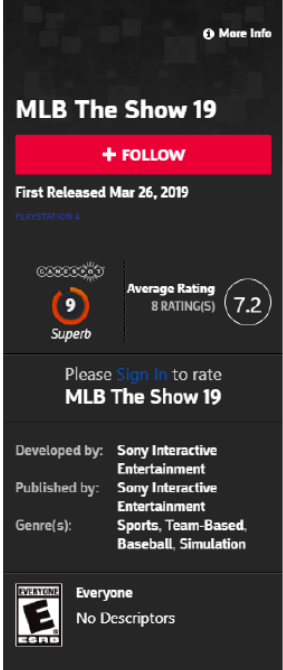| Claim 1	PlayStation and MLB The Show 19
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	Sony's PlayStation 4 is a gaming machine. There are three versions of the PlayStation 4 referred to as "PlayStation 4," "PlayStation 4 Slim," and "PlayStation 4 Pro" (collectively referred to as "PlayStation 4). Each of these versions infringe the asserted claims of the '363 Patent in the same way, so a single chart will provided for these three PlayStation 4 versions. A PlayStation 4 console along with a PlayStation Network server, for playing streaming or multiplayer networked games, also constitute a gaming machine.

47

b.

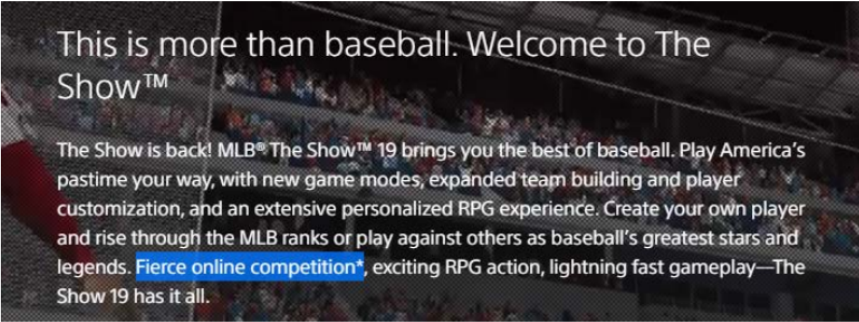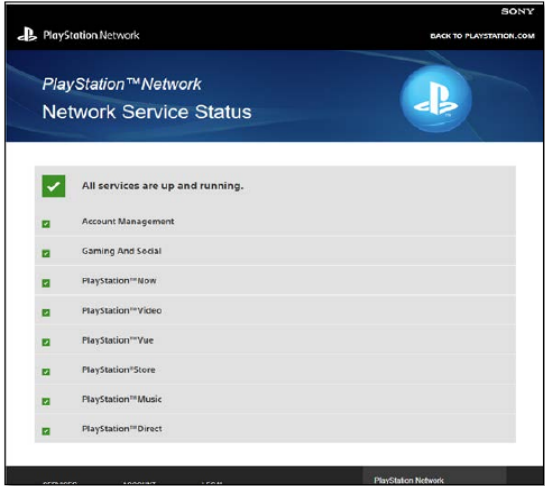| Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The **PlayStation 4 gaming console** (PS4) is a gaming machine which transmits and receives data to and from PlayStation Network servers, e.g., for online multiplayer gaming purposes. NOTE: The PS4 is discussed in detail, but the same analysis is applicable to the PS4 Slim and PS4 Pro consoles. The Technical Specification of the PS4 indicates data transmission and receiving networking capabilities that include: • Ethernet (10 BASE-T, 100BASE-TX, 1000BASE-T)×1 • IEEE 802.11 a/b/g/n/ac • Bluetooth®v4.0 Ethernet Networking Ethernet（10BASE-T, 100BASE-TX, 1000BASE-T）×1 IEEE 802.11 a/b/g/n/ac Bluetooth®v4.0

c.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	PlayStation.Plus PlayStation Plus is a paid-for PlayStation Network subscription service that provides users with access to "online multiplayer" portions of PS4 games. PS4 utilizes PlayStation Network servers for gaming, including multiplayer gaming. Online Multiplayer Play online multiplayer matches, join coop parties and raids, compete in official tournaments and community events, and experience the world of connected play (PlayStation Plus required). Learn More

48

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

d.

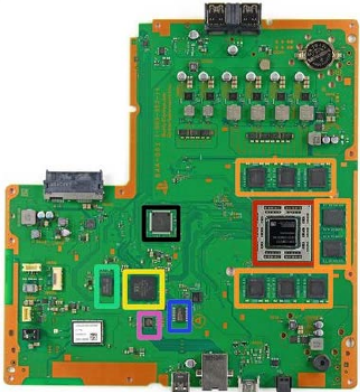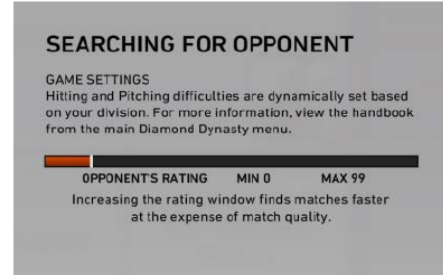| Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	• "**MLB The Show 19**" is a video game developed and published by Sony Interactive Entertainment (SIE). • Specifically, MLB The Show 19 was developed by the San Diego Studio (SDS) of SIE. • MLB The Show 19 is exclusively playable on the PS4.

e.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	As shown below, MLB The Show 19 has an online multiplayer component ("Fierce online competition").

49

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

1

f.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	A **PlayStation Network Server** (PSN Server) is a gaming machine which transmits and receives data to and from PlayStation 4 consoles and other PlayStation Network servers. *Online multiplayer requires an active PS Plus membership. A PSN Server may execute a server-side backend or instance for managing online matches of MLB The Show 19 ("Online multiplayer requires an active PS Plus membership")

g.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 executing MLB The Show 19 has a **specification value setting device** (processor running game software) that sets at least one specification value as a control condition for game control. Single-chip custom processor Main processor — CPU : x86-64 AMD "Jaguar", 8 cores — GPU : 1.84 TFLOPS, AMD Radeon™ based graphics engine PS4's specification value setting device includes a custom processor: • SCEI (Sony Computer Entertainment, Inc.) CXD90026G SoC, includes AMD "Jaguar" Cores and AMD Radeon GPU (**Red**)

50

1

h.

2

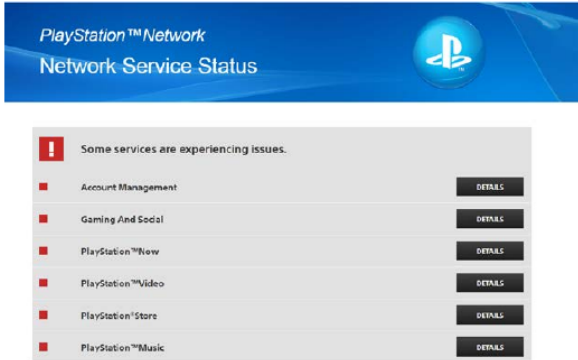| Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 executing MLB The Show 19 sets at least one specification value as a control condition for game control. In particular, the PS4 executing MLB The Show 19 sets a specification value as a control condition for **match-making in online multiplayer modes**. Matchmaking is shown at right ("Searching for Opponent") based an Opponent's Rating. MLB The Show 19 has different multiplayer modes including Diamond Dynasty, Ranked Seasons, and Battle Royale.

14

i.

15

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 executing MLB The Show 19 sets at least one specification value (Rating) as a control condition for game control ("Each game in Ranked Seasons is matchmade based on your rating").

16

17

18

19

20

21

22

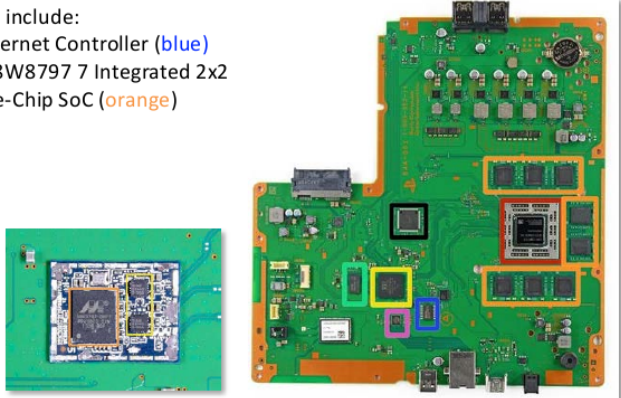23

24

25

26

27

28

51

1   j.

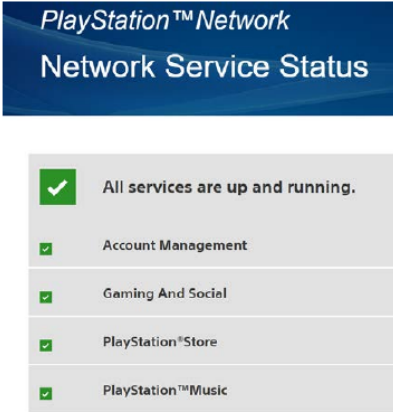| Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 executing MLB The Show 19 sets at least one specification value (Rating Mod – "modified on your Ranked Seasons rating") as a control condition for game control (in Diamond Dynasty multiplayer mode or "DD"). In particular, the PS4 executing MLB The Show 19 sets a specification value as a control condition for match-making in the Diamond Dynasty online multiplayer mode ("Rating Mod only matters during your matchmaking process – when we're looking at your rating to match you versus similarly rated opponents"). See below screenshot from an SDS employee commenting in a MLB The Show official chat forum. Lance_SDS ▼ We say this every year, but, just to reiterate, there are no comeback mechanics in MLB The Show -- never have been, never will be. Rating Mod in DD is almost exactly what it says it is -- it's a modifier on your Ranked Seasons rating that's based on how good your team is (the better the team, the higher the mod). Rating Mod only matters during your matchmaking process -- when we're looking at your rating to match you versus similarly rated opponents. Rating Mod has no gameplay implications. 12/17/2018 7:42PM PST

k.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 executing MLB the Show 19 **sets a specification value** (Probability of this pack containing 1 or more of the following items) as a control condition for game control (winning a Diamond Player item from opening a pack). For example, a specification value may be pack odds of 1:50 that a pack contains a Diamond Player Item.

52

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

l.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	A PSN Server executing a server-side backend for MLB the Show 19 comprises a specification value setting device that **sets a specification value** (player ranking, pack odds) as a control condition for game control (Ranked Seasons, winning Diamond Player items). PlayStation™Network Network Service Status ! Some services are experiencing issues. Account Management — DETAILS Gaming And Social — DETAILS PlayStation™Now — DETAILS PlayStation™Video — DETAILS PlayStation Store — DETAILS PlayStation™Music — DETAILS

m.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 has a **transmitting device**, namely communication components, that transmits data of a game result (multiplayer success/failure) to the server (PlayStation Network servers) The PS4 has communication device(s) that provides wired and wireless network connectivity for transmitting and receiving data, including of a game result to the server. These communication devices include: • Marvell 88EC060-NN82 Ethernet Controller (blue) • Marvell Wireless Avastar 88W8797 7 Integrated 2x2 WLAN/Bluetooth/FM Single-Chip SoC (orange) • Skyworks 2614B 315BB

