David T. Pollock(SBN 217546)
REED SMITH LLP
101 Second Street, Suite 1800
San Francisco, CA 94105-3659
Telephone: 415-543- 8700
Facsimile: 415-391-8269

Mark W. Wasserman (*Admitted Pro Hac Vice*)
Matthew R. Sheldon (*Admitted Pro Hac Vice*)
Brent R. Gary (*Admitted Pro Hac Vice*)
REED SMITH LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042
Telephone: 703-641-4200
Facsimile: 703-641-4340

Attorneys for Plaintiff, Pragmatus AV, LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

PRAGMATUS AV, LLC,

Plaintiff,

vs.

FACEBOOK, INC., et al.,

Defendants.

No.: C11-00494-SI

PLAINTIFF'S DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS TO FACEBOOK, INC.

Honorable Judge Susan Illston

Pursuant to Patent Local Rule 3-1, Plaintiff Pragmatus AV, LLC ("Plaintiff" or "Pragmatus"), sets forth the following infringement contentions as to Facebook, Inc. ("Infringement Contentions") with respect to the patents-in-suit, U.S. Patent Numbers 7,831,663 (the "'663 patent"); 7,822,813 (the "'813 patent"); and 7,730,132 (the "'132 patent").

PRELIMINARY STATEMENT

Plaintiff's investigation of the matters disclosed herein is ongoing. Discovery has not begun, and Facebook has not produced any documents or other information that may provide further factual bases for Plaintiff's claims of infringement, including any technical documentation and source code of the accused systems and methods and its communications with its advertisers, partners, licensees

US_ACTIVE-105700031.4

Am. Compl. Ex D

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

Dockets.Justia.com

or end-users. The following disclosures, therefore, are based upon public information available to Plaintiff after a reasonable investigation. Plaintiff also states that the subject matter of this disclosure may relate to, at least in part, information regarding, constituting or included in communications between Facebook (as well as any related companies) and its (or their) advertisers, partners, licensees or end-users regarding product designs, features and functionalities and/or partnering or other software or hardware license agreements to which Facebook is a party and which are under the control or within the possession of third-parties. This disclosure may, therefore, be preliminary or incomplete, and Plaintiff expressly reserves the right to amend and supplement its disclosure, consistent with Pat. L.R. 3-6, if additional information is discovered from these third parties or Facebook, or if the claims of the '663, '813 and '132 patents are construed by this Court in a manner not proposed by Plaintiff, or for other timely showing of good cause.

3-1. Disclosure of Asserted Claims and Infringement Contentions.

(a) *Each claim of each patent in suit that is allegedly infringed by each opposing party, including for each claim the applicable statutory subsections of 35 U.S.C. §271 asserted;*

Subject to the limitations in the Preliminary Statement, Plaintiff contends that Facebook has directly infringed and continues directly to infringe claims 1-5, and 7-20 of the '663 patent; claims 1-7, 9-17 and 19-20 of the '813 patent; and claims 1-17 of the '132 patent within the meaning of 35 U.S.C. § 271(a).

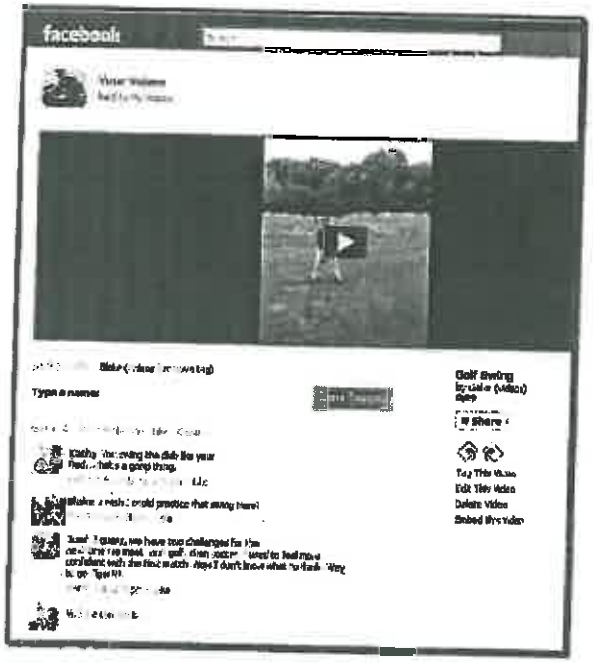
(b) *Separately for each asserted claim, each accused apparatus, product, device, process, method, act, or other instrumentality ("Accused Instrumentality") of each opposing party of which the party is aware. This identification shall be as specific as possible. Each product, device, and apparatus shall be identified by name or model number, if known. Each method or process shall be identified by name, if known, or by any product, device, or apparatus which, when used, allegedly results in the practice of the claimed method or process;*

Subject to the limitations in the Preliminary Statement, Plaintiff contends that the Accused Instrumentalities with respect to Facebook include, without limitation, at least the following:

1. With regard to the asserted claims of the '663 patent, the Accused Instrumentalities are:

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

(i) For claims 1-5 and 7-13 of the '663 patent, the Accused Instrumentalities are Facebook's networked storage systems configured to store universally formatted multimedia documents comprising component media uploaded and added by users over the internet. The Accused Instrumentalities include, for example, the networked storage systems that provide the representation of the multimedia document at least part of which is shown by the partial screenshot below.



As far as Plaintiff is aware, Facebook's networked storage systems do not have a name or model number.

