

I, Steve Meretzky, declare as follows:

I. INTRODUCTION

1. I have been asked by the party requesting this review, Supercell Oy (“Petitioner”), to provide my expert opinion in support of the above-captioned petition for post grant review of U.S. Patent No. 10,518,177 (the “’177 patent”) challenging the patentability of claims 1-17 of the ‘177 patent. For convenience, I use the term “challenged patent” to refer to this patent and “challenged claims” to refer collectively to the claims.

2. I currently hold the opinions set forth in this declaration.

3. In summary, it is my opinion that the challenged claims of the challenged patent are invalid as obvious in view of the combination of references cited below. My detailed opinions on the claims are set forth below.

II. BACKGROUND AND QUALIFICATIONS

4. I am an expert in computer game design and computer games in general. I have been designing computer games for almost forty years, since 1982. Now more than twenty years ago, I was named one of 25 “Game Gods” by the September 1999 issue of PC Gamer magazine.

5. I received a Bachelor of Science in Construction Engineering and Project Management and minor in Creative Writing from Massachusetts Institute of Technology in 1979. My career in video games began soon after graduation.

6. I designed, coded, and creatively directed dozens of games. While some examples follow here, a more complete list may be found in my CV, attached as Exhibit 1006. Early in my career, I designed, wrote, and coded adventure games for Infocom Inc., including the industry classics *The Hitchhiker's Guide to the Galaxy*, *Zork Zero*, *Planetfall*, and *Sorcerer*.

7. In 1994, I co-founded Boffo Games where I was Designer/Director of *The Space Bar* and *Hodj 'n' Podj*. I have also contributed towards game design and development in roles as consultant, game designer, content director, and vice president with companies including MicroProse, Electronic Arts, Disney, Blizzard, Hasbro, GameFX (a division of THQ), GSN Games, King, and Draft Kings.

8. As part of my experience, I have extensive experience creating and evaluating game designs and mechanics for a variety of gaming platforms including mobile, and PC. I have dealt with both "casual" games targeted to mass audiences and "hardcore" games targeted to hobbyist gamers, as well as both solo and multiplayer games. In these roles, I considered how the games address player engagement and retention and how the games influence social interactions among the players.

III. COMPENSATION AND RELATIONSHIP WITH PARTIES

9. I am being compensated for my time. This compensation is not contingent upon my performance, the outcome of this matter, or any issues involved in or related to this matter.

10. I have no financial interest in Petitioner or any related parties. I have been informed that GREE, Inc. (“GREE”) owns the challenged patent. I have no financial interest in and have no contact with GREE beyond the kinds of cursory interactions I often have with game industry professionals at conferences. I similarly have no financial interest in the challenged patent and have not had any contact with the named inventors.

IV. MATERIAL CONSIDERED

11. I have reviewed and considered, in the preparation of this declaration, the following related to the challenged patent:

- a. The ‘177 patent (Ex. 1001) and the prosecution file history for the ‘177 patent (Ex. 1002).
- b. U.S. Patent No. 10,583,362 (Ex. 1003 “the ’362 patent”) and the prosecution file history for the ’362 patent (Ex. 1004).

12. I understand that, for purposes of determining whether a reference will qualify as prior art, the challenged claims of the challenged patent are entitled to an effective filing date of no earlier than February 25, 2014.

13. I have also reviewed and understand various references as discussed herein, including the following:

- a. “Master Hearthstone in 10 Minutes! The Ultimate Beginner's Guide” (Ex. 1011 “MH”)
- b. U.S. Patent Publication No. 2013/0281173 to Gilson et al. (Ex. 1013 “Gilson”).

14. I understand that the above references form the bases for the grounds for invalidity set forth in the Petition for Post Grant Review of the challenged patent.

15. Additionally, I am aware of information generally available to, and relied upon by, persons of ordinary skill in the art as of the effective filing date of the challenged patent (POSITAs), including computer games, technical dictionaries and technical reference materials (including, for example, textbooks, manuals, technical papers, articles, and relevant technical standards); some of my statements below are expressly based on such awareness.

16. I reserve the right to supplement my opinions to address any information obtained, or positions taken, based on any new information that comes to light throughout this proceeding.

V. THE CHALLENGED PATENT

17. The challenged patent was filed on February 25, 2015 and claims priority to a Japanese application filed on February 25, 2014.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.