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Exhibits
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ORIGINAL



NET JUMPER SOFTWARE, L.L.C.
a Michigan limited liability corporation,

Plaintiff/Counterclaim
Defendant,

Civil Action No. 04-70366-CV
Hon. Julian Abele Cook

v.

Magistrate Judge R. Steven Whalen

GOOGLE INC.,
a Delaware corporation

Defendant/Counterclaim
Plaintiff.

U.S. DISTRICT COURT
EASTERN DISTRICT OF
MICHIGAN

05 AUG 17

FILED

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**GOOGLE'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT AND
INVALIDITY OF THE '172 PATENT**

NOW COMES Google Inc., by their attorneys Fish & Richardson, P.C. and Dickinson Wright, PLLC, and moves this Court, pursuant to Fed.R.Civ.P. 56, for Summary Judgment of Non-Infringement and Invalidity of the '172 Patent.

This Motion is supported by the accompanying Corrected Brief in Support of Google's Motion for Summary Judgment of Non-Infringement and Invalidity of the '172 Patent, and the Declarations of Randall Stark, Joseph Hardin, and Jason W. Wolff and the exhibits thereto, the pleadings, and any other fact or argument that may be set forth at the hearing.

Pursuant to E.D. Mich. L.R. 7.1(a), Google has made reasonable effort to obtain concurrence of counsel for NetJumper but such concurrence has not been obtained.

Respectfully submitted,

By  _____

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Dated: August 17, 2005

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
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NET JUMPER SOFTWARE, L.L.C.
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U.S. DISTRICT COURT
EAST DIST. MICH.
DETROIT, MI 48226

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DECLARATION OF RANDALL STARK

I, Randall Stark was a co-founder of NetCarta Corporation ("NetCarta"). I do hereby declare and state the following to be true, to based on my personal knowledge, information, and belief:

1. I reside at 8411 NE 20th Street, Clyde Hill, Washington, 98004.
2. I am not an employee, contractor, vendor, or consultant to Google Inc.
3. NetCarta developed the CyberPilot Pro ("CyberPilot") product; I managed the CyberPilot software development team and I personally supervised the creation of the user documentation for the CyberPilot product. A true and correct copy of the CyberPilot program and its packaging is attached hereto as Exhibit A; a true and correct copy of the user documentation, dated no later than February 14, 1996 and extracted from Exhibit A [file name CPPTUTOR.HTM], is attached hereto as Exhibit B.

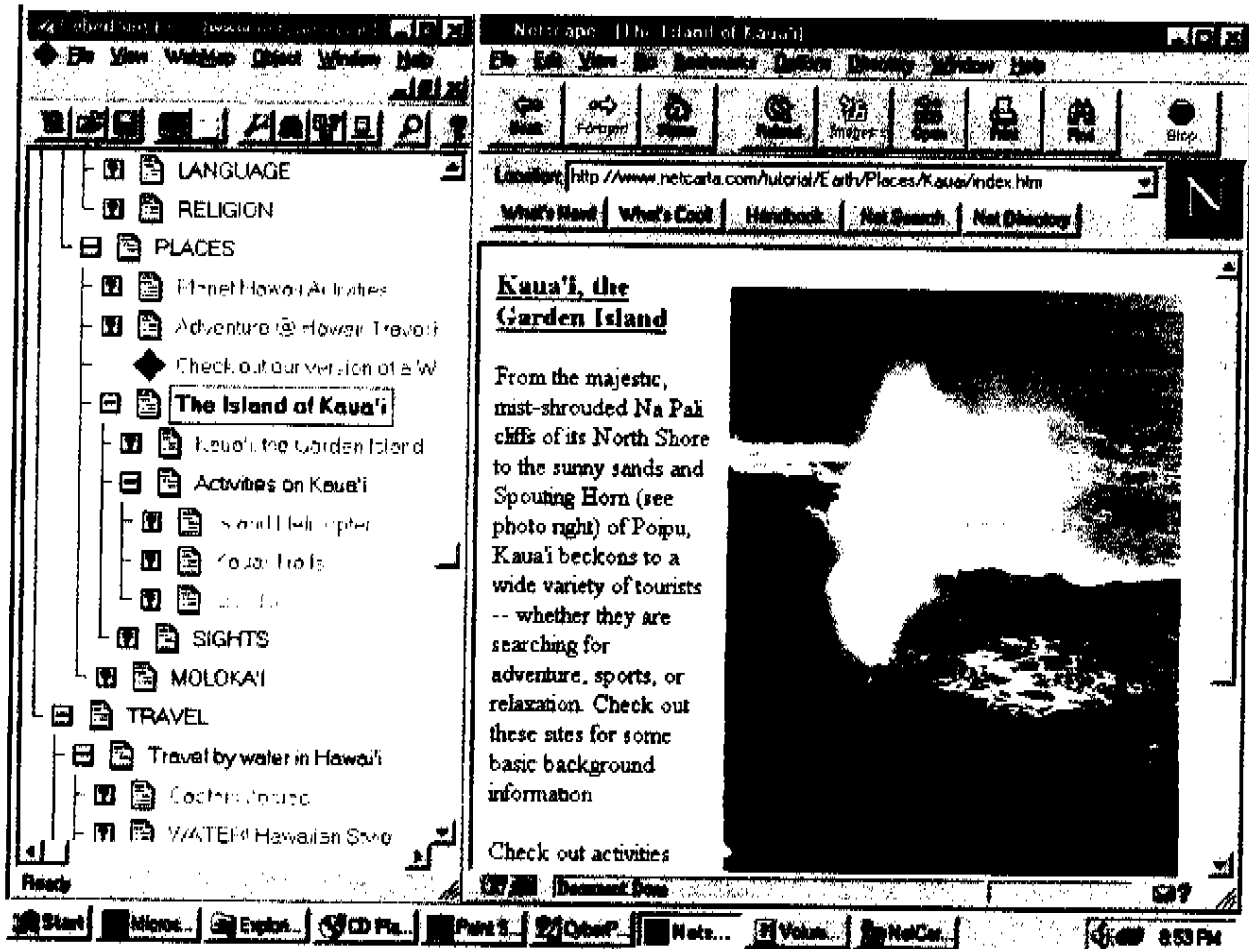
(a) The user documentation contains graphics or "screen shots" that are real-time image captures of the screen displays that were produced on a computer by the actual

CyberPilot program, in its standard configuration, in the form in which it existed as of no later than February 14, 1996.

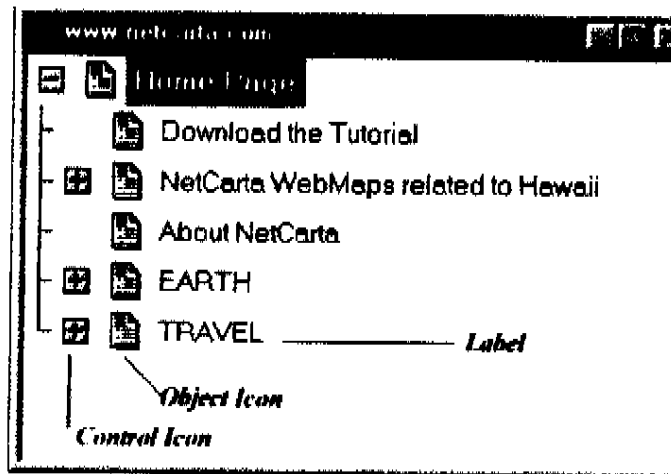
4. CyberPilot, including its user documentation, was publicly available no later than March 1, 1996, from, among other places the NetCarta website – then at the URL <http://www.netcarta.com>; this is my personal recollection of the approximate date of its release, and further informed by the dates on the electronic archives found on Exhibit A.

5. CyberPilot, as it existed as of February 14, 1996, was used in conjunction with a Web browser (e.g. Netscape Navigator) and functioned as a graphical user interface that assisted in the navigation of HTML files on a computer network.

(a) The CyberPilot graphical user interface or “map window” floated on a display screen connected to a computer; the map window could be positioned at any location on the display screen, as is shown below [file FULLSCR.GIF, dated February 13, 1996, see to the left of the Netscape browser window) and described with reference to the same figure on page 13 of Exhibit B.



(b) The CyberPilot map window contained a series of icons, including “control” icons and “object” icons, as is discussed and shown on page 7 of Exhibit B and below [file GUIDE.GIF, dated February 13, 1996]; these icons were displayed in the map window based on the information in a WebMap.



(i) The control icon "?" represented a HTML file that had not yet been parsed. A "+" or "-" graphic in the control icon represented a page that had been parsed and its URLs stored. Selecting the control icon "?" caused CyberPilot to retrieve the HTML file corresponding to the icon, parse the hyperlinks from the HTML file, and store the URLs corresponding to the hyperlinks in the WebMap.

(ii) The CyberPilot object icons (e.g., the graphic to the left of "The Island of Kaua'i" label that looks like a small document page) corresponded to URLs parsed from the HTML file, for example in response to the selection of the control icon "?" or the spider icon.

(iii) The selection of an object icon caused the Web page corresponding to the URL to be retrieved and then displayed in the browser window.

Dated: August 8, 2005,
Clyde Hill, Washington

By: _____



Randall Stark

A

CyberPilot™ Pro

Complete Browser Accelerator and
NetCanta WebMap™ Maker in One

Version 1.0 beta 1
for Windows NT
and Windows 95

Disk 1 of 2



CyberPilot™ Pro

Complete Browser Accelerator and
NetCanta WebMap™ Maker in One

Version 1.0 beta 1
for Windows NT
and Windows 95

Disk 1 of 2



Save a bundle with CyberPilot Pro

Now you can get the NetCanta™ WebMap™
2.0™ and CyberPilot™ Pro™ in one bundle.
This is a great deal. Visit www.netcanta.com
to see the full details concerning this offer.

