

patents at issue and to reference additional dictionary definitions. These amendments harmonize the Joint Claim Construction Chart with Defendant's Opening Claim Construction Brief (D.I. 92).²

Defendants file this amendment after attempting to obtain authorization from Plaintiff to file jointly. In efforts to obtain authorization, Defendants met and conferred with Plaintiff, noting that the amendments to the Joint Claim Construction Chart are merely to harmonize the Chart with citations of Defendant's Opening Claim Construction Brief (D.I. 92). Plaintiff has not provided the authorization to file jointly. The parties are available to discuss any issues related to the Joint Claim Chart if the Court wishes.

Defendants to no more than fifteen claim terms for construction, which are identified in the Joint Claim Construction Chart.

² For simplicity, the Joint Claim Construction Chart has additionally been amended to only refer to claims expressly reciting a claim term at issue (as opposed to claims that are merely dependent upon a claim reciting a term at issue) and to more inclusively refer to the asserted claims reciting the claim terms at issue. Defendants hereby attach a marked-up version of the Joint Claim Construction Chart indicating the present changes to the chart as Exhibit 2.

JOINT CLAIM CONSTRUCTION CHART

`959, `929, `175, `025 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ³	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁴
<p>“powered modes” / “powered states” (`929 Patent, Claims 1, 6, 8-9, 11)</p>		<p>A mode or state that affects the power supply in a way other than power adjustments via clock control</p>	<p>Abstract; Figs. 1, 2, 8-10; 2:45-48; 3:46-49; 5:60-6:11; 7:36-50; 11:38-41; 14:59-15:9; 42:13-60; `929 File History, March 22, 1996 Amendment at 2-9, 16-22; `929 File History, March 6, 1997 Amendment at 1-33; `929 File History, June 9, 1997 Office Action at 2.</p> <p>U.S. Patent No. 5,560,024 to Harper.</p>	<p>A mode or state wherein the computer receives some amount or level of power.</p>	<p>Abstract Figs. 4 and 6-7 2:45-67 3:46-64 5:39 – 6:54 7:19-8:6 11:38-41; 16:1-17:15.</p> <p>Claims 1, 3, 6, and 8-11.</p> <p>`959 Patent claims 1-3 `175 Patent claims 1, 13, 23-28</p> <p>`929 Pros. Hist., 11/18/96 Amdt, pp. 9-12; 3/22/96 Amdt, pp.11-13, 16-22; 11/29/96 Amdt, pp. 10-11; 3/6/97 Amdt pp.</p>

³ Unless otherwise noted, citations are to the `929 patent specification (e.g., column number:line number).

⁴ Unless otherwise noted, citations are to the `929 patent specification (e.g., column number:line number). The parties incorporate the corresponding passages in other asserted patents related to the `929 patent that are substantially duplicative of the specification and abstract citations to the `929 patent.

JOINT CLAIM CONSTRUCTION CHART

`959, `929, `175, `025 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ³	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁴
					<p>27-31; 6/9/97 Office Action, pp. 1-5.</p> <p>`025 Pros. Hist., 9/28/99 Amdt, pp. 15-18; 4/12/99 Office Action, p.2.; 1/4/99 Response on Petition, p. 2 and 2/2/99 Decision on Petition.</p> <p>`959 Pros. Hist., 12/12/95 Office Action, p. 3-4; 6/16/97 Office Action, p. 17-18; 11/7/97 Amdt pp. 22-23.</p> <p>`175 Pros. Hist., 4/30/96 Amdt, pp. 9-12; 10/27/97 Amdt pp. 20-23.</p>

JOINT CLAIM CONSTRUCTION CHART

`959, `929, `175, `025 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ³	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁴
					<p>Extrinsic Evidence <i>See</i> generally powered modes or states of a computer in APM, ACPI, and Energy Star Specifications (all versions), and documents cited in the specifications.</p> <p>E.g., APM 1.0 states that “APM defines four power states: Ready, Stand-by, Suspended, and Off. Three of these states apply both to individual system components and to the system as a whole. The suspended state is a special low power condition that applies to the</p>

JOINT CLAIM CONSTRUCTION CHART

`959, `929, `175, `025 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ³	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁴
					<p>system as a whole, and not the individual components.”</p> <p>ACPI Specifications (all versions), and documents cited in an ACPI Specification.</p> <p>E.g., ACPI 1.0b states “Device power states are states of particular devices; as such, they are generally not visible to the user. For example, some devices may be in the off state even though the system as a whole is in the working state. Device states apply to any</p>

