

17a
Appendix D

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Claim 2 (Cancelled)

Claim 3 (Cancelled)

Claim 5 (New)

A non-transitory computer-readable medium for implementing a social network, the computer-readable medium storing instructions that, when executed by one or more processors, cause the one or more processor to perform operations that include:

maintaining a list comprising a plurality of participants, wherein each participant in the plurality of participants corresponds to one or more individuals, wherein the list also includes information associated with at least one of each participant or the one or more individuals that correspond to each participant;

storing biographical information about each participant in the plurality of participants, including information about each participant's occupation, education and geographic residence;

presenting a user with a plurality of categories from which the user may make a selection of a category from the plurality of categories, wherein the plurality of categories include a plurality of categories that relate to geographic destinations;

receiving the selection of the category by the user;

in conjunction with the selection of the category, receiving an electronic communication containing an inquiry of the user, the communication identifying geographic information that is relevant to the inquiry;

after receiving the selection of the category by the user, selecting one or more

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participants from the list to receive the electronic communication based on (i) the selection of the category, (ii) the geographic information that is relevant to the inquiry, and (iii) the biographical information of each of the one or more participants;

 sending the inquiry to the selected one or more participants;

 enabling the one or more participants to provide a reply to the inquiry, the reply from each of the one or more participants including biographical information about that participant; and

 tracking a performance of at least one of the one or more participants in replying to the inquiry, including determining a feedback from the user for the at least one of the one or more participants and a time in which the reply from that participant was provided.

Claim 6 (New)

The non-transitory computer-readable medium of Claim 5, wherein instructions for sending the inquiry includes instructions for providing biographical information with the inquiry about the user.

The Examiner's amendment has been made in order to place the application in a condition for allowance.

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Reasons for Allowance

3. The following is an examiner's statement of reason for allowance:

Claims 1, 5 are considered allowable since the prior made of record and considered pertinent to the applicant's disclosure does not teach or suggest the claimed limitations. The Prior Art does not teach the claimed invention having a method for operating a social network, the method being implemented by one or more processors and comprising: presenting a user with a plurality of categories from which the user may make a selection of a category from the plurality of categories, wherein the plurality of categories include a plurality of categories that relate to geographic destinations; after receiving the selection of the category by the user, selecting one or more participants from the list to receive the electronic communication based on (i) the selection of the category, (ii) the geographic information that is relevant to the inquiry, and (iii) the biographical information of each of the one or more participants; enabling the one or more participants to provide a reply to the inquiry, the reply from each of the one or more participants including biographical information about that participant; and tracking a performance of at least one of the one or more participants in replying to the inquiry, including determining a feedback from the user for the at least one of the one or more participants and a time in which the reply from that participant was provided with a combination of all recitations as defined in claims 1, 5.

Therefore, claims 1, 4, and 5-6 are presently allowed.

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4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

A Short History of Social Media


78

February 1978:
First dial-up BBC ("CBBS") is launched. BBSs continue to grow in popularity through the 1980s.




95

1995:
Personal home-page service Geocities is launched. Goes public in 1998 and is purchased by Yahoo! in 1999 for \$3.57 billion. Geocities is shuttered in 2009.




97

1997:
Early social media service SixDegrees.com is launched. At its height, the service claims 1 million users.



99

August 1999:
Blogging service Blogger launches. Purchased by Google in 2003.




02

March 2002:
Social media site Friendster launches. Membership peaks in 2008, then begins its steady wane.




06

December 2006:
Yahoo offers \$1 billion to buy Facebook, but Facebook ultimately declines the offer.




04

February 4, 2004:
Facebook launches. Initially open only to Harvard students, then opens to 800 colleges in May 2005. By September 2006, Facebook is available to all users 13 and over.



03

May 2003:
Corporate social networking site LinkedIn opens its doors.



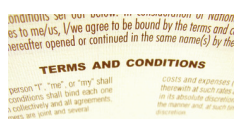
08

April 2008:
Facebook's popularity overtakes MySpace's, based on the number of monthly unique visitors.