For more information, call 1-800-333-3333
or visit our website at www.netcanta.com

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\$59.95



NETCARTA



CyberPilot[™] Pro

Graphical Browser Accelerator and NetCarta WebMap[™] Maker

Runs on Windows 3.11 & Windows NT

CyberPilot[™] Pro zooms you to exactly the information you need on the Web without wasting valuable browsing time. Using a published NetCarta WebMap[™] or one you create yourself as a visual representation of your favorite Web site, you simply double-click on the map object you're interested in and jump there immediately—no more time wasted following irrelevant links or trying to force your way through a complicated Web site. The NetCarta WebMap shows you the whole site in a familiar, easy-to-understand, visual format. You can edit and publish the maps you create so others can enjoy accelerated navigation too.

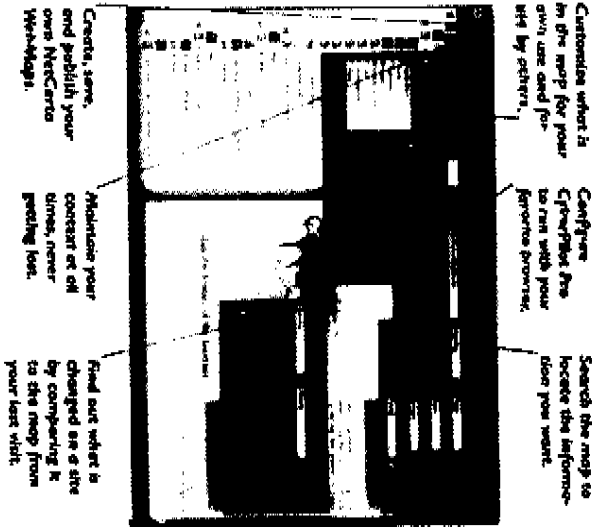
**Browser
Accelerator
and NetCarta
WebMap
Maker in One**

CyberPilot™ Pro

Complete Browser Accelerator and NetCarna WebMap™ Maker in One

End Users Benefit from:
Filtering in: massive file lists;
Overriding: the scope of a browsing session; **Visualizing:** the related logs of WebSockets; **Maintaining:** content at all times; **Creating:** a NetCarna WebMap™, with their own one; **Sharing:** maps with others.

Web Management:
Professional's benefit from: **Maximizing:** the user experience by creating and customizing maps for specific audiences; **providing:** direct rapid access to information; **developing:** clearer naming conventions for content; and **streamlining:** non-productive traffic; and **enriching:** by allowing visitors to search on the Net and WebMap™ rather than by clicking links.



Prior to Installation

Software requirements: Windows 95 or Windows NT 3.51 and a standard Internet browser.
Hardware system requirements: Intel 486 50MHz or equivalent processor, Pentium or equivalent recommended; 16 MB of RAM; 1.5 MB disk for the program and 1.5 MB additional disk space for documentation and sample maps; 28.8 modem.

Installation

1. You will need your serial number from the card inside the package when installing.
2. Insert the diskette labeled Disk 1 of 2.
3. Double-click the file setup.exe to start the CyberPilot Pro installation program.
4. Follow the onscreen instructions. Be sure to read the NetCarna™ End User License Agreement as part of the installation.
5. After installing the program, you should read the file readme.txt located in your CyberPilot Pro installation directory. The ReadMe file contains the breaking news and other information about using CyberPilot Pro.

Using CyberPilot Pro

- You'll find the CyberPilot Pro tutorial, called A Trip to Howto with CyberPilot Pro, in the Favorites subdirectory of your CyberPilot Pro installation directory. Simply double-click the file opened.htm to open the tutorial in your Web browser. We recommend that you work from a printed copy of the tutorial so that you'll have easier access to your browser while you work.
- To get more information on working with CyberPilot Pro, use the program's extensive online Help. There you'll find complete descriptions of all of the CyberPilot Pro features along with helpful tips on using the program effectively.
- This evaluation software will expire on March 25, 1999. Check out www.netcarna.com/permissions to refresh your Beta software.

NetCarna WebMap™ Repositories

Many sites do not yet provide their own NetCarna WebMaps. Before you make your own map of these sites, navigate to any of the following sites which will be providing catalogs of thousands of NetCarna WebMaps for your use. Check out these locations first for help at your favorite sites: www.netcarna.com, www.lycos.com, www.pdinfo.com, www.groceries.com.

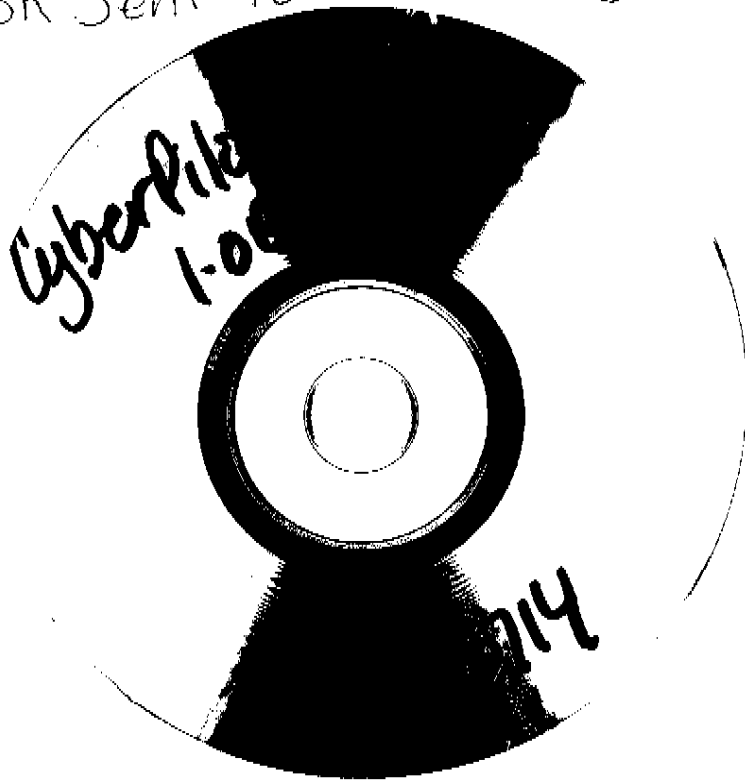
NetCarna, the NetCarna logo, CyberPilot, NetCarna WebMap and NetCarna WebMapper are trademarks of NetCarna Corporation. All other trademarks are the property of their respective owners.

04-73066

Exhibit A

Motion for Summary Judgment of
NON-infringement and invalidity of the
2172 Patent

Disk Sent to Chambers



04-70366
Exhibit A

The NetCarta WebMap

At the time of this advertisement, NetCarta WebMap's HTML map generator has a more basic than advanced search engine. It is a simple search engine that will find pages that contain a particular string of HTML code, such as a URL or a page title. The search engine is not as sophisticated as the search engines used by major search engines, but it is still a useful tool for finding pages that contain a particular string of HTML code. The search engine is also a useful tool for finding pages that contain a particular string of HTML code. The search engine is also a useful tool for finding pages that contain a particular string of HTML code.

Search the entire map, or only part of it, based on multiple criteria such as Title, Text String, Object Type, even Load Size or Modification Date.

No more waiting through multiple levels of pages that take forever to load only to find that you are not where you want to be after all.

B

A Trip to Hawaii with CyberPilot™ Pro

Welcome to CyberPilot Pro, the innovative tool from NetCarta that lets you surf the World Wide Web in fresh and exciting ways. CyberPilot Pro uses a NetCarta WebMap™ to let you see at a glance the content of a Web site, no matter how complex or tangled it might be. With CyberPilot Pro, you can use NetCarta WebMaps published by others, or make your own.

This tutorial gives you hands-on experience in working with CyberPilot Pro. You'll be working with a sample site we've put together on Hawaii. (Perhaps surfing the Web will inspire you to surf the waves as well!) You'll first create a NetCarta WebMap of that site and then use it in the rest of the tutorial.

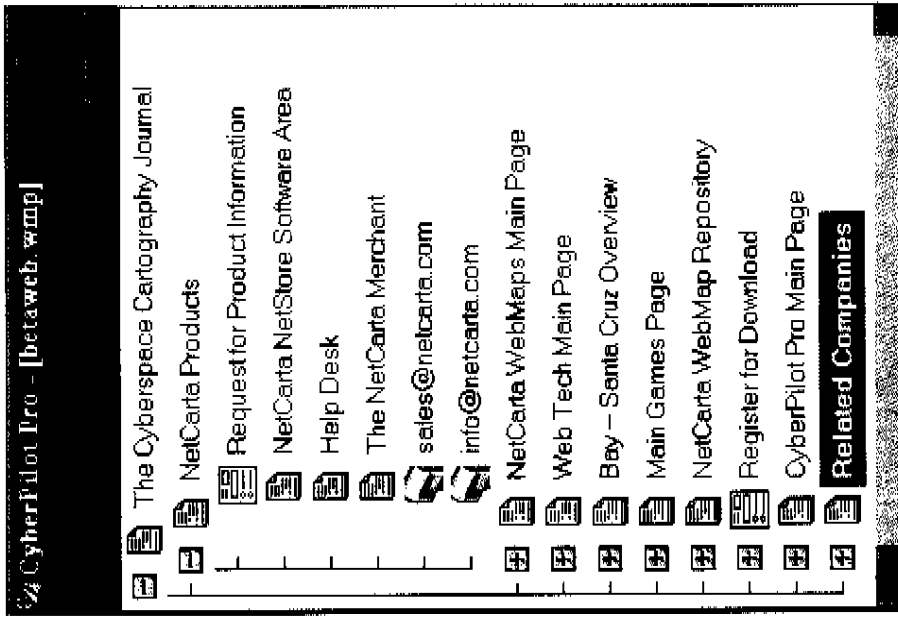
So, just what is a NetCarta WebMap? You'll be seeing one in a moment, but for now think of it as a kind of diplomatic passport that allows you trouble-free travel across the Web. Real travel may involve a lot of waiting in airports, but armed with a NetCarta WebMap, your Web trips can be wonderfully efficient. Looking for clip art of palm trees or sunsets? No problem; you can go right to it. No more slogging through irrelevant pages and sites. Just open your NetCarta WebMap and click on just the page you want. The only time you need to go onto the Internet itself is when you want to access the page you've pinpointed with CyberPilot Pro. A WebMap "passport" means less Internet connect time and fewer dollars spent.

