

# EXHIBIT 12

## **EXHIBIT A**

### **Prior art to U.S. Patent No. 5,838,551**

As set forth below and based on the investigation to date, this exhibit provides the full identity of each item of prior art to the '551 patent, including: (1) each patent by its patent number, country of origin, and date of issue; (2) each prior art publication by its title, date of publication, and, where feasible, author and publisher; (3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Prior art under 35 U.S.C. § 102(g) is identified in Exhibits 551-01 to 551-25 by providing the identities of the person(s) or entities involved in and the circumstances surrounding the making of the invention before the patent applicant(s). Exhibits 551-01 to 551-25 are incorporated in the appropriate table below by reference.

The prior art references disclosed below are based on Rockstar's apparent construction of the claim elements of the patents-in-suit. Nothing stated herein shall be treated as an admission or suggestion that Google agrees with Rockstar regarding either the scope of any of the asserted claims or the claim constructions advanced by it in its Infringement Contentions or anywhere else.

Google's identification of the patents and publication as prior art below under 35 U.S.C. §§102(a), (b), (e), and/or (g) and §103 includes the publications themselves as well as the use of the products and systems described therein. Although Google's investigation continues, information available to date indicates that such products and systems were (1) known or used in the country

before the alleged invention of the claimed subject matter of the asserted claims, (2) were in public use and/or on sale in this country more than one year before the filing date of the patent, and/or (3) were invented by another who did not abandon, suppress, or conceal, before the alleged invention of the claimed subject matter of the asserted claim. Upon information and belief, these prior art products and systems and the associated references anticipate and/or render obvious each of the asserted claims.

To the extent not already identified herein, Google will rely upon prior art referenced in the '551 patent, including prior art cited on the face of the '551 patent and prior art cited by the Patent Office during prosecution of the '551 patent. Google will also rely upon prior art referenced in family members of the '551 patent, including patent applications, child applications, and foreign counterparts. This prior art is already known to Rockstar, as it is already identified in the '551 patent, its file histories, and related family members. Google incorporates that identification of prior art herein, to the extent those references are not already disclosed explicitly.

(1) Each prior art patent or patent application by its number, country of origin, and date of issue (for each patent) or date of publication (for each patent publication)<sup>1</sup>:

<b>PATENTS AND PATENT APPLICATIONS</b>			
<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
United States	Patent No. 4,551,746	November 5, 1985	Barry K. Gilbert, Daniel J. Schwab
United States	Patent No. 4,922,324	May 1, 1990	Toshio Sudo
United States	Patent No. 5,153,379	October 6, 1992	Andrzej T. Guzuk, Todd W. Roshitsh, Scoot M. Engstrom, Lonnie L. Bernardoni

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<sup>1</sup> Google incorporates by reference all prior art references cited in the patents listed herein and their file histories.

<b>PATENTS AND PATENT APPLICATIONS</b>			
<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
United States	Patent No. 5,313,371	May 17, 1994	Thomas A. Knecht, Brian M. Mancini, Jean-Robert Achille, David J. Sieben
United States	Patent No. 5,355,016	October 11, 1994	Thomas J. Swirbel, Lonnie L. Barnardoni, Melanie Williams, James L. Davis
United States	Patent No. 5,371,404	December 6, 1994	Frank J. Juskey, Anthony B. Suppelsa
United States	Patent No. 5,394,011	February 28, 1994	Hiryasu Yamamoto, Takayuki Konuma, Akira Shika, Hiroyoshi Suzuki, Masanori Katuono, Kaori Sato
United States	Patent No. 5,436,203	July 25, 1995	Paul T. Lin
United States	Patent No. 5,459,368	October 17, 1995	Keiji Onishi, Sunichi Seki, Yutaka Taguchi, Kazuo Eda
United States	Patent No. 5,639,989	June 17, 1997 (issued) April 19, 1994 (filed)	Leo M. Higgins, III
United States	Patent No. 5,717,245	February 10, 1998 (issued) March 24, 1995 (filed)	David J. Pedder
United States	Patent No. 5,796,170	August 18, 1998 (issued) February 15, 1996 (filed)	Gabriel Marcantonio
United States	Patent No. 5,866,942	February 2, 1999 (issued) April 26, 1996 (filed)	Katsunobu Suzuki, Katsuhiko Suzuki, Akira haga, Isamu Sorimachi, Hiroyuki Uchida
United States	Patent No. 5,986,340	November 16, 1999 (issued) May 2, 1996 (filed)	Shahram Mostafazadeh, Joseph O. Smith
United States	Patent No. 6,262,477	July 17, 2001 (issued) March 19, 1993 (filed)	Deepak Mahulikar, Paul R. Hoffman, Jeffrey S. Braden
PCT	Pub. No. WO 95/27341	October 12, 1995	Robert J. Lamp, Robert Wannemacher

(2) Each prior art publication by its title, date of publication, and, where feasible, author and publisher:

<b>Title</b>	<b>Author(s)</b>	<b>Publication</b>	<b>Date</b>
<i>A Handbook Series on Electromagnetic Interference and Compatibility Volume 3 Electromagnetic Shielding</i>	Donald R.J White, Michel Mardiguian	Interference Control Technologies, Inc	1988
<i>ESD Packaging Requirement for an Opto-Electronic Receiver Module</i>	Eric M Foster, Richard J. Wolff	IEEE Trans. On Components, Hybrids, and Manufacturing Technology. Vol. 13, No. 4	December 1990
<i>Grounding and Shielding Techniques in Instrumentation, 2<sup>nd</sup> Ed.</i>	Ralph Morrison	John Wiley & Sons, Inc.	1977

(3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Google's investigation is ongoing, and the identified relevant publications in no way limit the evidence Google may rely on concerning these sales or public uses:

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
Astro Saber	No later than April 8, 1994	Motorola, Inc., and employees thereof, and individuals identified herein as having knowledge of ASTRO
Digital Personal Communicator	No later than August 6, 1991	Motorola, Inc., and employees thereof, and individuals identified herein as having knowledge of DPC

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
E-TBT-HB-0800/0400A	No later than January 9, 1992	Transition Engineering, and employees thereof, and individuals identified herein as having knowledge of E-TBT-HB-0800 and E-TBT-HB-0400A.
MicroTAC	No later than August 6, 1991	Motorola, Inc., and employees thereof, and individuals identified herein as having knowledge of MicroTAC
MVX-525	No later than November 1993	Vox International, Audiovox Corp., Toshiba Corp., and employees thereof, and individuals identified herein as having knowledge of MVX-525
NEC P110	No later than December 31, 1993	NEC Corporation of America, NEC Corporation and employees thereof, and individuals identified herein as having knowledge of NEC P110
VTECH 900 DX	No later than January 20, 1992	VTECH, and employees thereof, and individuals identified herein as having knowledge of 900 DX
10 BaseFL Transceiver E-FRL-MC01	No later than January 1, 1994	Transition Engineering, and employees thereof, and individuals identified herein as having knowledge of 10 BaseFL Transceiver E-FRL-MC01
<p><i>* Provided on information known to date – Google reserves the right to amend to an earlier date in light of further discovery in this case.</i></p>		

## **EXHIBIT B**

### **Prior art to U.S. Patent No. 6,037,937**

As set forth below and based on the investigation to date, this exhibit provides the full identity of each item of prior art to the '937 patent, including: (1) each patent by its patent number, country of origin, and date of issue; (2) each prior art publication by its title, date of publication, and, where feasible, author and publisher; (3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Prior art under 35 U.S.C. § 102(g) is identified in Exhibits 937-1 to 937-24 by providing the identities of the person(s) or entities involved in and the circumstances surrounding the making of the invention before the patent applicant(s). Exhibits 937-1 to 937-24 are incorporated in the appropriate table below by reference.

The prior art references disclosed below are based on Rockstar's apparent construction of the claim elements of the patents-in-suit. Nothing stated herein shall be treated as an admission or suggestion that Google agrees with Rockstar regarding either the scope of any of the asserted claims or the claim constructions advanced by it in its Infringement Contentions or anywhere else.

