

EXHIBIT A

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Term No.	Claim language	Proposed Construction	Evidence	Appears in asserted claims
1.	“Wi-Fi access points”	Stipulated definition: Devices operating consistent with the IEEE 802.11 standard to provide network connectivity.		‘988/1, 3 ‘694/1 ‘245/1, 2 ‘897/1, 3, 4
2.	“target area”	A pre-identified geographic region throughout which a shortest route is planned along all drivable roads.	‘988 patent, Abstract, claim 1, 4:28-40, 5:27-37, 7:37-44, 8:28-59 and corresponding disclosures in the ‘694, and ‘245 patents; GSHFED0000169-72, GSHFED0000181-91, and GSHFED0000200-12; GSHFED_0001671, GSHFED_0001360-61; U.S. Patent No. 7,818,017 14:25-16:7; The Compact Oxford English Dictionary at 87 [sub-page 781], 1501 [sub-pages 107-108], 2011 [sub-pages 640-642]; Microsoft Computer Dictionary at 42 (5th ed. 2002); Barron’s Dictionary of Computer and Internet Terms 36 (8th ed. 2003).	‘988/1 ‘694/1, 2 ‘245/1
3.	“a radius on the order of tens of miles”	Stipulated construction: A radius of ten miles or more but fewer than a hundred miles.		‘988/1 ‘694/1
4.	“substantially all Wi-Fi access points” / “for substantially all Wi-Fi access	All but an insignificant number of Wi-Fi access points in the target area.	‘988 patent, 4:28-46, 5:24-37, 6:19-30, 8:13-16, 8:44-47, 9:12-19 and corresponding disclosures in the ‘694 patent; GSHFED0000181-91; <i>David Nichols & Nichols Lures v. Strike King Lure Co.</i> , 2000 U.S. Dist. LEXIS 15781, 31-32 (N.D. Tex. Oct. 25, 2000); Newton’s	‘988/1 ‘694/1

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Term No.	Claim language	Proposed Construction	Evidence	Appears in asserted claims
	points in the target area”		Telecom Dictionary 39-40, 232, 689, 916 (20th ed. 2004); The Compact Oxford English Dictionary at 2011 [sub-pages 640-642].	
5.	“identification information for a corresponding Wi-Fi access point”	Stipulated construction: An identifier (e.g., a MAC address) for a corresponding Wi-Fi access point. <i>See</i> “Wi-Fi access points.”		‘988/1 ‘694/1
6.	“calculated position information”	The physical location (<i>i.e.</i> , latitude and longitude) attributed to each Wi-Fi access point determined mathematically from readings recorded along a shortest planned route throughout all drivable roads in the target area (<i>i.e.</i> by following the Chinese Postman routing algorithm). The “calculated position information” cannot be based on randomly, or non-systematically, collected readings of Wi-Fi access points. Synonymous with “calculated positions of the Wi-Fi access points” in the ‘988 patent claim 3, “calculated locations” in the ‘245 patent, as well as “recorded location information” in the ‘897 patent.	<i>See</i> GSHFED0000169-72, GSHFED0000181-91, and GSHFED0000200-12, GSHFED0000089-90, GSHFED234, GSHFED0000287, GSHFED_0000295-299, GSHFED0000394-95; ‘988 patent, 3:12-26, 3:59-4:9, 7:52-8:59, 9:6-21, 9:57-10:4, 11:67-13:30, Fig. 3, 5 & 9 and corresponding disclosures in the ‘694 patent; ‘245 patent, 3:13-15, 4:21-23, 4:30-31, 4:36-40, 4:41-45; “calculated positions of the Wi-Fi access points” in the ‘988 patent claim 3, “calculated locations” in the ‘245 patent claims 1 and 2, as well as “recorded location information” in the ‘897 patent claims 1 and 3, respectively; The Compact Oxford English Dictionary at 87 [sub-page 781], 92 [sub-page 823], 132 [sub-page 166], 200 [sub-page 777], 1991 [sub-pages 456-457], 2011 [sub-pages 640-642]; Collins English Dictionary at 452, 543 (7th ed. 2005); The American Heritage College Dictionary at 379, 455 (3rd ed. 2000); The Concise Oxford English Dictionary at 472, 836 (11th ed. 2004); Microsoft Computer Dictionary at 42, 56-57 (5th ed. 2002); The Merriam-Webster Dictionary 48 (6th ed. 2004); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005);	‘988/1 ‘694/1