JOINT CLAIM CONSTRUCTION CHART

`959, `929, `175, `025 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ³	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁴
					device on any bus.”
<p>"a power switching circuit"</p> <p>('929 Patent, Claims 1, 6, 8, 9 and 11)</p> <p>('175 Patent, Claims 2, 3, 5, 6, 8-9)</p> <p>('959 Patent, Claims 5 and 6)</p>		<p>A plurality of memory cells associated with each power mode connected to a switch through a multiplexer</p>	<p>Fig.3; 7:19-23; 7:36-65; 14:59-15:9; '929 Pros. Hist. 3/22/1996 Amdt., pp. 16-17; 11/18/1996 Amdt., pp. 4, 11, 13; 6/2/1995 Amdt., pp. 3-11; 9/22/1995 Office Action, pp. 2-3; 6/18/1996 Office Action, pp. 1-8; '175 Pros. Hist. 4/30/1996 Amdt., pp. 6, 9; 6/2/1995 Amdt., pp. 1-13; '959 Pros. Hist., 6/2/1995 Amdt., pp.1-11. '929 patent at 7:36-47.</p>	<p>Electrical circuitry configured to switch power modes, states, or levels.</p>	<p>4:52-56 and 6:28-31 Figure 1</p> <p>'929 Patent, Claims 1-6, 8, 10, and 11-12</p> <p>'175 Patent, Claims 2-12</p> <p>'929 Pros. Hist., 9/5/95 Office Action, p. 6; 3/22/96 Amdt, pp.11-22; 11/18/96 Amdt, pp. 9-18; 11/29/96 Amdt, pp. 10-11; 3/6/97 Amdt pp. 27-31; 6/9/97 Office Action, pp. 1-6.</p>

JOINT CLAIM CONSTRUCTION CHART

`959, `929, `175, `025 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ³	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁴
					<p>'175 Pros. Hist., 4/30/96 Amdt, pp. 3-12; 3/7/96 Amdt. pp.12-13.</p> <p>'959 Pros. Hist., 6/16/97 Office Action, p. 17-18; 5/12/98 Notice of Allowability, p.1.</p> <p><u>Extrinsic Evidence:</u> See generally the description of power switches in US 5,167,024 to Smith (e.g., Abst.; Figs. 1-3; 3:24-32; 7:3-27; and 9:1-49).</p> <p>See generally the power switching means described in US 4,317,181 to Teza</p> <p>Switching device –</p>

JOINT CLAIM CONSTRUCTION CHART

`959, `929, `175, `025 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ³	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁴
					<p>“An electrical or mechanical device or mechanism, which can bring another device or circuit into an operating or nonoperating state.” Dictionary of Electrical & Computer Engineering, McGraw-Hill (2004) .</p> <p>Also APM and ACPI Specifications, and documents cited by the APM and ACPI Specifications.</p>

JOINT CLAIM CONSTRUCTION CHART

`959, `929, `175, `025 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ³	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁴
<p>"activity monitor"</p> <p>('929 Patent, Claims 1, 6, 8-9, and 11) ('175 Patent Claims 1, 8, 17, and 28) ('959 Patent Claim 1)</p>		<p>Computer hardware or software, functionally and structurally distinct from the CPU that observes activity of the computer</p>	<p>Figs. 1-3; 1:38-59; 2:49-67; 4:6-7; 4:60-5:10; 5:29-31; 5:44-63; 6:16-23; 6:17-7:35; 8:14-18; 10:33-51; 14:21-25; 15:25-17:42; 18:19-28; U.S. Application No. 08/285,169 Pros. Hist. 8/3/1994 Amdt., pp. 8-9; '175 Pros. Hist. 03/07/97 Amdt., pp. 1-2, 12-13; 10/27/1997 Amdt., p. 21; '025 Pros. Hist. 4/28/99 Office Action, p. 2; 10/4/99 Amdt., p. 16.</p>	<p>Computer hardware and/or software configured to monitor or observe activity of the computer.</p>	<p>2:45-63; 3:1-20; 3:46-49; 5:29-32; 7:1-4; 8:17-18; 11:5-16; 11:38-41; 6:21-24; 6:42-44; and 6:55-56 Figure 2</p> <p>'929 Patent, Claims 1-4, 6, 8-9, and 11-12 '175 Patent Claims 1-3, 5-6, 8-9, 11, 17, and 28 '959 Patent Claim 1</p> <p>'929 Pros. Hist., 3/22/96 Amdt, pp. 20; 11/18/96 Amdt, pp. 10-13.</p> <p>'175 Pros. Hist., 3/7/96 Amdt. pp.12-13; 10/27/97 Amdt pp. 20-23.</p> <p>'025 Pros. Hist., 1/4/99 Response to</p>