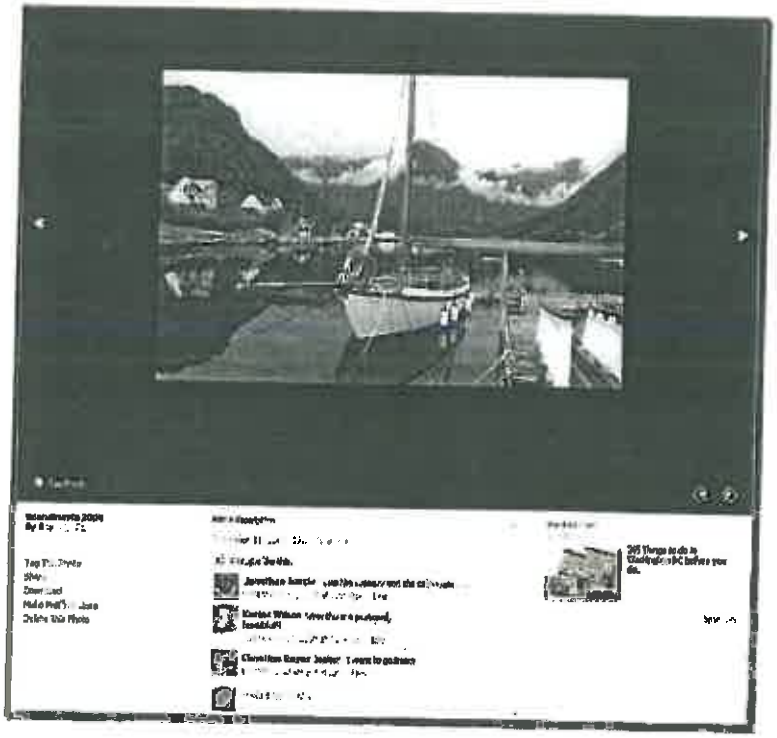
(ii) For claims 14-20 of the '663 patent, the Accused Instrumentalities are Facebook's methods of configuring its networked storage systems to allow users to store component media such as videos that comprise multimedia documents, and add to and access multimedia documents over the internet. The Accused Instrumentalities include, for example, the methods that provide the representation of the multimedia document at least part of which is shown by the partial screenshot above. As far as Plaintiff is aware, these methods do not have a name or model number.

2. With regard to the asserted claims of the '813 patent, the Accused Instrumentalities are:

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

(i) For claims 1-7 and 9-10 of the '813 patent, the Accused Instrumentalities are Facebook's content storage systems configured for storing universally formatted multimedia documents comprising component media uploaded by users over the internet, where users can access, add to, and play back components of the document using start, stop and pause. The Accused Instrumentalities include, for example, Facebook's content storage systems that provide the representation of the multimedia document at least part of which is shown by the partial screenshot above and below. As far as Plaintiff is aware, Facebook's content storage systems do not have a name or model number.

(ii) For claims 11-17 and 19-20 of the '813 patent, the Accused Instrumentalities are audio-video storage subsystems configured for storing universally formatted multimedia documents comprising component media uploaded by users over the internet, where users can add to the document and tag a portion of the document to allow the tags to be searched. The Accused Instrumentalities include, for example, Facebook's audio-video storage subsystems that provide the representations of the multimedia document at least part of which is shown by the partial screenshot above and below.



REED SMITH LLP
A limited liability partnership formed in the State of Delaware

As far as Plaintiff is aware, Facebook's audio-video storage subsystems do not have a name or model number.

3. With regard to the asserted claims of the '132 patent, the Accused Instrumentalities are:

(i) For claims 1-9 of the '132 patent, the Accused Instrumentalities are Facebook's multimedia storage servers with a network interface that allow users to upload and store component media that comprise multimedia documents that are displayed with spatial layout and order of presentation, including video component media, as well as allowing editing, including annotating, component media and simultaneously providing access to decompressed video component media and its associated annotations over the internet using IP protocol. The Accused Instrumentalities include, for example, the multimedia storage servers that provide the representation of the multimedia document at least part of which is shown by the partial screenshot below.

As far as Plaintiff is aware, Facebook's multimedia storage servers do not have a name or model number.

(ii) For claims 10-17 of the '132 patent, the Accused Instrumentalities are Facebook's methods of configuring its multimedia storage servers to provide simultaneous access to

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

multimedia documents comprising component media laid out and ordered for the users, and allowing editing including annotating the multimedia document as well as playback of component decompressed video media over the internet using IP protocol. The Accused Instrumentalities include, for example, Facebook's methods of configuring its multimedia storage servers to provide the representation of the multimedia document at least part of which is shown by the partial screenshot shown above. As far as Plaintiff is aware, these methods do not have a name or model number.

(c) *A chart identifying specifically where each limitation of each asserted claim is found within each Accused Instrumentality, including for each limitation that such party contends is governed by 35 U.S.C. § 112(6), the identity of the structure(s), act(s), or material(s) in the Accused Instrumentality that performs the claimed function.*

Subject to the limitations in the Preliminary Statement, attached hereto as Exhibit A is a claim chart identifying Facebook's infringement of the '663 patent. Plaintiff contends that each Accused Instrumentality of Facebook literally infringes each asserted claim of the '663 patent.

Subject to the limitations in the Preliminary Statement, attached hereto as Exhibit B is a claim chart identifying Facebook's infringement of the '813 patent. Plaintiff contends that each Accused Instrumentality of Facebook literally infringes each asserted claim of the '813 patent.

Subject to the limitations in the Preliminary Statement, attached hereto as Exhibit C is a claim chart identifying Facebook's infringement of the '132 patent. Plaintiff contends that each Accused Instrumentality of Facebook literally infringes each asserted claim of the '132 patent.

(d) *For each claim which is alleged to have been indirectly infringed, an identification of any direct infringement and a description of the acts of the alleged indirect infringer that contribute to or are inducing that direct infringement. Insofar as alleged direct infringement is based on joint acts of multiple parties, the role of each such party in the direct infringement must be described.*

Subject to the limitations in the Preliminary Statement, Plaintiff contends that Facebook has directly infringed the '663, '813 and '132 patents and expressly reserves its right to amend this disclosure to present contentions regarding Facebook's indirect infringement, if appropriate.