53

PLAINTIFF BOT M8, LLC'S 'S AMENDED
COMPLAINT FOR PATENT INFRINGEMENT
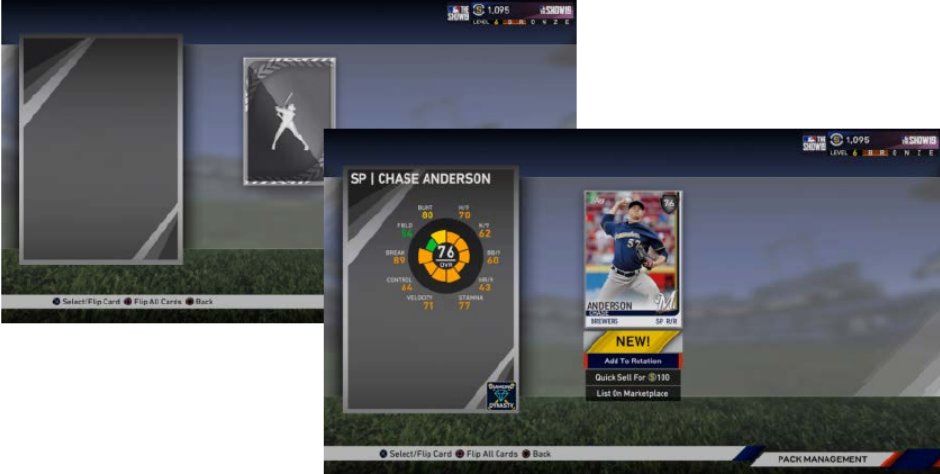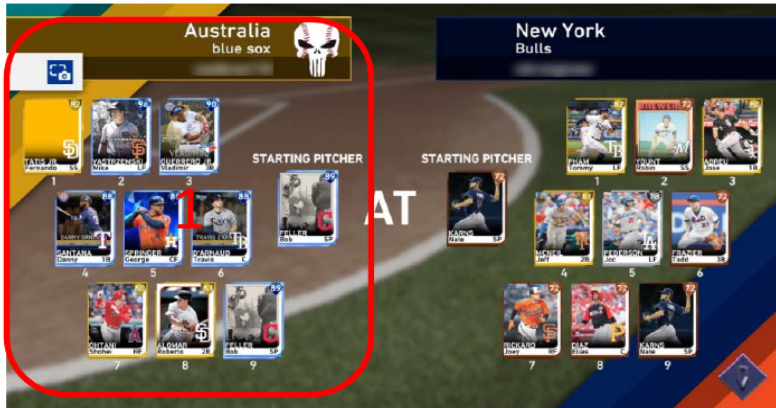
CASE NO.: 3:19-cv-07027-WHA

n.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PSN server has a **transmitting device**, namely communication components, that transmits data of a game result (multiplayer success/failure) to another server (PlayStation Network servers) The PSN server has communication device(s) that provides wired and wireless network connectivity for transmitting and receiving data, including of a game result to the server. "In computing, a server is a computer program or a device that provides functionality for other programs or devices, called "clients". https://en.wikipedia.org/wiki/Server_(computing)#Large_servers *PlayStation™Network* **Network Service Status** ✔ All services are up and running. ☑ Account Management ☑ Gaming And Social ☑ PlayStation®Store ☑ PlayStation™Music

o.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/ PSN server's transmitting device **transmits data of a game result** (in-game baseball event) to the server (PlayStation Network servers). The data of a game result can be a granular event such as a particular pitch made by one player, including parameters of the pitch (curve ball, velocity, placement, player timing info), or a macro-scope event such as a strike or base hit.

54

p.

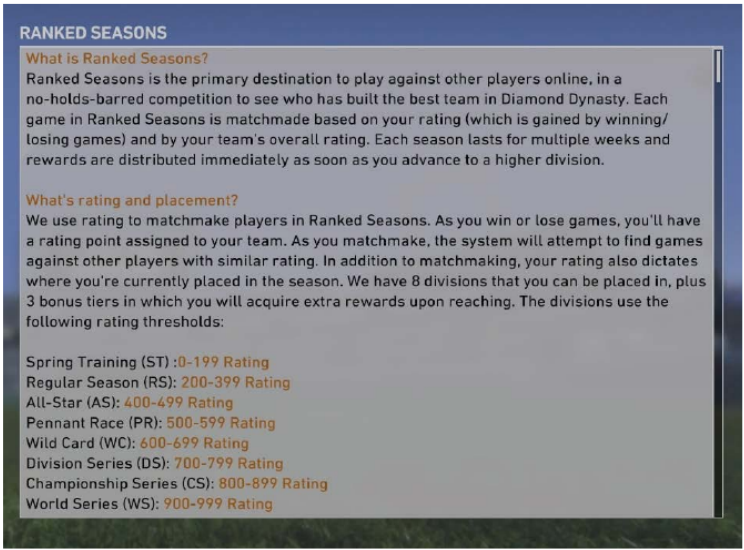| Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/ PSN server's transmitting device **transmits data of a game result** (baseball game result) to the server (PlayStation Network servers). See below example of baseball game result ("Blue Sox Win in 9 Innings"

q.

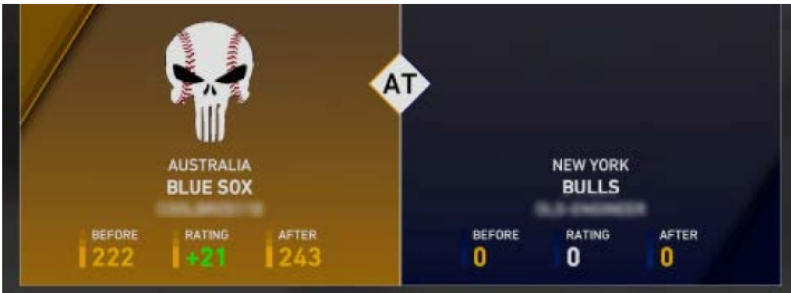| Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server's transmitting device **transmits data of a game result** (pack opening results) to the server (PlayStation Network servers). See below example item won by opening a pack.

55

1

r.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; *a gaming machine determining device that determines a second gaming machine operated by a co-player;* a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4 includes a gaming machine determining device (processor of PS4) that determines **a second gaming machine operated by a co-player** (a PS4 operated by a co-player, represented by [1]). The PSN Server is a gaming machine determining device that determines a second gaming machine operated by a co-player (a PS4 operated by a co-player, represented by an opposing baseball team [1]).

s.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; *a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device;* a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server includes a total result data receiving device (communication devices of PS4) that receives from the server data of a total game result (Team Wins) achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device. An individual at-bat can also be a total game result (Strike) achieved by the first gaming machine (data corresponding to a pitcher) and the second gaming machine (data corresponding to the hitter).

56

t.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (Rating) based on the data of the total game result received by the total result data receiving device ("which is gained by winning/losing games"). **RANKED SEASONS** **What is Ranked Seasons?** Ranked Seasons is the primary destination to play against other players online, in a no-holds-barred competition to see who has built the best team in Diamond Dynasty. Each game in Ranked Seasons is matchmade based on your rating (which is gained by winning/losing games) and by your team's overall rating. Each season lasts for multiple weeks and rewards are distributed immediately as soon as you advance to a higher division. **What's rating and placement?** We use rating to matchmake players in Ranked Seasons. As you win or lose games, you'll have a rating point assigned to your team. As you matchmake, the system will attempt to find games against other players with similar rating. In addition to matchmaking, your rating also dictates where you're currently placed in the season. We have 8 divisions that you can be placed in, plus 3 bonus tiers in which you will acquire extra rewards upon reaching. The divisions use the following rating thresholds: Spring Training (ST) :0-199 Rating Regular Season (RS): 200-399 Rating All-Star (AS): 400-499 Rating Pennant Race (PR): 500-599 Rating Wild Card (WC): 600-699 Rating Division Series (DS): 700-799 Rating Championship Series (CS): 800-899 Rating World Series (WS): 900-999 Rating

u.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (Rating: +21, After: 243) based on the data of the total game result received by the total result data receiving device (based on the Blue Sox Win over the New York Bulls).

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

v.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (earn rewards) based on the data of the total game result received by the total result data receiving device ("via streak wins in a single entry" or "via cumulative wins throughout the entire Event") **EVENTS** Diamond Dynasty Events challenge you to build a team based on themed Event rules. Speedsters, sluggers, and switch hitters will have their moments to shine in these rotating, time-limited Events. Be strategic with your lineup decisions, field your best team, and take on opponents to earn Event rewards based on your hot streaks and overall win totals. **Tell me more!** Events are time limited and will provide a plethora of unique team building challenges for you to partake in. Each Event contains unique restrictions, rewards, and even gameplay settings! **How do I enter an Event?** You can enter any Event, for free, assuming you have enough players that meet the Event's restrictions in order to build a 25-man roster. Once entered, Events function similarly to Battle Royale, where 2 losses will eliminate you from the Event. Upon elimination, your rewards will be paid out. **Rewards?! Do go on...** Each Event will contain a unique set of rewards. You can earn rewards in two different ways: (1) via streak wins in a single entry or (2) via cumulative wins throughout the entire Event. Once you're eliminated from the Event, if you have pending rewards, they will be distributed. Also, once the Event ends, any pending rewards you may have will also be distributed.

w.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (receive Battle Royale specific rewards) based on the data of the total game result received by the total result data receiving device (double elimination tournament) **BATTLE ROYALE** Battle Royale is the most challenging and competitive game mode Diamond Dynasty has ever seen. In this player versus player experience, you will be challenged to draft a team, outlast opponents, and acquire unique rewards. **How do I start a Battle Royale?** To start, select BATTLE ROYALE from the PLAY category in Diamond Dynasty. Once selected, you'll have the option to enter. If it's your first time playing Battle Royale, your entry will be free. All subsequent entries require a ⑤1,500 Stubs buy-in. **What's the buy-in for?** The buy-in guarantees a few things for you. One, it allows you entry into Battle Royale. Two, it guarantees you a standard pack reward regardless of how well you do. Three, it grants you the opportunity to potentially receive Battle Royale specific rewards. **How does the draft work?** The draft consists of 25 rounds, with each round allowing you to select 1 of 4 players. Each round has a specific quality to it that matches the quality of players to draft from. As an example, if you're in a gold round, you'll see players of gold quality -- and you might even see a player of a slightly higher quality! As the draft progresses, you'll move randomly through the quality tiers, and you'll be presented with a random selection of players. **Okay, I drafted my team, now what?** Now you take your team through a grueling double elimination tournament! As you rack up

58

x.

Claim 1	

1. A first gaming machine for transmitting and receiving data to and from a server, comprising:
 	
a specification value setting device that sets at least one specification value as a control condition for game control;
 	
a transmitting device that transmits data of a game result to the server;
 	
a gaming machine determining device that determines a second gaming machine operated by a co-player;
 	
a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device;
 	
a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and
 	
a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.
	A PSN Server executing a server-side backend for MLB the Show 19:
	    - is a specification value determining device (as part of a system of PS4 + PSN Server) or
	    - includes a specification value determining device (processor of PSN server)
	that determines a specification value (updated Rating) based on the data of the total game result received by the total result data receiving device (based on a multiplayer win over another baseball team).

y.

Claim 1	
1. A first gaming machine for transmitting and receiving data to and from a server, comprising: a specification value setting device that sets at least one specification value as a control condition for game control; a transmitting device that transmits data of a game result to the server; a gaming machine determining device that determines a second gaming machine operated by a co-player; a total result data receiving device that receives from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device; a specification value determining device that determines a specification value based on the data of the total game result received by the total result data receiving device; and a specification value renewing device that renews to replace the specification value set by the specification value setting device with the specification value determined by the specification value determining device.	The PS4/PSN server includes a specification value renewing device (processor) that renews to replace the specification value (Your rating also dictates where you're currently placed in the season) set by the specification value setting device with the specification value determined by the specification value determining device (The division use the following rating thresholds)

59

52.   The following is an element-by-element analysis of Sony's infringement of Claim 8 of the '363 Patent based on MLB The Show.

a.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	The PlayStation Network server is a server for transmitting and receiving data (data shared by players in a multiplayer game session) to and from a first gaming machine (PS4 console) operated by a game player and a second gaming machine (another PS4 console) operated by a co-player.

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

b.