JOINT CLAIM CONSTRUCTION CHART

`959, `929, `175, `025 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions³	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions⁴
					Petition Decision, pp. 2-3; 9/28/99 Amdt, pp.15-18. '959 Pros. Hist., 5/13/96 Amdt, pp. 10-13; 6/16/97 Office Action, p. 17-18; 5/12/98 Notice of Allowability, p.1.

JOINT CLAIM CONSTRUCTION CHART

<p>“monitors the activity level [of the] computer system,”</p> <p>“monitors the activity level of the computer system,”</p> <p>“monitors the activity level [of the] computer system,”</p> <p>“monitors the activity level of the computer system,”</p> <p>“monitoring the activity level of the computer system”</p> <p>(‘929 Patent, Claims 1, 6, 8, 9, 10, 11)</p> <p>“monitors the activity of the computer system”</p> <p>“monitoring the activity of the computer system”</p> <p>“monitoring activity of said computer system” (‘175 Patent, Claims 1, 8, 13, 20, 23)</p>		<p>Estimates whether the CPU and other circuits are active or inactive based on a proxy or proxies for CPU and system activity</p>	<p>Figs. 1-3; 1:38-59; 2:47-67; 3:1-20; 5:29-32; 5:44-63; 6:17-61; 7:1-4; 7:5-12; 7:24-35; 8:13-10:32; 10:33-51; 10:55-57; 10:66-11:16; 11:42-51; 14:21-25; 15:25-17:42; 18:19-28; ; ‘175 patent, cl. 8; U.S. Application No. 08/285,169 Pros. Hist. 8/3/1994 Amdt., pp. 8-9; ‘175 Pros. Hist. 03/07/97 Amdt., pp. 12-13; 10/27/1997 Amdt., p. 21 ‘025 Pros. Hist. 4/28/99 Office Action, p. 2; 10/4/99 Amdt., p. 16. See also ‘959 patent, 10:55-57; ‘959 patent 10:23-43.</p>	<p>Monitoring or observing the activity level of the computer.</p>	<p>2:45-63; 3:1-20; 3:46-49; 5:29-32; 7:1-4; 8:17-18; 11:5-16; 11:38-41; 6:21-24; 6:42-44; and 6:55-56 Figure 2</p> <p>'929 Patent, Claims 1-4, 6, 8-9, and 11-12 '175 Patent Claims 1-3, 5-6, 8-9, 11, 17, and 28 '959 Patent Claim 1</p> <p>See also citations to activity monitor above.</p> <p><u>Extrinsic Evidence:</u> See generally monitoring a computer (APM and ACPI Specifications).</p>
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JOINT CLAIM CONSTRUCTION CHART

<p>“monitors the processing activity of said computer system” (‘175 patent claim 28) “monitoring said computer” “monitoring said computer system” (‘025 Patent, Claims 1, 30, 33, 38, 42, 43, 45, 48) (‘959 Patent, Claims 2, 7, 17)</p>					
<p>"activity value" (‘929 Patent, Claim 6) (‘175 Patent, Claims 1, 8, 13, 17, 20, and 23, 28) (‘959 Patent, Claim 1)</p>		<p>A predetermined numeric value assigned to a specific activity of the computer</p>	<p>Fig. 5; 3:1-10; 3:11-21; 8:17-22; 8:29-56; 8:58-62; 9:19-22; 10:66-11:33; Chart 1; Table 2; U.S. Application No. 08/285,169 Pros. Hist. 6/13/1995 Amdt., pp. 11-12. “associate: 3. [t]o connect in the mind or imagination.” Am. Heritage Dict. (3d 1992)</p>	<p>A numeric value associated with an activity.</p>	<p>3:1-45; 8:7-50; and 10:66- 11:16 Figure 3 ‘929 Patent, Claim 6, 9-10 ‘175 Patent, Claims 1-3, 5-6, 8, 11, 13, 17, 20, and 23-28 ‘959 Pros. Hist., 6/16/97 Office Action, p. 17-18; 5/12/98 Notice of Allowability, p.1. See also citations to activity count</p>