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

(e) *Whether each limitation of each asserted claim is alleged to be literally present or present under the doctrine of equivalents in the Accused Instrumentality.*

Subject to the limitations in the Preliminary Statement, Plaintiff contends that Facebook has infringed the '663, '813 and '132 patents literally and expressly reserves its right to present Facebook's infringement under the Doctrine of Equivalents following the Court's claim construction of any disputed claim term or element if such claim construction warrants further elaboration of its contentions under the Doctrine of Equivalents.

If the Court's claim construction results in one or more of the claimed elements of any asserted claims not being literally present in the Accused Instrumentalities, Plaintiff also reserves its right to present its additional contention that any distinction or differences between the resultant construed claims and the steps taken using the Accused Instrumentalities is an insubstantial and immaterial difference that does not preclude liability for infringing the '663, '813 and '132 patents by Facebook on the basis of a Wilson Sporting Goods Hypothetical Claim analysis. In other words, Plaintiff may present an analysis that the owner of the '663, '813 and '132 patents could have obtained from the United States Patent Office a hypothetical claim that omits any additional limitation or requirement claimed to be missing literally from the accused products, services, technologies and/or methods as a result of the Court's claim construction. The fact that a hypothetical patent claim, sufficient in scope to cover these Accused Instrumentalities literally (or any use of such instrumentalities) would and could have been allowed by the Patent Office will show that any such additional limitation or requirement in the asserted claims of the '663, '813 and '132 patents is an insubstantial difference that does not preclude a finding of infringement against Facebook. See *Wilson Sporting Goods Co. v. David Geoffrey & Assoc.*, 904 F.2d 677 (Fed. Cir. 1990).

Plaintiff also may rely upon the opinions of one or more experts in support of its infringement contentions under the Doctrine of Equivalents in the manner set forth by the Court's Scheduling Order and Patent Local Rules. Plaintiff will disclose these opinions and the support for them in accordance with the Federal Rules of Civil Procedure and the procedures, schedules and deadlines ordered by the Court.

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

(f) *For any patent that claims priority to an earlier application, the priority date to which each asserted claim allegedly is entitled.*

Subject to the limitations in the Preliminary Statement, the '663, '813 and '132 patents all claim priority, directly or indirectly under 35 U.S.C. § 120 and/or § 121, to U.S. Application 08/131,523 filed on October 1, 1993. Thus, subject to the above limitations and reservations, Plaintiff will rely on the October 1, 1993 filing date as its date of priority, as reflected on the face page of the '663, '813 and '132 patents.

(g) *If a party claiming patent infringement wishes to preserve the right to rely, for any purpose, on the assertion that its own apparatus, product, device, process, method, act, or other instrumentality practices the claimed invention, the party shall identify, separately for each asserted claim, each such apparatus, product, device, process, method, act, or other instrumentality that incorporates or reflects that particular claim.*

Subject to the limitations in the Preliminary Statement, Plaintiff states that the subject matter of this disclosure may relate to information regarding product design and development that is wholly or largely under the control or within the possession of third parties such as Avistar, Inc. and Vicor, Inc. which are not currently affiliated with Plaintiff, and over which Plaintiff has no control. In addition, one of the third parties may no longer be an active or independent business. Therefore, this disclosure by Plaintiff may well be preliminary or incomplete, and it expressly reserves the right to modify and supplement its disclosure if additional information is discovered.

Subject to these limitations, Plaintiff states that it does not believe it owns any apparatus, product, device, process, method, act, or other instrumentality that practices one or more of the claimed inventions of the '663, '813 and '132 patents.

(h) *If a party claiming patent infringement alleges willful infringement, the basis for such allegation.*

Subject to the limitations in the Preliminary Statement, Plaintiff reserves the right to amend this disclosure to present contentions regarding Facebook's willful infringement, if appropriate.

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

Respectfully submitted,

REED SMITH LLP

By

Mark W. Wasserman (*Admitted Pro Hac Vice*)
E-mail: mwasserman@reedsmith.com

David T. Pollock (SBN 217546)
Email: dpollock@reedsmith.com

Counsel for Plaintiff, Pragmatus AV, LLC

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of April, 2011, the foregoing Plaintiff's Disclosure of Asserted Claims and Infringement Contentions to Facebook, Inc. was sent via overnight mail to the following:

Heidi Lyn Keefe, Esq.
Matthew P. Gubiotti, Esq.
Mark R. Weinstein, Esq.
Cooley LLP
3175 Hanover Street
Palo Alto, California 94304
hkeefe@cooley.com
mgubiotti@cooley.com
mweinstein@cooley.com
Counsel for Defendant, Facebook, Inc.

Robin Lynn Brewer, Esq.
Stefani Elise Shanberg, Esq.
Richard Gregory Frenkel, Esq.
Wilson, Sonsini, Goodrich & Rosati
650 Page Mill Road
Palo Alto, California 94304
rbrewer@wsgr.com
sshanberg@wsgr.com
rfrenkel@wsgr.com
Counsel for Defendant, YouTube, LLC

Daralyn Jean Durie, Esq.
Joseph C. Gratz, Esq.
Clement Seth Roberts, Esq.
Durie Tangri LLP
217 Leidesdorff Street
San Francisco, California 94111
ddurie@durietangri.com
jgratz@durietangri.com
croberts@durietangri.com
Counsel for Defendant, LinkedIn Corporation

John A. O'Malley, Esq. (Bar #101181)
Aaron D. Gopen (Bar #268451)
Fulbright & Jaworski LLP
555 South Flower Street
Forty-First Floor
Los Angeles, California 90071
jomalley@fulbright.com
agopen@fulbright.com
Counsel for Defendant, Photobucket.com, Inc.