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			Barron’s Dictionary of Computer and Internet Terms 36 (8th ed. 2003).	
7.	“reference symmetry”	<p>This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because it does not apprise one skilled in the art of the bounds of the claim.</p> <p>Alternatively, “the balanced or symmetrical distribution of numerous access points on all sides of the user device and within range of the user device’s WiFi radio.”</p>	‘988 patent, claim 1, 2:53-57, 4:38, 5:4-8, 9:2-19, 9:49-10:4, Figs. 2-6, 8, 11 and corresponding disclosures in the ‘694 patent; GSHFED0000169-72, GSHFED0000181-91, GSHFED0000200-12, and GSHFED_0000295-299; The Compact Oxford English Dictionary at 87 [sub-page 781], 200 [sub-page 777], 1991 [sub-pages 456-457]; The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005); Barron’s Dictionary of Computer and Internet Terms 36 (8th ed. 2003).	
8.	“arterial bias”	The deviation of the calculated position information for a Wi-Fi access point toward heavily trafficked roads and away from the actual geographic location of the access point due to the tendency of random scanning to result in a greater number of scans from heavily trafficked roads.	‘988 patent, Abstract, 3:12-26, 4:4-9, 4:28-46, 5:24-37, 7:34-8:59, 9:2-10, 9:14-19, 9:57-61, 9:64-10:4, Figs. 1-5, 8 & 11 and corresponding disclosures in the ‘694 patent; GSHFED0000169-72, GSHFED0000181-91, GSHFED0000200-12, and GSHFED_0000295-299; The Compact Oxford English Dictionary at 132 [sub-page 166], 200 [sub-page 777], 1718 [sub-page 33], 1991 [sub-pages 456-457]; Microsoft Computer Dictionary at 42, 56-57, 474 (5th ed. 2002); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005) Barron’s Dictionary of Computer and Internet Terms 448 (8th ed. 2003).	‘988/1 ‘694/1

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9.	“recording multiple readings of the Wi-Fi access point at different locations around the Wi-Fi access point so that the multiple readings have reference symmetry relative to other Wi-Fi access points in the target area”	<p>This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because it does not apprise one skilled in the art of the bounds of the claim, and in particular (1) impermissibly recites a method step in an apparatus claim; and (2) fails to apprise the person of ordinary skill in the art as to what it means for “multiple readings of the Wi-Fi access point at different locations around the Wi-Fi access point” to “have reference symmetry <i>relative to other Wi-Fi access points</i> in the target area.”</p> <p>Alternatively, “systematically driving each road in the target area using a pre-designed Chinese Postman scanning route so as to collect multiple readings of the Wi-Fi access point at different locations around the Wi-Fi access point so that the multiple readings have reference symmetry relative to other Wi-Fi access points in the target area.”</p>	<p>GSHFED0000169-72, GSHFED0000181-91, and GSHFED0000200-12; ‘988 patent, 7:52-8:59, 9:14-19, 9:64-10:4, Figs. 4 & 11, claim 1; U.S. Patent App. Pub. 2009/0075672, U.S. Patent No. 7,493,127; The Compact Oxford English Dictionary at 87 [sub-page 781], 200 [sub-page 777], 1991 [sub-pages 456-457] , 2011 [sub-pages 640-642]; Collins English Dictionary at 543 (7th ed. 2005); The American Heritage College Dictionary at 455 (3rd ed. 2000); The Concise Oxford English Dictionary at 472, 836 (11th ed. 2004); Microsoft Computer Dictionary at 42 (5th ed. 2002); Newton’s Telecom Dictionary 39-40, 689, 916 (20th ed. 2004); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005); Barron’s Dictionary of Computer and Internet Terms 36 (8th ed. 2003).</p> <p><i>See also # 19 below.</i></p>	‘988/1