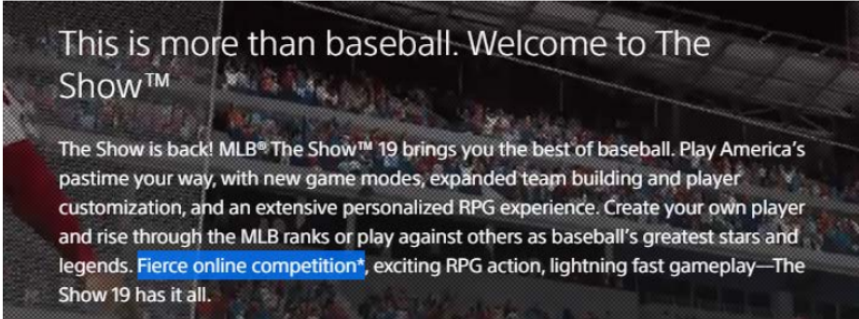| Claim 8	PlayStation and MLB The Show 19
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	Sony's PlayStation 4 is a gaming machine. A PlayStation 4 console along with a PlayStation Network server, for playing streaming or multiplayer networked games, also constitute a gaming machine.

c.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	The **PlayStation 4 gaming console** (PS4) is a gaming machine which transmits and receives data to and from PlayStation Network servers, e.g., for online multiplayer gaming purposes. NOTE: The PS4 is discussed in detail, but the same analysis is applicable to the PS4 Slim and PS4 Pro consoles. The Technical Specification of the PS4 indicates data transmission and receiving networking capabilities that include: • Ethernet (10 BASE-T, 100BASE-TX, 1000BASE-T)×1 • IEEE 802.11 a/b/g/n/ac • Bluetooth®v4.0 Ethernet Networking: Ethernet (10BASE-T, 100BASE-TX, 1000BASE-T) ×1 / IEEE 802.11 a/b/g/n/ac / Bluetooth®v4.0

61

PLAINTIFF BOT M8, LLC'S 'S AMENDED
COMPLAINT FOR PATENT INFRINGEMENT

CASE NO.: 3:19-cv-07027-WHA

1

d.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	**PlayStation.Plus** PlayStation Plus is a paid-for PlayStation Network subscription service that provides users with access to "online multiplayer" portions of PS4 games. PS4 utilizes PlayStation Network servers for gaming, including multiplayer gaming. Online Multiplayer Play online multiplayer matches, join coop parties and raids, compete in official tournaments and community events, and experience the world of connected play (PlayStation Plus required). **Learn More**

e.

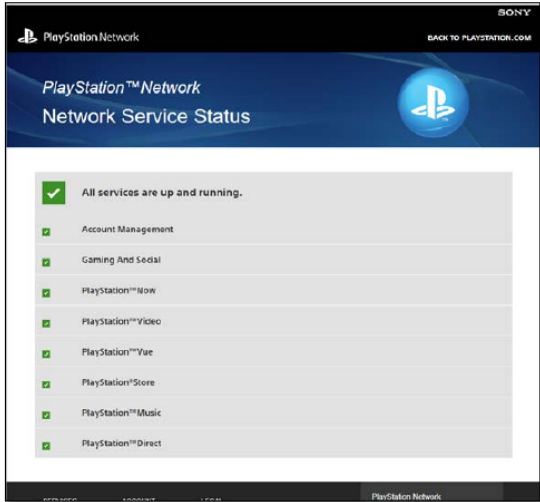| Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	• "**MLB The Show 19**" is a video game developed and published by Sony Interactive Entertainment (SIE). • Specifically, MLB The Show 19 was developed by the San Diego Studio (SDS) of SIE. • MLB The Show 19 is exclusively playable on the PS4. **MLB The Show 19** First Released Mar 26, 2019 PLAYSTATION 4 9 Superb Average Rating 8 RATING(S) 7.2 Please Sign In to rate **MLB The Show 19** Developed by: Sony Interactive Entertainment Published by: Sony Interactive Entertainment Genre(s): Sports, Team-Based, Baseball, Simulation Everyone No Descriptors

PLAINTIFF BOT M8, LLC'S 'S AMENDED COMPLAINT FOR PATENT INFRINGEMENT

CASE NO.: 3:19-cv-07027-WHA

f.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	As shown below, MLB The Show 19 has an online multiplayer component ("Fierce online competition"), with data transmitted to and from player's PlayStation 4 gaming machines by the PlayStation Network servers This is more than baseball. Welcome to The Show™ The Show is back! MLB® The Show™ 19 brings you the best of baseball. Play America's pastime your way, with new game modes, expanded team building and player customization, and an extensive personalized RPG experience. Create your own player and rise through the MLB ranks or play against others as baseball's greatest stars and legends. Fierce online competition*, exciting RPG action, lightning fast gameplay—The Show 19 has it all.

g.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	A PlayStation Network Server (PSN Server) is a gaming machine which transmits and receives data to and from PlayStation 4 consoles and other PlayStation Network servers. *Online multiplayer requires an active PS Plus membership. A PSN Server may execute a server-side backend or instance for managing online matches of MLB The Show 19 ("Online multiplayer requires an active PS Plus membership") PlayStation™Network Network Service Status All services are up and running. Account Management Gaming And Social PlayStation™Now PlayStation™Video PlayStation™Vue PlayStation®Store PlayStation™Music PlayStation™Direct

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

h.

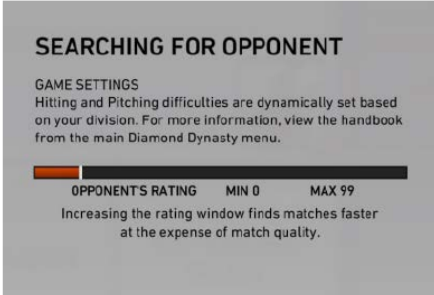| Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	The PlayStation Network server executing MLB The Show 19 has a **specification value setting device** (processor running game software) that sets at least one specification value as a control condition for game control. MLB The Show 19 sets at least one specification value as a control condition for game control. In particular, MLB The Show 19 sets a specification value as a control condition for **match-making in online multiplayer modes**. Matchmaking is shown at right ("Searching for Opponent") based an Opponent's Rating. MLB The Show 19 has different multiplayer modes including Diamond Dynasty, Ranked Seasons, and Battle Royale. **SEARCHING FOR OPPONENT** GAME SETTINGS Hitting and Pitching difficulties are dynamically set based on your division. For more information, view the handbook from the main Diamond Dynasty menu. OPPONENT'S RATING MIN 0 MAX 99 Increasing the rating window finds matches faster at the expense of match quality. **Ranked Seasons and Battle Royale Rewards** Diamond Dynasty is our most competitive game mode, and so we have something special for our most competitive elite players. Choice Packs are now a part of Ranked Seasons and Battle Royale rewards at the highest levels of Diamond Dynasty. Fierce competition yields the biggest rewards, so bring your best game to win more Choice Packs.

i.

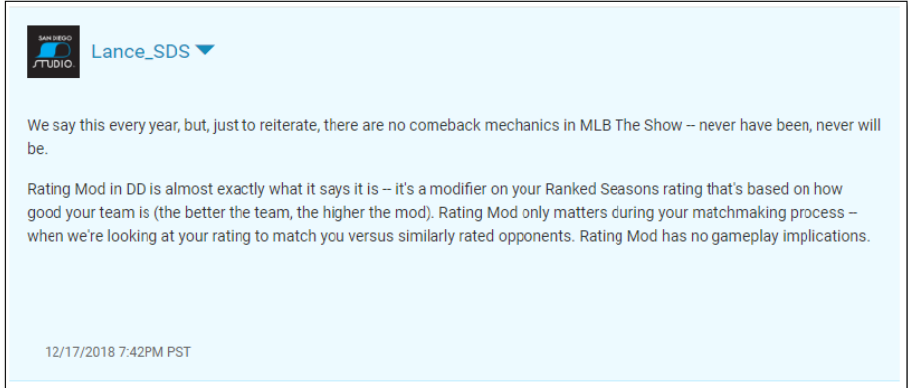| Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	MLB The Show 19 sets at least one specification value (Rating) as a control condition for game control ("Each game in Ranked Seasons is matchmade based on your rating"). **RANKED SEASONS** What is Ranked Seasons? Ranked Seasons is the primary destination to play against other players online, in a no-holds-barred competition to see who has built the best team in Diamond Dynasty. Each game in Ranked Seasons is matchmade based on your rating (which is gained by winning/losing games) and by your team's overall rating. Each season lasts for multiple weeks and rewards are distributed immediately as soon as you advance to a higher division. What's rating and placement? We use rating to matchmake players in Ranked Seasons. As you win or lose games, you'll have a rating point assigned to your team. As you matchmake, the system will attempt to find games against other players with similar rating. In addition to matchmaking, your rating also dictates where you're currently placed in the season. We have 8 divisions that you can be placed in, plus 3 bonus tiers in which you will acquire extra rewards upon reaching. The divisions use the following rating thresholds: Spring Training (ST) :0-199 Rating Regular Season (RS): 200-399 Rating All-Star (AS): 400-499 Rating Pennant Race (PR): 500-599 Rating Wild Card (WC): 600-699 Rating Division Series (DS): 700-799 Rating Championship Series (CS): 800-899 Rating World Series (WS): 900-999 Rating

64

PLAINTIFF BOT M8, LLC'S 'S AMENDED
COMPLAINT FOR PATENT INFRINGEMENT
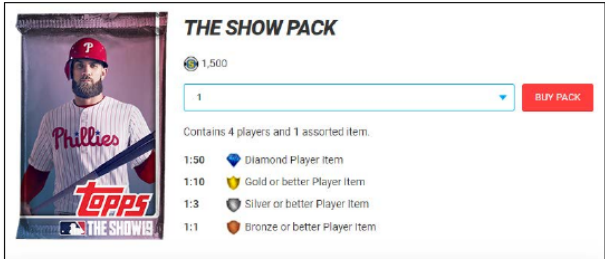
CASE NO.: 3:19-cv-07027-WHA

1   j.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	MLB The Show 19 sets at least one specification value (Rating Mod – "modified on your Ranked Seasons rating") as a control condition for game control (in Diamond Dynasty multiplayer mode or "DD"). In particular, MLB The Show 19 sets a specification value as a control condition for match-making in the Diamond Dynasty online multiplayer mode ("Rating Mod only matters during your matchmaking process – when we're looking at your rating to match you versus similarly rated opponents"). See below screenshot from an SDS employee commenting in a MLB The Show official chat forum. Lance_SDS We say this every year, but, just to reiterate, there are no comeback mechanics in MLB The Show -- never have been, never will be. Rating Mod in DD is almost exactly what it says it is -- it's a modifier on your Ranked Seasons rating that's based on how good your team is (the better the team, the higher the mod). Rating Mod only matters during your matchmaking process -- when we're looking at your rating to match you versus similarly rated opponents. Rating Mod has no gameplay implications. 12/17/2018 7:42PM PST

      k.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	MLB the Show 19 sets a specification value (Probability of this pack containing 1 or more of the following items) as a control condition for game control (winning a Diamond Player item from opening a pack). For example, a specification value may be pack odds of 1:50 that a pack contains a Diamond Player Item. The probability of this pack containing 1 or more of the following items ODDS / TYPE 1:50 DIAMOND PLAYER ITEM 1:10 GOLD OR BETTER PLAYER ITEM 1:3 SILVER OR BETTER PLAYER ITEM 1:1 BRONZE OR BETTER PLAYER ITEM THE SHOW SHOP THE SHOW PACK 1,500 BUY PACK Contains 4 players and 1 assorted item. 1:50 Diamond Player Item 1:10 Gold or better Player Item 1:3 Silver or better Player Item 1:1 Bronze or better Player Item

65

PLAINTIFF BOT M8, LLC'S 'S AMENDED
COMPLAINT FOR PATENT INFRINGEMENT

CASE NO.: 3:19-cv-07027-WHA

l.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	A PSN Server executing a server-side backend for MLB the Show 19 comprises a specification value setting device that **sets a specification value** (player ranking, pack odds) as a control condition for game control (Ranked Seasons, winning Diamond Player items).

m.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	The PS4/PSN server includes a total result data receiving device (communication devices of PS4) that receives from the server data of a total game result (Team Wins) achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device. An individual at-bat can also be a total game result (Strike) achieved by the first gaming machine (data corresponding to a pitcher) and the second gaming machine (data corresponding to the hitter).

66

n.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	The PS4/PSN server includes a game result totaling device (processor of PS4) that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result.

o.