09

February 6, 2009:
Facebook changes its terms of service to include broad, perpetual UGC license. Twelve days later, after considerable pressure, the changes are rolled back.



December 1, 2009:
Revised FTC "Guides Concerning the Use of Endorsements and Testimonials" go into effect, impacting both endorsers and advertisers.



December 2, 2009:
Facebook membership hits 350 million. Climbs to 400 in February 2010 and half a billion users five months later, after surpassing Google's weekly web traffic in March 2010.




10

May 21, 2010:
It is revealed that MySpace, Facebook, and other social networks are sending user names and IDs to advertisers along with user URL data.

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11


June 30, 2011:
News Corp. sells MySpace to Irvine-based digital media firm for \$35 million. Specific Media, the buyer, counts Justin Timberlake among its investors.



June 28, 2011:
Google Plus launches its closed beta—in a little over two weeks, more than ten million people have joined, sharing around one billion items per day.




May 19, 2011:
LinkedIn goes IPO, the value of its shares more than doubling in the initial day of trading. On June 3, daily deals site Groupon files to go public as well.



March 15, 2011:
Starbucks passes 20 million "Likes" on Facebook.




November 30, 2010:
Facebook valued at \$50 billion based on private market transaction.



July 8, 2011:
LinkedIn climbs to #2 in the U.S. for total monthly unique visitors, squeaking by MySpace's 33.5 million June visitors with 33.9 million of its own.



July 13, 2011:
Twitter celebrates its five-year birthday—the social media giant delivers 350,000,000,000 Tweets per day.



Courtesy of Socially Aware, the social media law update; to subscribe, please visit www.mofo.com/sociallyaware.

MORRISON | FOERSTER

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

NETSOC, LLC,

Plaintiff,

v.

MATCH GROUP, LLC,

Defendant.

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Civil Action No. 3:18-CV-1809-N

JURY TRIAL DEMANDED

DECLARATION OF DANIEL SHAPIRO, PH.D

1. My name is Daniel Shapiro, Ph.D. I am over the age of 21. I have never been convicted of a felony, and I have personal knowledge of the facts contained herein, which are true and correct. If called as a witness, I could competently testify to these statements.

2. I have been asked to provide an opinion on the development of a social network and how it related to U.S. Pat. No. 9,978,107 (“the ‘107 patent”). At the outset, I consider myself at least one of ordinary skill in the art for the claims of the ‘107 patent. My curriculum vitae is attached as exhibit 1 to my declaration.

3. I would define a social network as a website or other application that brings people together to talk, share ideas and interests, or make new friends. A social network has a very particular meaning in the art field.

4. Unlike traditional media that is created by limited people, social media sites contain content created by hundreds or even millions of different people.

5. A non-exhaustive list of social networks include Classmates (<http://www.classmates.com>); DeviantArt (<https://www.deviantart.com>); Facebook (<https://www.facebook.com>); Google+ (<https://plus.google.com>);

Instagram (<https://www.instagram.com>);LinkedIn (<https://www.linkedin.com>);
Mastodon (<https://joinmastodon.org>); Mix (<https://mix.com>);
MySpace (<https://myspace.com>); Pinterest (<https://www.pinterest.com>);
Reddit (<https://www.reddit.com>); Tumblr (<https://www.tumblr.com>);
Twitter (<https://twitter.com>); Yik Yak; YouTube (<https://www.youtube.com>); and others.¹

6. Considering the number of websites that refer to themselves as a social network, I consider a social network something concrete. Thus, the claims of the '107 are not abstract ideas but rather related to social networks.

7. I have reviewed the claims of the '107 patent and I am of the opinion that the rating system of the claims allows the claimed social network to function differently than if the rating system was not part of the invention, thus producing an enhanced social network for at least the reason that participants who are more actively engaged in the social network will have higher ratings.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 19, 2019.

/s/ Daniel Shapiro, Ph.D
Danie Shapiro

¹ See Declaration of Daniel Shapiro, Ph.D at ¶4