Google's identification of the patents and publication as prior art below under 35 U.S.C. §§102(a), (b), (e), and/or (g) and §103 includes the publications themselves as well as the use of the products and systems described therein. Although Google's investigation continues, information available to date indicates that such products and systems were (1) known or used in the country

before the alleged invention of the claimed subject matter of the asserted claims, (2) were in public use and/or on sale in this country more than one year before the filing date of the patent, and/or (3) were invented by another who did not abandon, suppress, or conceal, before the alleged invention of the claimed subject matter of the asserted claim. Upon information and belief, these prior art products and systems and the associated references anticipate and/or render obvious each of the asserted claims.

To the extent not already identified herein, Google will rely upon prior art referenced in the '937 patent, including prior art cited on the face of the '937 patent and prior art cited by the Patent Office during prosecution of the '937 patent. Google will also rely upon prior art referenced in family members of the '937 patent, including patent applications, child applications, and foreign counterparts. This prior art is already known to Rockstar, as it is already identified in the '937 patent, its file histories, and related family members. Google incorporates that identification of prior art herein, to the extent those references are not already disclosed explicitly.

(1) Each prior art patent or patent application by its number, country of origin, and date of issue (for each patent) or date of publication (for each patent publication)<sup>2</sup>:

<b>PATENTS AND PATENT APPLICATIONS</b>			
<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
United States	Patent No. 5,252,951	October 12, 1993	Alan R. Tannenbaum, John M. Zetts, Yu L. An, Gordon W. Arbeitman, Evon C. Greanias, Guy F. Verrier

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<sup>2</sup> Google incorporates by reference all prior art references cited in the patents listed herein and their file histories.



**PATENTS AND PATENT APPLICATIONS**

<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
United States	Patent No. 5,260,697	November 9, 1993	David M. Barrett, J. Michael McNally, Patricia A. Martin, Jonathan T. Huntington, II, Robert M. Douthart
United States	Patent No. 5,491,495	February 13, 1996	Jean R. Ward, David M. Barrett, Patricia A. Martin, Christopher D. Mokoski
United States	Patent No. 5,500,935	March 19, 1996	Thomas P. Moran, Gordon P. Kurtenbach
United States	Patent No. 5,581,243	December 3, 1996	Daniel Ouellette, Sylvain D'Auteuil
United States	Patent No. 5,651,107	July 22, 1997 (issued) August 16, 1994 (filed)	Edward H. Frank, Patrick J. Naughton, James Arthur Gosling, John C. Liu
United States	Patent No. 5,638,501	June 10, 1997 (issued) May 10, 1993 (filed)	Michael L. Gough, Daniel S. Venolia, Thomas, S. Gilley, Greg M. Robbins; Daniel J. Hansen, Jr., Abhay Oswal, Tommy H. Tam
United States	Patent No. 5,655,094	August 5, 1997 (issued) September 29, 1995 (filed)	Troy Lee Cline, Harlan Isensee, Ricky Lee Poston, Harald Werner
United States	Patent No. 5,699,244	December 16, 1997 (issued) June 16, 1995 (filed)	Louis George Clark, Jr., Donald Romaine Gummow, Jr., Marc Vanacht
United States	Patent No. 5,745,116	April 28, 1998 (issued) September 9, 1996 (filed)	Suthirug Num Pisutha-Armond
United States	Patent No. 5,760,773	June 2, 1998 (issued) January 6, 1995 (filed)	Eric Robert Berman, Edward Low Mills, Michael Hinkley Van Kleeck, Vinayak A. Bhalerao
United States	Patent No. 6,025,841	February 15, 2000 (issued) July 15, 1997 (filed)	Erich Soren Finkelstein, Samuel David Hobson, Adrian Klein, Benjamin Waldman
United States	Patent No. 6,069,626	May 30, 2000 (issued) February 27, 1997 (filed)	Troy Lee Cline, Ricky Lee Poston
United States	Patent No. 6,160,551	December 12, 2000 (issued) March 20, 1995 (filed)	Patrick J. Naughton, Charles H. Clanton, III, James A. Gosling, Chris Warth, Joseph

**PATENTS AND PATENT APPLICATIONS**

<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
			M. Palrang, Edward H. Frank, David A. LaVallee, R. Michael Sheridan
United States	Patent No. 6,493,006	December 10, 2002 (issued) May 10, 1996 (filed)	Arno Gourdol, Daniel Cooley

(2) Each prior art publication by its title, date of publication, and, where feasible, author and publisher:

<b>Title</b>	<b>Author(s)</b>	<b>Publication</b>	<b>Date</b>
<i>A Marking Based Interface for Collaborative Writing</i>	Gary Hardock, Gordon Kurtenbach, William Buxton	ACM UIST 1993	November 5, 1993
<i>Avoiding Trouble with Mouse Capture</i>	Chris Branch	Dr. Dobbs.com	December 1, 1997
<i>Newton 2.0 User Interface Guidelines</i>	Apple Computer Inc.	Apple Press	1996
<i>Newton Programmer's Guide 2.0</i>	Apple Computer Inc.	Apple Press	1996
<i>Using Small Screen Space More Efficiently</i>	Tomonari Kamba, Shawn A. Elson, Terry Harpold, Tim Stamper, Piyawadee "Noi" Sukaviriya	ACM CHI 1996	April 18, 1996

(3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Google's investigation is ongoing, and the identified relevant publications in no way limit the evidence Google may rely on concerning these sales or public uses:

Items Offered for Sale or Publicly Known or Used	Date of Offer or Use*	Person or Entity Involved
EO Personal Communicator / Samsung Penmaster	No later than 1994	GO Corporation, EO, Inc., AT&T Corp. and employees thereof, and individuals identified herein as having knowledge of EO Personal Communicator or the PenPoint operating system; Samsung and employees thereof, and individuals identified herein as having knowledge of Samsung Penmaster or the PenPoint operating system
Conquest of the New World	No later than November 19, 1996	Interplay Entertainment, Quicksilver Software and employees thereof, and individuals identified herein as having knowledge of Conquest of the New World
InkWare NoteTaker	No later than April 20, 1992	Ink Development Corp., and employees thereof, and individuals identified herein as having knowledge of NoteTaker
Newton MessagePad	No later than 1993	Apple Inc., and employees thereof, and individuals identified herein as having knowledge of Netwon
NeXTStation N1100	No later than 1990	NeXT, Inc., and employees thereof, and individuals identified herein as having

Items Offered for Sale or Publicly Known or Used	Date of Offer or Use*	Person or Entity Involved
		knowledge of NeXT devices
Star 7	No later than 1992	Sun Microsystems, Inc., and employees thereof, and individuals identified herein as having knowledge of Star 7
Toolglass and Magic Lenses	No later than 1993	Xerox PARC, and employees thereof, and individuals identified herein as having knowledge of Toolglass and Magic Lenses
Windows 95 / Microsoft Office	No later than 1995	Microsoft Corp., and employees thereof, and individuals identified herein as having knowledge of Windows 95 and/or Microsoft Office
Windows for Pen Computing	No later than 1992	Microsoft Corp., and employees thereof, and individuals and entities identified herein as having knowledge of Windows for Pen Computing and devices running same
WinPad	No later than 1994	Microsoft Corp., and employees thereof, and Eric Robert Berman, Edward Low Mills, Michael Hinkley Van Kleeck, and Vinayak A. Bhalerao
X Window System	No later than 1996	MIT, and employees / students thereof, and individuals identified herein as having knowledge of X Window System
<i>*Provided on information known to date – Google reserves the right to amend to an earlier date in light of further discovery in this case.</i>		



## **EXHIBIT C**

### **Prior art to U.S. Patent No. 6,128,298**

As set forth below and based on the investigation to date, this exhibit provides the full identity of each item of prior art to the '298 patent, including: (1) each patent by its patent number, country of origin, and date of issue; (2) each prior art publication by its title, date of publication, and, where feasible, author and publisher; (3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Prior art under 35 U.S.C. § 102(g) is identified in Exhibits 298-1 to 298-13 by providing the identities of the person(s) or entities involved in and the circumstances surrounding the making of the invention before the patent applicant(s). Exhibits 298-1 to 298-13 are incorporated in the appropriate table below by reference.