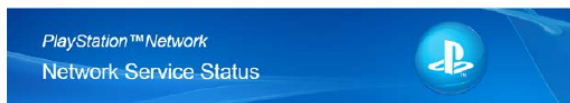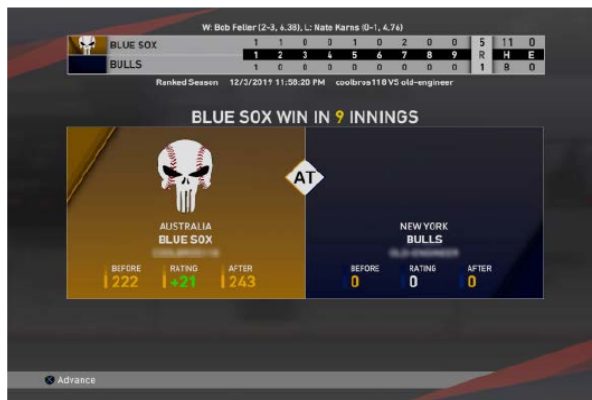| Claim 8	

8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising:
 	
a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine;
 	
a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;
 	
a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device;
 	
a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and
 	
a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.
	A PSN Server executing a server-side backend for MLB the Show 19:
	  - is a game result totalizing device (as part of a system of PS4 + PSN Server) or
	  - includes a game result totalizing device (processor of PSN server)
	that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result

67

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

p.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (Rating) based on the data of the total game result received by the total result data receiving device ("which is gained by winning/losing games"). **RANKED SEASONS** **What is Ranked Seasons?** Ranked Seasons is the primary destination to play against other players online, in a no-holds-barred competition to see who has built the best team in Diamond Dynasty. Each game in Ranked Seasons is matchmade based on your rating (which is gained by winning/losing games) and by your team's overall rating. Each season lasts for multiple weeks and rewards are distributed immediately as soon as you advance to a higher division. **What's rating and placement?** We use rating to matchmake players in Ranked Seasons. As you win or lose games, you'll have a rating point assigned to your team. As you matchmake, the system will attempt to find games against other players with similar rating. In addition to matchmaking, your rating also dictates where you're currently placed in the season. We have 8 divisions that you can be placed in, plus 3 bonus tiers in which you will acquire extra rewards upon reaching. The divisions use the following rating thresholds: Spring Training (ST) :0-199 Rating Regular Season (RS): 200-399 Rating All-Star (AS): 400-499 Rating Pennant Race (PR): 500-599 Rating Wild Card (WC): 600-699 Rating Division Series (DS): 700-799 Rating Championship Series (CS): 800-899 Rating World Series (WS): 900-999 Rating

q.

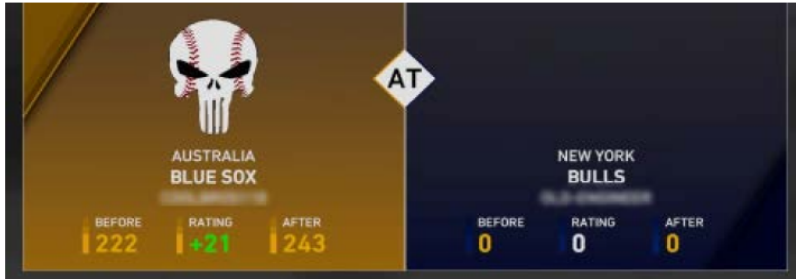| Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (Rating: +21, After: 243) based on the data of the total game result received by the total result data receiving device (based on the Blue Sox Win over the New York Bulls). AUSTRALIA BLUE SOX — AT — NEW YORK BULLS BEFORE 222 RATING +21 AFTER 243 BEFORE 0 RATING 0 AFTER 0

68

r.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (earn rewards) based on the data of the total game result received by the total result data receiving device ("via streak wins in a single entry" or "via cumulative wins throughout the entire Event") **EVENTS** Diamond Dynasty Events challenge you to build a team based on themed Event rules. Speedsters, sluggers, and switch hitters will have their moments to shine in these rotating, time-limited Events. Be strategic with your lineup decisions, field your best team, and take on opponents to earn Event rewards based on your hot streaks and overall win totals. Tell me more! Events are time limited and will provide a plethora of unique team building challenges for you to partake in. Each Event contains unique restrictions, rewards, and even gameplay settings! How do I enter an Event? You can enter any Event, for free, assuming you have enough players that meet the Event's restrictions in order to build a 25-man roster. Once entered, Events function similarly to Battle Royale, where 2 losses will eliminate you from the Event. Upon elimination, your rewards will be paid out. Rewards?! Do go on... Each Event will contain a unique set of rewards. You can earn rewards in two different ways: (1) via streak wins in a single entry or (2) via cumulative wins throughout the entire Event. Once you're eliminated from the Event, if you have pending rewards, they will be distributed. Also, once the Event ends, any pending rewards you may have will also be distributed.

s.

Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (receive Battle Royale specific rewards) based on the data of the total game result received by the total result data receiving device (double elimination tournament) **BATTLE ROYALE** Battle Royale is the most challenging and competitive game mode Diamond Dynasty has ever seen. In this player versus player experience, you will be challenged to draft a team, outlast opponents, and acquire unique rewards. How do I start a Battle Royale? To start, select BATTLE ROYALE from the PLAY category in Diamond Dynasty. Once selected, you'll have the option to enter. If it's your first time playing Battle Royale, your entry will be free. All subsequent entries require a 💲1,500 Stubs buy-in. What's the buy-in for? The buy-in guarantees a few things for you. One, it allows you entry into Battle Royale. Two, it guarantees you a standard pack reward regardless of how well you do. Three, it grants you the opportunity to potentially receive Battle Royale specific rewards. How does the draft work? The draft consists of 25 rounds, with each round allowing you to select 1 of 4 players. Each round has a specific quality to it that matches the quality of players to draft from. As an example, if you're in a gold round, you'll see players of gold quality -- and you might even see a player of a slightly higher quality! As the draft progresses, you'll move randomly through the quality tiers, and you'll be presented with a random selection of players. Okay, I drafted my team, now what? Now you take your team through a grueling double elimination tournament! As you rack up

69

t.

Claim 8	

8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising:
 	
a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine;
 	
a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine;
 	
a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device;
 	
a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and
 	
a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.
	A PSN Server executing a server-side backend for MLB the Show 19:
	  - is a specification value determining device (as part of a system of PS4 + PSN Server) or
	  - includes a specification value determining device (processor of PSN server)
	that determines a specification value (updated Rating) based on the data of the total game result received by the total result data receiving device (based on a multiplayer win over another baseball team).

u.

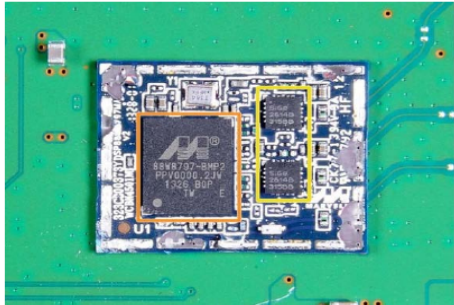| Claim 8	
8. A server for transmitting and receiving data to and from a first gaming machine operated by a game player and a second gaming machine operated by a co-player, comprising: a specification value setting device that sets at least one specification value as a control condition for game control with the first gaming machine; a game result data receiving device that receives data of a game result transmitted from the first gaming machine and data of a game result transmitted from the second gaming machine; a game result totalizing device that totalizes the game result of the first gaming machine and the game result of the second gaming machine on the basis of the data of the game result transmitted from the first gaming machine and the data of the game result transmitted from the second gaming machine so as to calculate a total result wherein the data of the game results are received by the game result data receiving device; a specification value determining device that determines a specification value based on the total result calculated by the game result totalizing device; and a determined specification value transmitting device that transmits the specification value determined by the specification value determining device to the first gaming machine and the second gaming machine.	The PSN Server has a determined specification value transmitting device (communications hardware of PSN server) that transmits the specification value determined by the specification value determining device to the first gaming machine (PS4) and the second gaming machine (PS4 console). ● Marvell Wireless Avastar 88W8797 7 Integrated 2x2 WLAN/Bluetooth/FM Single-Chip SoC The Technical Specification of the PS4 indicates data transmission and receiving networking capabilities that include: • Ethernet (10 BASE-T, 100BASE-TX, 1000BASE-T)×1 • IEEE 802.11 a/b/g/n/ac • Bluetooth®v4.0 Ethernet

46

70

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

53.   The following is an element-by-element analysis of Sony's infringement of Claim 11 of the '363 Patent based on MLB The Show.

a.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	**MLB The Show 19** is a program (video game software) stored on media (DVD disc or a hard drive for download) for directing a computer (processor board of PS4) of a first gaming machine (PS4 console) capable of transmitting and receiving data to and from a server (PlayStation Network server).

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

b.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	Sony's PlayStation 4 is a gaming machine. A PlayStation 4 console along with a PlayStation Network server, for playing streaming or multiplayer networked games, also constitute a gaming machine.

c.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The **PlayStation 4 gaming console** (PS4) is a gaming machine which transmits and receives data to and from PlayStation Network servers, e.g., for online multiplayer gaming purposes. NOTE: The PS4 is discussed in detail, but the same analysis is applicable to the PS4 Slim and PS4 Pro consoles. The Technical Specification of the PS4 indicates data transmission and receiving networking capabilities that include: • Ethernet (10 BASE-T, 100BASE-TX, 1000BASE-T)×1 • IEEE 802.11 a/b/g/n/ac • Bluetooth®v4.0 Ethernet Networking: Ethernet (10BASE-T, 100BASE-TX, 1000BASE-T) ×1 / IEEE 802.11 a/b/g/n/ac / Bluetooth®v4.0

PLAINTIFF BOT M8, LLC'S 'S AMENDED
COMPLAINT FOR PATENT INFRINGEMENT

CASE NO.: 3:19-cv-07027-WHA

1   d.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	**PlayStation Plus** PlayStation Plus is a paid-for PlayStation Network subscription service that provides users with access to "online multiplayer" portions of PS4 games. PS4 utilizes PlayStation Network servers for gaming, including multiplayer gaming. **Online Multiplayer** Play online multiplayer matches, join coop parties and raids, compete in official tournaments and community events, and experience the world of connected play (PlayStation Plus required). **Learn More**

e.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	• "**MLB The Show 19**" is a video game developed and published by Sony Interactive Entertainment (SIE). • Specifically, MLB The Show 19 was developed by the San Diego Studio (SDS) of SIE. • MLB The Show 19 is exclusively playable on the PS4. **MLB The Show 19** **+ FOLLOW** First Released Mar 26, 2019 Average Rating 8 RATING(S) 7.2 9 Superb Please Sign In to rate MLB The Show 19 Developed by: Sony Interactive Entertainment Published by: Sony Interactive Entertainment Genre(s): Sports, Team-Based, Baseball, Simulation Everyone No Descriptors

73

f.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	As shown below, MLB The Show 19 has an online multiplayer component ("Fierce online competition").

g.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	A **PlayStation Network Server** (PSN Server) is a gaming machine which transmits and receives data to and from PlayStation 4 consoles and other PlayStation Network servers. A PSN Server may execute a server-side backend or instance for managing online matches of MLB The Show 19 ("Online multiplayer requires an active PS Plus membership")

74

1

h.

Claim 11

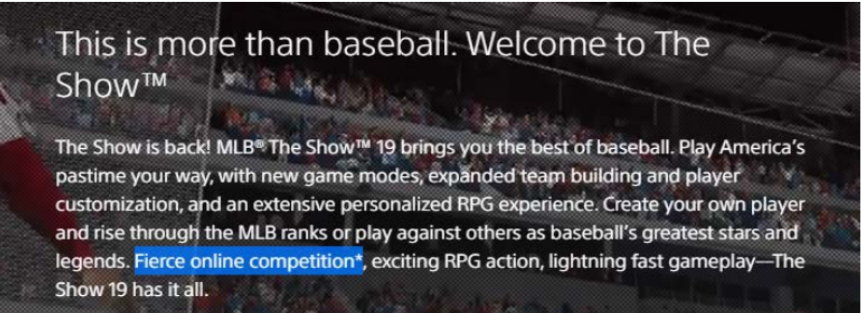| 11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform:

setting at least one specification value as a control condition for game control with the first gaming machine;

transmitting data of a game result to the server;

determining a second gaming machine operated by a co-player;

receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine;

determining a specification value based on the data of the total result; and

renewing to replace the set specification value with the determined specification value. | The PS4 executing MLB The Show 19 has a **specification value setting device** (processor running game software) that sets at least one specification value as a control condition for game control.

| Main processor | Single-chip custom processor |
| | CPU : x86-64 AMD "Jaguar", 8 cores |
| | GPU : 1.84 TFLOPS, AMD Radeon™ based graphics engine |

PS4's specification value setting device includes a custom processor:
• SCEI (Sony Computer Entertainment, Inc.) CXD90026G SoC, includes AMD "Jaguar" Cores and AMD Radeon GPU (**Red**) |

i.