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

and was sent via first class mail, postage prepaid, to the following:

David M. Foster, Esq.
Kimberly S. Walker, Esq.
Fulbright & Jaworski LLP
801 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2623
dfoster@fulbright.com
kwalker@fulbright.com
Counsel for Defendant, Photobucket.com, Inc.

Justin P.D. Wilcox, Esq.
Scott A. Cole, Esq.
Cooley LLP
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5656
jwilcox@cooley.com
scole@cooley.com
Counsel for Defendant, Facebook, Inc.

Dan Duncan Davison, Esq.
Miriam Latorre Quinn, Esq.
Fulbright & Jaworski LLP
2200 Ross Avenue
Suite 2800
Dallas, Texas 75201
ddavison@fulbright.com
mquinn@fulbright.com
Counsel for Defendant, Photobucket.com, Inc.

George W. Jordan, III, Esq.
Richard S. Zembek, Esq.
Fulbright & Jaworski LLP
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
gjordan@fulbright.com
rzembek@fulbright.com
Counsel for Defendant, Photobucket.com, Inc.

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

Veronica S. Ascarrunz, Esq.
Larry L. Shatzer, Esq.
Wilson, Sonsini, Goodrich & Rosati
1700 K Street, N.W.
Fifth Floor
Washington, D.C. 200006-3817
vascarrunz@wsgr.com
lshatzer@wsgr.com
Counsel for Defendant, YouTube, LLC

Mark W. Wasserman (*Admitted Pro Hac Vice*)
Reed Smith LLP
3110 Fairview Park Drive, #1400
Falls Church, Virginia 22042

David T. Pollock
Reed Smith LLP
101 Second Street
Suite 1800
San Francisco, California 94105-3659

Counsel for Plaintiff, Pragmatus AV, LLC

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

EXHIBIT A

EXHIBIT A

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook[1] with Respect to US 7,831,663

US 7,831,663	Facebook Products
1. A networked storage system comprising:	The networked Facebook servers on which one or more of the multimedia documents and components (e.g. video, annotations, comments, tags, hyperlinks, graphics, still images, slideshows, timestamps, etc.) are stored.
a first storage device configured to store at least a first and second multimedia document,	Facebook multimedia documents are stored as components on Facebook servers. A Facebook user sees representations of multimedia documents on their respective client devices, made up of components. One such representation is shown in the screenshot below. Here, a video component is linked to this multimedia document using HTML code. It also includes components such as a photo identifying a user (see top left), various forms of text, a "box" for entering comments, as well as other images. Note that a "second" multimedia document would have the same format but different content. When a user accesses the Facebook multimedia documents that contain video and comments, the URL is a Facebook URL, indicating storage within the Facebook servers or servers under the control of, or affiliated with, Facebook.

[1] For purposes of Plaintiff's infringement contentions with respect to this and all other asserted claims, "Facebook Products" includes these expressly identified Accused Instrumentalities (including their various versions and releases) as well as other Facebook products, systems, servers, services, technologies and methods (regardless of their labels, names or identifiers) made, used, sold, offered for sale, or otherwise distributed in the United States on or after November 9, 2010 that have at least the same or substantially the same functionalities or features of the expressly identified Accused Instrumentalities.

US 7,831,663	Facebook Products
	 Note that a "second" multimedia document would have the same format but different content.
both multimedia documents having a universal format that defines the multimedia document as a collection of media components and with a structure that captures the relationship among the components including spatial layout, and	Facebook multimedia documents have a universal format that defines how they look to a user. The spatial layout and structural relationship between the different components, such as video, user identifying icons, text, boxes, etc of the multimedia document are shown in the screen shot below. The arrangement of these component media compose the multimedia document. HTML defines the spatial layout of the multimedia document that users view on the webpages. The HTML code and referenced CSS files define the structure of the document including the position and layout of the text, graphics, colors, font, etc.

US 7,831,663	Facebook Products
configured to provide access to the first and second multimedia documents to respective users of first and second client devices, the first client device being in communication with the first storage device, and being separated from the first storage device by a wide area network,	Facebook users connect to the Facebook storage servers through their respective client devices over the wide area network, the internet. Once connected, Facebook allows them to access, or view, the various multimedia documents. The screenshot above shows a rendition of a multimedia document that maybe displayed to a user. Note that a "second" multimedia document would have the same format but different content.

EXHIBIT A cont.
Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
and	
the second client device being in communication with the first storage device, the second client device being separated from the first client device and the first storage device by a wide area network,	Facebook users' client devices are physically separated from one another but are in communication with the Facebook storage servers over the wide area network, the internet.
wherein the networked storage system is configured to:	Facebook server(s).
enable respective users of the first and second client devices to cause storage of the first and second multimedia documents, respectively, at the first storage device, the first and second multimedia documents each including at least a reference to a video portion and at least a hyperlink referencing at least one other multimedia document;	The Facebook servers allow users to upload and store different media components (video, picture, etc) on the Facebook storage servers. The screenshot below shows how media such as video is uploaded by users for storage by Facebook.