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Term No.	Claim language	Proposed Construction	Evidence	Appears in asserted claims
10.	<p>“recording multiple readings of the Wi-Fi access point at different locations around the Wi-Fi access point ... so that the calculation of the position of the Wi-Fi access point avoids arterial bias in the calculated position information”</p>	<p>This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because it does not apprise one skilled in the art of the bounds of the claim, and in particular (1) impermissibly recites a method step in an apparatus claim; and (2) fails to provide any measure of when recording multiple readings ... around the Wi-Fi access point ... so that the calculation of the position of the Wi-Fi access point avoids arterial bias is achieved.</p> <p>In the alternative, “storing Wi-Fi access point signals received while scanning along a shortest planned route along each drivable road throughout each target area, <i>e.g.</i> Chinese Postman, and not using random scanning or collection methods.</p>	<p>GSHFED0000169-72, GSHFED0000181-91, GSHFED0000200-12, and GSHFED_0000295; ‘988 patent, Abstract, 3:12-26, 4:4-9, 4:28-46, 5:24-37, 7:34-8:59, 9:2-10, 9:14-19, 9:57-10:4, Figs. 1-5, 8 & 11, claim 1; U.S. Patent App. Pub. 2009/0075672; U.S. Patent No. 7,493,127; The Compact Oxford English Dictionary at 92 [sub-page 823], 132 [sub-page 166], 200 [sub-page 777], 2011 [sub-pages 640-642]; Collins English Dictionary at 543 (7th ed. 2005); The American Heritage College Dictionary at 455 (3rd ed. 2000); The Concise Oxford English Dictionary at 472, 836 (11th ed. 2004); Microsoft Computer Dictionary at 56-57 (5th ed. 2002); Newton’s Telecom Dictionary 39-40, 689, 916 (20th ed. 2004); The Merriam-Webster Dictionary 48 (6th ed. 2004); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005).</p>	‘988/1

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11.	“avoid arterial bias” / “avoids arterial bias”	<p>This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because it does not apprise one skilled in the art of the bounds of the claim.</p> <p>In the alternative, “eliminates arterial bias.”</p>	<p>GSHFED0000169-72, GSHFED0000181-91, GSHFED0000200-12, and GSHFED_0000295-299; ‘988 patent, 3:12-26, 4:4-9, 4:28-46, 5:24-37, 7:34-8:59, 9:2-10, 9:14-19, 9:57-61, 9:64-10:4, Figs. 1-5, 8 & 11, claim 1; U.S. Patent App. Pub. 2009/0075672, U.S. Patent No. 7,493,127 The Compact Oxford English Dictionary at 92 [sub-page 823], 132 [sub-page 166]; Microsoft Computer Dictionary at 56-57 (5th ed. 2002); The Merriam-Webster Dictionary 48 (6th ed. 2004).</p>	<p>‘988/1 ‘694/1</p>
12.	“logic to recalculate position information for Wi-Fi access points previously stored in the database to utilize position information for the newly-	<p>This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because the specification does not disclose a structure corresponding to the claimed “logic” capable of performing the recited function of “recalculat[ing] position information for Wi-Fi access points previously stored in the database to utilize position information for the newly-discovered readings of previously stored Wi-Fi access points.”</p>	<p>‘988 patent, 12:29-13:31; The Compact Oxford English Dictionary at 200 [sub-page 777], 389 [sub-page 261], 992 [sub-pages 1107-1108]; Microsoft Computer Dictionary at 141, 317 (5th ed. 2002); Newton’s Telecom Dictionary 39-40, 232, 916 (20th ed. 2004); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005); Barron’s Dictionary of Computer and Internet Terms 123 (8th ed. 2003).</p>	<p>‘988/1</p>

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Term No.	Claim language	Proposed Construction	Evidence	Appears in asserted claims
	discovered readings of previously stored Wi-Fi access points”			
13.	“computer-implemented logic to add records to the database for newly-discovered Wi-Fi access points”	This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because the specification does not disclose a structure corresponding to the claimed “computer-implemented logic” capable of performing the recited function of “add[ing] records to the database for newly-discovered Wi-Fi access points.”	‘988 patent, 11:64-12:6, 12:29-38, 12:39-13:31; GSHFED0000169-72, GSHFED0000181-91, and GSHFED0000200-12; The Compact Oxford English Dictionary at 389 [sub-page 261], 992 [sub-pages 1107-1108]; Microsoft Computer Dictionary at 141, 317 (5th ed. 2002); Newton’s Telecom Dictionary 39-40, 232, 689, 916 (20th ed. 2004); Barron’s Dictionary of Computer and Internet Terms 123 (8th ed. 2003).	‘988/1
14.	“computer-implemented clustering logic to identify position information based on error prone GPS information”	This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because (1) it does not apprise one skilled in the art of the bounds of the claim, and in particular fails to apprise the person of ordinary skill in the art what constitutes “error prone GPS information”; and (2) in violation of 35 U.S.C. § 112, ¶ 2 because the specification does not disclose a structure corresponding to the claimed “computer-implemented clustering logic” capable of performing the recited function of “identify[ing] position information based on error prone GPS information.”	‘988 patent, 12:6-13; The Compact Oxford English Dictionary at 992 [sub-pages 1107-1108], 1718 [sub-page 33]; Microsoft Computer Dictionary at 317, 474 (5th ed. 2002); Newton’s Telecom Dictionary 737 (20th ed. 2004) Barron’s Dictionary of Computer and Internet Terms 448 (8th ed. 2003).	‘988/2