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					below.
<p>"activity count"</p> <p>('929 Patent, Claim 6) (‘175 Patent, Claims 1, 8, 13, 17, 20, 23, 28) (‘959 Patent, Claim 1)</p>		<p>A running sum of activity values</p>	<p>Figs. 5-7; 3:11-20; Eq. 1; 8:17-9:35; 10:66-11:16; 39:15-20; U.S. Patent No. 5,396,635, Abstract; 8:17-56; 10:66-11:16; Chart 1; Table 2; ‘175 patent, 90:40-42, 93:47-51; U.S. Application No. 08/285,169 Pros. Hist. 6/13/1995 Amdt., pp. 11-12; ‘959 File History, 5/13/1996 Amdt., p. 10; 11/8/1996 Amdt., pp. 9-10. “accumulation: [a] mass heaped up on or collected.” “accumulate: [t]o gather or pile up; amass.” Am. Heritage Dict. at 12-13 (3d 1992).</p>	<p>A numeric accumulation of activity values.</p>	<p>3:1-29; 8:7-56; and 11:5-16 Figure 3</p> <p>‘929 Patent, Claim 6-7, 9-10</p> <p>‘175 Patent, Claims 1-3, 5-6, 8, 11, 13, 17-28</p> <p>‘959 Patent, 1-2, 4-6, 7-17</p> <p>‘959 Pros. Hist., 5/13/96 Amdt, pp. 10-13; 11/8/96 Amdt, pp. 8-13; 6/16/97 Office Action, p. 17-18; 5/12/98 Notice of Allowability, p.1.</p> <p>‘025 Pros. Hist., 9/28/99 Amdt, pp.15-18.</p>

JOINT CLAIM CONSTRUCTION CHART

<p>“predetermined group of computer devices”</p> <p>(’929 Patent, Claims 1, 8, 11)</p> <p>“predetermined group of the computer system devices/circuits”</p> <p>(’929 Patent, Claims 1, 6, 8, 9, 10, 11)</p> <p>(’959 Patent, Claims 5, 6)</p>		<p>Group of computer components to be coupled to the power supply as selected by the power switching circuit</p>	<p>Figs. 1, 3-4; 3:46-60; 5:64-6:14; 7:36-43; 14:58-17:16; 37:28-38; ’929 File History, Response to September 22, 1995 Office Action at 16-17, 19-21; ’929 File History, Response to June 18, 1996 Office Action at 16-17; ’929 File History 11/18/1996 Amdt. at 13, 17; 3/22/1996 Amdt. at 16-17.</p>	<p>No construction required.</p>	<p>Abstract Figs. 4 and 6-7 2:45-67 3:46-64 5:39 – 6:54 7:19-8:6 11:38-41; 16:1-17:15.</p> <p>Claims 1, 3, 6, and 8-11.</p> <p>’959 Patent claims 1-3, 5-6</p> <p>’929 Pros. Hist., 9/22/95 Office Action, pp. 5-6; 3/22/96 Amdt pp. 11-12, 16-21; 11/18/96 Amdt, pp. 9-16; 11/29/96 Amdt, pp. 10-11; 3/6/97 Amdt pp. 27-31; 6/9/97 Office Action, pp. 1-6.</p>

JOINT CLAIM CONSTRUCTION CHART

					<p>'025 Pros. Hist., 1/4/99 Response on Petition, p. 2-3.</p> <p>'175 Pros. Hist., 4/30/96 Amdt, pp. 5-6.</p> <p>See generally APM and ACPI Specifications.</p> <p>E.g.,</p> <p>“Examples of devices are LCD panels, video adapters, IDE CD-ROM and hard disk controllers, COM ports, etc.”</p>
<p>“operating modes”</p> <p>(’025 Patent, Claims 1, 30, 33, 37, 38, 42, 43, 45, and 48)</p> <p>(’959 Patent, Claims 2, 7, & 17)</p>		<p>Power modes that have a plurality of activity states</p>	<p>’025 Patent, 3:3-9; 3:45-60; 4:19-21;5:58-6:9; 5:64-6:14; 53:2-38; ’929 Pros. Hist., 11/18/1996 Amdt., pp. 2, 10-11.</p>	<p>No construction required as the term “operating modes” is defined by each claim itself.</p>	<p>Abstract</p> <p>2:45-48; 2:60-67; 3:1-49; 5:38-42; 5:60-63; and 6:11-14</p> <p>’025 Patent, Claims 1, 30, 33, 38, 42, 43, 45, and 48</p>