EXHIBIT A cont.
Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

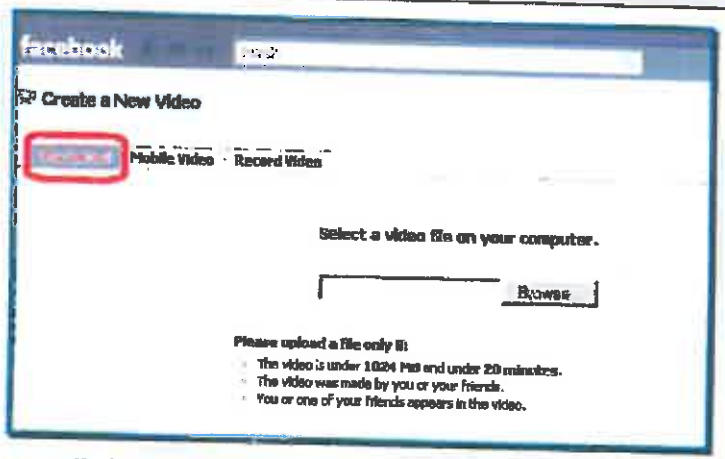
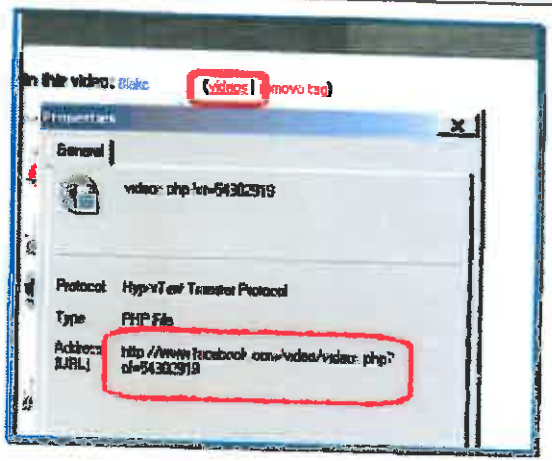
US 7,831,663	Facebook Products
	 Once stored, component media is used to compose multimedia documents. Once such rendition is shown below.

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
	 Note that a "second" multimedia document would have the same format but different content. As shown, this multimedia document has a reference to a video. The video is shown in the center of the page. The multimedia document also has numerous hyperlinks (shown circled above). One hyperlink, "videos" is shown in the screenshot below, which has an underlying URL of http://www.facebook.com/video/videos.php?of=54302919 as shown by the "Properties" tab.

US 7,831,663	Facebook Products
	 Clicking on the link takes the user to "one other" multimedia document. See reference to "Your Videos" circled. The Facebook system is also configured to allow users to access and view media from various third party storage devices. These are referenced by a hyperlink. Examples include access to content from

US 7,831,663	Facebook Products
	advertisers/sponsors, as shown in the screen shot below. These are also referenced using hyperlinks. The "MatrixDirect" ad in the bottom right corner links a user to https://www.matrixdirect.com/request-a-quote/term-life-insurance-quotes?DNIS=9892 as shown below.

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
enable respective users of the first and second client devices to each add content to the first and second multimedia documents by using the respective first and second client devices; and	Facebook servers allow users to each add to the various multimedia documents at their own client devices, using their web browsers. Users can add to multimedia documents in many ways including adding comments, hyperlinks, or tags and using the "Like" rating feature.

US 7,831,663	Facebook Products
	 This screenshot above shows added content in the form of tags and comments (circled). Note that a "second" multimedia document would have the same format but different content.
enable the users of the first and second client devices to each access and view the first and second multimedia documents to which content has been added.	Facebook users can access and view various multimedia documents to which content has been added. This screenshot shows a video with added comments that can be accessed and viewed by other users.

US 7,831,663	Facebook Products
	 This screenshot shows tags and comments circled. Note that a "second" multimedia document would have the same format but different content.
2. The networked storage system of Claim 1, further configured to enable playback of media associated with at least one of the first and second multimedia documents at the first and second client devices, and to enable	The Facebook servers are configured to enable playback of media, including video, associated with multimedia documents stored on Facebook. Specifically, the Facebook servers cause the video to be displayed in the user's browser. Users can manipulate the video playback using the operations of start, stop and pause.

US 7,831,663	Facebook Products
operations on the played back media using at least one operation **from a group consisting of start, stop, and pause-operations.**	This screenshot shows a video in playback mode. The video progress bar can be manipulated by the user to start and pause the video. The pause button to the left of the time bar may also be used, and when paused, the pause button becomes a play (start) button. Stopping the video can be accomplished for example, by navigating away from the video using the browser's "back" button or choosing another video to view.
3. The networked storage system of Claim 1, wherein the respective users of the first and second devices are further enabled to: (i) access the first and second multimedia documents stored at **the first storage device;** (ii) playback media associated with at least one of the first and second multimedia documents accessed from the first storage device; and (iii) operate on the played back media using at least one operation from a group consisting of start, stop, and pause operations.	Facebook allows different users to access, or view, different multimedia documents stored on the Facebook storage servers. Specifically, the Facebook servers cause the video to be displayed in the users' browser. After accessing a multimedia document, users may playback media, such as video, associated with the multimedia documents. Facebook allows users to operate the video playback using start, stop and pause.

US 7,831,663	Facebook Products
	 The above screenshot shows a rendition of a multimedia document accessed by the user, with component video media. Note that a "second" multimedia document would have the same format but different content. This screenshot shows a video in playback. A user can manipulate the video progress bar and the button to the left of the bar to play and pause the video as it plays. The pause button on the left may also be used. When paused, the pause button becomes a play (start) button. Stopping the video can be accomplished for example, by navigating away from the video using the browser's "back" button or choosing another video to view.