The prior art references disclosed below are based on Rockstar's apparent construction of the claim elements of the patents-in-suit. Nothing stated herein shall be treated as an admission or suggestion that Google agrees with Rockstar regarding either the scope of any of the asserted claims or the claim constructions advanced by it in its Infringement Contentions or anywhere else.

Google's identification of the patents and publication as prior art below under 35 U.S.C. §§102(a), (b), (e), and/or (g) and §103 includes the publications themselves as well as the use of the products and systems described therein. Although Google's investigation continues, information available to date indicates that such products and systems were (1) known or used in the country

before the alleged invention of the claimed subject matter of the asserted claims, (2) were in public use and/or on sale in this country more than one year before the filing date of the patent, and/or (3) were invented by another who did not abandon, suppress, or conceal, before the alleged invention of the claimed subject matter of the asserted claim. Upon information and belief, these prior art products and systems and the associated references anticipate and/or render obvious each of the asserted claims.

To the extent not already identified herein, Google will rely upon prior art referenced in the '298 patent, including prior art cited on the face of the '298 patent and prior art cited by the Patent Office during prosecution of the '298 patent. Google will also rely upon prior art referenced in family members of the '298 patent, including patent applications, child applications, and foreign counterparts. This prior art is already known to Rockstar, as it is already identified in the '298 patent, its file histories, and related family members. Google incorporates that identification of prior art herein, to the extent those references are not already disclosed explicitly.

(1) Each prior art patent or patent application by its number, country of origin, and date of issue (for each patent) or date of publication (for each patent publication)<sup>3</sup>:

<b>PATENTS AND PATENT APPLICATIONS</b>			
<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
United States	Patent No. 5,371,852	December 6, 1994 (issued) October 14, 1992 (filed)	Clement R. Attanasio, Stephen E. Smith
United States	Patent No. 5,606,668	February 25, 1997 (issued) December 15, 1993 (filed)	Gil Shwed

<sup>3</sup> Google incorporates by reference all prior art references cited in the patents listed herein and their file histories.



**PATENTS AND PATENT APPLICATIONS**

<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
United States	Patent No. 5,636,371	June 3, 1997 (issued) June 7, 1995 (filed)	Kin C. Yu
United States	Patent No. 5,734,865	March 31, 1998 (issued) June 27, 1995 (filed)	Kin C. Yu
United States	Patent No. 5,699,513	December 16, 1997 (issued) March 31, 1995 (filed)	Ronald G. Feigen, Paul A. Lambert
United States	Patent No. 5,793,763	August 11, 1998 (issued) November 3, 1995 (filed)	John C. Mayes, Brantley W. Coile

(2) Each prior art publication by its title, date of publication, and, where feasible, author and publisher:

<b>Title</b>	<b>Author(s)</b>	<b>Publication</b>	<b>Date</b>
<i>Address-Swapping Scheme for On-Demand Assignemtn of Global Addresses in a TCP/IP Network</i>	Reuven Cohen	HP Laboratories Technical Report HPL-95-34	January 1, 1995
<i>A Transparent TCP/IP Gateway to Connect Private networks to the Internet</i>	Heon Y. Yeom, Ilhwan Kim	INET95	January 30, 1995
<i>A Virtual Multiprocessor Implemented By an Encapsulated Cluster of Loosely Coupled Computers</i>	C.R. Attanasio, S.E. Smith	IBM Research	April 29,1992
<i>Extending the IP Internet Through Address Reuse</i>	Paul F. Tsuchiya, Tony Eng	ACM SIGCOMM	January 1993
<i>Internetworking with TCP/IP</i>	Douglas E. Comer, David L. Stevens	Internetworking with TCP/IP. Prentice-Hall 1991	1991
<i>IP Address Reuse Through Transparent Port-Address Translator</i>	Il Hwan Kim, Heon Young Yeom	Journal of Korean Information and Communications Society '95-12 Vol. 20, No. 12	April 7, 1995
<i>RFC 792: Internet Control Message Protocol</i>	J. Postel	RFC792	September 1981
<i>RFC 1631: The IP Network Address Translator (NAT)</i>	K. Egevang, P. Francis	RFC1631	May 1994
<i>RFC 1597: Address Allocation for Private Internets</i>	Y. Rekhter, B. Moskowitz, D. Karrenberg, G. de Groot	RFC1597	March 1994
<i>Eagle Network Security Management System User's Guide</i>	Raptor Systems Incorporated	Raptor Systems Incorporated Version 2.2	1992
<i>Milkyway Networks Blackhole Firewall</i>	Milkyway	Milkyway Networks Corporation	November

<b>Title</b>	<b>Author(s)</b>	<b>Publication</b>	<b>Date</b>
	Networks Corporation	Version 3.01E2 for SPARCstations	1997
<i>Network (IN)Security Through IP packet Filtering</i>	Brent Chapman	Third USENIX UNIX Security Symposium	September 1992
<i>IP Addresses for Low Bandwidth Networks</i>	Chandana Gamage, Kanchana Kanchanasut	Technical Report No. TR-CS-95-001 Division of Computer Science, School of Advanced Technologies, Asiain Institute of Tachnology	March 1995
<i>Using screend to Implement IP/TCP Security Policies</i>	Jeffrey Mogul	Network Systems Laboratory NSL Technical Note TN-2	July 1991
<i>Keeping Your Site Comfortably Secure: An Introduction to Internet Firewalls</i>	John P. Wack, Lisa J. Carnahan	NIST Special Publication 800-10	December 1994

(3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Google's investigation is ongoing, and the identified relevant publications in no way limit the evidence Google may rely on concerning these sales or public uses:

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
JANUS	No later than November 1994	Border Network Technologies, Inc., and employees thereof, and individuals identified herein as having knowledge of JANUS, including Steven Lamb,

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
		Rayan Zachariassen, Glenn Mackintosh, Rod Adkins, Phil Trubey, Peter Cox, Richard Earle
IP Masquerade	No later than January 2, 1995	Ken Eves, Pauline Middlelink, Alan Cox, Linus Torvalds, Rafal Maszkowski, Toby G. Garner, Andi Kleen, David Edwards, Valient Gough, Oliver Friedrichs, Mark G. Lentczner, Stef Van Dessel, Emmanuel Charpentier, Nik Weidenbacher, Thomas Quinot, Bjorn Ekwall, Justin M. Reuther, David W. Summers
NetNAT	No later than November 1994	Network Safety Corporation, and employees thereof, and individuals identified herein as having knowledge of NetNAT, including Les Biffle, Tom Castleberry, Ray Kopsa, Cliff Biffle, Adam Biffle, The Gauge Group
PIX	No later than November 1994	Network Translation, Inc., and employees thereof, and individuals identified herein as having knowledge of PIX, including John Mayes, Brantley Coile, Richard Clark
* <i>Provided on information known to date – Google reserves the right to amend to an earlier date in light of further discovery in this case.</i>		

## **AMENDED EXHIBIT D**

### **Prior art to U.S. Patent No. 6,333,973**

As set forth below and based on the investigation to date, this exhibit provides the full identity of each item of prior art to the '973 patent, including: (1) each patent by its patent number, country of origin, and date of issue; (2) each prior art publication by its title, date of publication, and, where feasible, author and publisher; (3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Prior art under 35 U.S.C. § 102(g) is identified in Exhibits 973-1 to 973-16 by providing the identities of the person(s) or entities involved in and the circumstances surrounding the making of the invention before the patent applicant(s). Exhibits 973-1 to 973-16 are incorporated in the appropriate table below by reference.

The prior art references disclosed below are based on Rockstar's apparent construction of the claim elements of the patents-in-suit. Nothing stated herein shall be treated as an admission or suggestion that Google agrees with Rockstar regarding either the scope of any of the asserted claims or the claim constructions advanced by it in its Infringement Contentions or anywhere else.