Claim 11

| 11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform:

setting at least one specification value as a control condition for game control with the first gaming machine;

transmitting data of a game result to the server;

determining a second gaming machine operated by a co-player;

receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine;

determining a specification value based on the data of the total result; and

renewing to replace the set specification value with the determined specification value. | The PS4 executing MLB The Show 19 sets at least one specification value as a control condition for game control. In particular, the PS4 executing MLB The Show 19 sets a specification value as a control condition for **match-making in online multiplayer modes**. Matchmaking is shown at right ("Searching for Opponent") based an Opponent's Rating.

MLB The Show 19 has different multiplayer modes including Diamond Dynasty, Ranked Seasons, and Battle Royale.

SEARCHING FOR OPPONENT
GAME SETTINGS
Hitting and Pitching difficulties are dynamically set based on your division. For more information, view the handbook from the main Diamond Dynasty menu.

OPPONENT'S RATING   MIN 0   MAX 99
Increasing the rating window finds matches faster at the expense of match quality.

Ranked Seasons and Battle Royale Rewards

Diamond Dynasty is our most competitive game mode, and so we have something special for our most competitive elite players. Choice Packs are now a part of Ranked Seasons and Battle Royale rewards at the highest levels of Diamond Dynasty. Fierce competition yields the biggest rewards, so bring your best game to win more Choice Packs. |

75

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
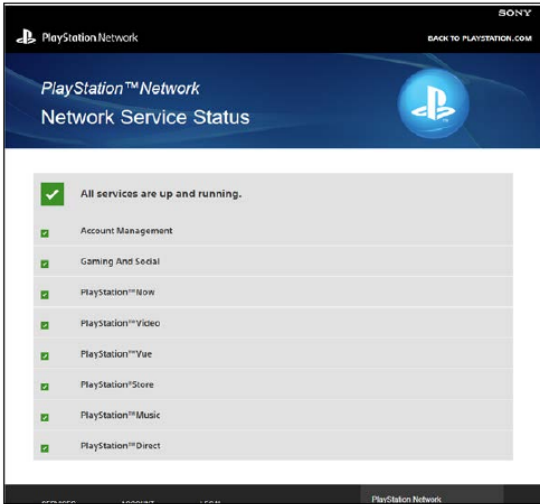COMPLAINT FOR PATENT INFRINGEMENT

j.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4 executing MLB The Show 19 sets at least one specification value (Rating) as a control condition for game control ("Each game in Ranked Seasons is matchmade based on your rating"). **RANKED SEASONS** What is Ranked Seasons? Ranked Seasons is the primary destination to play against other players online, in a no-holds-barred competition to see who has built the best team in Diamond Dynasty. Each game in Ranked Seasons is matchmade based on your rating (which is gained by winning/ losing games) and by your team's overall rating. Each season lasts for multiple weeks and rewards are distributed immediately as soon as you advance to a higher division. What's rating and placement? We use rating to matchmake players in Ranked Seasons. As you win or lose games, you'll have a rating point assigned to your team. As you matchmake, the system will attempt to find games against other players with similar rating. In addition to matchmaking, your rating also dictates where you're currently placed in the season. We have 8 divisions that you can be placed in, plus 3 bonus tiers in which you will acquire extra rewards upon reaching. The divisions use the following rating thresholds: Spring Training (ST) :0-199 Rating Regular Season (RS): 200-399 Rating All-Star (AS): 400-499 Rating Pennant Race (PR): 500-599 Rating Wild Card (WC): 600-699 Rating Division Series (DS): 700-799 Rating Championship Series (CS): 800-899 Rating World Series (WS): 900-999 Rating

k.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4 executing MLB The Show 19 sets at least one specification value (Rating Mod – "modified on your Ranked Seasons rating") as a control condition for game control (in Diamond Dynasty multiplayer mode or "DD"). In particular, the PS4 executing MLB The Show 19 sets a specification value as a control condition for match-making in the Diamond Dynasty online multiplayer mode ("Rating Mod only matters during your matchmaking process – when we're looking at your rating to match you versus similarly rated opponents"). See below screenshot from an SDS employee commenting in a MLB The Show official chat forum. Lance_SDS We say this every year, but, just to reiterate, there are no comeback mechanics in MLB The Show -- never have been, never will be. Rating Mod in DD is almost exactly what it says it is -- it's a modifier on your Ranked Seasons rating that's based on how good your team is (the better the team, the higher the mod). Rating Mod only matters during your matchmaking process -- when we're looking at your rating to match you versus similarly rated opponents. Rating Mod has no gameplay implications. 12/17/2018 7:42PM PST

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
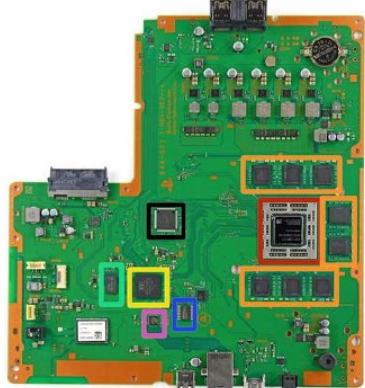COMPLAINT FOR PATENT INFRINGEMENT

l.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4 executing MLB the Show 19 **sets a specification value** (Probability of this pack containing 1 or more of the following items) as a control condition for game control (winning a Diamond Player item from opening a pack). For example, a specification value may be pack odds of 1:50 that a pack contains a Diamond Player Item.

m.

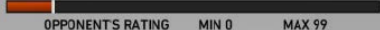| Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	A PSN Server executing a server-side backend for MLB the Show 19 comprises a specification value setting device that **sets a specification value** (player ranking, pack odds) as a control condition for game control (Ranked Seasons, winning Diamond Player items).

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
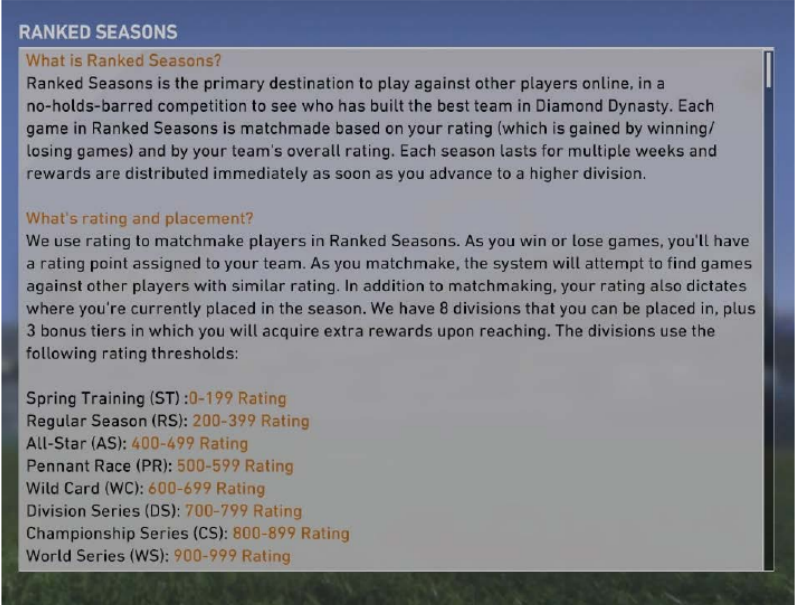COMPLAINT FOR PATENT INFRINGEMENT

n.

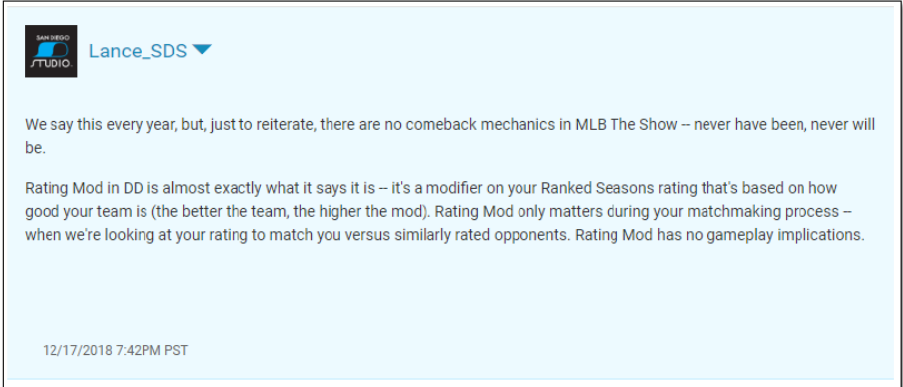| Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4 has a **transmitting device**, namely communication components, that transmits data of a game result (multiplayer success/failure) to the server (PlayStation Network servers) The PS4 has communication device(s) that provides wired and wireless network connectivity for transmitting and receiving data, including of a game result to the server. These communication devices include: • Marvell 88EC060-NN82 Ethernet Controller (blue) • Marvell Wireless Avastar 88W8797 7 Integrated 2x2 WLAN/Bluetooth/FM Single-Chip SoC (orange) • Skyworks 2614B 315BB

o.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PSN server has a **transmitting device**, namely communication components, that transmits data of a game result (multiplayer success/failure) to another server (PlayStation Network servers) The PSN server has communication device(s) that provides wired and wireless network connectivity for transmitting and receiving data, including of a game result to the server. "In computing, a server is a computer program or a device that provides functionality for other programs or devices, called "clients". https://en.wikipedia.org/wiki/Server_(computing)#Large_servers

78

1

p.

2

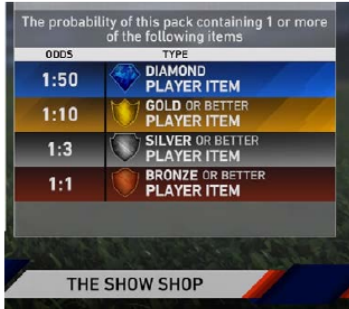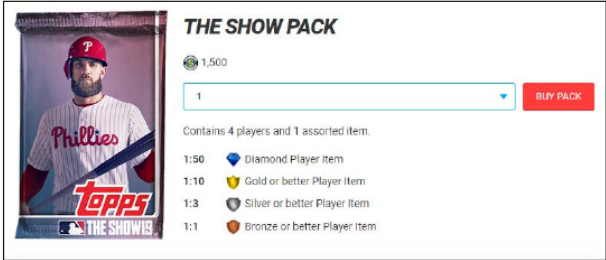| Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/ PSN server's transmitting device **transmits data of a game result** (in-game baseball event) to the server (PlayStation Network servers). The data of a game result can be a granular event such as a particular pitch made by one player, including parameters of the pitch (curve ball, velocity, placement, player timing info), or a macro-scope event such as a strike or base hit.

q.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/ PSN server's transmitting device **transmits data of a game result** (baseball game result) to the server (PlayStation Network servers). See below example of baseball game result ("Blue Sox Win in 9 Innings"

79

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

1   r.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/PSN server's transmitting device **transmits data of a game result** (pack opening results) to the server (PlayStation Network servers). See below example item won by opening a pack.

s.

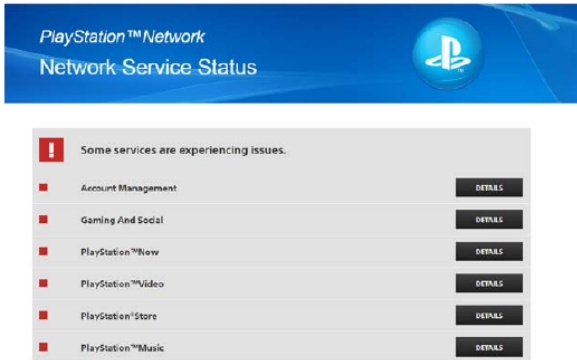| Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4 includes a gaming machine determining device (processor of PS4) that determines **a second gaming machine operated by a co-player** (a PS4 operated by a co-player, represented by [1]). The PSN Server is a gaming machine determining device that determines a second gaming machine operated by a co-player (a PS4 operated by a co-player, represented by an opposing baseball team [1]).