US 7,831,663	Facebook Products
4. The networked storage system of Claim 1, further configured to: (i) enable simultaneous multiple access at the first and second devices to a plurality of multimedia documents stored at the first storage device; and (ii) cause multiple playbacks of media associated with the plurality of multimedia documents accessed from the first storage device.	The Facebook servers enable users, through their respective client devices to simultaneously access a variety of multimedia documents stored on the Facebook servers. The users can then playback media associated with the multimedia documents. Users can also play a video multiple times. This screenshot shows two users playing back the same multimedia file simultaneously. Simultaneous access is further demonstrated by the fact that both users *Jose* and *Marie* added comments at the same time (i.e. "2 seconds ago"). The example above shows simultaneous access to a single multimedia document. In addition, it is self

US 7,831,663	Facebook Products
	evident that multiple users can simultaneously access multiple documents on a single Facebook server.
5. The networked storage system of Claim 1, wherein the networked storage system is further configured to enable at the first and second client device to: a) receive a multimedia document from a multimedia resource over the wide area network; and b) playback of media associated with the received multimedia document.	The Facebook system is configured to allow users to receive, access and view media from various types of multimedia resources. Access is via client devices over a wide area network, the internet. The Facebook system is also configured to allow users to access and view media from various third party multimedia resources. These are referenced by a hyperlink. Examples include access to content from advertisers/sponsors, as shown in the screen shot below. These are also referenced using hyperlinks. The "MatrixDirect" ad in the bottom right corner links a user to https://www.matrixdirect.com/request-a-quote/term-life-insurance-quotes?DNIS=9892 as shown below.

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

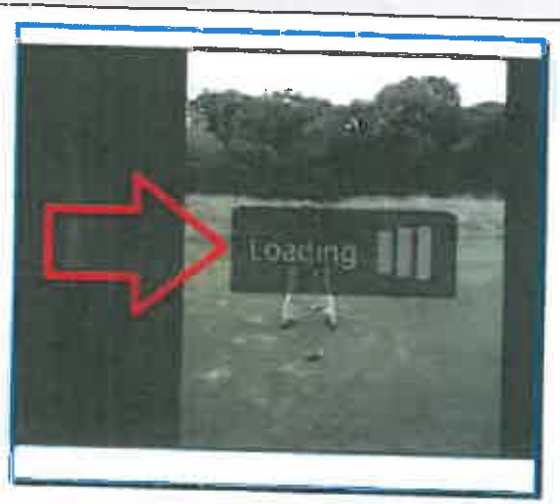
US 7,831,663	Facebook Products
7. The networked storage system of Claim 1, further configured to enable the first client device to communicate with the second client device using at least one communication type selected from a group consisting of video conferencing, and video mail.	Facebook allows users to send a video mail to other users. This is done through the messaging tool (see screen shot immediately below) in which a video can be attached to an e-mail. When the "camera" icon circled above is selected, the video record window pops up, as shown in the screen

US 7,831,663	Facebook Products
	shot below, allowing a user to record and send a video mail.
8. The networked storage system of Claim 1, wherein the first and second multimedia documents further includes one or more pointers to corresponding multimedia documents in a plurality of file systems.	The Facebook system comprises storage facilities in communication with the wide area network, the internet. The Facebook system stores components of multimedia documents on these storage facilities including pointers in the HTML code. To produce a multimedia document requires pointers in the HTML code to the storage where these component images, videos, files, etc. reside.

US 7,831,663	Facebook Products
	 Note that a "second" multimedia document would have the same format but different content.
9. The networked storage system of Claim 1, further configured to cause buffering of a flow of data associated with a respective multimedia document accessed from the first storage device.	The Facebook storage system is configured to cause buffering of data associated with a multimedia document in order to display it to the user, when the respective user accesses the video. This screenshot shows a video "buffering." The word "loading" coupled with the moving bars as highlighted by the arrow show the user that the file is being buffered.

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
	
10. The networked storage of Claim 1, wherein at least one multimedia document stored at the first storage device includes time-sensitive media and time-insensitive media, and wherein the multimedia document includes at least three different media.	The Facebook servers store both time sensitive media such as videos and time insensitive media such as still graphics and text. This screenshot shows a representation of a multimedia document with at least three different kinds of media: video, still graphics and text.

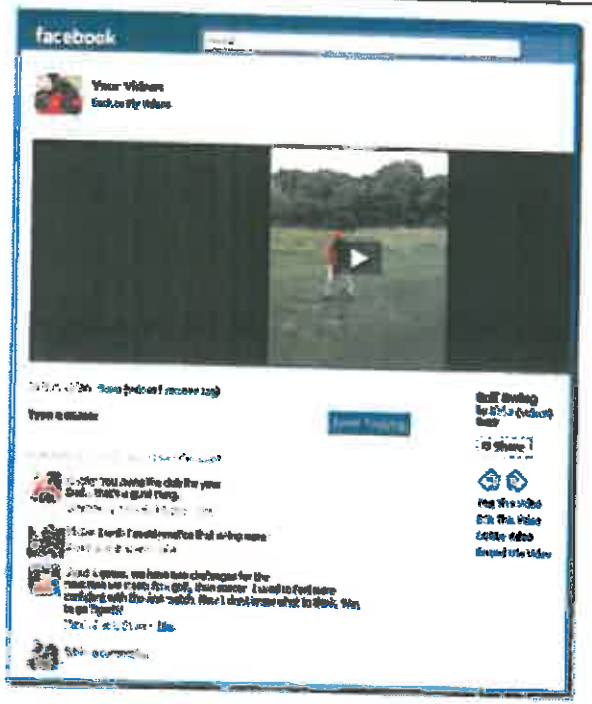
US 7,831,663	Facebook Products
	
11. The networked storage system of Claim 1, wherein at least one of the multimedia documents referenced by a hyperlink is stored in a second storage device.	The Facebook system comprises storage facilities in communication with the wide area network, the internet. The Facebook system's multimedia documents include associated hyperlinks. For example, some of the media components include hyperlinks that take a user, accessing this multimedia document, to other multimedia documents, other functions, other user's profile pages, etc.