The sort of fine-tuned Web surfing where you do most of your browsing offline is not only easy on your pocketbook and patience, but also improves the performance of the Web overall. Once a map is created for a site and shared with others, the number of unnecessary "hits" to that site can go down dramatically.

When you *are* ready to go onto the Web, CyberPilot Pro works side-by-side with your favorite Web browser. Just as you'd use a roadmap to keep from getting lost in a city, you can use a NetCarta WebMap to keep your place in a Web site.

Below is a typical NetCarta WebMap, showing a map of a portion of NetCarta's site.





NetCarta's tools for exploring the Web strive to be exciting, innovative, intuitive, and fun. True to this goal, the tutorial doesn't hammer you with "Do this" and "Do that" (although admittedly, there is a bit of this). Rather, it guides you through the most exciting features and invites you to explore on your own. All you need are these instructions, your regular Web browser such as Netscape Navigator, and an installed copy of CyberPilot Pro.

So join us now on our quick trip to the Land of Aloha, courtesy of CyberPilot Pro.

Table of Contents

[Pack your bags: Installation and setup](#)

[Now boarding: Creating a WebMap](#)

[Start CyberPilot Pro](#)

[Explore more of the site](#)

[A guided tour: Examine the structure of a NetCarta WebMap](#)

[Save this NetCarta WebMap](#)

[Browse the site](#)

[Beachcombing: Take a look at some other NetCarta WebMap objects](#)

[Change the display](#)

[Customize your NetCarta WebMap](#)

[Change a label](#)

[Show alternate routes](#)

[Search the NetCarta WebMap](#)

[Publishing basics](#)

[Name the objects yourself](#)

[Add a note or two](#)

[Hide broken links and alternate routes](#)



Keep on tweaking

Publish it

All vacations must end someday...

.. But when's the next trip?

Pack your bags

You're probably eager to get going, but first things first--you wouldn't want to find yourself in Hawaii without your sunblock. So too, there are a few things you should do before you begin this tutorial:

- **Install CyberPilot Pro.** If you haven't yet installed CyberPilot Pro, you should do it now. Refer to the installation instructions at the NetCarta site or on the README file on the disks that came with the software.
- **Check your connections.** You will need to be connected to the Web for some parts of this tutorial. This means your browser and Web connection need to be operational. Note that CyberPilot Pro will connect to the Web when it has to, but it won't log you off again. That will be up to you.
- **Print these instructions.** You'll find it most convenient to print these instructions and follow along from the printout. If you don't print the instructions but instead read these instructions on your computer, there will be some competition for your Web browser's attention. Since the tutorial is an HTML file, it will open automatically in your browser window. But when you go on the Web during the tutorial, the tutorial instructions will disappear while you're browsing (since your browser can't do two things at once!). So you'll have to go back and forth between browsing and reading the instructions.
- **Remember the online help.** Your CyberPilot Pro package comes with integrated online help. If you find yourself confused at any point in this tutorial, you can check there for more information. Besides more detailed information about all aspects of the program, there's a glossary of terms that may be unfamiliar to you.

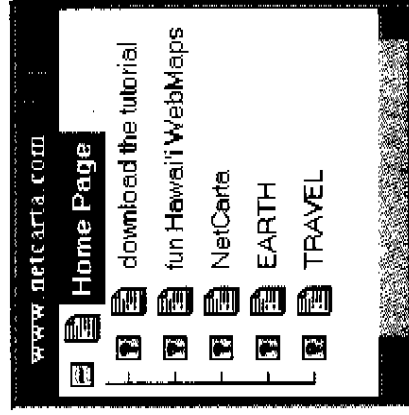
Now boarding

We're all set. You'll learn all about CyberPilot Pro and NetCarta WebMaps as you work through these short lessons.

Start CyberPilot Pro

1. The setup program installed CyberPilot Pro to a folder (directory) called NetCarta/PilotPro unless you specified a different location. Go there and double-click the CyberPilot Pro icon to start the application. If you're using Windows 95™, you can also access the program from the Program submenu on the Start menu.
2. From the CyberPilot Pro menu bar, choose New Map from the File menu.
3. In the New Map dialog box, enter www.netcarta.com/tutorial/index.htm in the Home Page Address box.
4. Click OK.

After a few moments, you'll see the start of a new NetCarta WebMap based on our tutorial Web site.



CyberPilot Pro displays a label for the home page in the map window. And because the home page contains links to other objects (as most home pages do), these "child" pages are displayed directly beneath the home page--their "parent." However, since CyberPilot Pro has only located the home page so far, the child pages have question mark icons next to them. This means CyberPilot Pro found the links on the home page, but hasn't actually gone on the Web yet to locate the objects those links point to. The objects are *unexplored*. You'll be venturing further in the next step.

Explore more of the site

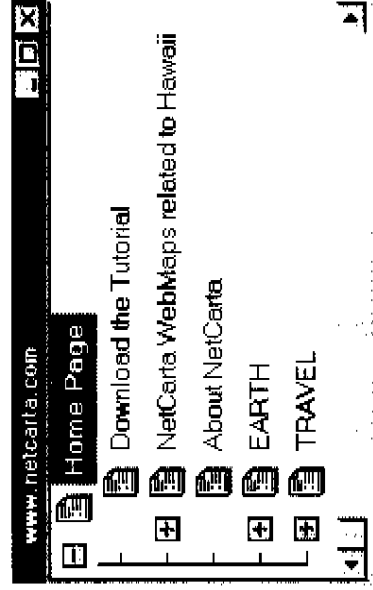
CyberPilot Pro has taken the first step. It's now up to you to decide how much of the site you want to explore.

1. Choose Explore from the WebMap menu. The Explore dialog box appears.
2. Select the Limit Levels To checkbox, then enter 3. Leave the other default settings as they are. This tells CyberPilot Pro to limit its exploration of the site to only 3 levels deep. CyberPilot Pro builds a map in a hierarchical way: First, it locates the home page. Then, it

locates any objects pointed to by links on the home page. After that, it locates any links on *those* pages, and so on. Since you limited exploration to 3 levels, CyberPilot Pro will go on the Web and look up objects in the site only as far as the "grandchildren" of the home page. (For more information about the map hierarchy, see "A note on the map hierarchy" in the online help.)

3. Click OK. You'll see an "Exploring..." status box while CyberPilot Pro looks up pages in the site. After a few moments, the map is redisplayed. The question mark icons are replaced by plus icons, and more of the site is shown. You'll be clicking some of these plus icons shortly.

We'll now use this map to see what makes every NetCarta WebMap tick.

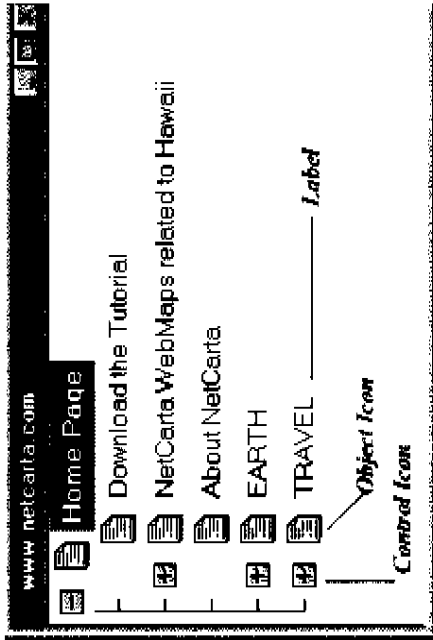


NOTE: The tutorial site has been put together for instructive use only. It's a fairly small site so that you can map it quickly (real-life sites can be immense and may map more slowly). Nonetheless, the tutorial site is typical in at least one way: it is not perfect. As you'll see, there is room for improvement in its logic, labeling, and layout. You'll actually be fixing some of these deficiencies in the tutorial. That's another advantage of CyberPilot Pro: you're no longer at the mercy of poorly designed Web sites.

A guided tour: Examine the structure of a NetCarta WebMap

Many travelers first get the lay of the land by taking a guided tour. That's what we'll do now.

A NetCarta WebMap is a visual representation of a Web site. This representation is similar to an outline, an organization chart, or even a family tree. A map reveals the structure and content of a Web site. It shows you at a glance what pages link to what, and where things on those pages (such as graphics or audio files) appear. Here are the main elements of a NetCarta WebMap:



- **Objects and links.** Basically, everything in a NetCarta WebMap is an *object*, connected to other objects by links on pages (HTML documents). Objects can be anything found on the Web: pages, graphics, audio clips, animation, Java applets, NetCarta WebMaps, and so forth. When you're using a Web browser, a *link* is what you click on a Web page to jump to *another* Web object. Many Web sites consist primarily of pages, with a few images and other objects mixed in. The tutorial site contains many different objects. What you'll see initially are pages and NetCarta WebMaps.
- **Icons.** Every object has a picture, or *icon*, associated with it that gives you a hint about what type of object it is. For example, a page has an icon of a sheet of paper.
- **Labels.** Every object has some text describing it. This text, or *label*, for an object need not be permanent. You can change it, as you will see later in this tutorial.
- **Control icons.** Pages might also have *control icons*, which can be either a plus sign, a minus sign, or a question mark. If there's a plus, there are more objects linked directly to this page that you can't see. You can click the plus to see those objects and "expand" the page. If there's a minus, the page is fully expanded; click the minus to "collapse" the page so any objects below it are hidden. If this sounds complicated, it isn't. If you've ever used the Windows 95 Explorer or Windows File Manager, you already know a lot about these pluses and minuses.