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15.	“logic to determine a weighted centroid position for all position information reported for an access point”	This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because the specification does not disclose a structure corresponding to the claimed “logic” capable of performing the recited function of “determine[ing] a weighted centroid position for all position information reported for an access point.”	‘988 patent, 3:20-26, 12:11-20, 12:24-28, 12:35-13:31; McGraw-Hill Dictionary of Scientific and Technical Terms, 357, 2287 (6th ed. 2003); The Compact Oxford English Dictionary at 200 [sub-page 777], 229 [sub-page 1040], 992 [sub-pages 1107-1108], 2289 [sub-page 100]; Microsoft Computer Dictionary at 317 (5th ed. 2002); Collins English Dictionary at 277, 452 (7th ed. 2005); The American Heritage College Dictionary at 379, 1530 (3rd ed. 2000); The Concise Oxford English Dictionary at 230 (11th ed. 2004); Newton’s Telecom Dictionary 39-40, 916 (20th ed. 2004); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005).	‘988/3
16.	“a weighted centroid position”	A position determined by weighted averaging of recorded positions.	‘988 patent, 3:20-26, 11:49-62, 12:1-28, 12:34-13:31; McGraw-Hill Dictionary of Scientific and Technical Terms, 357, 2187, 2287 (6th ed. 2003); The Compact Oxford English Dictionary at 229 [sub-page 1040], 992 [sub-pages 1107-1108], 2108 [sub-pages 500-501], 2289 [sub-page 100]; Microsoft Computer Dictionary at 317 (5th ed. 2002); Collins English Dictionary at 277 (7th ed. 2005); The American Heritage College Dictionary at 1442, 1530 (3rd ed. 2000); The Concise Oxford English Dictionary at 230 (11th ed. 2004).	‘988/3
17.	“logic to identify position information that exceeds a statistically-based deviation	This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because the specification does not disclose a structure corresponding to the claimed “logic” capable of performing the recited function of “identify[ing]	‘988 patent, 12:6-20; McGraw-Hill Dictionary of Scientific and Technical Terms, 357, 2287 (6th ed. 2003); The Compact Oxford English Dictionary at 229 [sub-page 1040], 992 [sub-pages 1107-1108], 2289 [sub-page 100]; Microsoft Computer Dictionary at 317 (5th ed. 2002); Collins English Dictionary at 277 (7th	‘988/3

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	threshold amount away from the centroid position”	position information that exceeds a statistically-based deviation threshold amount away from the centroid position.”	ed. 2005); The American Heritage College Dictionary at 1530 (3rd ed. 2000); The Concise Oxford English Dictionary at 230 (11th ed. 2004).	
18.	“calculated positions of the Wi-Fi access points”	Synonymous with “calculated position information for the corresponding Wi-Fi access point” in claim 1 of the ‘988 patent and the ‘694 patent; “calculated locations” in the ‘245 patent, and “recorded location information” in the ‘897 patent.	<i>See</i> GSHFED0000169-72, GSHFED0000181-91, and GSHFED0000200-12, GSHFED0000089-90, GSHFED234, GSHFED0000287, , GSHFED_0000295-299, GSHFED0000394-95; ‘988 patent, 3:12-26, 3:59-4:9, 7:52-8:59, 9:6-21, 9:57-10:4, 11:67-13:30, Fig. 3, 5 & 9 and corresponding disclosures in the ‘694 patent; ‘245 patent, 3:13-15, 4:21-23, 4:30-31, 4:36-40, 4:41-45; “calculated position information” in claim 1 of the ‘988 and ‘694 patents, “calculated locations” in the ‘245 patent claims 1 and 2, as well as “recorded location information” in the ‘897 patent claims 1 and 3, respectively; The Compact Oxford English Dictionary at 87 [sub-page 781], 92 [sub-page 823], 132 [sub-page 166], 200 [sub-page 777], 1991 [sub-pages 456-457], 2011 [sub-pages 640-642]; Collins English Dictionary at 452, 543 (7th ed. 2005); The American Heritage College Dictionary at 379, 455 (3rd ed. 2000); The Concise Oxford English Dictionary at 472, 836 (11th ed. 2004); Microsoft Computer Dictionary at 42, 56-57 (5th ed. 2002); The Merriam-Webster Dictionary 48 (6th ed. 2004); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005); Barron’s Dictionary of Computer and Internet Terms 36 (8th ed. 2003).	‘988/3