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
	 The screenshot below illustrates, for one hyperlink on the multimedia document, the underlying URL is from Facebook (i.e., http://www.facebook.com/video/videos.php?of=54302919 as shown in the "Properties" tab.)

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

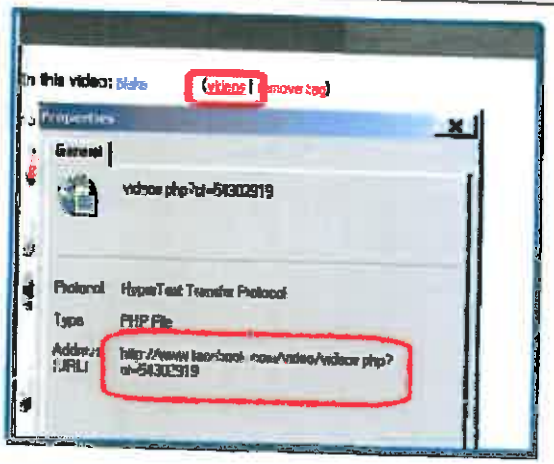
US 7,831,663	Facebook Products
	 The Facebook system is also configured to allow users to access and view media from various third party storage devices. These are referenced by a hyperlink. Examples include access to content from advertisers/sponsors, as shown in the screen shot below.

EXHIBIT A cont.
Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
	The "MatrixDirect" ad in the bottom right corner links a user to https://www.matrixdirect.com/request-a-quote/term-life-insurance-quotes?DNIS=9892 as shown below.

EXHIBIT A cont.
Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
12. The networked storage system of Claim 1, further configured to enable the first storage device to transfer multimedia documents to a second storage device in the networked storage system.	Standard industry practice for a major data center would require transfer for redundancy and backup replication.
13. The networked storage system of Claim 1, wherein the third multimedia document referenced by the at least one hyperlink includes audio.	As explained above, for instance in Claim 11, multimedia documents that contain video can be accessed by hyperlink. The video also includes audio. The screenshot below shows a multimedia document in playback mode. The audio (volume) control is circled.

US 7,831,663	Facebook Products
14. A method comprising:	The method of providing access occurring on the Facebook Servers on which one or more of the multimedia documents and components (e.g. video, annotations, comments, tags, hyperlinks, graphics, still images, slideshows, timestamps, etc.) are stored.
enabling storing, by respective users of first and second client devices of at least first and second multimedia documents at a first storage device in a networked storage system,	Facebook multimedia documents are stored as components on Facebook servers. A Facebook user sees representations of multimedia documents on their respective client devices, made up of components. One such representation is shown in the screenshot below. Here, a video component is linked to this multimedia document using HTML code. It also includes components such as a photo identifying a user (see top left), various forms of text, a "box" for entering comments, as well as other images.

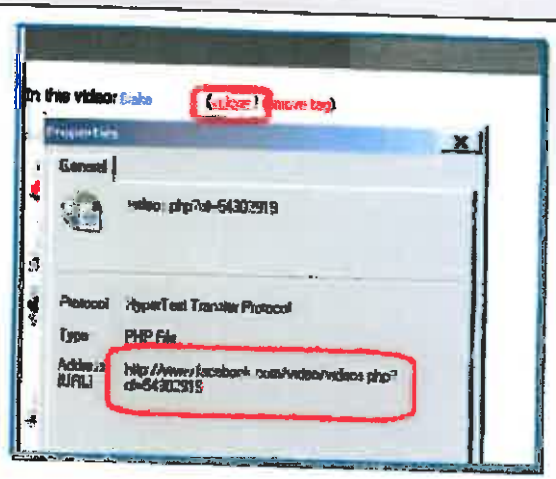
US 7,831,663	Facebook Products
	 Note that a "second" multimedia document would have the same format but different content.
each of the first and second multimedia documents having a universal format that defines the multimedia document as a collection of media components and with a structure that captures the relationship among the components including spatial layout; and	Facebook multimedia documents have a universal format that defines how they look to a user. The component media are arranged in the multimedia document for the user. The spatial layout and structural relationship between the different components, such as video, user identifying icons, text, boxes, etc of the multimedia document are shown in the screen shot below. HTML defines the spatial layout of the multimedia document that users view on the webpages. The HTML code and referenced CSS files define the structure of the document including the position and layout of the text, graphics, colors, font, etc.

US 7,831,663	Facebook Products
	 Note that a "second" multimedia document would have the same format but different content.
enabling respective users of the first and second client devices that are in communication with the first storage device over a wide area network to each access both the first and second multimedia documents stored at the first storage device, the first and	Facebook servers are in communication with users' respective client devices over a wide area network, the internet. Over this network, users can access, or view, multimedia documents including ones with video component media. When a user accesses a Facebook multimedia document that contains video and comments, the URL is a Facebook URL, indicating storage within the Facebook servers or servers under the control of, or affiliated with, Facebook. Facebook multimedia documents include references to video and also have hyperlinks referencing other

US 7,831,663	Facebook Products
second multimedia documents each including at least a reference to a video portion and at least a hyperlink referencing at least one other multimedia document;	multimedia documents. This screenshot shows a multimedia document with a video reference. Note that a "second" multimedia document would have the same format but different content. In the screenshot below, one hyperlink on the multimedia document is shown. This hyperlink "videos" has an underlying URL of http://www.facebook.com/video/videos.php?of=54302919 as shown in the "Properties" tab.

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
	 Clicking on "videos" takes the user to "one other" multimedia document. See reference to "Your Videos" (circled). The Facebook system is also configured to allow users to access and view media from various third party storage devices. Examples include access to content from advertisers/sponsors, as shown in the screen shot

US 7,831,663	Facebook Products
	below. These are referenced using hyperlinks. The "MatrixDirect" ad in the bottom right corner links a user to https://www.matrixdirect.com/request-a-quote/term-life-insurance-quotes?DNIS=9892 as shown below.