JOINT CLAIM CONSTRUCTION CHART

					<p>'025 Pros. Hist., 1/4/99 Response to Petition Decision pp. 2-3; 4/12/99 Office Action, p.2; 9/28/99 Amdt, pp.15-18.</p> <p>See also citations to power modes above.</p> <p><u>Extrinsic Evidence:</u> See generally states of a computer in APM, ACPI, and Energy Star Specifications, including all documented cited in any of those specifications..</p>
<p>“idle threads” (’025 Patent, Claims 42 and 48)</p>		<p>Independently executing software subroutines that receive DOS idle function calls</p>	<p>28:21-43; 31:48; 32:17; ’025 Patent, 2:50-52, 3:3-21; 3:46-58; 4:59-5:9;5:53-61; 6:53-59 8:9-14;</p>	<p>All of a set of idle threads or software code segments executing on the computer system.</p>	<p>1:44-48; 2:50-54; 3:1-3; 3:11-20; 5:1-10; and 8:17-20 Table 1</p> <p>'025 Patent, Claims</p>

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			<p>8:16-61; 9:10-14; 10:40-50; 10:59-11:2, 11:6-23; 11:37-47; 11:49-61; Table 1 columns 21-50 (column 37 in particular); Table 2 columns 51-52; 53:64-54:15; 56:40-41; 58:14-16; ‘959 Pros. Hist., 6/16/1997 Amdt., pp. 17-18; ‘025 Pros. Hist., 09/28/1999 Amdt, p. 15-16; 4/12/1999 Amdt, p. 15;</p> <p>U.S. Patent No. 5,560,024 to Harper; U.S. Patent No. 5,355,501 to Gross</p> <p>WO93/06545</p> <p>“thread ... 2. A portion of a program that can</p>		<p>42 and 48</p> <p>‘959 Pros. Hist., 6/16/97 Office Action, p. 17-18.</p> <p>‘025 Pros. Hist., 1/4/99 Amdt pp. 2-3; 9/28/99 Amdt, pp.15-18.</p> <p>‘175 Pros. Hist., 3/7/96 Amdt pp.12-13.</p> <p>Extrinsic Evidence: “thread ... a process that is part of a larger process or program.” <i>Microsoft Press Computer Dictionary 467 (3rd E. 1997).</i></p>
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JOINT CLAIM CONSTRUCTION CHART

			<p>operate independently.” Webster’s New World Dictionary of Computer Terms (6th 1997).</p> <p>“threading: A programming technique used in some code generators in which the “code” consists of a sequence of entry points of routines. The threaded code is interpreted by executing an unconditional branch to the destination indicated by a word of the code; on completion the routing thus activated terminates by again executing an unconditional branch to the entry point indicated by the next code</p>		
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JOINT CLAIM CONSTRUCTION CHART

			<p>word.” Dictionary of Computing Oxford (3d 1990)</p> <p>“threaded: pertaining to a program consisting of calls to several separate subprograms.” Webster’s New World Dict. of Comp. (3d 1998)</p>		
<p>"clocking said CPU at a second frequency less than said first frequency or by not maintaining clocking of said CPU"</p> <p>(’959 Patent, Claims 2 and 7)</p> <p>(’025 Patent, Claims 1, 38, 42)</p>		<p>Providing a clock signal to the CPU at a second frequency that is less than the first frequency, or not providing a clock signal to the CPU</p>	<p>’025 Patent Abstract, Fig. 3; 3:61-64; 8:1-8; 16:25-43; 53:32-35; 56:11-14; cls. 1 and 38.</p>	<p>Operating the CPU at a second frequency that is less than the first frequency or by not maintaining the CPU such that the frequency is substantially reduced to zero.</p>	<p>6:32-35 and 6:44-48</p> <p>’025 Patent, Claims 1 and 38</p> <p>’959 Pros. Hist., 6/16/97 Office Action, p. 17-18; 5/12/98 Notice of Allowability, p.1.</p> <p>’025 Pros. Hist., 1/4/99 Amdt pp. 2-3; 9/28/99 Amdt, pp.15-18.</p>