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19.	“the clustering logic ... excludes such deviating position information from the database and from influencing the calculated positions of the Wi-Fi access points”	This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because the specification does not disclose a structure corresponding to the claimed “clustering logic” capable of performing the recited function of “exclude[ing] such deviating position information from the database and from influencing the calculated positions of the Wi-Fi access points.”	‘988 patent, 12:7-20; McGraw-Hill Dictionary of Scientific and Technical Terms, 357, 2287 (6th ed. 2003); The Compact Oxford English Dictionary at 200 [sub-page 777], 229 [sub-page 1040], 389 [sub-page 261], 992 [sub-pages 1107-1108], 2289 [sub-page 100]; Microsoft Computer Dictionary at 141, 317 (5th ed. 2002); Collins English Dictionary at 277 (7th ed. 2005); The American Heritage College Dictionary at 1530 (3rd ed. 2000); The Concise Oxford English Dictionary at 230 (11th ed. 2004); Newton’s Telecom Dictionary 39-40, 232, 916 (20th ed. 2004); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005) Barron’s Dictionary of Computer and Internet Terms 123 (8th ed. 2003).	‘988/3
20.	“recording multiple readings of the Wi-Fi access point at different locations around the Wi-Fi access point so that the multiple readings avoid arterial bias in the calculated position information of the Wi-Fi access point”	This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because it does not apprise one skilled in the art of the bounds of the claim, and in particular impermissibly recites a method step in an apparatus claim. In the alternative, “storing Wi-Fi access point signals received while scanning along a shortest planned route along each drivable road throughout each target area, <i>e.g.</i> Chinese Postman and not using random scanning or collection methods to avoid the	GSHFED0000169-72, GSHFED0000181-91, and GSHFED0000200-12; ‘988 patent, 7:52-8:59, 9:14-19, 9:64-10:4, Figs. 4 & 11, claim 1; U.S. Patent App. Pub. 2009/0075672, U.S. Patent No. 7,493,127; The Compact Oxford English Dictionary at 87 [sub-page 781], 200 [sub-page 777], 1991 [sub-pages 456-457] , 2011 [sub-pages 640-642]; Collins English Dictionary at 543 (7th ed. 2005); The American Heritage College Dictionary at 455 (3rd ed. 2000); The Concise Oxford English Dictionary at 472, 836 (11th ed. 2004); Microsoft Computer Dictionary at 42 (5th ed. 2002); Newton’s Telecom Dictionary 39-40, 689, 916 (20th ed. 2004); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005); Barron’s	‘694/1