80

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

t.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/PSN server includes a total result data receiving device (communication devices of PS4) that receives from the server data of a total game result (Team Wins) achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting device. An individual at-bat can also be a total game result (Strike) achieved by the first gaming machine (data corresponding to a pitcher) and the second gaming machine (data corresponding to the hitter).

u.

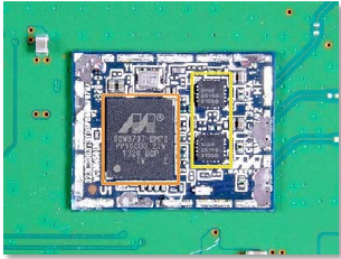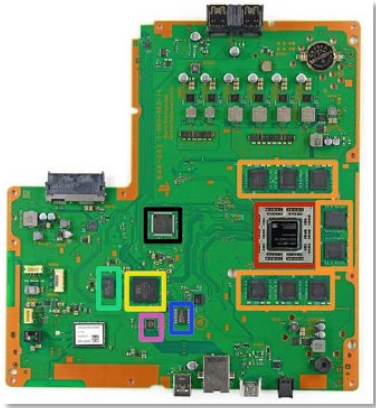| Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (Rating) based on the data of the total game result received by the total result data receiving device ("which is gained by winning/losing games").

81

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
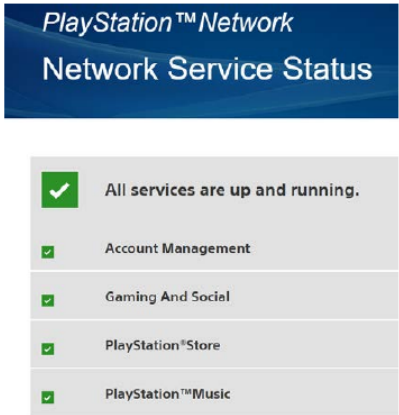COMPLAINT FOR PATENT INFRINGEMENT

v.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (Rating: +21, After: 243) based on the data of the total game result received by the total result data receiving device (based on the Blue Sox Win over the New York Bulls).

w.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (earn rewards) based on the data of the total game result received by the total result data receiving device ("via streak wins in a single entry" or "via cumulative wins throughout the entire Event")

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

x.

Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/PSN server includes a specification value determining device (processor of PS4) that determines a specification value (receive Battle Royale specific rewards) based on the data of the total game result received by the total result data receiving device (double elimination tournament) **BATTLE ROYALE** Battle Royale is the most challenging and competitive game mode Diamond Dynasty has ever seen. In this player versus player experience, you will be challenged to draft a team, outlast opponents, and acquire unique rewards. How do I start a Battle Royale? To start, select BATTLE ROYALE from the PLAY category in Diamond Dynasty. Once selected, you'll have the option to enter. If it's your first time playing Battle Royale, your entry will be free. All subsequent entries require a Ⓢ1,500 Stubs buy-in. What's the buy-in for? The buy-in guarantees a few things for you. One, it allows you entry into Battle Royale. Two, it guarantees you a standard pack reward regardless of how well you do. Three, it grants you the opportunity to potentially receive Battle Royale specific rewards. How does the draft work? The draft consists of 25 rounds, with each round allowing you to select 1 of 4 players. Each round has a specific quality to it that matches the quality of players to draft from. As an example, if you're in a gold round, you'll see players of gold quality -- and you might even see a player of a slightly higher quality! As the draft progresses, you'll move randomly through the quality tiers, and you'll be presented with a random selection of players. Okay, I drafted my team, now what? Now you take your team through a grueling double elimination tournament! As you rack up

y.

Claim 11	

11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform:
 	
setting at least one specification value as a control condition for game control with the first gaming machine;
 	
transmitting data of a game result to the server;
 	
determining a second gaming machine operated by a co-player;
 	
receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine;
 	
determining a specification value based on the data of the total result; and
 	
renewing to replace the set specification value with the determined specification value.
	A PSN Server executing a server-side backend for MLB the Show 19:
	        - is a specification value determining device (as part of a system of PS4 + PSN Server) or
	        - includes a specification value determining device (processor of PSN server)
	that determines a specification value (updated Rating) based on the data of the total game result received by the total result data receiving device (based on a multiplayer win over another baseball team).

83

z.

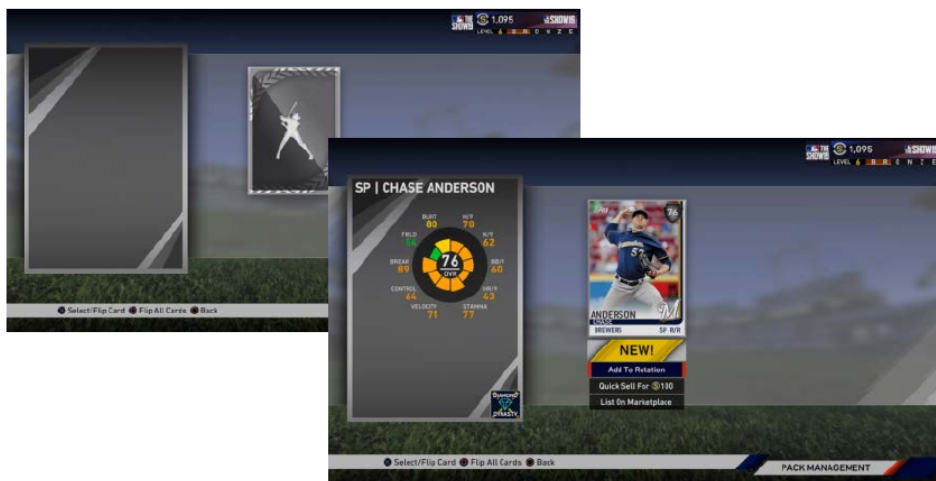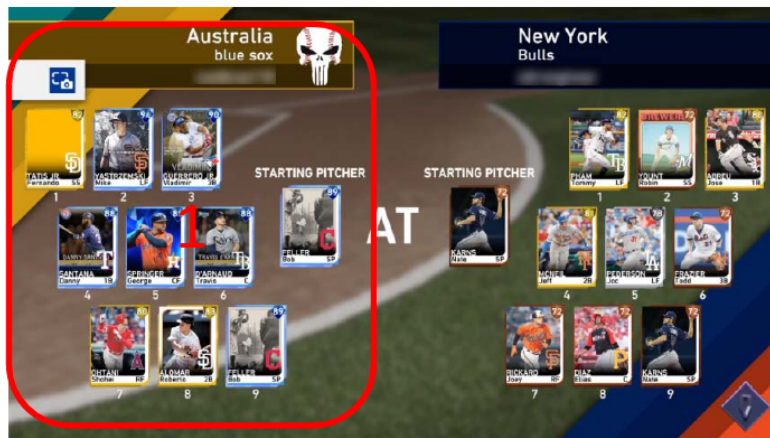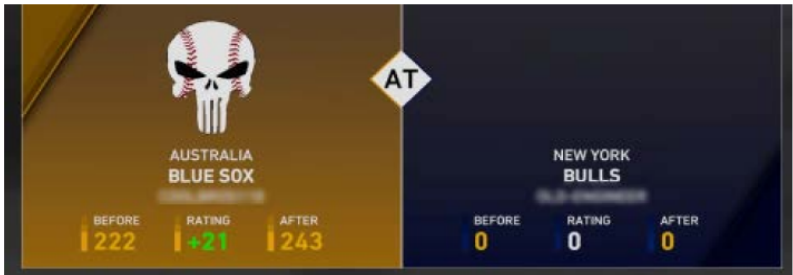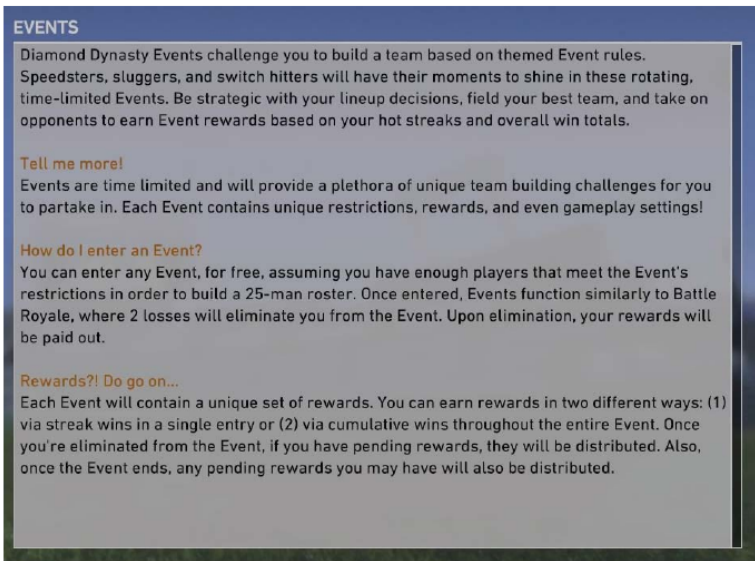| Claim 11	
11. A program stored on media for directing a computer of a first gaming machine capable of transmitting and receiving data to and from a server to perform: setting at least one specification value as a control condition for game control with the first gaming machine; transmitting data of a game result to the server; determining a second gaming machine operated by a co-player; receiving from the server data of a total result totalizing the game result achieved by the first gaming machine and a game result achieved by the second gaming machine; determining a specification value based on the data of the total result; and renewing to replace the set specification value with the determined specification value.	The PS4/PSN server includes a specification value renewing device (processor) that renews to replace the specification value (Your rating also dictates where you're currently placed in the season) set by the specification value setting device with the specification value determined by the specification value determining device (The division use the following rating thresholds) **RANKED SEASONS** What is Ranked Seasons? Ranked Seasons is the primary destination to play against other players online, in a no-holds-barred competition to see who has built the best team in Diamond Dynasty. Each game in Ranked Seasons is matchmade based on your rating (which is gained by winning/losing games) and by your team's overall rating. Each season lasts for multiple weeks and rewards are distributed immediately as soon as you advance to a higher division. What's rating and placement? We use rating to matchmake players in Ranked Seasons. As you win or lose games, you'll have a rating point assigned to your team. As you matchmake, the system will attempt to find games against other players with similar rating. In addition to matchmaking, your rating also dictates where you're currently placed in the season. We have 8 divisions that you can be placed in, plus 3 bonus tiers in which you will acquire extra rewards upon reaching. The divisions use the following rating thresholds: Spring Training (ST) :0-199 Rating Regular Season (RS): 200-399 Rating All-Star (AS): 400-499 Rating Pennant Race (PR): 500-599 Rating Wild Card (WC): 600-699 Rating Division Series (DS): 700-799 Rating Championship Series (CS): 800-899 Rating World Series (WS): 900-999 Rating

54. To the extent the '363 Accused Products include hardware or software owned by third parties, the '363 Accused Products still infringe the '363 Patent because Sony is vicariously liable for making, selling, offering for sale, and/or using the patented technology by controlling the design and operation of the Accused Products that are made, used and sold. For example, pursuant to contractual license agreements, Sony directs and controls its customers' use of the Accused Products. Further, Sony derives a benefit from the manufacture and use of every component of the entire system.

55. Sony's infringement of the '363 Patent injured and is injuring Bot M8 in an amount to be proven at trial, but not less than a reasonable royalty.

COUNT II
(Indirect Infringement of the '363 Patent pursuant to 35 U.S.C. § 271(b))

56. Bot M8 repeats, realleges, and incorporates by reference, as if fully set forth herein, the allegations of the preceding paragraphs, as set forth above.

84

PLAINTIFF BOT M8, LLC'S 'S AMENDED COMPLAINT FOR PATENT INFRINGEMENT

CASE NO.: 3:19-cv-07027-WHA

57.   In addition to directly infringing the '363 Patent, Sony induces infringement under 35 U.S.C. § 271(b) by directing and controlling its customers to use the '363 Accused Proudcts in an infringing manner.