JOINT CLAIM CONSTRUCTION CHART

`130 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ⁵	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁶
<p>“power switching means for selecting one of said supply voltages as said card voltage”</p> <p>(`130 patent, claims 1, 6-10, and 12)</p>	<p><u>Governed by 112, ¶6.</u></p>	<p><u>Function:</u> Selecting either the first supply voltage or the second supply voltage as the card voltage</p> <p><u>Corresponding Structure:</u> Power switches 12 configured to switch the selected supply voltage onto the VCC card line</p>	<p>Fig. 1; Abst.; 1:6-51; 1:55-66; 2:59-3:3; 3:12-19; 4:25-27, 5:1-7; 6:33-34.</p>	<p><u>Function:</u> Selecting one of said supply voltages as said card voltage.</p> <p><u>Corresponding Structure:</u> Power switches</p>	<p><i>See e.g.,</i> power switches 12;1:55 – 2:1; 3:1-18; and 4:22-67</p> <p>Abstract and Fig. 1</p> <p>Claims 1, 6-10, and 12</p> <p>`130 Pros. Hist. 11/27/95 Office Action, pp. 2-3; 6/10/96 Reasons for Allowance.</p>

⁵ Unless otherwise noted, citations are to the `130 patent specification (e.g., column number:line number).

⁶ Unless otherwise noted, citations are to the `130 patent specification (e.g., column number:line number).

JOINT CLAIM CONSTRUCTION CHART

`163 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions⁷	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions⁸
<p>“A data processing system comprising a processor, a plurality of special-purpose buses each connected to the processor, ... and bus processing means”</p> <p>(`163 patent, claims 1 and 27)</p>		The CPU, special purpose buses, and bus processing means of claims 1 and 27 must be integrated on a single semiconductor chip	Abstract; 2:63-3:7; 3:46-50; 5:1-30; 6:15-33; 6:55-7:49; U.S. Application No. 07/744,710 Pros. Hist. 9/17/1993 Amdt., p. 10-11; U.S. Application No. 08/452,246 Pros. Hist. 11/20/1995 Amdt., p. 3-4, 14; 3/21/1996 Amdt., p. 1, 8-9; U.S. Patent No. 5,129,090 (Bland).	A data processing system that includes a processor, a plurality of special-purpose buses each connected to the processor, and bus processing means.	3:46-57 Figs. 1-2 Claims 1 and 27
<p>“special-purpose buses each connected to the processor and to one of the external</p>		Separate and distinct buses connected to the CPU and to a corresponding external device	Fig. 2; 2:63-3:2; 5:39-43; 6:34-40; 8:3-7; U.S. Application No. 07/744,710 Pros. Hist.	Buses, where each bus is connected to the processor and to one of the external devices, and each	6:34-40 and 9:32-36 Figs. 1-2

⁷ Unless otherwise noted, citations are to the `163 patent specification (e.g., column number:line number).

⁸ Unless otherwise noted, citations are to the `163 patent specification (e.g., column number:line number).

JOINT CLAIM CONSTRUCTION CHART

`163 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ⁷	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁸
<p>devices and each operating at a different bus bandwidth corresponding to the bus bandwidth associated with the bus device to which it is connected”</p> <p>(`163 patent, claims 1, 13, and 27)</p>		<p>through the common bus. Each bus transfers signals using a transfer rate specific to its corresponding external device.</p>	<p>9/17/1993 Amdt., p. 10-11; 6/23/1994 Amdt., p. 15-16; 12/23/1994 App. Appeal Brf., p. 4; U.S. Application No. 08/452,246 Pros. Hist. 11/20/1995 Amdt., p. 1-6; 3/21/1996 Amdt., p. 5, 8-9; U.S. Patent No. 5,129,090 (Bland)</p>	<p>bus operates at a different bus bandwidth corresponding to the bus bandwidth associated with the bus device to which it is connected.</p>	<p>Claims 1, 13, and 27</p>
<p>“common bus connecting the plurality of external bus devices to the plurality of special-purpose buses”</p> <p>(`163 patent, claims 1, 13, and 27)</p>		<p>A set of signal lines connected between the external bus devices and the special purpose buses and shared by the external bus devices.</p>	<p>Figs. 1, 2, 11, 12; 1:42-45; 3:58-4:3; 5:4-45; 7:42-49; U.S. Application No. 07/744,710 Pros. Hist. 9/17/1993 Amdt., p. 10-12; 6/27/1994 Amdt., p. 11-20;; 12/23/1994 App. Appeal Br., p.</p>	<p>A single common bus connecting the two or more external bus devices to the two or more special-purpose buses.</p>	<p>3:46-65; 5:1-35; and 6:30-50</p> <p>Figs. 1-2</p> <p>Claims 1, 13, and 27</p>