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		tendency of random scanning to result in a greater number of scans of the Wi-Fi access point from heavily trafficked roads.”	Dictionary of Computer and Internet Terms 36 (8th ed. 2003). <i>See also</i> GSHFED0000287, GSHFED0000297-98.	
21.	“wherein the database records for substantially all Wi-Fi access points in the target area provide reference symmetry within the target area”	This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because it does not apprise one skilled in the art of the bounds of the claim, and in particular fails to apprise the person of ordinary skill in the art as to what it means to “provide reference symmetry within the target area.”	‘694 patent, claim 1, 2:25-29, 4:8-9, 4:27-28, 5:38-49, 7:32-35, 7:62-66, 9:3-23, Fig. 5, Fig. 6, Fig. 11; GSHFED0000169-72, GSHFED0000181-91, and GSHFED0000200-12; <i>David Nichols & Nichols Lures v. Strike King Lure Co.</i> , 2000 U.S. Dist. LEXIS 15781, 31-32 (N.D. Tex. Oct. 25, 2000); The Compact Oxford English Dictionary at 389 [sub-page 261], 1991 [sub-pages 456-457], 2011 [sub-pages 640-642]; Microsoft Computer Dictionary at 141 (5th ed. 2002); Newton’s Telecom Dictionary 39-40, 232, 689, 916 (20th ed. 2004); Barron’s Dictionary of Computer and Internet Terms 123 (8th ed. 2003). <i>See also</i> # 4 above.	‘694/1
22.	“a user-device having a Wi-Fi radio”	An end user or consumer device having a Wi-Fi radio.	‘245 patent, 1:36-40, 1:48-50, 8:27; 9:10; 9:54-55; Collins English Dictionary at 543 (7th ed. 2005); The American Heritage College Dictionary at 455 (3rd ed. 2000); The Concise Oxford English Dictionary at 472 (11th ed. 2004); Microsoft Computer Dictionary at 193; Webster’s New World Computer Dictionary at 129 and 387.	‘245/1
23.	“providing a reference database of calculated	A database that contains calculated locations for all the Wi-Fi access points collected in the pre-identified target	‘988 patent, Abstract, claim 1, 3:12-18, 4:28-40, 5:27-30, 5:55-6:3, 7:39-44, 8:28-34, 8:41-44, & 8:56-59; ‘694 patent, 2:51-57, 5:8-24 and corresponding	‘245/1

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	locations of Wi-Fi access points in a target area”	<p>area by scanning a shortest planned route along all drivable roads. The database does not include information about Wi-Fi access points gathered using random or end-user based collection methods.</p> <p><i>See also</i> “a database of Wi-Fi access points for at least one target area” in the ‘988 and ‘694 patents.</p>	<p>disclosures in the ‘245 patent; GSHFED0000169-72, GSHFED0000181-91, and GSHFED0000200-12; The Compact Oxford English Dictionary at 200 [sub-page 777], 389 [sub-page 261], 2011 [sub-pages 640-642]; Collins English Dictionary at 543 (7th ed. 2005); The American Heritage College Dictionary at 455 (3rd ed. 2000); The Concise Oxford English Dictionary at 472, 836 (11th ed. 2004); Microsoft Computer Dictionary at 141 (5th ed. 2002); Newton’s Telecom Dictionary 39-40, 232, 916 (20th ed. 2004); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005) Barron’s Dictionary of Computer and Internet Terms 123 (8th ed. 2003).</p>	
24.	“calculated locations”	<p>Synonymous with “calculated position information” in the ‘988 and ‘694 patents, “calculated positions of the Wi-Fi access points” in the ‘988 patent, as well as “recorded location information” in the ‘897 patent.</p>	<p><i>See</i> GSHFED0000169-72, GSHFED0000181-91, and GSHFED0000200-12, GSHFED0000089-90, GSHFED234, GSHFED0000287, GSHFED_0000295-299, GSHFED0000394-95; ‘988 patent, 3:12-26, 3:59-4:9, 7:52-8:59; 9:6-21; 9:57-10:4, 11:67-13:30, Fig. 3, 5 & 9 and corresponding disclosures in the ‘694 patent; ‘245 patent, 3:13-15, 4:21-23, 4:30-31, 4:36-40, 4:41-45; “calculated position information” in the ‘988 and ‘694 patents, “calculated positions of the Wi-Fi access points” in the ‘988 patent claim 3, “calculated locations” in the ‘245 patent claims 1 and 2, as well as “recorded location information” in the ‘897 patent claims 1 and 3, respectively; The Compact Oxford English Dictionary at 87 [sub-page 781], 92 [sub-page 823], 132 [sub-page 166], 200 [sub-page 777], 1991</p>	‘245/1, 2