58.   Customers may not use PlayStation 4 consoles, the PlayStation Network, or various Sony developed video games without agreeing to various Sony contracts. These contracts provide that Sony owns all intellectual property in the Accused Products, that Sony owns the software operating the Accused Products, that customers may only use the Accused Products as provided for and directed by Sony, and that customers may not modify the Accused Products or use them other than as intended by Sony.

59.   The following is an excerpt from the PlayStation 4 license. It confirms that Sony owns the PlayStation and the customer is only licensing the ability to use Sony's system. It also provides that the customer may not modify the PlayStation, and that Sony may modify the PlayStation's software without the consent of the user:

> All rights to use System Software are granted by license only, and you are not granted any ownership rights or interests in System Software. SIE Inc and its licensors retain all intellectual property rights in System Software. All use of or access to System Software is subject to this Agreement's terms and applicable intellectual property laws. Except as this Agreement expressly grants, SIE Inc and its licensors reserve all rights in System Software.
>
> **2. RESTRICTIONS**
>
> You may not lease, rent, sublicense, publish, modify, patch, adapt or translate System Software. You may not reverse engineer, decompile or disassemble System Software, create System Software derivative works, or attempt to create System Software source code from its object code. You may not (i) use any unauthorized, illegal, counterfeit or modified hardware or software with System Software; (ii) use tools to bypass, disable or circumvent any PS4 system encryption, security or authentication mechanism; (iii) reinstall earlier versions of the System Software ("downgrading"); (iv) violate any laws, regulations or statutes or rights of SIE Inc or third parties in connection with your access to or use of System Software; (v) use any hardware or software to cause System Software to accept or use unauthorized, illegal or pirated software or hardware; (vi) obtain System Software in any manner other than through SIE Inc's authorized distribution methods; or (vii) exploit

85

System Software in any manner other than to use it with your PS4 system according to the accompanying documentation and with authorized software or hardware, including use of System Software to design, develop, update or distribute unauthorized software or hardware for use in connection with your PS4 system.

These restrictions will be construed to apply to the greatest extent permitted by the law in your jurisdiction.

3. SERVICES AND UPDATES; THIRD PARTY AGREEMENTS AND CONTENT

SIE Inc may provide you with certain System Software updates, upgrades or services. Some updates, upgrades or services may be provided automatically without notice to you when you sign in to PlayStation™Network and others may be available to you through SIE Inc's website or authorized channels. You consent to SIE Inc providing you these automatic updates, upgrades and services. Services may include the latest update or download of a new release of System Software containing security patches, new technology or revised settings and features that may prevent access to unauthorized or pirated content or prevent use of unauthorized hardware or software in connection with your PS4 system. These updates, upgrades and services may have effects on the functionality of your PS4 system, and SIE Inc is not responsible to you for any such effects or any harm caused by the installation process.

You must install or have installed the most current version of System Software as soon as you reasonably can. Some updates, upgrades or services may change your current settings, cause a loss of data or content or cause functionality or feature loss. SIE Inc recommends that you regularly back up all data that you can.

https://doc.dl.playstation.net/doc/ps4-eula/ps4_eula_en.html.

60.   The following is an excerpt from the PlayStation Network license:

Except as stated in this agreement, all content and software provided through PSN Services are licensed non-exclusively and revocably to you for your personal, private, non-transferable, non-commercial, limited use on a limited number of devices in the country in which your Account is registered. All intellectual property rights subsisting in PSN Services, including all software, data, and content subsisting in or used in connection with PSN Services, the Online ID and access to content and hardware used in connection with PSN Services (collectively defined as "Property"), belong to SIE LLC, its affiliates and its licensors. This license and all use or access to Property is expressly conditioned on your compliance with this agreement's terms, applicable Usage Terms, other

86

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

applicable agreements, if any, and all applicable copyright and intellectual property rights laws.

61.   Sony knowingly and actively aided and abetted the direct infringement of the '363 Patent by instructing and encouraging its customers and developers to use the '363 Accused Products. Such instructions and encouragement included advising third parties to use the '363 Accused Products in an infringing manner, providing a mechanism through which third parties may infringe the '363 Patent, advertising and promoting the use of the '363 Accused Products in an infringing manner, and distributing guidelines and instructions to third parties on how to use the '363 Accused Products in an infringing manner.

COUNT III
(Direct Infringement of the '540 Patent pursuant to 35 U.S.C. § 271(a))

62.   Bot M8 repeats, realleges, and incorporates by reference, as if fully set forth herein, the allegations of the preceding paragraphs, as set forth above.

63.   Sony infringes Claim 1 of the '540 Patent in violation of 35 U.S.C. § 271(a).

64.   Sony's infringement is based upon literal infringement or, in the alternative, infringement under the doctrine of equivalents.

65.   Sony's infringement includes making, using, advertising, importing, selling, and offering for sale PlayStation 4 consoles, PlayStation Network services, and video games developed by Sony or its subsidiaries (collectively, the "'540 Accused Products"). Sony's acts of making, using, advertising, importing, selling, and offering for sale infringing products and services were and are without the permission, consent, authorization, or license of Bot M8.

66.   The '540 Accused Products practice the patented invention of the '540 Patent and infringed the '540 Patent because they use double authentication to authenticate gaming information and increase authentication reliability. Namely, before the PlayStation 4 motherboard loads an authentication program to authenticate actual gaming information, a preliminary authentication is carried out to confirm that the authentication program is a legitimate program which has not been

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

1 manipulated. The PlayStation reads an authentication program from the memory of the motherboard,

2 and then, stores the read out authentication program in another memory of the motherboard.

3   67.   The PlayStation 4 platform is built to execute game programs which are stored on an

4 internal hard drive or a digital optical disk while utilizing temporary memory such as RAM or Flash

5 memory. The PlayStation 4 includes a motherboard with an 8 core x86-based CPU and 8GB of

6 GDDR5 RAM. It also features Samsung's K4B2G1646E-BCK0 DDR3 SDRAM secondary chip.

7 Authentication programs associated with the games are stored on the memory.
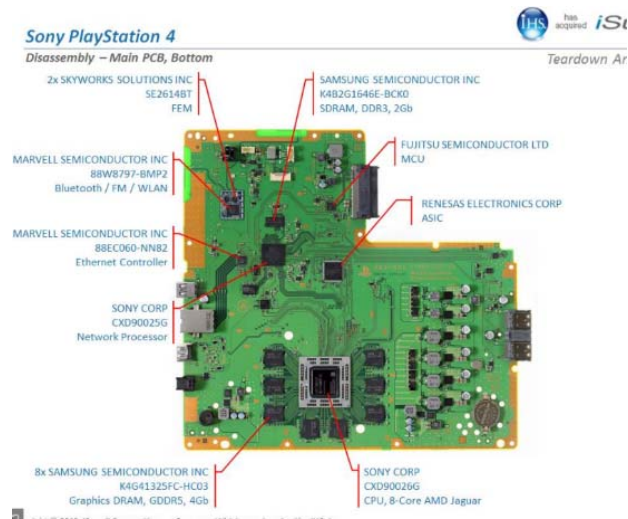
      68.   The PlayStation 4 motherboard contains flash memory. The CMOS Serial Flash

Memory (shown in green below) is a Macronix MX25L25635FMI 256Mb Serial Flash Memory chip.

88

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT
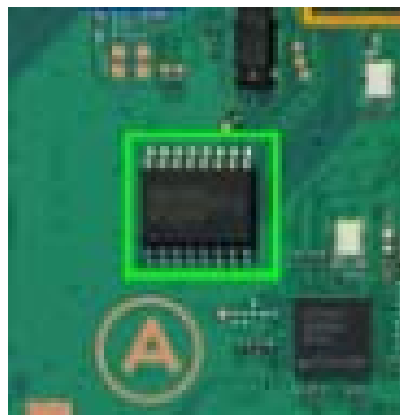
69.   A PlayStation 4 includes a CPU for executing game programs. This CPU combines a traditional CPU with a GPU as well as the PlayStation's memory controller and video decoder. PlayStation 4 software manages physical memory allocation. System software and hardware are synchronized so that CPU, GPU and other processors can share memory.

The PlayStation 4's processor was co-developed by Sony and AMD. It combines a CPU (central processing unit) and GPU (graphics processing unit), as well as the PS4's memory controller and video decoder.
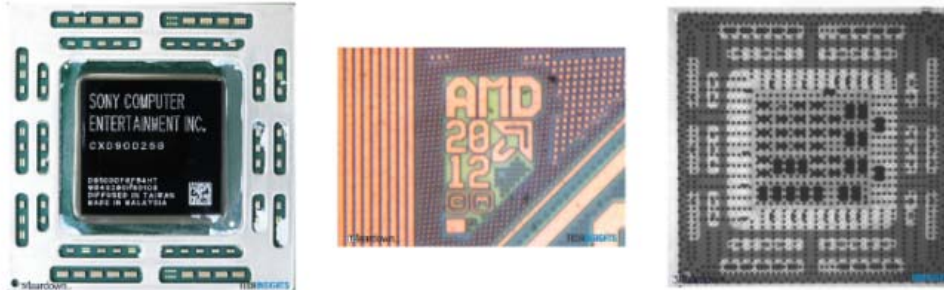
As shown, the CPU contains two "quad-core Jaguar modules" that total 8 x86-64 cores. The GPU has 18 compute units that Sony's claims will produce a peak performance of 1.84 TFLOPs.

http://techinsights.com/teardown.com/sony-playstation-4/

70.   PlayStation 4 includes a mechanical hard drive, typically a 5400 RPM, 500 GB or 1 TB, SATA II. This hard drive is user-replaceable, with a standard 2.5" SATA drive. The removable hard drive serves as system storage for the PlayStation 4. Gaming information including an authentication program can be stored in the removable hard drive. A USB storage device such as an external HDD can be used as extended storage for gaming information. Games and add-ons from the PlayStation Store can be downloaded directly to such extended storages. Games stored on PlayStation system storage can be moved to such extended storage.

89

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

https://www.tech-recipes.com/rx/45938/ps4-how-to-upgrade-the-playstation-4-hard-drive/

71.   PlayStation 4 gaming information can also be stored on a digital optical disk. The digital optical disk must be inserted into the PlayStation 4 console in order for the gaming programs to be executed.

72.   The PlayStation 4 contains a connection unit configured to connect to the hard drive. It includes a Serial Advanced Technology Attachment as an interface that connects the host bus adapter to mass storage devices such as the one used in the PlayStation 4.

https://www.youtube.com/watch?v=1z5foyc1jqs&index=4&list=PLkT5rNlYPHOmL2oiNuCsokl4Ftlvj-CN4

73.   The PlayStation 4 writes the game program in the memory of the motherboard. The flash memory pulls the game program from the internal hard drive. The internal hard drive is removable and can be upgraded.

90

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

74.   The authentication program for the PlayStation 4 hard drive, Operating System, and games is stored on PlayStation 4 MX25L25635FMI 256Mb Serial Flash Memory which handles the boot up process / firmware / BIOS / CMOS.

Parts for PS4   /   Original Nor IC Chip MX25L25635FMI-10G for PS4 Motherboard Repair

Original Nor IC Chip MX25L25635FMI-10G for PS4 Motherboard Repair

☆☆☆☆☆
Be the first to review this product
Availability: In stock, 1 day ship
SKU: WRP4148

Add to compare list   Email a friend

Original Nor IC Chip MX25L25635FMI-10G for PS4 Motherboard Repair

http://wkego.com/original-nor-ic-chip-mx25l25635fmi-10g-for-ps4-motherboard-repairv

75.   As shown below, upon boot up the PlayStation 4 includes a program that checks for errors and authenticates. The screen capture shows an error in authentication.

CE-36329-3 PS4 Error Code

An error has occurred with system software

01   Follow the on-screen instructions and select [Report Problem].

02   Make sure that you have the latest version of the System Software installed by selecting [Settings] > [System Software Update]. The system should then be restarted.

03   If you have upgraded the Hard Disk Drive (HDD) in your system, please re-install the original HDD.

04   If the error occurs again, back up your saved data, and then go to [Settings] > [Initialization] and choose [Initialize PS4].

