

**Exhibit A to the parties' Joint Claim Construction and Prehearing Statement**  
**Red Bend Ltd. v. Google Inc., Civil Action No. 09-cv-11813-DPW**  
**August 3, 2010**

	<b>Claim Terms in Dispute</b>	<b>Red Bend Proposed Construction</b>	<b>Google Proposed Construction</b>	<b>Court's Construction</b>
1	compact difference result	A difference result of a smaller size as compared to a conventional difference result (obtained by using techniques in existence prior to the invention of the patent-in-suit) in which the need to reflect changes to references due to delete/insert modifications is reduced or eliminated. ( <i>See, e.g.</i> , Exh. 1 <sup>1</sup> at Claims 8, 42, 3:30-46, 10:3-41, 14:5-14; Exh. 2 at RedBend150; Edwards 7/29/10 Decl. ¶ 5-6).	A difference result in which references that have changed due to delete/insert modifications do not appear. ( <i>See, e.g.</i> , Ex. B at 2:18-20, 3:36-46 & 9:66-10:15, claim 8(b)(i); Ex. C at RedBend0000150; Ex. E at 11:3-12:23, 20:8-21:9 & 29:15-30:10; Walker Decl. ¶ 26 <sup>2</sup> ).	
2	data table	A table of entries, where an entry is an addressable unit within the data table. Each entry may have a different size. An executable program is one example of a data table. ( <i>See, e.g.</i> , Exh. 1 at 2:33-36, 2:61-63; Exh. 2 at RedBend26, RedBend148-9, RedBend151-52, RedBend154-55; Exh. 3 at 124:22-125:21; 128:1-128:7; Docket No. 60, Edwards Reply Decl. ¶ 7-9, 27; Edwards 7/29/10 Decl. ¶ 14-15).	A table of entries, each of which may have a different size. An executable program is one example of a data table. It cannot be source or other symbolic code. ( <i>See, e.g.</i> , Ex. B at 2:33-34, 2:61-63, and claims 8, 21, 42, 55; Ex. C at RedBend0000151-55; Declaration of Stephen A. Edwards in Support of Plaintiffs' Motion at ¶ 25 (Dkt. 9, Attachment No. 4) & Ex. A thereto).	

<sup>1</sup> Citations to numerical exhibits refer to the Exhibits attached to the Declaration of Jennifer C. Tempesta in Support of Red Bend's Opening Claim Construction Brief (Docket No. 97). Citations to alphabetical exhibits refer to the Exhibits attached to the Declaration of Susan Baker Manning in Support of Google's Opening Claim Construction Brief (Docket No. 94).

<sup>2</sup> Citations to "Walker Decl." refer to the Declaration Of Martin G. Walker In Support Of Google's Claim Construction Brief.

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3	executable program	A program comprising machine language instructions and corresponding bytes of data used by the program that are ready to be run on a computer. (Exh. 1 at 2:61-63; Exh. 2, RedBend151-54; Exh. 3 at 124:22-125:21, 128:1-128:7, 209:14-25; Edwards 7/15/10 Decl. ¶ 8; Docket No. 60, Edwards Reply Decl. ¶¶ 27, 29-33; Exh. D at 9 n.2).	A program comprising machine language instructions and corresponding bytes of data used by the program that are ready to be run on a computer, excluding source or other symbolic code. ( <i>See e.g.</i> , Ex. B at 2:61-65, 3:3-4, 9:66-10:15, 10:47-12:28 and claims 8, 12, 21, 25, 42, 55; Ex. C at RedBend0000151, RedBend0000160-163, RedBend0000174; Ex. D at 11-12; Ex. E at 127:6-8; Ex. J (WEBSTER'S NEW WORLD COMPUTER DICTIONARY) at 134; Ex. K (MICROSOFT COMPUTER DICTIONARY) at 200; Edwards PI Reply Decl. at ¶ 9; Walker Decl. ¶ 20).	
4	invariant references	Values made the same. (Exh. 1 at 2:37-45; 3:23-26, 10:10-15, 10:57-60, 20:6-11; Exh. 2 at RedBend150; Edwards 7/15/10 Decl. ¶¶ 13-14; Docket No. 60, Edwards Reply Decl. at 55 and Exh. A; Exh. E at 35:25-36:15; Edwards 7/29/10 Decl. ¶ 3-4, 7-8).	Values made the same in the modified old and new programs (or data tables) for corresponding reference entries so that the reference addresses are excluded from the difference result. ( <i>See, e.g.</i> , Ex. B at 2:43-44, 3:31-46, 9:66-10:15, 16:30-37, claim 8(b)(i) (server-side) & claim 12(c)(i) (client-side); Ex. C at RedBend0000150; Ex. E at 20:23-21:9; Walker Decl. ¶ 29; Declaration	

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	<b>Claim Terms in Dispute</b>	<b>Red Bend Proposed Construction</b>	<b>Google Proposed Construction</b>	<b>Court's Construction</b>
			of Martin G. Walker in Support of Google Inc.'s Opposition to Motion for Preliminary Injunction at ¶¶ 15-18; Memo. in Support of Plaintiffs' Motion for a Preliminary Injunction (Dkt. 9) at 6; Declaration of Stephen A. Edwards in Support of Plaintiffs' Motion (Dkt. 9, Attachment No. 4) at ¶¶ 16-17).	
5a	modified old data table	An interim result, such as tables or data structures, related to the old data table. (Exh. 1, '552 Patent at 3:5-7; 9:16-17, 9:30, 10:51-57, 13:62-64, 15:9-13; Exh. 2 at RedBend 151-55, RedBend160-63, RedBend166, RedBend176; Exh. 4, Miller at 6:39; Edwards 7/15/10 Decl. ¶¶ 10-12 and Exh. B thereto; Docket No. 60, Edwards Reply Decl. at ¶¶ 7, 10, 15-16 & Fig. 1; Edwards 7/29/10 Decl. ¶ 17-18).	A version of the actual program or data table in its original executable form, with certain portions replaced. (See, e.g., Ex. B at Abstract, claim 8, 3:31-46, 3:53-62, 4:8-19, 9:66-10:15, 10:42-13:4, 13:59-61; Ex. C at RedBend0000151-55, RedBend0000173-74; Ex. E at 20:23-21:9; Red Bend PI Memo. at 9-11; Edwards PI Decl. at ¶ 25).	
5b	modified old program	An interim result, such as tables or data structures, related to the old executable program. (See citations for "modified old data table").		

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5c	modified new data table	An interim result, such as tables or data structures, related to the new data table. ( <i>See</i> citations for "modified old data table").		
5d	modified new program	An interim result, such as tables or data structures, related to the new executable program. ( <i>See</i> citations for "modified old data table").		

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<b>Claim Term</b>	<b>Parties' Agreed Upon Construction</b>	<b>Court's Construction</b>
difference result	Data representative of the difference between an old program (or data table) and a new program (or data table) used to carry out an update of the old program.	
old executable program; said old program	An executable program (or portion of an executable program) that is to be updated.	
old data table	A data table (or portion of a data table) that is to be updated.	
reference	A part of the data appearing in an entry in the data table which is used to refer to some other entry from the same data table. A reference can be either an address or a number used to compute an address.	
reference entries	Entries that include references. For this purpose, "entries" are addressable units of a data table or program. As an example, a reference entry could be an individual machine instruction (such as an individual jump instruction) specifying a target address.	