US 7,831,663	Facebook Products
enabling respective users of the first and second client devices to communicate with the first storage device, the first and second client devices being separated from each other and the first storage device by a wide area network;	Facebook servers allow users to communicate with the Facebook storage servers through their respective client devices over a wide area network, the internet. Multiple Facebook users are physically separated from one another and the Facebook servers, but still connected to Facebook over the internet.
enabling respective users of the first and second client devices to add content to the first and second multimedia documents by using the first and second client devices; and	Facebook allows users to each add to the various multimedia documents from their own client devices, using their browsers for example. These additions can come in many forms including adding annotations, comments or tags to the multimedia document as shown below. After this content is added, it becomes part of the multimedia document.

US 7,831,663	Facebook Products
	 This screenshot shows a multimedia document with added comments and tags. Note that a "second" multimedia document would have the same format but different content.
enabling respective users of the first and second client devices to access and view the first and second multimedia documents to which content has been added.	Facebook users are able to view the multimedia documents to which video, comments, tags and annotations have been added. The screenshot below shows what a user would see when accessing a Facebook multimedia document. This one has video with added comments and tags circled.

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
	 Note that a "second" multimedia document would have the same format but different content.
15. The method of Claim 14, wherein the at least one other multimedia document referenced by the hyperlink is stored in a second storage device.	Facebook is configured to allow users to access and view media from various third party storage devices. These are referenced by hyperlink. Examples include access to content from advertisers/sponsors, as shown in the screen shot below.

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
	 The "MatrixDirect" ad in the bottom right corner takes a user to https://www.matrixdirect.com/request-a-quote/term-life-insurance-quotes?DNIS=9892 as shown below.

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
16. The method of Claim 14, further comprising enabling transferring of multimedia documents from the first storage device to a second storage device, and wherein at least one multimedia document includes at least three different media.	Standard industry practice for a major data center would require transfer for redundancy and backup replication. The screenshot below shows a multimedia document with three forms of media, video, photos and text.

US 7,831,663	Facebook Products
17. The method of Claim 14, wherein the at least one other multimedia document referenced by the hyperlink includes audio.	As explained above, for instance in Claim 15, multimedia documents that contain video can be accessed by hyperlink. The video also includes audio. The screenshot below shows a multimedia document in playback mode. The audio (volume) control is circled.

US 7,831,663	Facebook Products
18. The method of Claim 14, further comprising enabling the respective users of the first and second client devices to cause playback of media associated with the first multimedia document, and to operate on the play back of the media using at least one operation from a group consisting of start, stop, and pause operations.	The Facebook servers are configured to enable playback of media, including video, associated with multimedia documents stored on Facebook. Specifically, the Facebook servers cause the video to be displayed in the user's browser. Users can manipulate the video playback using the operations of start, stop and pause. This screenshot shows a video in playback mode. The video progress bar can be manipulated by the user to start and pause the video. The pause button to the left of the time bar may also be used, and when paused, the pause button becomes a play (start) button. Stopping the video can be accomplished for example, by navigating away from the video using the browser's "back" button or choosing another video to view.
19. The method of Claim 14, further comprising enabling the respective users of the first and second client devices to: (i) access the first and second multimedia documents stored at the first storage device; (ii) playback media associated with at least one of the first and second multimedia documents accessed from the first storage device; and	Facebook allows different users to access different multimedia documents stored on the Facebook storage servers. After accessing a multimedia document, users may playback media, such as video, associated with the multimedia documents. Facebook allows users to operate the video playback using start, stop and pause.

US 7,831,663	Facebook Products
(iii) operate on the play back of the media using at least one operation from a group consisting of start, stop, and pause operations.	 The above screenshot shows a multimedia document accessed by the user, with component video media. Note that a "second" multimedia document would have the same format but different content. This screenshot shows a video in playback. A user can manipulate the video progress bar and the button the left of the bar to play and pause the video as it plays. The pause button on the left may also be used. When paused, the pause button becomes a play (start) button. Stopping the video can be accomplished for example, by navigating away from the video using the browser's "back" button or choosing another video

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
	to view.
20. The method of Claim 14, further comprising:	
(i) enabling simultaneous multiple access to a plurality of multimedia documents stored at the first storage device; and (ii) causing multiple playbacks of media associated with the plurality of multimedia documents accessed from the first storage device.	Facebook allows multiple users, through their respective client devices, to simultaneously access various multimedia documents stored on Facebook's servers. The users may then playback the associated component media, such as video on the multimedia documents. Users may also access a video multiple times. This screenshot shows two users playing back the same video simultaneously.

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

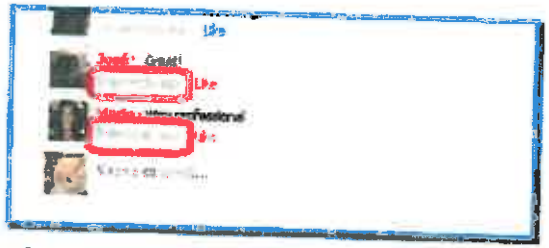
US 7,831,663	Facebook Products
	 Simultaneous access is further demonstrated by the fact that both users *Jose* and *Marie* added comments at the same time (i.e. "2 seconds ago").  The example above shows simultaneous access to a single multimedia document. In addition, it is self

EXHIBIT A cont.

Plaintiff Pragmatus AV LLC's PLR 3-1 Disclosure of Asserted Claims and Infringement Contentions to Facebook with Respect to US 7,831,663

US 7,831,663	Facebook Products
	evident that multiple users can simultaneously access multiple documents in a single Facebook server.