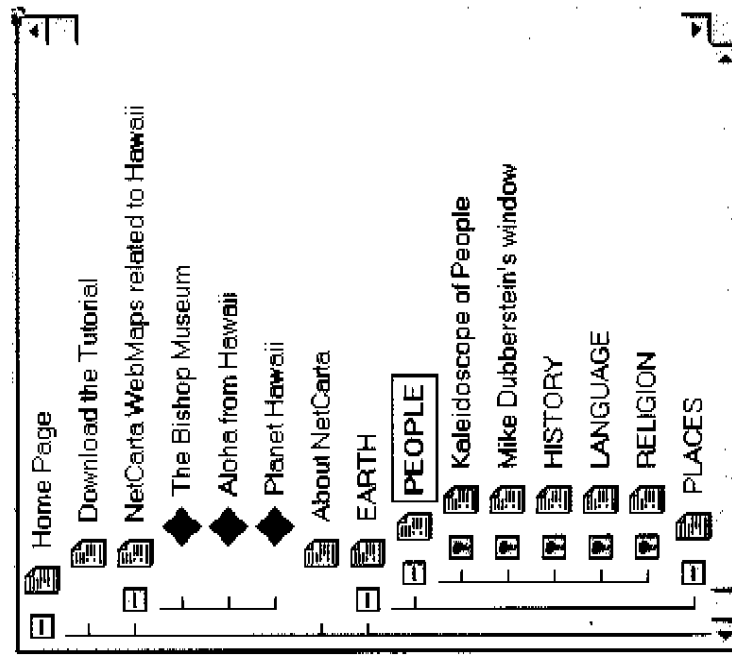
The question mark means this particular page hasn't been explored yet. (We'll talk more about this later.) If a page doesn't have any control icon—such as the page labeled "About NetCarta"—it means it's a dead end; that is, there's no place you can go from there except back to where you came from.

Take some time now to get familiar with how a NetCarta WebMap works.

1. Expand the EARTH section by clicking its plus sign. This shows all "children" for that page. (A child is an object that appears one level down in the hierarchy; the child is related to its "parent" page by links.) In this case, the child objects are pages called

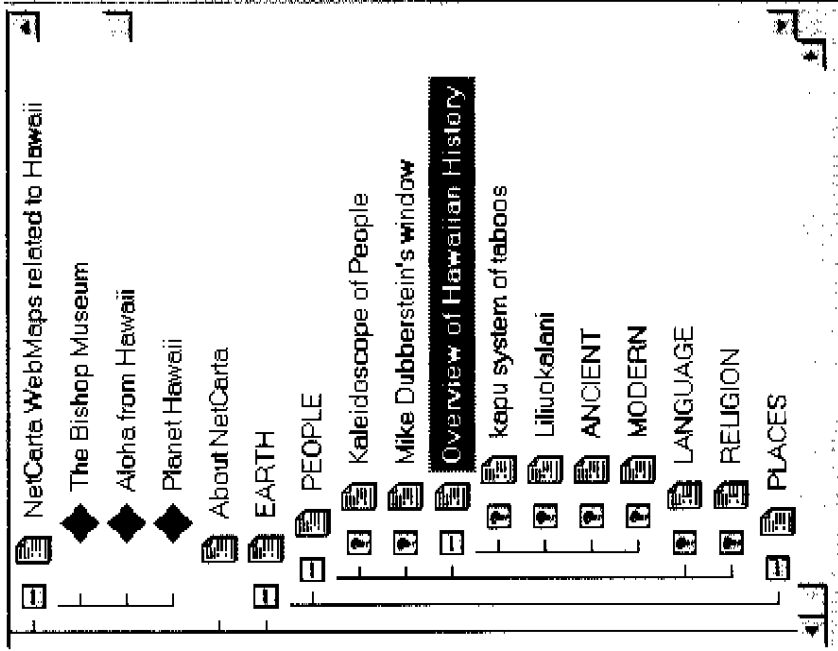
PEOPLE and PLACES.

2. Collapse a section by clicking a minus sign. This hides all children for that page. For example, click the minus sign next to EARTH to hide the child objects.
3. Choose Expand, then All from the View menu. Note that only three levels are shown because that was the limit you set when you first created the map.



4. To explore further, click the question mark control icon next to the page called HISTORY. This will reveal more of the site.

You might notice that the label for the HISTORY page has changed to "Overview of Hawaiian History." That's because every object type in a NetCarta WebMap has a default label choice. When CyberPilot Pro actually located the HISTORY page, it found its Title (Overview of Hawaiian History), which is the default label for pages. If this is confusing, don't worry. You'll learn more about labels in the "Change a label!" and "Name the objects yourself" sections of this tutorial.



A question mark icon means that CyberPilot Pro did not fully explore, or map, this page originally. When you clicked the HISTORY question mark, CyberPilot Pro examined the page, found some links on that page, and added to the map the objects it found there. In this case, it found four pages, each with question mark icons next to them. At any time, you can click question mark icons to explore more of the NetCarta WebMap.

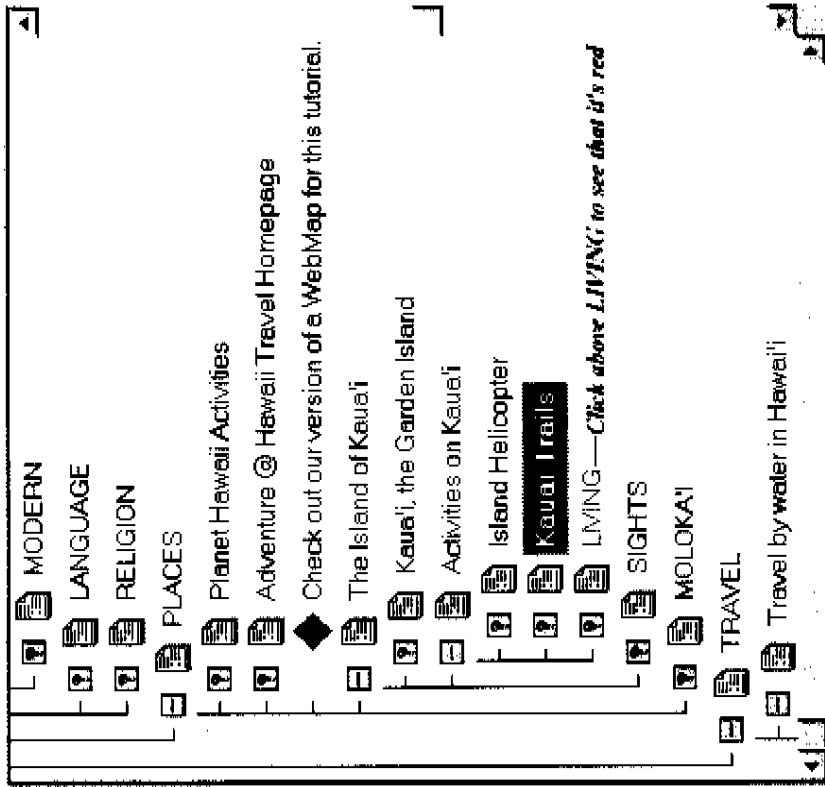
5. Depending on the size of your monitor, you might not see much of the map. Scroll down if necessary to see more of it or resize or maximize the window.
6. Practice moving from page to page. You can use your mouse, press the arrow keys on your keyboard, or type the first letter of the page you want to move to.
7. Look for the different label colors. Each color tells you something:

Black means the page has been located and is onsite (that is, it's on the same server as the home page).

Blue means the page is on another site, not this one. For example, the blue page called "Kaleidoscope of People" is a page on a site that is not in www.netcarta.com/tutorial.

Red means the page returned an error (was "broken") or was busy at the time the NetCarta WebMap was generated. To find a red page, work your way down to the LIVING page in the map by expanding the EARTH, PLACES, KAUA'I, and ACTIVITY pages. Click the question mark icon next to LIVING, then click a page above the LIVING label and you'll see that it is indeed red. We deliberately created a broken link in the tutorial Web site so you'd see some red stuff in the map. Of course, if there are no broken links in a Web site, you won't be seeing red!

Green means this page is an alternate route to a page that has already been mapped. You won't see any green pages right now. That's because alternate routes are hidden when you first create a NetCarta WebMap. You'll learn more about alternate routes later.



Save this NetCarta WebMap

Even though creating new NetCarta WebMaps is easy, you won't want to repeat the process more than you have to. That way, your Internet connection bill is kept down and the industrious file servers that make up the Web are accessed less. For these reasons, you'll want to save your map after you've created it so you won't have to recreate it later.

- Choose Save from the File menu and give the map a name like hawaii.wmp.

Browse the site

Now you can try your hand at one of the most addictive features of CyberPilot Pro: using it in conjunction with your Web browser to teleport to specific spots in a site. Up to this point, you were looking at the NetCarta WebMap of the site, not the site itself. That is, you were not accessing the Web at all when you were expanding and collapsing parts of the map. But mapping is all about getting somewhere. And that somewhere is ultimately on the Web. The trick is to get there as fast and as painlessly as possible.

One great thing about a NetCarta WebMap is that it shows you in advance what the content of the page is, so you don't have to go there unless there's something you want to see. Even better, surfing a NetCarta WebMap is much faster than surfing the Web itself and is "modem-friendly" because there is far less actual access of remote Web servers. (And less cost to you, if you're surfing a map offline.)

So, instead of crawling through a Web site, sifting through pages you're not interested in, you can use the NetCarta WebMap to teleport you directly to your desired spot, grab what you want, and then be beamed again to your next destination. The map equivalent of this "beam me down and beam me up" is double-clicking the page's label or icon. When you double-click, CyberPilot Pro launches your Web browser and lands you right where you want to be.

To see how much fun this is, and how easy, rearrange and resize the browser and CyberPilot Pro windows so that they appear side-by-side on your screen. (If you're using Windows 95, a quick way to do this is to right-click a blank area on the task bar, then choose Tile Vertically.) Then, watch what happens in your browser as you double-click items in the NetCarta WebMap:

1. **Double-click a page with a black label.** CyberPilot Pro tells your browser to go to the server and fetch the specified page. Set up your browser window so that it's next to the CyberPilot Pro window.

The screenshot shows the CyberPilot Pro interface. The top window displays a website titled "The Island of Kauai". The browser's address bar shows the URL: <http://www.netcanta.com/tutorial/Earth/Places/Kauai/index.htm>. The website content includes:

Kauai, the Garden Island

From the majestic, mist-shrouded Na Pali cliffs of its North Shore to the sunny sands and Spouting Horn (see photo right) of Poipu, Kauai beckons to a wide variety of tourists -- whether they are searching for adventure, sports, or relaxation. Check out these sites for some basic background information.