JOINT CLAIM CONSTRUCTION CHART

`163 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ⁷	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁸
			<p>4-15; U.S. Application No. 08/452,246 Pros. Hist. 11/20/1995 Amdt. pp. 3-4; 3/21/1996 Amdt. pp. 8-9; U.S. Patent No. 5,129,090 (Bland).</p> <p>IEEE, <u>Standard Dictionary of Electrical and Electronics Terms</u> 112 (3d ed. 1984); IEEE, <u>The New IEEE Standard Dictionary of Electrical and Electronics Terms</u> 140-41 (5th ed. 1992); Microsoft Press, <u>Computer Dictionary</u> 58 (2d ed. 1994); Microsoft Press,</p>		

JOINT CLAIM CONSTRUCTION CHART

`163 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ⁷	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ⁸
			<u>Computer Dictionary</u> 68 (3d ed. 1997).		

JOINT CLAIM CONSTRUCTION CHART

`617 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ⁹	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ¹⁰
<p>“when the input data [at least a subset of the input data] has not been recently updated” (`617 patent, claim 1, [17])</p>		<p>In response to the input data not changing for a preset detection period.</p>	<p>Figs. 1, 2A, 2B, 3-6; title; abstract; 2:16 - 3:29; 3:37-55; 4:11-31; 4:34-45; 5:18 - 7:67; 8:43-11:49.</p> <p>“update (1) (supervisory control, data acquisition, and automatic control) The process of modifying or reestablishing data with more recent information. ... (2) (A) (data management) To change information in accordance with information that is more recent than that which was previously</p>	<p>When at least a part or portion of the input data has not been recently updated.</p> <p>Examples from the patent include: when at least a portion of the input data has not been updated: 1) since the last data reading; 2) during a period that is set adaptively; 3) during a period that is set by a user or by an application program; 4) during a default period; and</p>	<p>1:29-34, 2:3-7, 2:17-30; 3:2-11, 3:19-29, 3:37-55, 4:21-27, 4:35-39, 5:18-44, 5:51-61, 6:7-28, 9:43-57, 10:42-11:8</p> <p>Table 1, FIG. 2B, FIG. 3, FIG. 4, FIG. 5</p> <p>Claims 1-2, 11, 17, 19, 24, and 27. Also: Claims 3, 4, 9, 12, 13, 15, 18, 25, 28, 30</p> <p>Abstract, Title</p> <p>Extrinsic Evidence: U.S. Patent No. 7,042,461, 1:18-30, 2:16-40, 3:32-48, Fig. 1 and file</p>

⁹ Unless otherwise noted, citations are to the `617 patent specification (e.g., column number:line number).

¹⁰ Unless otherwise noted, citations are to the `617 patent specification (e.g., column number:line number).

JOINT CLAIM CONSTRUCTION CHART

`617 Claim Terms/Phrase	Stipulated Construction (if any)	Defendants' Proposed Construction	Citations to Support for Defendants' Constructions ⁹	Plaintiff's Proposed Construction	Citations to Support for Plaintiff's Constructions ¹⁰
			<p>available.” IEEE Standard Dictionary of Electrical and Electronics Terms 1167 (6th Ed. 1996).</p> <p>“update ... To change a system or data file to make it more current.” Microsoft Press Computer Dictionary 486 (3rd Ed. 1997).</p> <p>“when...in the event that: IF” Webster’s Ninth New Collegiate Dictionary 1342 (1991).</p>	5) based on a frame inactivity threshold.	history (10/22/04 Office Action, pp. 2-6); Intel June 2005 White Paper, DN 307508-001, p. 12.

JOINT CLAIM CONSTRUCTION CHART

Each party reserves the right to rely on the opposing party's citations. Each party further reserves their rights to respond to arguments concerning intrinsic and extrinsic evidence cited.