Google's identification of the patents and publication as prior art below under 35 U.S.C. §§102(a), (b), (e), and/or (g) and §103 includes the publications themselves as well as the use of the products and systems described therein. Although Google's investigation continues, information available to date indicates that such products and systems were (1) known or used in the country

before the alleged invention of the claimed subject matter of the asserted claims, (2) were in public use and/or on sale in this country more than one year before the filing date of the patent, and/or (3) were invented by another who did not abandon, suppress, or conceal, before the alleged invention of the claimed subject matter of the asserted claim. Upon information and belief, these prior art products and systems and the associated references anticipate and/or render obvious each of the asserted claims.

To the extent not already identified herein, Google will rely upon prior art referenced in the '973 patent, including prior art cited on the face of the '973 patent and prior art cited by the Patent Office during prosecution of the '973 patent. Google will also rely upon prior art referenced in family members of the '973 patent, including patent applications, child applications, and foreign counterparts. This prior art is already known to Rockstar, as it is already identified in the '973 patent, its file histories, and related family members. Google incorporates that identification of prior art herein, to the extent those references are not already disclosed explicitly.

(1) Each prior art patent or patent application by its number, country of origin, and date of issue (for each patent) or date of publication (for each patent publication)<sup>4</sup>:

<b>Patent/Publication No.</b>	<b>Country of Origin</b>	<b>Date Published/Issued</b>
4,479,213	United States	October 23, 1984
4,837,798	United States	June 6, 1989
5,533,097	United States	July 2, 1996
5,333,266	United States	July 26, 1994

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<sup>4</sup> Google incorporates by reference all prior art references cited in the patents listed herein and their file histories.

<b>Patent/Publication No.</b>	<b>Country of Origin</b>	<b>Date Published/Issued</b>
5,448,759	United States	September 5, 1995
5,533,097	United States	July 2, 1996
5,550,861	United States	August 27, 1997
5,568,540	United States	October 22, 1996
5,579,472	United States	November 26, 1996
5,682,386	United States	October 28, 1997
5,742,905	United States	April 21, 1998
6,233,318	United States	May 15, 2001
6,335,927	United States	January 1, 2002
5,611,055	United States	March 11, 1997

(2) Each prior art publication by its title, date of publication, and, where feasible, author and publisher:

<b>Title</b>	<b>Date of Publication</b>	<b>Author/Publisher</b>
<i>Network Architecture and Radio Link Performance of MOBITEX® Systems</i>	1994	Reza Alavi and M. Khan
<i>Voice Over ATM to the Desktop: The LAN as PBX</i>	Jan/Feb 1997	Byron Brooks and Ernst Reimann
<i>Standards Policy for Information Infrastructure</i>	1995	Brian Kahin and Janet Abbate
<i>Internet Primer for Information Professionals</i>	1993	Elizabeth Lane and Craig Summerhill
<i>Teleservices supported by a GSM Public Land Mobile Network (PLMN) (GSM 02.03 version 3.4)</i>	February 1992	GSM Technical Specification 02.03, Version 3.4, ETSI
<i>Digital cellular telecommunications system (Phase 2+); General description of a GSM Public Land Mobile Network (PLMN) (GSM 01.02)</i>	October 1993	GSM Technical Specification 01.02, Version 4.0.2, ETSI
<i>Technical realization of the Short Message Service (SMS) Point-to-Point</i>	August 1995	GSM Technical Specification 03.40, Version 4.11, ETSI
<i>Digital cellular telecommunications system (Phase 2); Technical realization of facsimile group 3 transparent</i>	September 1995	GSM Technical Specification 03.45, Version 4.5, ETSI
<i>Digital cellular telecommunications system (Phase 2+); General on supplementary services</i>	December 1995	GSM Technical Specification 02.04, Version 5.0, ETSI
<i>Digital cellular telecommunications system; Technical realization of facsimile group 3 non-transparent</i>	November 1996	GSM Technical Specification 03.46, Version 5.0, ETSI
<i>Digital cellular telecommunications system (Phase 2+); Teleservices supported by a GSM Public Land Mobile Network (PLMN) (GSM 02.03 version 5.3.0)</i>	March 1996	GSM Technical Specification 02.03, Version 5.0.0, ETSI
<i>GSM Full Rate Speech Transcoding</i>	February 1992	GSM Technical Specification 06.10, Version 3.2.0, ETSI
<i>Digital cellular telecommunications system; Full rate</i>	February 1992	GSM Technical Specification



<b>Title</b>	<b>Date of Publication</b>	<b>Author/Publisher</b>
<i>speech; Processing functions</i>		06.01, Version 3.0.0, ETSI
<i>Digital cellular telecommunications system; Full rate speech; Processing functions</i>	December 1996	GSM Technical Specification 06.01, Version 5.0.0, ETSI
<i>Digital cellular telecommunications system; Full rate speech; Processing functions</i>	December 1996	GSM Technical Specification 06.01, Version 5.0, ETSI
<i>Digital cellular telecommunications system (Phase 2+); Technical realization of the Short Message Service (SMS) Point-to-Point (PP)</i>	December 1995	GSM Technical Specification 03.40, Version 5.0, ETSI
<i>Digital cellular telecommunications system (Phase 2+); Network Architecture</i>	May 1996	GSM Technical Specification 03.02, Version 5.1.0, ETSI
<i>GoAnyWhere: plenty of modem bang for buck</i>	July 8, 1996	Matt Kramer
<i>Basic GroupWise Concepts for Support Professionals</i>	January 1, 1996	Mike Lee, also at <a href="http://support.novell.com/techcenter/articles/ana19960102.html">http://support.novell.com/techcenter/articles/ana19960102.html</a>
<i>NovaLink supports phone links</i>	July 8, 1996	Yvonne Lee
<i>Messaging Using the Global System for Mobile Communications</i>	Aug. 1995	Alan Murch and Peter Stiffe
<i>Newton's Telecom Dictionary, Fifth Edition</i>	1992	Harry Newton
<i>The Information Highway: The Convergence of Telecommunications, Broadcast, Distribution and Microprocessing</i>	June 1996	Daniel J. Shaw
<i>LAN TIMES Encyclopedia of Networking</i>	1994	Tom Sheldon
<i>"Advanced Network Technology", OTA-BP-TCT-101</i>	June 1993	Office of Technology Assessment, US Government
<i>NovaLink to Offer First Type 2 PC Card Combining Wireless Data With a Standard Data Fax Modem; Complete Mobile Data With a Standard Data Fax Modem; Complete Mobile Data Communications Device is Also Cellular Ready</i>	October 31, 1995	Business Wire

<b>Title</b>	<b>Date of Publication</b>	<b>Author/Publisher</b>
<i>Intuity Message Manager Release 4.1 Getting Started</i>	January, 1997	Lucent Technologies
<i>Intuity Message Manager Release 2.0 User's Guide</i>	January, 1995	Lucent Technologies
<i>The GSM System for Mobile Communications</i>	1992	Michael Mouly and Marie-Bernadette Pautet
<i>Pulse Code Modulation (PCM) of Voice Frequencies</i>	1993	ITU
<i>Nokia 9000 Communicator User Manual</i>	1995	Nokia
<i>Nokia 2190 Owner's Manual</i>	1996	Nokia
<i>User Guide: Ericsson CF337/CH337</i>	1996	OmniPoint Communications

(3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Google's investigation is ongoing, and the identified relevant publications in no way limit the evidence Google may rely on concerning these sales or public uses:

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
AT&T Unified Messaging System	No later than 1989	AT&T, and employees thereof, and individuals identified herein as having knowledge of the AT&T Unified Messaging System, including Kenneth Huber, Deborah Mills-Scofield and Roberta S. Cohen
AUDIX	No later than December 1997	AT&T, and employees thereof, and individuals identified herein as having knowledge of AUDIX
Boston Technology	No later than 1996	Donald F. Boston Technology and employees thereof, Converse Network Systems and employees thereof, and individuals identified herein as having knowledge of Boston Technology, including Donald F. Picard, Thomas Lyman Root, Gerald William Wear, Jeffrey John Schleuter