Check out activities

The bottom window shows a directory tree with the following items:

- LANGUAGE
- RELIGION
- PLACES
 - Planet Hawaii Activities
 - Adventure @ Hawaii Travel
 - Check out our version of a W
 - The Island of Kauai**
 - Kauai, the Garden Island
 - Activities on Kauai
 - Island Helicopter
 - Kauai Trails
 - LIVING
 - SIGHTS
 - MOLOKAI
 - TRAVEL
 - Travel by water in Hawaii
 - Captain Zodiac
 - WATER! Hawaiian Style

Continue double-clicking black pages in the map to move from page to page. You don't have to use the old "go-forward, oops, back-up" approach that characterizes so many voyages on the Web.

2. **Double-click a page with a blue label.** CyberPilot Pro opens that page in your browser even though it's not part of the mapped site (that's what the blue text means). If CyberPilot Pro finds the page, you'll probably see the question mark change to a plus icon. If you click the plus, you'll see some black-labeled pages below. These are the "children" of the offsite page--pages that are linked to it. They're shown with black labels because they're on the same site as their "parent" page.
3. **Continue double-clicking blue pages.** Note how much more efficient this is than blindly clicking offsite links in your Web browser, not knowing where they lead. Using a NetCarta WebMap, you never lose track of where you are--the context of the page is always there to see. And of course you can keep clicking more pages within the blue ones to drill deeper into this offsite map. There is virtually no limit to how far you can travel in this way. You could potentially journey the whole Web through a single NetCarta WebMap!
4. **If you come across a page with a red label, double-click it.** CyberPilot Pro tries--and fails--to open that page in your browser. The label is red because the page was unreachable when the map was first made. This may have been because the remote server was down or very busy or because the page no longer exists at that spot--that is, the link is broken. If the page is no longer unreachable, CyberPilot Pro will explore it successfully and the label won't be red anymore. (There are only a few broken links in the site, so you may not find one; we'll talk more about them later.)
5. **Click a link in the browser window.** The selected page in the CyberPilot Pro window changes to track the current page in the browser. So you can surf the NetCarta WebMap or surf the Web itself, and the two stay in sync.

Beachcombing: Take a look at some other NetCarta WebMap objects

So far, you've been looking at a view of a NetCarta WebMap that shows the overall content and structure of a site's pages but doesn't show some of the other interesting objects linked to those pages. But it's easy to uncover these hidden gems in a map.

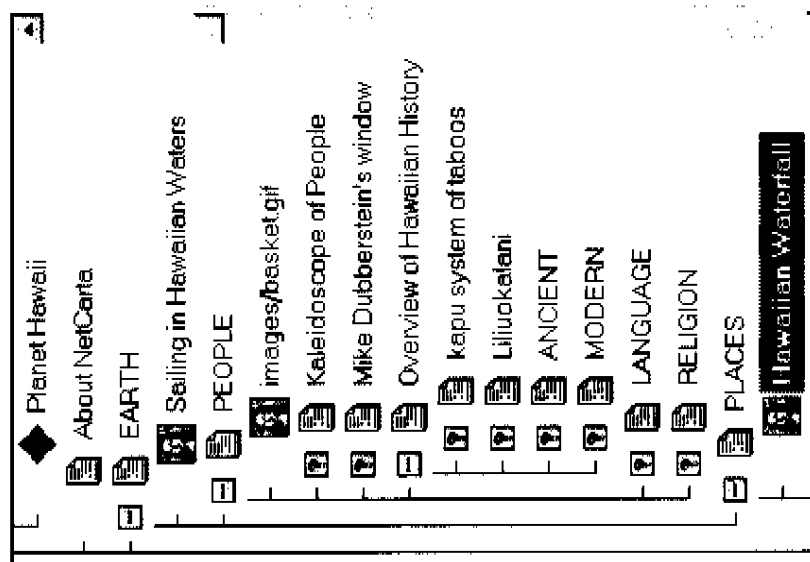
Change the display

Suppose you're interested in augmenting your clip-art collection with images culled from the bounty of the Web. In that case, you would want a NetCarta WebMap to show not only the overall structure of a site, but also which pages have graphics. (By default, images aren't shown in a map.) You can do this by adjusting CyberPilot Pro's display options.

1. Choose Display Options from the View menu. The Display Options dialog box appears, which contains a scrolling list of objects you can show or hide.
2. Click Images so that a checkmark appears next to it. You might notice that the WebMaps item has a checkmark next to it already. Pages and any embedded NetCarta WebMaps are the only objects that are shown by default in a new map. Of course, if there are no NetCarta WebMaps in a site, you won't see them. But the tutorial site we've created does have several embedded NetCarta WebMaps. You can

double-click the WebMap icon in the map window at any time to look at one of these maps. (Note that if you double-click a WebMap icon in your *browser window*, you'll have to configure CyberPilot Pro as your browser's "helper application" for NetCarta WebMaps.) Like all Web sites, our tutorial site has plenty of pages. Pages are always shown in a NetCarta WebMap; they can't be hidden. (If you could hide pages, there'd be nothing left to show in the map--including the home page!)

3. Click OK. The map is redrawn, this time showing you a special Mona Lisa icon for graphic images that appear on a page.
4. Double-click one of the graphic icons (the Hawaiian Waterfall image is pretty nice). The image appears in your browser window.



Go back to the Display Options dialog box and experiment with other settings. (Stick with the left side of the dialog box for now. We'll be talking about alternate routes later.) You'll probably be surprised to discover just how much information is contained (but might be initially hidden) in a NetCarta WebMap.

The sample site has a variety of object types, including files to download (FTP), audio (an .AU file), Acrobat (PDF), and WebMap objects. Once you find these, you may be able to view or hear them when you double-click them, depending on which browser you're using and whether you have the correct "helper" applications configured for it. For example, if you're using Netscape Navigator and you double-click the audio file at the bottom of the home page, Navigator may ask you to configure a "viewer" for the file, if you haven't already.

If you're confused about what any of the object icons mean, see "WebMap object types" in the online help.

Off on your own

At this point in your journey, you've created a NetCarta WebMap and done a bit of experimenting with it. You know how to change what's displayed and what's hidden, and use a map with your Web browser. Feel free to continue exploring the contents of the tutorial site. When you're comfortable with the techniques presented so far, you're ready to venture a bit further—into the area of customizing NetCarta WebMaps.

Just as no two traveling companions ever want to go to the exact same places, so do Web surfers have different needs and tastes. That's why you can change the look of a NetCarta WebMap so easily and in so many ways.

Customize your NetCarta WebMap

Only Webmasters can make changes to a Web site. You *can*, however, change and personalize a NetCarta WebMap. The changes you make to a map do not affect the contents of the site, but they can dramatically change a person's experience of that site.

Change a label

By default, graphic images are labeled in a WebMap with their ALT strings, which are textual descriptions of the images embedded in the HTML code by the author of the page. The description is there so that people who have non-graphical Web browsers will have some idea of what the image is. In other words, they'll know what they're missing! If there are no ALT strings in the HTML, the file name of the image, plus part of the path, is displayed instead. Usually, these two descriptions give you the most useful information about a graphic.

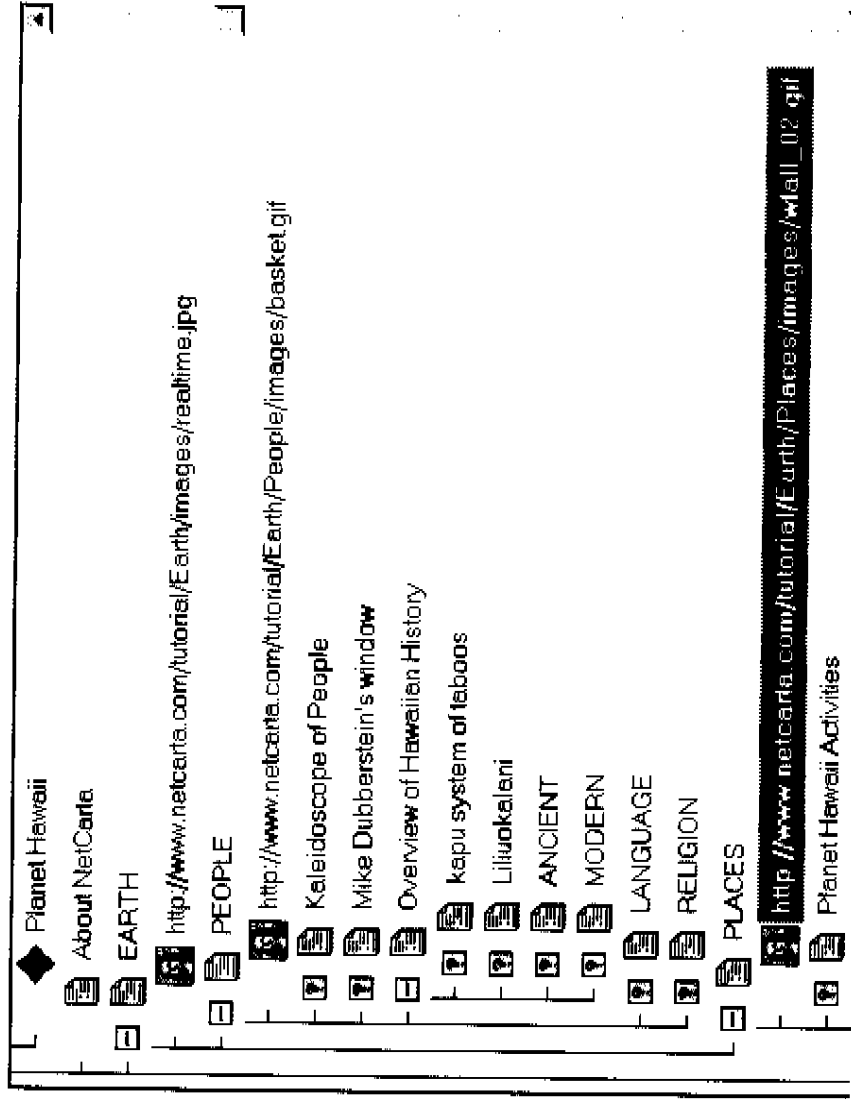
Some of the sample site's images have embedded ALT strings, and some don't. Those that don't have ALT strings show the file name and partial path instead. Notice, for example, the difference between the image labeled "Sunset Over Oahu" and the one labeled "images/7pool-01.jpg." "Sunset Over Oahu" is the image's ALT string, while "images/7pool-01.jpg" is the full path to another image. (If you don't see these images in the map, go back to the Display Options dialog box and select Images in the Show Only list.)