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Dated: December 10, 2010

<p><u>/s/ Linhong Zhang</u></p> <p>William J. Marsden, Jr. (#2247) Tara D. Elliott (#4483) Linhong Zhang (#5083) FISH & RICHARDSON P.C. 222 Delaware Avenue, 17th Floor P.O. Box 1114 Wilmington, DE 19801 wjm@fr.com tde@fr.com lwzhang@fr.com</p> <p><i>Attorneys for Microsoft Corporation</i></p>	<p>OF COUNSEL:</p> <p>Lauren A. Degnan Ruffin B. Cordell FISH & RICHARDSON P.C. 1425 K Street, N.W., 11th Floor Washington, DC 20005 lad@fr.com</p> <p><i>Attorneys for Microsoft Corporation</i></p>
<p><u>/s/ David E. Moore</u></p> <p>Richard L. Horwitz (# 2246) David E. Moore (# 3983) Potter Anderson & Corroon LLP Hercules Plaza, 6th Floor 1313 N. Market Street Wilmington, DE 19899 rhorwitz@potteranderson.com dmoore@potteranderson.com</p> <p><i>Attorneys for Defendant Lenovo (United States) Inc.</i></p>	<p>OF COUNSEL:</p> <p>Charles E. Miller Brian D. Siff Robert G. Gingher Dickstein Shapiro LLP 1633 Broadway New York, NY 20029 LENOVO-St.Clair@dicksteinshapiro.com</p> <p><i>Attorneys for Defendant Lenovo (United States) Inc.</i></p>

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<p><u>/s/ David E. Moore</u></p> <p>Richard L. Horwitz (# 2246) David E. Moore (# 3983) Potter Anderson & Corroon LLP Hercules Plaza, 6th Floor 1313 N. Market Street Wilmington, DE 19899 rhorwitz@potteranderson.com dmoore@potteranderson.com</p> <p><i>Attorneys for Defendant Dell, Inc.</i></p>	<p>OF COUNSEL:</p> <p>Constance S. Huttner Vinson & Elkins LLP 666 Fifth Avenue, 26th Floor New York, NY 10103 chuttner@velaw.com</p> <p>Christopher V. Ryan Juliet M. Dirba David D. Hornberger Vinson & Elkins LLP 2801 Via Fortuna, Suite 100 Austin, TX 78746 st.clair-dell-grpplist@velaw.com</p> <p><i>Attorneys for Defendant Dell, Inc.</i></p>
<p><u>/s/ David E. Moore</u></p> <p>Richard L. Horwitz (# 2246) David E. Moore (# 3983) Potter Anderson & Corroon LLP Hercules Plaza, 6th Floor 1313 N. Market Street Wilmington, DE 19899 rhorwitz@potteranderson.com dmoore@potteranderson.com</p> <p><i>Attorneys for Defendants Acer, Inc., Acer America Corporation and Gateway, Inc.</i></p>	<p>OF COUNSEL:</p> <p>Kai Tseng James Lin Michael C. Ting Craig Kaufman Orrick, Herrington & Sutcliffe 1000 Marsh Road Menlo Park, CA 94025 Acer_St.ClairOrrickteam@orrick.com</p> <p><i>Attorneys for Defendants Acer, Inc., Acer America Corporation and Gateway, Inc.</i></p>

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<p><u>/s/ David E. Moore</u></p> <p>Richard L. Horwitz (# 2246) David E. Moore (# 3983) Potter Anderson & Corroon LLP Hercules Plaza, 6th Floor 1313 N. Market Street Wilmington, DE 19899 rhorwitz@potteranderson.com dmoore@potteranderson.com</p> <p><i>Attorneys for Defendants Toshiba Corporation, Toshiba America Information Systems, Inc., and Toshiba America, Inc.</i></p>	<p>OF COUNSEL:</p> <p>Jeffrey K. Sherwood Dickstein Shapiro LLP 1825 Eye Street NW Washington, DC 20006-5403 zz-Toshiba-St.Clair@dicksteinshapiro.com</p> <p><i>Attorneys for Defendants Toshiba Corporation, Toshiba America Information Systems, Inc., and Toshiba America, Inc.</i></p>
<p><u>/s/ David E. Moore</u></p> <p>Richard L. Horwitz (# 2246) David E. Moore (# 3983) Potter Anderson & Corroon LLP Hercules Plaza, 6th Floor 1313 N. Market Street Wilmington, DE 19899 rhorwitz@potteranderson.com dmoore@potteranderson.com</p> <p><i>Attorneys for Defendant Intel Corporation</i></p>	<p>OF COUNSEL:</p> <p>Chad S. Campbell Timothy J. Franks PERKINS COIE BROWN & BAIN PA 2901 N. Central Avenue, Suite 2000 Phoenix, Arizona 85012 perkins-intel-stclair@perkinscoie.com</p> <p><i>Attorneys for Defendant Intel Corporation</i></p>