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
CallXpress3	No later than June 10, 1996	Applied Voice Technology (AVT), and employees thereof, and individuals identified herein as having knowledge of CallXpress3, including Steve Tindall
Ericsson CF337/CH337	No later than November 15, 1995	Ericsson and employees thereof, Omnipoint and employees thereof, Sprint Spectrum and employees thereof, and individuals identified herein as having knowledge of the Ericsson CF337 and CH337
GroupWise / NetWare	No later than December 1994	Novell, Inc., and employees thereof, and individuals identified herein as having knowledge of GroupWise / NetWare
Intuity Message Manager	No later than January 1997	AT&T, and employees thereof, and individuals identified herein as having knowledge of Intuity
Nokia 9000 Communicator	No later than 1995	Nokia, and employees thereof, and individuals identified herein as having knowledge of the Nokia 9000 Communicator
Nokia 2190	No later than January 1997	Nokia, and employees thereof, Sprint Spectrum and employees thereof, and individuals identified

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
		herein as having knowledge of the Nokia 2190
NovaMail	No later than July 8, 1996	Novalink Technologies, Inc., and employees thereof, and individuals identified herein as having knowledge of NovaMail, including Baldev Krishan, Kaylan Krishnan, and George A. Keyworth
OfficeVision	No later than July 1994	IBM Corp.
* <i>Provided on information known to date – Google reserves the right to amend to an earlier date in light of further discovery in this case.</i>		

## **EXHIBIT E**

### **Prior art to U.S. Patent No. 6,463,131**

As set forth below and based on the investigation to date, this exhibit provides the full identity of each item of prior art to the '131 patent, including: (1) each patent by its patent number, country of origin, and date of issue; (2) each prior art publication by its title, date of publication, and, where feasible, author and publisher; (3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Prior art under 35 U.S.C. § 102(g) is identified in Exhibits 131-1 to 131-33 by providing the identities of the person(s) or entities involved in and the circumstances surrounding the making of the invention before the patent applicant(s). Exhibits 131-1 to 131-33 are incorporated in the appropriate table below by reference.

The prior art references disclosed below are based on Rockstar's apparent construction of the claim elements of the patents-in-suit. Nothing stated herein shall be treated as an admission or suggestion that Google agrees with Rockstar regarding either the scope of any of the asserted claims or the claim constructions advanced by it in its Infringement Contentions or anywhere else.

Google's identification of the patents and publication as prior art below under 35 U.S.C. §§102(a), (b), (e), and/or (g) and §103 includes the publications themselves as well as the use of the products and systems described therein. Although Google's investigation continues, information available to date indicates that such products and systems were (1) known or used in the country

before the alleged invention of the claimed subject matter of the asserted claims, (2) were in public use and/or on sale in this country more than one year before the filing date of the patent, and/or (3) were invented by another who did not abandon, suppress, or conceal, before the alleged invention of the claimed subject matter of the asserted claim. Upon information and belief, these prior art products and systems and the associated references anticipate and/or render obvious each of the asserted claims.

To the extent not already identified herein, Google will rely upon prior art referenced in the '131 patent, including prior art cited on the face of the '131 patent and prior art cited by the Patent Office during prosecution of the '131 patent. Google will also rely upon prior art referenced in family members of the '131 patent, including patent applications, child applications, and foreign counterparts. This prior art is already known to Rockstar, as it is already identified in the '131 patent, its file histories, and related family members. Google incorporates that identification of prior art herein, to the extent those references are not already disclosed explicitly.

(1) Each prior art patent or patent application by its number, country of origin, and date of issue (for each patent) or date of publication (for each patent publication)<sup>5</sup>:

<b>Patent/Publication No.</b>	<b>Country of Origin</b>	<b>Date Published/Issued</b>
4,352,091	United States	September 28, 1982
4,803,487	United States	February 7, 1989
4,837,798	United States	June 6, 1989
4,918,438	United States	April 17, 1990

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<sup>5</sup> Google incorporates by reference all prior art references cited in the patents listed herein and their file histories.

<b>Patent/Publication No.</b>	<b>Country of Origin</b>	<b>Date Published/Issued</b>
5,012,219	United States	April 30, 1991
5,172,092	United States	December 15, 1992
5,278,539	United States	January 11, 1994
5,327,486	United States	July 5, 1994
5,363,426	United States	November 4, 1994
5,422,733	United States	June 6, 1995
5,459,482	United States	October 17, 1995
5,533,102	United States	July 2, 1996
5,579,472	United States	November 26, 1996
5,604,491	United States	February 18, 1997
5,608,786	United States	March 4, 1997
5,627,528	United States	May 6, 1997
5,635,897	United States	June 3, 1997
5,642,413	United States	June 24, 1997
5,663,703	United States	September 2, 1997
5,675,507	United States	October 7, 1997
5,765,178	United States	June 9, 1998
5,767,778	United States	June 16, 1998
5,890,073	United States	March 30, 1999
5,896,096	United States	April 20, 1999
5,946,386	United States	August 31, 1999
5,987,100	United States	April 23, 1997
6,061,570	United States	May 9, 2000
6,044,278	United States	March 28, 2000
6,084,951	United States	April 23, 1997
6,092,102	United States	July 18, 2000



<b>Patent/Publication No.</b>	<b>Country of Origin</b>	<b>Date Published/Issued</b>
6,160,489	United States	December 12, 2000
6,169,911	United States	January 2, 2001
6,263,190	United States	July 17, 2001
6,271,764	United States	August 7, 2001
6,333,973	United States	December 25, 2001
6,335,927	United States	January 1, 2002
6,633,630	United States	October 14, 2003
0 471 023	Europe	May 4, 1989
0 586 906	Europe	March 16, 1994
0 906 790	Europe	April 7, 1999
97/48080	PCT	December 18, 1997

(2) Each prior art publication by its title, date of publication, and, where feasible, author and publisher:

Title	Date of Publication	Author/Publisher
<i>The Audio-Graphical Interface to a Personal Integrated Telecommunications System</i>	June 1984	Barry Arons
<i>Multimedia Nomadic Services on Today's Hardware</i>	September 1994	Chris Schmandt, available at <a href="http://media.mit.edu/speech/papers/1994/schmandt_IEEE94_multimedia_nomadic_services.pdf">http://media.mit.edu/speech/papers/1994/schmandt_IEEE94_multimedia_nomadic_services.pdf</a>
<i>Phoneshell: the Telephone as Computer Terminal</i>	1993	Chris Schmandt, , available at <a href="http://media.mit.edu/speech/papers/1993/schmandt_ACM93_phoneshell.pdf">http://media.mit.edu/speech/papers/1993/schmandt_ACM93_phoneshell.pdf</a>
<i>Not Just Another Voice Mail System</i>	September 1991	Lisa Stifelman, available at <a href="http://media.mit.edu/speech/papers/1991/stifelman_AVIOS91_not_just_another_voice_mail_system.pdf">http://media.mit.edu/speech/papers/1991/stifelman_AVIOS91_not_just_another_voice_mail_system.pdf</a>
<i>A Conversational Telephone Messaging System</i>	August 1984	Chris Schmandt and Barry Arons, available at <a href="http://media.mit.edu/speech/papers/1984/schmandt_CE84_conversational_telephone_messaging_system.pdf">http://media.mit.edu/speech/papers/1984/schmandt_CE84_conversational_telephone_messaging_system.pdf</a>
<i>Phone Slave: A Graphical Telecommunications Interface</i>	1985	C. Schmandt and Barry Arons, available at <a href="http://www.media.mit.edu/speech/papers/1985/schmandt_SID85_phone_slave.pdf">http://www.media.mit.edu/speech/papers/1985/schmandt_SID85_phone_slave.pdf</a>

<b>Title</b>	<b>Date of Publication</b>	<b>Author/Publisher</b>
<i>Nokia 9000 Communicator User Manual</i>	1995	Nokia
<i>Nokia 9000i Communicator User Manual</i>	November 1997	Nokia
<i>Nokia 2190 Owner's Manual</i>	1996	Nokia
<i>User Guide: Ericsson CF337/CH337</i>	1996	OmniPoint Communications

(3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Google's investigation is ongoing, and the identified relevant publications in no way limit the evidence Google may rely on concerning these sales or public uses:

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
AOL 3.0	No later than June 1995	AOL Inc.
AT&T Unified Messaging System	No later than 1989	AT&T, and employees thereof, and individuals identified herein as having knowledge of the AT&T Unified Messaging System, including Kenneth Huber, Deborah Mills-Scofield and Roberta S. Cohen
AUDIX	No later than December 1997	AT&T, and employees thereof, and individuals identified herein as having knowledge of AUDIX
CallXpress 3	No later than June 10, 1996	Applied Voice Technology, and employees thereof, and individuals identified herein as having knowledge of CallXpress3
Connex	No later than December 1997	Xantel, and employees thereof, and individuals identified herein as having knowledge of Connex including Paul C. Rogers, S. Thomas Emerson, John M. Saltwick, John J. Daleiden, Gregory S. Wohlenberg, Mark E. Fogle, Peter Buswell, Terry J. Gustafson, Thomas C. Niccoli, Richard L. Hamilton

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
Ericsson CF337 and CH337	No later than November 15, 1995	Ericsson and employees thereof, Omnipoint and employees thereof, and individuals identified herein as having knowledge of the Ericsson CF337 and CH337
GroupWise / NetWare	No later than December 1994	Novell, Inc., and employees thereof, and individuals identified herein as having knowledge of GroupWise / NetWare
Intuity Message Manager	No later than January 1997	AT&T, and employees thereof, and individuals identified herein as having knowledge of Intuity
Motorola Tango Pager	No later than July 1996	Motorola Inc., Motorola Mobility Inc. and Motorola Solutions, Inc.
FaxWeb	No later than April 1997	Charles R. Bobo, II, Netoffice Solutions, LLC
Nokia 9000 Communicator	No later than 1995	Nokia, and employees thereof, and individuals identified herein as having knowledge of the Nokia 9000 Communicator
Nokia 9000i Communicator	No later than November 1997	Nokia, and employees thereof, and individuals identified herein as having knowledge of the Nokia 9000i Communicator
Nokia 2190	No later than January 1997	Nokia, and employees thereof, and individuals identified herein as having knowledge of the Nokia 2190
NovaMail	No later than July 8, 1996	Novalink Technologies, Inc., and employees thereof, and individuals identified herein as having knowledge of NovaMail, including Baldev Krishan, Kaylan Krishnan, and George A. Keyworth
Phone Slave	No later than May 11, 1984	MIT Media Lab, and employees thereof, and individuals identified herein as having

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
		knowledge of Phone Slave including Barry Arons and Chris Schmandt
Phoneshell	No later than September 26, 1991	MIT Media Lab, and employees thereof, and individuals identified herein as having knowledge of Phone Slave including Barry Arons and Chris Schmandt
Pine	No later than June 1995	CERN, and employees thereof, and individuals identified herein as having knowledge of CERN, and developers of Pine as identified in source code and related documents
TkPostage	No later than April 1996	CERN, and employees thereof, and individuals identified herein as having knowledge of CERN, and developers of TkPostage as identified in source code and related documents
<p><i>* Provided on information known to date – Google reserves the right to amend to an earlier date in light of further discovery in this case.</i></p>		

## **EXHIBIT F**

### **Prior art to U.S. Patent No. 6,765,591**

As set forth below and based on the investigation to date, this exhibit provides the full identity of each item of prior art to the '591 patent, including: (1) each patent by its patent number, country of origin, and date of issue; (2) each prior art publication by its title, date of publication, and, where feasible, author and publisher; (3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Prior art under 35 U.S.C. § 102(g) is identified in Exhibits 591-1 to 591-29 by providing the identities of the person(s) or entities involved in and the circumstances surrounding the making of the invention before the patent applicant(s). Exhibits 591-1 to 591-29 are incorporated in the appropriate table below by reference.

The prior art references disclosed below are based on Rockstar's apparent construction of the claim elements of the patents-in-suit. Nothing stated herein shall be treated as an admission or suggestion that Google agrees with Rockstar regarding either the scope of any of the asserted claims or the claim constructions advanced by it in its Infringement Contentions or anywhere else.

Google's identification of the patents and publication as prior art below under 35 U.S.C. §§102(a), (b), (e), and/or (g) and §103 includes the publications themselves as well as the use of the products and systems described therein. Although Google's investigation continues, information available to date indicates that such products and systems were (1) known or used in the country

before the alleged invention of the claimed subject matter of the asserted claims, (2) were in public use and/or on sale in this country more than one year before the filing date of the patent, and/or (3) were invented by another who did not abandon, suppress, or conceal, before the alleged invention of the claimed subject matter of the asserted claim. Upon information and belief, these prior art products and systems and the associated references anticipate and/or render obvious each of the asserted claims.

To the extent not already identified herein, Google will rely upon prior art referenced in the '591 patent, including prior art cited on the face of the '591 patent and prior art cited by the Patent Office during prosecution of the '591 patent. Google will also rely upon prior art referenced in family members of the '591 patent, including patent applications, child applications, and foreign counterparts. This prior art is already known to Rockstar, as it is already identified in the '591 patent, its file histories, and related family members. Google incorporates that identification of prior art herein, to the extent those references are not already disclosed explicitly.

(1) Each prior art patent or patent application by its number, country of origin, and date of issue (for each patent) or date of publication (for each patent publication)<sup>6</sup>:

<b>PATENTS AND PATENT APPLICATIONS</b>			
<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
United States	Patent No. 5,606,668	February 25, 1997	Gil Shwed
United States	Patent No. 5,687,315	November 11, 1997	Satoru Tezuka, Satoru Matsumura, Kenichi Kihara, Hiroshi Furukawa, Shigeru Miyake, Yousuke Tsuyuki

<sup>6</sup> Google incorporates by reference all prior art references cited in the patents listed herein and their file histories.



<b>PATENTS AND PATENT APPLICATIONS</b>			
<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
United States	Patent No. 5,606,668	February 25, 1997	Gil Shwed
United States	Patent No. 5,768,271	June 16, 1998	Howard A. Seid, Albert Lespagnol
United States	Patent No. 5,784,555	July 21, 1998	Jeremy Stone
United States	Patent No. 5,819,030	October 6, 1998	John Yun-Kuang Chen, Eric N. Lockard, Darren A. Shakib, Daniel R. Weisman
United States	Patent No. 5,819,042	October 6, 1998	Peter A. Hansen
United States	Patent No. 5,821,937	October 13, 1998	Daniel L. Tonelli, Kevin M. Maloney, Kevin W. Cronin, Martin H. Katz
United States	Patent No. 5,831,610	November 3, 1998	Daniel L. Tonelli, Kevin M. Maloney, Kevin W. Cronin, Martin H. Katz
United States	Patent No. 5,796,951	August 18, 1998	John F. Hamner, Sandra Janich, Jeffrey L. Despain, Katherine D. Niemann, Brian D. Sevy, Dzung D. Tran, Frank K. Welch,
United States	Patent No. 6,079,020	June 20, 2000	Quentin C. Liu
United States	Patent No. 6,092,113	July 18, 2000	Osamu Maeshima, Yoshihiro Ito, Masami Ishikura, Tohru Asami
United States	Patent No. 6,105,027	August 15, 2000	David S. Schneider, Laurence R. Lipstone, Daniel Jensen, Michael B. Ribet
United States	Patent No. 6,199,108	March 6, 2001	Walter William Casey, Jeffrey Randell Dean, Ingrid Milagros Rodriguez
United States	Patent No. 6,202,206	March 13, 2001	Jeffrey Randell Dean, Jeffrey Langdon Howard, Ingrid Milagros Rodriguez
United States	Patent No. 6,272,537	August 7, 2001	Miodrag M. Kekic, Grace N. Lu, Eloise H. Carlton
United States	Patent No. 6,295,556	September 25, 2001	Stephen R. Falcon, Michael C. Miller
United States	Patent No. 6,344,862	February 5, 2002	Evelyn L. Williams, Lawrence M. Besaw,