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			[sub-pages 456-457], 2011 [sub-pages 640-642]; Collins English Dictionary at 452, 543 (7th ed. 2005); The American Heritage College Dictionary at 379, 455 (3rd ed. 2000); The Concise Oxford English Dictionary at 472, 836 (11th ed. 2004); Microsoft Computer Dictionary at 42, 56-57 (5th ed. 2002); The Merriam-Webster Dictionary 48 (6th ed. 2004); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005); Barron’s Dictionary of Computer and Internet Terms 36 (8th ed. 2003).	
25.	“in response to a user application request to determine a location of a user-device having a Wi-Fi radio”	In response to a request made by an end-user facing application, <i>i.e.</i> , not by the operating system, to determine the location of an end user-device using a Wi-Fi radio.	‘245 patent, 1:31-50, 3:53-63, 6:7-9, 6:12-29, 6:52-64, 7:12, 8:27, 9:10, 9:54-55, Figs. 1 & 9; Collins English Dictionary at 452, 543 (7th ed. 2005); The American Heritage College Dictionary at 379, 455 (3rd ed. 2000); The Concise Oxford English Dictionary at 472, 836 (11th ed. 2004); Microsoft Computer Dictionary at 30-31, 33, 193, 378 & 544 (5th ed. 2002); Webster’s New World Computer Dictionary at 22-24, 129, 264-265, 387 (4th ed. 2004); PC Magazine Encyclopedia (definition at “API”) <i>available at</i> http://www.pcmag.com/encyclopedia_term/0,2542,t=API&i=37856,00.asp .	‘245/1
26.	“triggering the Wi-Fi device to transmit a request to all Wi-Fi access points within range of the Wi-Fi	Stipulated construction: Causing the Wi-Fi device to actively search for Wi-Fi access points. The Wi-Fi device transmits a request to all Wi-Fi access points within range of the Wi-Fi device to identify themselves.		‘245/1

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Term No.	Claim language	Proposed Construction	Evidence	Appears in asserted claims
	device”	<i>See</i> “Wi-Fi access points.”		
27.	“said chosen algorithm being suited for the number of identified Wi-Fi access points”	This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because it does not apprise one skilled in the art of the bounds of the claim, and in particular fails to apprise the person of ordinary skill in the art which algorithm(s) is (are) “suited” for a particular number of identified Wi-Fi access points.	‘245 patent, 5:45-48, 7:3-12, 7:23-24, 12:29-32; GSHFED0000089-90; McGraw-Hill Dictionary of Scientific and Technical Terms, 66, 2287 (6th ed. 2003); The American heritage science dictionary, 17 (2005); The Compact Oxford English Dictionary at 1956-57 [sub-pages 146-150], 2289 [sub-page 100]; The American Heritage Science Dictionary at 17 (2005); The American Heritage College Dictionary at 1358, 1530 (3rd ed. 2000); Newton’s Telecom Dictionary 39-40, 916 (20th ed. 2004); Webster’s New World College Dictionary at 1432 (4th ed. 2004); Barron’s Dictionary of Computer and Internet Terms 14-15 (8th ed. 2003).	‘245/1
28.	“simple signal strength weighted average model”	A calculated average of signal strength measurements resulting from the multiplication of each measurement by a numeric or algebraic factor to weight stronger signal readings more than weaker signals. Used to determine the location of a user device.	‘245 patent, Abstract, 6:57-7:12, 12:23-13:23; McGraw-Hill Dictionary of Scientific and Technical Terms, 66, 1358, 1930, 2287 (6th ed. 2003); The Compact Oxford English Dictionary at 200 [sub-page 777], 2289 [sub-page 100]; The American Heritage College Dictionary at 1530; The American Heritage Science Dictionary at 17 (2005); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005); Barron’s Dictionary of Computer and Internet Terms 14-15 (8th ed. 2003).	‘245/6
29.	“triangulation technique”	Calculating the physical location of a user device by using the strength of	‘245 patent, Abstract, 6:57-7:12, 8:58-9:17, 12:5-13:27; McGraw-Hill Dictionary of Scientific and	‘245/8