But suppose you want to tell a friend exactly where to find some really nice pictures in the site; for instance, the waterfall found on the PLACES page, or Waimea Canyon (a.k.a. The Grand Canyon of the Pacific) further down in the map. The current labels, the ALT strings "Hawaiian Waterfall" and "Kauai's Gorgeous Waimea Canyon" don't provide enough information in this case. What you need to pass along to your friend is the full path for the images (which in cyber-talk is the full URL).

The following steps illustrate how to show URLs for images.

1. Make sure images are showing in the map. To do this, choose Display Options from the View menu, select Images from the Show Only scroll list, and then click OK.
2. Get an image in view in the map, for example, the Hawaiian Waterfall.
3. Choose Labels from the View menu. The Labels dialog box appears.
4. In the Object Type(s) scroll list, click Images.
5. In the First Choice drop-down list, change Alt String to Full URL.
6. Click OK.

The labels for images now change to the full URL path. In the map, the label for the Hawaiian Waterfall image has changed from its ALT string ("Hawaiian Waterfall") and now shows the full URL. This is the exact path anyone could use with their Web browser to go right to that image. You can now jot down that path, along with any others that interest you, and pass them along to your friend.



There are many more customization options in the Labels dialog box. Experiment with different labels for different objects. An important thing to remember is that you aren't changing the site, only the map of it. Also, CyberPilot Pro is not regenerating the map from the Web when you change a label, but is only redisplaying it from the wealth of information it captured when you first explored the site.

Show alternate routes

Another way to change how a NetCarta WebMap looks is to show alternate routes. They represent objects that have already been located by CyberPilot Pro at a higher level in the site. That is, they represent objects that have been pointed to by more than one link.

To make the map easier to read, alternate routes aren't shown when you first create a map. But alternate routes are common in a site. For example, it's typical for Webmasters to liberally sprinkle links back to the site's home page so users can jump back to the beginning of the site whenever they want. All these repeated links to the home page are alternate routes.

If you're most interested in the *content* of the site (and most power surfers are), you might prefer that each page appear only once in the map. In that case, you can keep alternate routes hidden. But alternate routes may be important to see if you're a Webmaster and your main concern is the *structure* of a site. Also, a very large map sometimes improves with alternate routes showing. For example, you don't have to scroll as much to get back to the home page if the map is peppered with alternate routes to it.

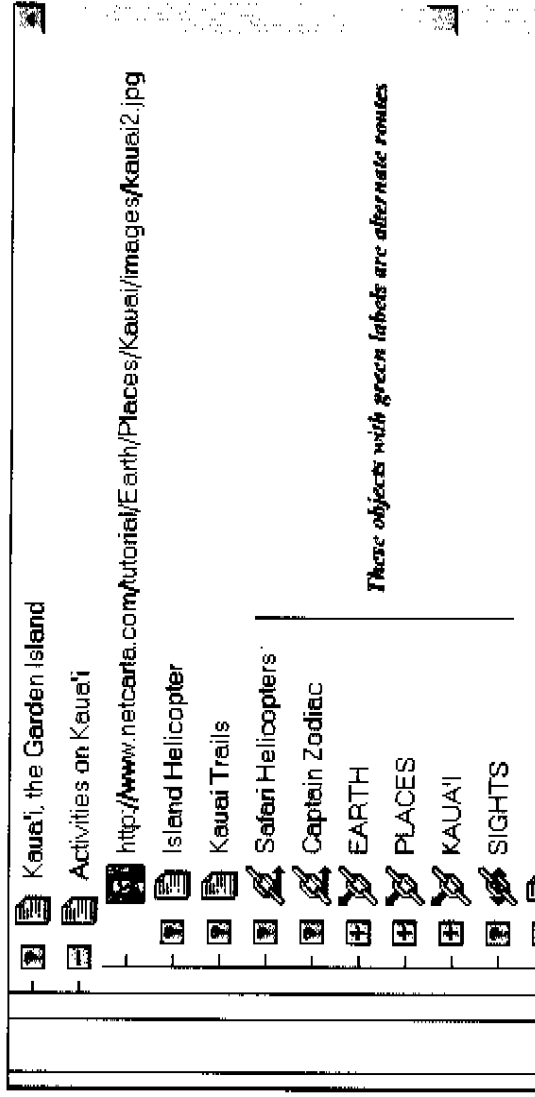
Follow these steps to show alternate routes, and then you can see for yourself if you prefer to have them showing or not:

1. Choose Display Options from the View menu. The Display Options dialog box appears.
2. Select the Show Alternate Routes checkbox.
3. Click OK. The map is redisplayed with alternate routes showing. You'll recognize them because they have green labels.

Notice how many times HOME, EARTH, and PEOPLE are repeated. That's because they are used as navigational "buttons" at the bottom of many pages.

4. Locate an object with a green label and double-click it. CyberPilot Pro opens that page in your browser even though the page was first found elsewhere higher up in the map.

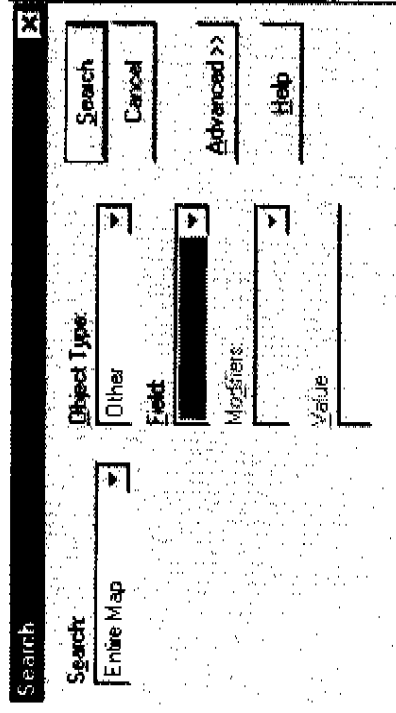
If you find that you're interested in the structure of the site, you might want to experiment with showing alternate routes as link icons. (You can do this in the Display Options dialog box, by clicking the Show [Alternate Routes] as Link Icons radio button.) These icons look like little chains, but have an interesting addition: they have an arrow that tells you the object they refer to is higher, lower, or on the same level in the hierarchy. For example, all the link icons for the alternate routes to the home page would be pointing up.



Search the NetCarta WebMap

As you've seen, there's a world of information in a NetCarta WebMap, and some maps can be quite large. This is when searching comes in handy. For example, suppose you want to see if there are any audio clips in the tutorial site. You could expand the whole map and look around, or you could search to find them more quickly:

1. Choose Search from the WebMap menu. The Search dialog box appears.
2. Fill in the dialog box so that it looks like this:



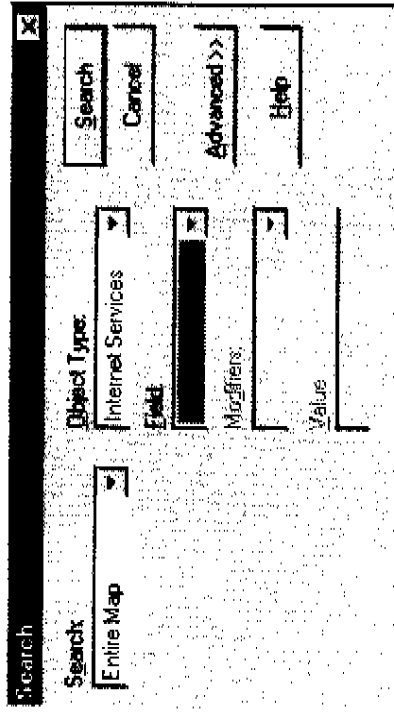
3. Set **Search** to **Entire Map**, set **Object Type** to **Other**, set **Field** to **None**. (The **Field** box will go blank) All the other fields should be dimmed, since they aren't relevant now.
4. Click **Search**. After a few seconds, a window called **Search Results** opens. In it are the objects that **CyberPilot Pro** found--in this case an audio file called "Aloha," along with the **NetCarta WebMaps** in the site and some **PDF** files.
5. Double-click the "Aloha" file to hear it. (If this doesn't work, don't worry. It simply means you either don't have a sound card and speakers on your computer, or you haven't yet configured a sound player "helper application" for your browser.)
6. When you're done, return to the main map window by choosing it from the **Window** menu.

Another use of the **Search** command is to distill the contents of a large **NetCarta WebMap** to display a mini version of the site based on search criteria you specify. Such a boiled-down map can be very useful.

For example, suppose you're using a map of a large corporate site, but all you're interested in is downloading the company's demo software. While you could manually peruse the map looking for **FTP** objects, a quicker way to find them is to search for "Internet Services" (which include **FTP** objects). The result would filter out all other objects, and just the downloadable files would appear in one spot.

You'll get the idea of how this works by following the next set of steps.