**PATENTS AND PATENT APPLICATIONS**

<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
			Robert Raymond, Mark S. Anspach, Jayson M. Webb
United States	Patent No. 6,484,261	November 19, 2002	Scott L. Wiegel
United States	Patent No. 6,628,965	September 30, 2003	Mark I. LaRosa, Patrick Gervasio, Andrew A. Petrov
United States	Patent No. 6,636,898	October 21, 2003	David S. Ludovici, Mark J. Melville, Richard A. Mullock, Frank V. Paxhia
United States	Patent No. 6,650,347	November 18, 2003	Deepak Nulu, Sanjeev Ukhalkar
United States	Patent No. 6,765,591	July 20, 2004	Matthew W. Poisson, Melissa L. Desroches, James M. Milillo

(2) Each prior art publication by its title, date of publication, and, where feasible, author and publisher:

<b>Title</b>	<b>Author(s)</b>	<b>Publication</b>	<b>Date</b>
<i>A Comprehensive Guide to Virtual Private Networks, Volume I: IBM Firewall, Server and Client Solutions</i>	Martin Murhammer et al	International Business Machines Inc.	1998
<i>An Architecture for Managing QoS-enabled VPNs over the Internet</i>	Manuel Gunter et al	Institute of Computer Science and Applied Mathematics, University of Berne	1999
<i>Assured Digital Integrates High-End VPN Features</i>	Dennis Williams	Infoworld	October, 1998
<i>Automating VPN Management</i>	Scott Hilton	Communication News	September 1998
<i>Common User Access-A consistent and usable human-computer interface for the SAA environments</i>	R.E. Berry	IBM Systems Journal, Vol 27, No 3	1988
<i>HP OpenView Application Style Guide, Edition 1</i>	Hewlett-Packard Company	Hewlett-Packard Company, Fort Collins, CO	November, 1998
<i>HP OpenView Network Node Manager 5.02 for Windows NT</i>	John Green	Windows IT Pro	October 1998
<i>HP OpenView Network Node Manager 6.0 Technical Evaluation Guide</i>	Hewlett-Packard Company	Hewlett-Packard Company, Fort Collins, CO	February, 1999
<i>Net Management Automation Takes Center Stage</i>	Jim Duffy	Network World	September 1997
<i>Network Security Products To Be Unveiled</i>	Karen Rodriguez	Info World	March 1995
<i>Networking: Stackable Hubs</i>	PC Magazine	PC Magazine	January 1994
<i>Nortel Releases New Management Software</i>	Wylie Wong	CNet News	February 1999

<b>Title</b>	<b>Author(s)</b>	<b>Publication</b>	<b>Date</b>
<i>OneStep User Interface Guidelines</i>	Sun Soft	Sun Microsystems, Inc	1996
<i>The AltaVista Tunnel: Using the Internet to Extend Corporate Networks</i>	Kenneth F. Alden and Edward P. Wobber	Digital Technology Journal Vol. 9 No. 2	1997
<i>The Rinpoche System, A Web-based Integrated HiNet Network Management System</i>	Hey-Chyl Young et al	Telecommunication Laboratories, Chunghwa Telecom Co. Ltd	1999
<i>The Windows 95 Developers Guide</i>	Perry, ed.	Macmillon Computer Publishing, Emeryville, CA	1996
<i>The Windows Interface Guidelines for Software Design</i>	Microsoft Corporation	Microsoft Press, A Division of Microsoft Corporation; Redmond, WA	1995
<i>Virtual Private Networks, First Edition</i>	Charlie Scott et al	O'Reilly & Associates, Inc.	March 1998
<i>Virtual Reality</i>	Denise Pappalardo	Network World	September 1998
<i>VPN Spells Big Savings for CompuCom</i>	Tim Greene	Network World	September 1999

(3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Google's investigation is ongoing, and the identified relevant publications in no way limit the evidence Google may rely on concerning these sales or public uses:

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
AltaVista	No later than March 1997	The former Digital Equipment Corporation and employees thereof, Compaq Computer Corporation and employees thereof, and Hewlett-Packard Company and employees thereof, and individuals identified herein as having knowledge of Alta Vista
Cisco ConfigMaker	No later than 1997	Cisco Systems, Inc., and employees thereof, and individuals identified herein as having knowledge of ConfigMaker
IBM AS/400	No later than July 1998	IBM Corporation, and employees thereof, and individuals identified herein as having knowledge of IBM AS/400
Windows 98	No later than November 1997	Microsoft Corporation, and employees thereof, and individuals identified herein as having knowledge of Windows 98
Shiva NetManager	No later than 1996	Shiva Corporation, and employees thereof, and individuals identified herein as having knowledge of NetManager
Shiva LanRover VPN Manager	No later than March 1998	Shiva Corporation, and employees thereof, and individuals identified herein as having knowledge of VPN Manager including Daniel Schwinn and Michael Horowitz
HP Openview NNM	No later than 1998	Hewlett-Packard Company, and employees thereof, and individuals identified herein as having knowledge of Openview NNM
Check Point	No later than June 1997	Check Point Software Technologies, Ltd., and employees thereof, and individuals identified herein as having knowledge of CheckPoint
Conclave Administrator System	No later than November 1997	Internet Dynamics, Inc. and employees thereof, David S. Schneider, Laurence R. Lipstone, Daniel Jensen; and Michael B. Ribet
NetSuite	No later than November 1996	NetSuite Development, L.P., and employees thereof, and individuals identified herein as having knowledge of NetSuite
NetPrism	No later than November 1997	Fujitsu Limited, and employees thereof, and individuals identified herein as

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
		having knowledge of NetPrism
New Oak	No later than December 1997	New Oak Communications and employees thereof, Bay Networks Inc. and employees thereof, Nortel Networks Corporation and employees thereof, and Jeff McCarthy
TunnelBuilder	No later than May 7, 1997	Network TeleSystems, Inc., and employees thereof
VPNNet	No later than January 1997	VPNNet Technologies Inc. and employees thereof, and Avaya Inc. and employees thereof
Lucent Managed Firewall	No later than April 2, 1999	The former Digital Equipment Corporation and employees thereof, Compaq Computer Corporation and employees thereof, and Hewlett-Packard Company and employees thereof.
<i>* Provided on information known to date – Google reserves the right to amend to an earlier date in light of further discovery in this case.</i>		

## **EXHIBIT G**

### **Prior art to U.S. Patent No. 6,937,572**

As set forth below and based on the investigation to date, this exhibit provides the full identity of each item of prior art to the '572 patent, including: (1) each patent by its patent number, country of origin, and date of issue; (2) each prior art publication by its title, date of publication, and, where feasible, author and publisher; (3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Prior art under 35 U.S.C. § 102(g) is identified in Exhibits 572-1 to 572-36 by providing the identities of the person(s) or entities involved in and the circumstances surrounding the making of the invention before the patent applicant(s). Exhibits 572-1 to 572-36 are incorporated in the appropriate table below by reference.

The prior art references disclosed below are based on Rockstar's apparent construction of the claim elements of the patents-in-suit. Nothing stated herein shall be treated as an admission or suggestion that Google agrees with Rockstar regarding either the scope of any of the asserted claims or the claim constructions advanced by it in its Infringement Contentions or anywhere else.

Google's identification of the patents and publication as prior art below under 35 U.S.C. §§102(a), (b), (e), and/or (g) and §103 includes the publications themselves as well as the use of the products and systems described therein. Although Google's investigation continues, information available to date indicates that such products and systems were (1) known or used in the country

before the alleged invention of the claimed subject matter of the asserted claims, (2) were in public use and/or on sale in this country more than one year before the filing date of the patent, and/or (3) were invented by another who did not abandon, suppress, or conceal, before the alleged invention of the claimed subject matter of the asserted claim. Upon information and belief, these prior art products and systems and the associated references anticipate and/or render obvious each of the asserted claims.

To the extent not already identified herein, Google will rely upon prior art referenced in the '572 patent, including prior art cited on the face of the '572 patent and prior art cited by the Patent Office during prosecution of the '572 patent. Google will also rely upon prior art referenced in family members of the '572 patent, including patent applications, child applications, and foreign counterparts. This prior art is already known to Rockstar, as it is already identified in the '572 patent, its file histories, and related family members. Google incorporates that identification of prior art herein, to the extent those references are not already disclosed explicitly.