05   If the error continues and occurs with every application, or as soon as the application starts, please contact PlayStation Support.

https://www.playstation.com/en-gb/get-help/help-library/error-codes/ce-36329-3/

76.   After installation of a new hard drive, the PlayStation 4 will have to go through the initial procedure. This is because the PlayStation authenticates as a new device based on new information contained on the new hard drive.

91

http://www.tech-recipes.com/rx/45938/ps4-how-to-upgrade-the-playstation-4-hard-drive/
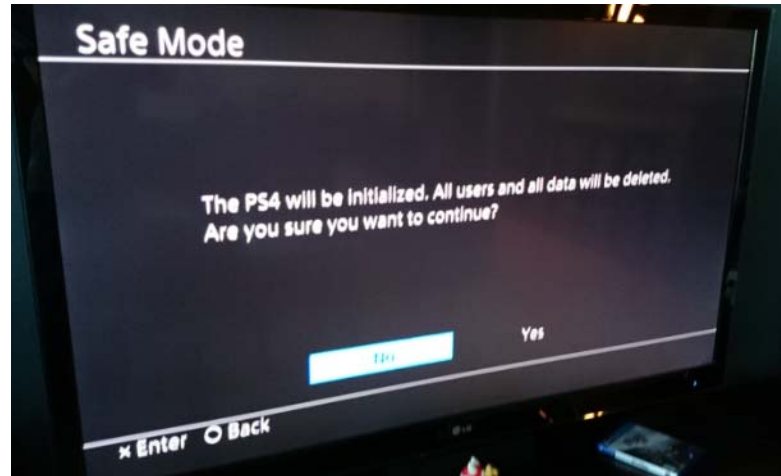
77.   When a user purchases a PlayStation 4 game disk from a retailer, even though game information is installed to the internal hard drive after the first time the user connects the digital optical disk to the PlayStation 4 console, the digital optical disk must be inserted into the PlayStation 4 console to play the game. This is necessary for authentication purposes and to prevent several users from playing the game without purchasing multiple copies.

78.   In order to play games offline, a PlayStation 4 must be configured as the "primary." Otherwise the downloaded games cannot be played because the hard drive includes an authentication program for verifying that the PlayStation 4 is allowed to play the game.

79.   This shows that PlayStation 4 will utilize the information obtained from the internal hard drive to determine whether the game can be authenticated and therefore is allowed to be played.

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

Since there is a thread on the front page with a lot of confusion and people not being able to access their games during the PSN Maintenance, with others chiming in about being able to play them fine (including myself), some people not knowing how to register their PS4 as Primary, and some people not realizing there was maintenance scheduled at all, I think it's probably time for a subreddit PSA.

You get asked to activate your PS4 when you first setup your system, but I think some people might skip it in the initial hurry to set everything up, not realizing what it does.

Here's how to activate your PS4 as Primary, and be able to play all your digital games offline whenever you want.

NOTE: You will not be able to do this immediately since online services are unavailable during Maintenance.

When Maintenance is over and PSN service are available again, log into your PS4 with your *primary* PSN account, and then go to:

- [Settings]
- > PSN
- > Activate as Your Primary PS4
- Select [Activate]

If you've sent in your PS4 for repair and gotten it replaced, or gotten a new system in any way, *you must deactivate your old system and activate the new one.*

More information is available here:

https://support.us.playstation.com/app/answers/detail/a_id/5059/%7E/activate-%2F-deactivate-primary-ps4

or you can reply in comments if you have any questions. You can test if it works after you do this and then disconnect from the internet. If *that* doesn't work, comment here and we can try to troubleshoot it and figure out if there's a larger issue.

https://www.reddit.com/r/PS4/comments/2euucu/psa_you_must_activate_your_ps4_as_primary_to_play/

80.   The following is an element-by-element analysis of Sony's infringement of Claim 1 of the '540 Patent:

a.

Claim 1	
1. A gaming machine, comprising: (i) a board including a memory in which a game program for executing a game and an authentication program for authenticating the game program are stored; (ii) a motherboard which is different from the board and connects to the board, the motherboard including another memory which is different from the memory, said another memory configured to read out and store the game program stored in the memory; and (iii) a CPU which is provided on the motherboard, for executing the game based upon the game program stored in said another memory,	Sony's PlayStation 4 is a gaming machine. There are three versions of the PlayStation 4 referred to as "PlayStation 4," "PlayStation 4 Slim," and "PlayStation 4 Pro" (collectively referred to as "PlayStation 4). Each of these versions infringe the asserted claims of the '540 Patent in the same way, so a single chart will provided for these three PlayStation 4 versions. A PlayStation 4 console along with a PlayStation Network server, for playing streaming or multiplayer networked games, also constitute a gaming machine. PS4. THE BEST PLACE TO PLAY The PlayStation®4 system now starting at $299.99 MSRP THE BEST PLACE TO PLAY

b.

Claim 1	
1. A gaming machine, comprising: (i) a board including a memory in which a game program for executing a game and an authentication program for authenticating the game program are stored; (ii) a motherboard which is different from the board and connects to the board, the motherboard including another memory which is different from the memory, said another memory configured to read out and store the game program stored in the memory; and (iii) a CPU which is provided on the motherboard, for executing the game based upon the game program stored in said another memory,	The PlayStation 4 console has a board which is an internal hard drive. As shown below, the board is the PlayStation 4 hard drive which is configured to store the game programs as well as authentication programs associated with the games and PlayStation Operating System. The PlayStation 4 console includes a 2.5" 500 GB, 1TB or 2TB hard drive, which can be upgraded by the user. https://en.wikipedia.org/wiki/PlayStation_4_technical_specifications#Hard_drive Users can download game to PlayStation 4 hard drive. See generally, https://www.howtogeek.com/328674/how-to-download-games-to-your-playstation-4-from-your-phone-or-pc/

c.

Claim 1	
1. A gaming machine, comprising: (i) a board including a memory in which a game program for executing a game and an authentication program for authenticating the game program are stored; (ii) a motherboard which is different from the board and connects to the board, the motherboard including another memory which is different from the memory, said another memory configured to read out and store the game program stored in the memory; and (iii) a CPU which is provided on the motherboard, for executing the game based upon the game program stored in said another memory,	PlayStation 4 requires one to set a PlayStation 4 console as the primary PlayStation 4 if downloaded games on the hard drive are desired to be played offline, otherwise the downloaded games cannot be played because the hard drive includes an authentication program for verifying that the PS4 is allowed to play the game. Since there is a thread on the front page with a lot of confusion and people not being able to access their games during the PSN Maintenance, with others chiming in about being able to play them fine (including myself), some people not knowing how to register their PS4 as Primary, and some people not realizing there was maintenance scheduled at all, I think it's probably time for a subreddit PSA. You get asked to activate your PS4 when you first setup your system, but I think some people might skip it in the initial hurry to set everything up, not realizing what it does. Here's how to activate your PS4 as Primary, and be able to play all your digital games offline whenever you want. **NOTE: You will not be able to do this immediately since online services are unavailable during Maintenance.** When Maintenance is over and PSN service are available again, log into your PS4 with your *primary* PSN account, and then go to: • [Settings] • > PSN • > Activate as Your Primary PS4 • Select [Activate] If you've sent in your PS4 for repair and gotten it replaced, or gotten a new system in any way, *you must deactivate your old system and activate the new one.* More information is available here: https://support.us.playstation.com/app/answers/detail/a_id/5059/%7E/activate-%2F-deactivate-primary-ps4 or you can reply in comments if you have any questions. You can test it works after you do this and then disconnect from the internet. If *that* doesn't work, comment here and we can try to troubleshoot it and figure out if there's a larger issue. https://www.reddit.com/r/PS4/comments/2euucu/psa_you_must_activate_your_ps4_as_primary_to_play/

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT

d.

Claim 1	
1. A gaming machine, comprising: (i) a board including a memory in which a game program for executing a game and an authentication program for authenticating the game program are stored; (ii) a motherboard which is different from the board and connects to the board, the motherboard including another memory which is different from the memory, said another memory configured to read out and store the game program stored in the memory; and (iii) a CPU which is provided on the motherboard, for executing the game based upon the game program stored in said another memory,	PlayStation 4 requires one to set a PlayStation 4 console as the primary PlayStation 4 if downloaded games on the hard drive are desired to be played offline, otherwise the downloaded games cannot be played because the hard drive includes an authentication program for verifying that the PS4 is allowed to play the game. **Activate as Your Primary PS4** Activate your PS4™ system as your primary system, using your Sony Entertainment Network account. Activating your system enables these features: • Anyone who uses your primary PS4™ system can use applications you purchase from PlayStation®Store. • Anyone who uses your primary PS4™ system can enjoy the benefits of your PlayStation®Plus subscription. • Your PS4™ system can automatically download content you pre-ordered, or content you've purchased on 🎮 (PlayStation®App). • You can connect to your PS4™ system via the Internet using Remote Play on another device. • Anyone who uses your primary PS4™ system can use the themes that you purchase from PlayStation®Store. • You can activate only one PS4™ system per account. • When you activate a system, other users of the system can use applications and enjoy some of the PlayStation®Plus benefits of your account, even when that user is not logged in. • To enjoy certain PlayStation®Plus benefits, you must subscribe to the service. For details, visit the SIE website for your country or region. http://manuals.playstation.net/document/en/ps4/settings/activation.html 4

e.

Claim 1	
1. A gaming machine, comprising: (i) a board including a memory in which a game program for executing a game and an authentication program for authenticating the game program are stored; (ii) a motherboard which is different from the board and connects to the board, the motherboard including another memory which is different from the memory, said another memory configured to read out and store the game program stored in the memory; and (iii) a CPU which is provided on the motherboard, for executing the game based upon the game program stored in said another memory,	A PlayStation 4 Blu-ray disc containing game software that is inserted into a PlayStation 4 console is also a board comprising memory for a game program for executing a game on the using the PlayStation 4. "The games come on proprietary CD-ROM/XA discs that are read by laser, just like regular CDs." https://electronics.howstuffworks.com/playstation2.htm Consumers can buy various PlayStation 4 game discs from retail store such as Best Buy. https://www.bestbuy.com/site/playstation-4-ps4/playstation-4-ps4-video-games/pcmcat296300050018.c?id=pcmcat296300050018 The PlayStation 4 includes an authentication program to authenticate the game program on the Blu-ray discs. "The … PlayStation 4 use[s] Blu-ray BD-ROM discs. In addition to any protection provided by the consoles themselves, the BD-ROM format's specification allows for a ROM-Mark which cannot be duplicated by consumer-level recorders. While the BD-ROM format does provide considerable capacity (up to 100 gigabytes per disc with potential revision to provide more), increased consumer bandwidth availability combined with the increased size of games distributed through online channels (approaching 100 gigabytes for some titles) is rendering this point moot. To prevent the consoles themselves being hacked and used as a means to defeat these protections (as happened with the Wii and partially with the PlayStation 3), contemporary consoles employ trusted hardware paths that authenticate the internal hardware and software prior to operation." https://en.wikipedia.org/wiki/Copy_protection In computing, **ROM Mark** or **BD-ROM Mark** is a serialization technology designed to guard against mass production piracy or the mass duplication and sale of unauthorized copies of pre-recorded Blu-ray Discs. Only licensed BD-ROM manufacturers have access to the equipment that can make these unique ROM Marks, thus allowing authentic BD-ROM media like movies and music to be identified. The ROM Mark contains the Volume ID required to decrypt content encrypted using AACS." https://en.wikipedia.org/wiki/ROM_Mark "Volume IDs are unique identifiers or serial numbers that are stored on pre-recorded discs with special hardware. They cannot be duplicated on consumers' recordable media. The point of this is to prevent simple bit-by-bit copies, since the Volume ID is required (though not sufficient) for decoding content. On Blu-ray discs, the Volume ID is stored in the BD-ROM Mark. To read the Volume ID, a cryptographic certificate (the *Private Host Key*) signed by the AACS LA is required. However, this has been circumvented by modifying the firmware of some HD DVD and Blu-ray drives." https://en.wikipedia.org/wiki/Advanced_Access_Content_System.

PLAINTIFF BOT M8, LLC'S 'S AMENDED   CASE NO.: 3:19-cv-07027-WHA
COMPLAINT FOR PATENT INFRINGEMENT