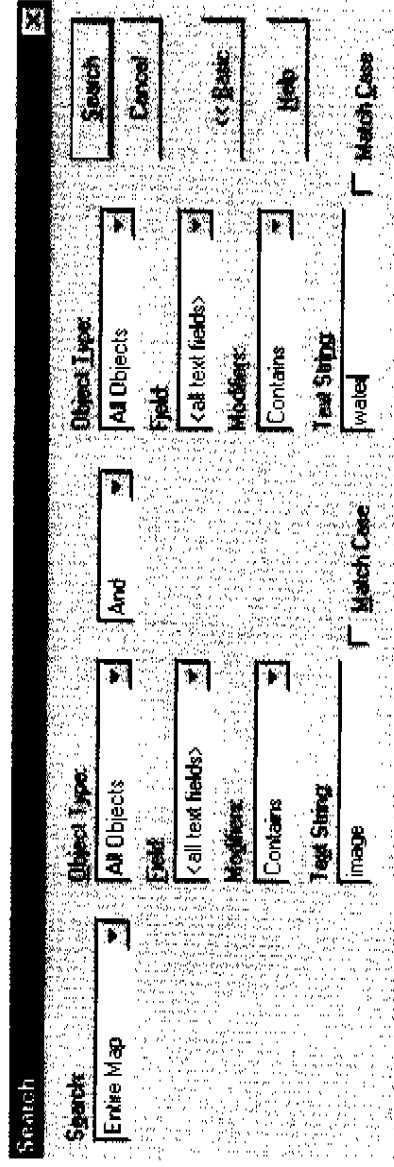
7. Choose the main map window (the one with the map in it) from the **Window** menu.
8. Choose **Search** from the **WebMap** menu to open the **Search** dialog box again.
9. Fill in the dialog box so that it looks like this:



10. Click Search. After a few seconds, a new Search Results window opens. In it are the objects that CyberPilot Pro found—in this case all the downloadable files in the site, as well as at least one Maitto object: an e-mail link to NetCarta where you can give us feedback about this tutorial. (Please do! Just double-click the e-mail object to send us a note.)

11. If you spot anything of interest, you can double-click it to download it now.

The Search dialog box is a very powerful tool. You can even search for two things at once in combination. For example, you could search for any objects that have *both* "image" and "water" in any of their text fields (that is, in their names, URLs, or ALT strings). To do that, you first need to click the Advanced button in the Search dialog box. The dialog box would be set up like this:



Once you have a Search Results window, you can use it much like any other CyberPilot Pro window. Try these things:

- o **Double-click an object** (an image, for example) to display it in your browser.
- o **Change display labels** so that the full path (URL) shows. (See the earlier steps if you're not sure how to do this.)
- o **Search in the Search Results window itself.** Use the same Search dialog box, but set the search scope to Search Results instead of Entire Map. That way, you can narrow your search even further. This is mostly useful when there are many objects in the Search Results window (which isn't the case, of course, for the searches you've done so far).

You'll note that one thing you can't do is search for text on a page. That's because you'd have to access the remote file server to do that. When you search, you're only searching the *WebMap*, not the Web site itself. This is actually a great advantage of NetCarta WebMaps. Searching is fast and free (there are no connect charges because you aren't connected until you double-click a label). Any information the map has is searchable, but the text content of a page is not part of that information.

There's much more you can do with searching. Try your hand at searching for broken links, offsite objects, or text fields with the word *surf* in them.

Sharing your experience

Well, it's been a good vacation. You're back from your trip, and now it's time to have your pictures developed, arrange them into slide carousels, and invite your friends over to share the stories. But suppose some of your friends are naturalists; they would be interested primarily in the slides of flora and fauna. Others might be athletes; they would be more interested in snorkeling and surfing. As you do your slide show, you probably modify your explanations, and only show pictures you know each friend might like. (Or at least you *should*, if you don't want your friends to decline your invitations to come over and hear--*again*--about your "latest vacation"!)

WebMaps are meant to be shared too. And for the same reason that you would adapt a vacation slide show to match your audience, you might also want to tailor a map before showing it off.

Publishing basics

The Internet is nothing if not communal. And in that spirit, we encourage you to create and distribute fun and useful NetCarta WebMaps. Our term for this process is *publishing*.

Publishing is basically a four-step process, which we'll describe in more detail shortly:

1. Create a new NetCarta WebMap.
2. Refine the map's look and content until it's appropriate. Expand or collapse as needed, change the labels for specific objects, and so forth.

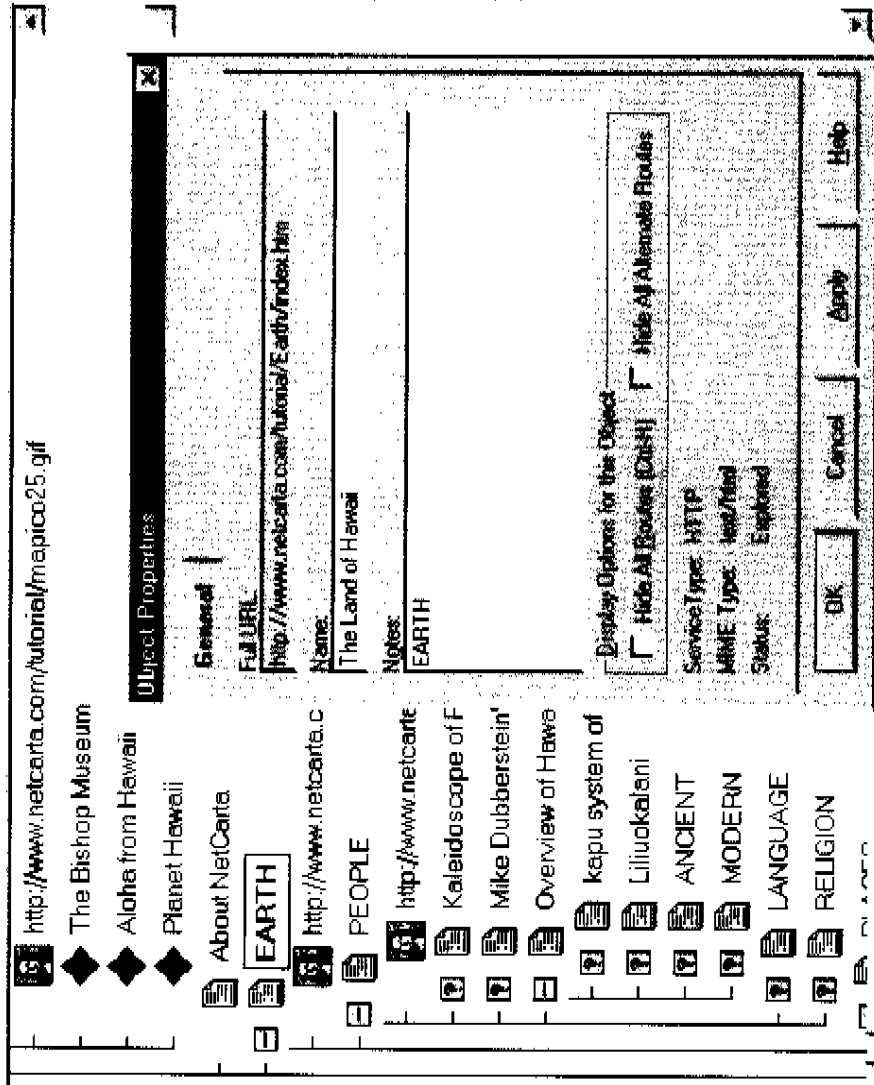
3. Publish it. When you do this, CyberPilot Pro lets you strip out specified objects from your finished NetCarta WebMap. Unlike display options, objects hidden with Publish Options are permanently removed from the published map. The file is then compressed for optimal downloading on the Internet.
4. Distribute it. You can upload it to the Web, pass it around on a floppy, or even ask the folks at NetCarta to distribute it on our Web site. To do that, you can contact NetCarta's Webmaster at webmaster@netcarta.com. Note that NetCarta prefers to receive your *saved* WebMaps, prior to publishing, so our Webmasters can evaluate the map for completeness.

Step 2--refining the NetCarta WebMap--is the only part of the process that might require some planning. The best NetCarta WebMaps are tailored to their intended audience. The next few sections discuss how you might want to customize a map before publishing it.

Name the objects yourself

The labels of objects are an important indication of their content. The default labels, however, are not always well-chosen or might be inappropriate for your intended audience. For example, the tutorial site contains a page called EARTH, a description that sounds more astronomical than cultural. Let's change it.

1. Close the results window if it's still open.
2. Choose the main map window from the Window menu.
3. Choose Labels from the View menu, and in the Labels dialog box, make sure Name is the First Choice for Pages. The default name for a page is the text of its TITLE tag in the original HTML code. Since you're not the Webmaster for the site and thus can't edit the HTML page, you can change the name, but not the TITLE text itself. Click OK.
4. Right-click the page called EARTH. The shortcut menu appears for that object. (Anytime you right-click an object, you see this shortcut menu, which is the same as the Object menu on the main menu bar.
5. Choose Properties from the shortcut menu. The Properties dialog box appears to let you set properties for the selected object.
6. In the Name text box, type "The Land of Hawaii."
7. Click Apply. The label for this object changes to what you typed.
8. Continue clicking pages and changing their names in the dialog box (which remains open while you click on the WebMap).
9. When you're done naming pages, click OK.



If you want to rename some other object types--like images--you can follow the same steps. But first, be sure to change the First Choice to Name for that object type in the Labels dialog box. (If the First Choice is set to something different--for example, A.I.T string for images--you won't see your changed labels.)

Add a note or two

Now that you're proficient at changing the names for specific objects, you might want to add a note or two for some objects. Notes can say anything you want. If the NetCarta WebMap is for your own use, the notes could be reminders to yourself. But if the NetCarta WebMap is for publication, notes are a powerful way to communicate additional information to your audience, independent of the content of the site.

Such notes could supplement the content, they could explain the reason the object is there, or they could be public statements of copyright or ownership. Notes for audio files, for example, could write out what the audio clip says.

1. Right-click the page whose name you changed to "The Land of Hawaii" in the previous steps.
2. Choose Properties from the shortcut menu.
3. In the Notes text box, type something like "Discusses both people and places." Click OK.
4. Continue adding notes to objects, if you like.

Now when someone wants to see if there are any notes about a particular object, they can just right-click the object to see them in the Properties dialog box.

Hide broken links and alternate routes

It's not unusual for a NetCarta WebMap to contain links to some objects that CyberPilot Pro couldn't locate; as mentioned earlier, such broken links have a red label. Broken links can happen for several reasons. For instance, perhaps the site's server was down or the URL changed for that object.

Publishing a map with a lot of broken links is like handing someone an out-of-date roadmap; you're setting them up for a frustrating trip. Similarly, alternate routes are best kept to a minimum; too many of them just increases the clutter and decreases the fun.