(1) Each prior art patent or patent application by its number, country of origin, and date of issue (for each patent) or date of publication (for each patent publication)<sup>7</sup>:

<b>PATENTS AND PATENT APPLICATIONS</b>			
<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
United States	Patent No. 5,745,682	April 28, 1998	David L. Keenan
United States	Patent No. 5,815,538	September 29, 1998	Conrad Grell, Jeremy Guralnick, Ilan J. Rothmuller, Chris Bennett, Michael Theiss-Aird

<sup>7</sup> Google incorporates by reference all prior art references cited in the patents listed herein and their file histories.



<b>PATENTS AND PATENT APPLICATIONS</b>			
<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
United States	Patent No. 5,999,126	December 7, 1999	Seigo Ito
United States	Patent No. 6,009,469	December 28, 1999	Shane D. Mattaway, Glenn W. Hutton, Craig B. Strickland
United States	Patent No. 6,088,594	July 11, 2000	Christopher H. Kingdon, Bagher R. Zadeh, Maya Roel-Ng, Stephen Hayes
United States	Patent No. 6,137,869	October 24, 2000	Eric A. Voit, Edward E. Balkovich, William D. Goodman, Jayant G. Gadre, Patrick E. White, David E. Young
United States	Patent No. 6,137,876	October 24, 2000	Ping Wong, Lars A. Tovander
United States	Patent No. 6,141,341	October 31, 2000	Wesley Stuart Jones, Timothy Cotton, Victor Holland
United States	Patent No. 6,202,023	March 13, 2001	S. Lee Hancock, Peter H. Dana, Scott D. Morrison
United States	Patent No. 6,266,512	May 1, 2001	Robert Paul Macaulay, Brian Egan
United States	Patent No. 6,310,944	October 30, 2001	Michael Brisebois, Marilyn F. St. George, Laura Mahan
United States	Patent No. 6,327,533	December 4, 2001	Yue-Hong Chou
United States	Patent No. 6,327,535	December 4, 2001	Stephen S. Evans, Gopal Parupudi, Burdette J. Holtgrewe, Edward F. Reus, Gregory Burns
United States	Patent No. 6,446,127	September 3, 2002	Guido M. Schuster, Ikhlq S. Sidhu, Jerry J. Mahler, Frederick D. Dean, Jacek A. Grabiec, Ismail Dalgic
United States	Patent No. 6,629,136	September 30, 2003	Surendra N. Naidoo
United States	Patent No. 6,721,284	April 13, 2004	Peter John Mottishaw, Daniele Abbadessa
United States	Patent No. 6,687,504	February 3, 2004	Alex Krister Raith

**PATENTS AND PATENT APPLICATIONS**

<b>Country</b>	<b>Patent/Application No.</b>	<b>Publication/Issue Date</b>	<b>Inventor(s)</b>
United States	Patent No. 6,798,872	September 28, 2004	Masaharu Matsumoto, Shigehiko Yazawa
United States	Patent No. 6,838,998	January 4, 2005	William W. Brown, David G. Smith
United States	Patent No. 6,853,713	February 8, 2005	Joseph Fobert, Srivallipuranandan Navaratnam, Patrick James Dagert, Steve John McKinnon
United States	Patent No. 6,888,927	May 3, 2005	Brian Cruickshank, Paul Michael Brennan, John Eric Lumsden
United States	Patent No. 6,975,619	December 13, 2005	Charles Calvin Byers, James Patrick Dunn
United States	Patent No. 7,796,998	September 14, 2010	Samuel N. Zellner, Robert T. Moton Jr., Mark J. Enzmann
N/A	WO 98/00988	January 8, 1998	David Boltz, Alain Maupin, Xiaohong Mau

(2) Each prior art publication by its title, date of publication, and, where feasible, author and publisher:

<b>PUBLICATIONS AND DOCUMENTS</b>				
<b>Title</b>	<b>Author(s)</b>	<b>Publication</b>	<b>Date</b>	<b>Page(s)</b>
<i>GTrace – A Graphical Traceroute Tool</i>	Ram Periakaruppan, Evi Nemeth	USENIX Lisa Conference, available at <a href="https://www.usenix.org/legacy/events/lisa99/full_papers/periakaruppan/periakaruppan.pdf">https://www.usenix.org/legacy/events/lisa99/full_papers/periakaruppan/periakaruppan.pdf</a>	November 10, 1999	N/A
<i>RFC 1876 – DNS LOC</i>	Christopher Davis, Paul Vixie, Tim Goodwin, Ian Dickinson	Internet Engineering Task Force, available at <a href="http://tools.ietf.org/pdf/rfc1876.pdf">http://tools.ietf.org/pdf/rfc1876.pdf</a>	January 1996	N/A
<i>RFC 2543 – Session Initiation Protocol</i>	Mark Handley, Henning Schulzrinne, Eve Schooler, Jonathan Rosenberg	Internet Engineering Task Force, available at <a href="http://tools.ietf.org/pdf/rfc2543.pdf">http://tools.ietf.org/pdf/rfc2543.pdf</a>	March 1999	N/A

(3) 35 U.S.C. § 102(b) prior art by the item offered for sale or publicly used or known, the date the offer or use took place or the information became known, and the identity of the person or entity which made the use or which made and received the offer, or the person or entity which made the information known or to whom it was made known. Google's investigation is ongoing, and the identified relevant publications in no way limit the evidence Google may rely on concerning these sales or public uses:

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
Unix Traceroute	No later than December 20, 1988	Van Jacobson, Eric Wassenaar
VocalChat	No later than 1994	VocalTec Inc., and employees thereof, and individuals identified herein as having knowledge of VocalChat, including Alon Cohen
WebPhone	No later than October 8, 1996	NetSpeak Corporation, and employees thereof, and individuals identified herein as having knowledge of WebPhone, including Shane D. Mattaway, Glenn W. Hutton, and Craig B. Strickland
Visual Route	No later than November 17, 1997	Datametrics Systems Corp., and employees thereof, and individuals identified herein as having knowledge of Visual Route, including Hank Harris, John Kelly, Jerry Jongerius, Julie Lancaster, and Julian Palmer
Nortel Companion W-CTI Handset	No later than June 4, 1998	Nortel Networks Corp., and employees thereof, and individuals identified herein as having

Items Offered for Sale or Publicly Known or Used	Date of Offer or Use*	Person or Entity Involved
		knowledge of Nortel Companion W-CTI Handset, including Robert P. Macaulay, Brian Egan
Ping Plotter	No later than March 18, 1998	Nessoft LLC, and employees thereof, and individuals identified herein as having knowledge of Ping Plotter, including Pete Ness
GST-AVL/GlobalTrax	No later than December 1, 1998	Geospatial Technologies, Inc., and employees thereof, and individuals identified herein as having knowledge of GST-AVL/GlobalTrax, including Yue-Hong Chou, John Lim, Colton Graham
Ericsson Mobile Positioning System / Mobile Location Solution	No later than April 6, 1999	Ericsson, and employees thereof, and individuals identified herein as having knowledge of Ericsson Mobile Position System / Mobile Location Solution, including Göran Swedberg, Alex Krister Raith
Go2 Mobile Local Search	no later than November 1999	Go2 Systems, Inc., 80108 Media, Go2 Media, xAd and employees of each thereof, and individuals identified herein as having knowledge of Go2 Mobile Local Search, including Peter H. Dana, S. Lee Hancock, Scott D. Morrison
GTrace	No later than November 5, 1999	Ram Periakaruppan, Evi Nemeth, University of Colorado at Boulder

<b>Items Offered for Sale or Publicly Known or Used</b>	<b>Date of Offer or Use*</b>	<b>Person or Entity Involved</b>
Cisco CallManager	No later than June 15, 2000	Cisco Systems, Inc., and employees thereof, Selsius Systems, Inc. and employees thereof, and individuals identified herein as having knowledge of Cisco Call Manager, including John Alexander, Paul Hahn, Mark Nelson, George Platt, Richard Platt, Jeff Pulver, Jeff Sanders, and David Tucker
IP Lookup	No later than July 12, 2000	Softnik Technologies, and employees thereof, and individuals identified herein as having knowledge of IP Lookup
<p><i>*Provided on information known to date – Google reserves the right to amend to an earlier date in light of further discovery in this case.</i></p>		