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Term No.	Claim language	Proposed Construction	Evidence	Appears in asserted claims
		signals received from two or more Wi-Fi access points whose locations have been calculated, by the formation of triangles having the user device and each such Wi-Fi access point as the vertices.	Technical Terms, 66, 2187 (6th ed. 2003); The Compact Oxford English Dictionary at 2108 [sub-pages 500-501]; The American Heritage Science Dictionary at 17 (2005); The American Heritage College Dictionary at 1442 (3rd ed. 2000); Barron's Dictionary of Computer and Internet Terms 14-15 (8th ed. 2003).	
30.	“a WiFi-enabled device communicating with WiFi access points within range of the WiFi-enabled device so that observed WiFi access points identify themselves”	A user device having a Wi-Fi radio actively searching for Wi-Fi access points by transmitting a signal to all Wi-Fi access points within range and receiving a response that includes a unique identifier (<i>e.g.</i> , a MAC address) from each such Wi-Fi access point.	‘897 patent, Abstract, 6:13-21, 6:47-59, 7:12-26, Fig. 2, Fig. 5; Newton’s Telecom Dictionary 39-40, 916 (20th ed. 2004); Leary et al., “Wireless LAN Fundamentals: Mobility,” Jan. 9, 2004, <i>available at</i> http://www.ciscopress.com/articles/article.asp?p=102282&seqNum=2 ; IEEE 802.11 standard.	‘897/1
31.	“using the recorded location information for each of the observed WiFi access points in conjunction with predefined rules to determine whether an observed WiFi access point	This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because (a) it does not apprise one skilled in the art of the bounds of the claim, and in particular fails to apprise the person of ordinary skill in the art what constitutes the claimed “predefined rules.”	‘897 patent, 6:3-12, 7:3-12, 7:34-48, 8:46-10:31, 9:11-15; GSHFED_0000394-95; Collins English Dictionary at 452 (7th ed. 2005); The American Heritage College Dictionary at 379; The Concise Oxford English Dictionary at 836 (11th ed. 2004); Newton’s Telecom Dictionary 39-40, 689, 916 (20th ed. 2004).	‘897/1

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Term No.	Claim language	Proposed Construction	Evidence	Appears in asserted claims
	should be included or excluded from a set of WiFi access points”			
32.	“recorded location information”	Synonymous with “calculated position information” in the ‘988 and ‘694 patents, “calculated positions of the Wi-Fi access points” in the ‘988 patent claim 3, as well as “calculated locations” in the ‘245 patent.	<i>See</i> GSHFED0000169-72, GSHFED0000181-91, and GSHFED0000200-12, GSHFED0000089-90, GSHFED234, GSHFED0000287, GSHFED_0000295-299, GSHFED0000394-95; ‘988 patent, 3:12-26, 3:59-4:9, 7:52-8:59; 9:6-21; 9:57-10:4, 11:67-13:30, Fig. 3, 5 & 9 and corresponding disclosures in the ‘694 patent; ‘245 patent, 3:13-15, 4:21-23, 4:30-31, 4:36-40, 4:41-45; “calculated position information” in claim 1 of the ‘988 and ‘694 patents, “calculated positions of the Wi-Fi access points” in the ‘988 patent claim 3, “calculated locations” in the ‘245 patent claims 1 and 2; The Compact Oxford English Dictionary at 87 [sub-page 781], 92 [sub-page 823], 132 [sub-page 166], 200 [sub-page 777], 1991 [sub-pages 456-457], 2011 [sub-pages 640-642]; Collins English Dictionary at 452, 543 (7th ed. 2005); The American Heritage College Dictionary at 379, 455 (3rd ed. 2000); The Concise Oxford English Dictionary at 472, 836 (11th ed. 2004); Microsoft Computer Dictionary at 42, 56-57 (5th ed. 2002); The Merriam-Webster Dictionary 48 (6th ed. 2004); Newton’s Telecom Dictionary 689 (20th ed. 2004); The Compact Oxford English Dictionary of Current English at 133 (3rd ed. 2005); Barron’s Dictionary of Computer and Internet Terms 36 (8th ed. 2003).	‘897/1, 3

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Term No.	Claim language	Proposed Construction	Evidence	Appears in asserted claims
33.	“rules to determine a reference point and to compare the recorded location information for each of the observed WiFi access points to the reference point”	This limitation is indefinite in violation of 35 U.S.C. § 112, ¶ 2 because (a) it does not apprise one skilled in the art of the bounds of the claim, and in particular fails to apprise the person of ordinary skill in the art what constitutes the claimed “rules.”	‘897 patent, 8:61-9:15; Collins English Dictionary at 452 (7th ed. 2005); The American Heritage College Dictionary at 379; The Concise Oxford English Dictionary at 836 (11th ed. 2004); Newton’s Telecom Dictionary 39-40, 689, 916 (20th ed. 2004).	‘897/3
34.	“WiFi access points having a recorded location within a predefined threshold distance of the reference point”	Stipulated definition: WiFi access points having a recorded location that is within a certain distance of the reference point. That distance was previously defined. <i>See</i> “WiFi access points.”		‘897/3
35.	“WiFi access points having a recorded location in excess of the predefined threshold distance of the reference point”	Stipulated definition: WiFi access points having a recorded location that exceeds a certain distance from the reference point. That distance was previously defined. <i>See</i> "WiFi access points."		‘897/3