Here's how you can prune both broken links and alternate routes from your map.

1. Choose Expand/All from the View menu to show all the explored areas of the map.
2. Choose Display Options from the View menu and make sure alternate routes are displayed.
3. Visually scan for red labels. Red means the object is unreachable.
4. Select the broken link and press Ctrl+H to hide it. This is the quickest way to hide an object. Pressing Ctrl+H is a shortcut for the Hide All Routes checkbox in the Properties dialog box.
5. Keep selecting broken links and hiding them until you're done. You may want to retain a broken link if you're sure it'll be valid later. For example, if you find a broken link to a site you know is OK, this probably means the server just happened to be busy when you mapped, not that the site no longer exists. Chances are, the link will be valid later, so don't hide it.
6. Select an alternate route to the home page (look for a green object that says "Home Page"). Like most sites, our tutorial site has plenty of links to the home page. Most Web surfers don't need to see these routes back home, so it's good publishing strategy to hide them.
7. Right-click the alternate route and choose Properties from the shortcut menu.

8. Click the **Hide All Alternate Routes** checkbox, and then click **OK**. This removes only the alternate routes for the home page. If you wanted to hide *all* alternate routes for all objects, you'd use the **Display Options** dialog box.

Keep on tweaking

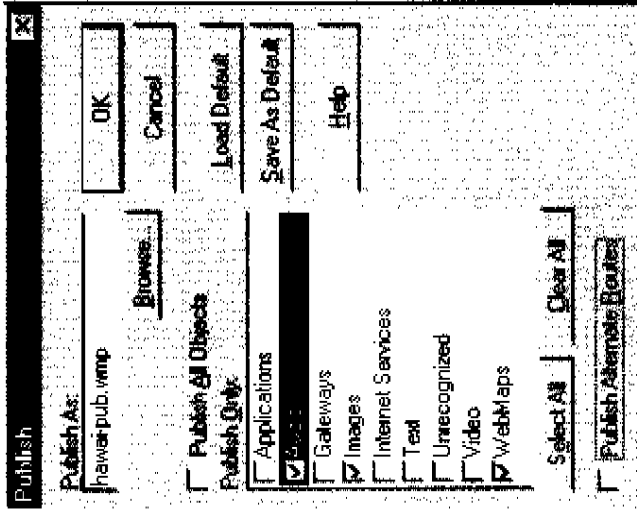
There's no end to the customization you can do prior to publishing. For example, you can adjust the labels--a task we've already discussed earlier in this tutorial. Experienced NetCarta WebMap publishers use a simple guiding principle: *Know your audience*. They also know when to stop tweaking. Make the published map useful but not constraining. That way, other CyberPilot users will experience the fun involved in working with NetCarta WebMaps.

Don't worry about losing your refinements when you have to update the map. Although we won't go into it here, you can merge your customized map with information from a more recent map of the same site by using the **Compare** and **Update** command. Refer to the CyberPilot Pro online help for details.

Publish it

When you're done customizing the site, follow these steps:

1. Choose **Publish** from the **File** menu to display this dialog box:



2. Fill in a file name and path in the Publish As box.
3. Specify the types of objects you want to include in the published map by clicking the check boxes. This is how you *permanently* strip out any type of object that you specify. For example, if you want your NetCarta WebMap to function as a demo software downloader, you could publish only Internet Services. The published result would be a much smaller file size. (If you want to only temporarily hide objects, use the Display Options dialog box before you publish. That way, users can show objects you hid, but the file size will not be as small as when you hide them with the Publish Options dialog box.)
4. Click OK. You can compare your finished, published NetCarta WebMap with the one we put together. Our version (tutorial.wmp) was installed to your NetCarta\PilotPro\WebMaps directory when you ran the Setup program.

All vacations must end someday...

Thanks for taking this quick trip with us into Hawaiian cyberspace. We hope you enjoyed the ride. If you're done, choose Close from the File menu to close the tutorial WebMap, or choose Exit to close CyberPilot Pro.

...But when's the next trip?

Now that you've experienced the thrill of surfing Hawaii with a NetCarta WebMap, you probably want to explore elsewhere on your own. There's a lot of Web out there you haven't seen, after all. As a power browser, you'll definitely want to map some other interesting sites. You might want to start with a particular subject area that interests you--say, movies for instance.

To find sites pertaining to a particular subject area, try the Lycos search engine (www.lycos.com). Lycos has catalogued over 90 percent of the Web. Also, Lycos has provided NetCarta WebMaps of many popular sites, so if you check the Lycos site first, you may find that someone else has already done a lot of your mapping work for you!

Just look for this NetCarta WebMap icon:



But before you strike out on your own, here are some tips for making meaningful maps:

- **Check the online help.** There are many features of CyberPilot Pro that we haven't even mentioned in this tutorial. The help has the full scoop. You can also take a look at the FAQs (frequently asked questions) in the Help Desk section of NetCarta's site.
- **Don't map large sites.** Start off small. Mapping large sites can waste both your and the file server's valuable time. For very large sites, consider starting the NetCarta WebMap at a lower level so that you map just a branch of the whole tree. You can make several NetCarta WebMaps for different parts of the site. For more information about dealing with big sites, see the "Tips for mapping large sites" section of the online help.

There are many more things you can do and see with NetCarta WebMaps. Have fun experimenting and exploring on your own. Here are some ways to learn more:

- Make a map of www.netcarta.com and then use it to browse our site and read more about NetCarta and its products.
- Check out other WebMaps available from NetCarta (located in the NetCarta WebMap Repository section of our Web site).
- Once you've mastered CyberPilot Pro, consider moving up to NetCarta WebMapper™, an application geared toward Webmasters and high-end cyberspace cartography. WebMapper lets you perform many advanced tasks such as copying sites, mapping from sites on a CD or hard disk, and analyzing links in more detail. (Check out the product description in the Products area of our Web site for more information.)

We'd like to hear your feedback about this tutorial. Send your comments to:

demise@netcarta.com

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NET JUMPER SOFTWARE, L.L.C.
a Michigan limited liability corporation,

Plaintiff/Counterclaim
Defendant,

Civil Action No. 04-70366-CV
Hon. Julian Abele Cook

Magistrate Judge ~~R~~ Steven Whalen

v.

GOOGLE INC.,
a Delaware corporation

Defendant/Counterclaim
Plaintiff.

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**CORRECTED BRIEF IN SUPPORT OF GOOGLE'S MOTION FOR SUMMARY
JUDGMENT OF NON-INFRINGEMENT AND INVALIDITY OF THE '172 PATENT**

STATEMENT OF THE ISSUES

1. Whether this Court should grant Defendant and Counterclaim Plaintiff Google Inc.'s motion for summary judgment as to non-infringement by the accused Google Toolbar products of claims 1-8 of U.S. Patent No. 5,890,172?

Defendant and Counterclaim Plaintiff Google Inc. answers: "Yes."

2. Whether this Court should grant Defendant and Counterclaim Plaintiff Google Inc.'s motion for summary judgment as to invalidity of claims 1-8 of U.S. Patent No. 5,890,172 in view of the CyberPilot prior art?

Defendant and Counterclaim Plaintiff Google Inc. answers: "Yes."

TABLE OF CONTENTS

	<u>Page</u>
I. Introduction.....	1
II. State of the Proceedings.....	2
III. Statement of Facts.....	2
A. Background Technology and the '172 Patent.....	2
B. The Prior Art.....	5
C. Prosecution History of the '172 Patent.....	10
D. The Accused Product: The Google Toolbar.....	13
IV. Legal Standards.....	17
A. Summary Judgment.....	17
B. Non-Infringement.....	17
C. Invalidity.....	19
D. Corroboration.....	19
E. Claim Construction.....	20
V. Argument.....	22
A. The Asserted Claims Cover an Internet Navigation Tool That Parses Hyperlinks from a Search Result, Displays Navigation Commands as Icons, and Displays These Icons Separately From the Browser Window.....	22
1. "Parsing" is the act of examining a string of text, breaking it into subunits and establishing the relationships among the subunits.	22
2. An "icon" is a graphic symbol, such as text or picture, that can be selected using a pointing device on a computer display.	22
3. "Parsing in response to selection of an icon" means that the act of parsing is performed only after an icon has been selected.....	23

4.	“Search window” means “browser window” and the phrase “separate from the search window” means outside of the four corners of the search window or browser window.	24
	(a) By its plain language, a navigation tool “separate from” a search window cannot be part of the search window.	26
	(b) Multiple embodiments of the invention are described, but every one shows the icons displayed in a window separate from the browser window.	26
	(c) The inventors made clear while prosecuting their patents that they were not claiming icons integrated into the browser window.	28
VI.	Claims 1-8 of the ‘172 Patent Are Not Infringed By The Google Toolbar	30
VII.	Claims 1-8 of the ‘172 Patent Are Anticipated By CyberPilot.....	32
	A. Claim 1	33
	B. Claim 2: The computer implemented method of claim 1 wherein; said initial data file comprises information in a markup language; and said location identifiers comprise URLs. .	35
	C. Claim 3: The computer implemented method of claim 1 wherein; said initial data file and said first data file comprise information in a markup language; and said location identifiers comprise URLs.	35
	D. Claim 4: The computer implemented method of claim 1 wherein said retrieving act further comprises; retrieving the first data file corresponding to the one of the location identifiers in the stored initial list selected from a group consisting of: a next location identifier, a prior location identifier, a first location identifier and a last location identifier, together with displaying the first data file in the search window, responsive to a selection of the second icon.....	35
	E. Claims 5-8.....	36
VIII.	Conclusion	36

TABLE OF AUTHORITIES

Cases

<i>Abbott Labs. v. Geneva Pharmaceuticals, Inc.</i> , 182 F.3d 1315, 1318 (Fed. Cir. 1999).....	19
<i>Anderson v. Liberty Lobby, Inc.</i> , 477 U.S. 242, 251-52 (1986).....	17
<i>Asyst Techs., Inc. v. Emtrak, Inc.</i> , 402 F.3d 1188 (Fed. Cir. 2005).....	31
<i>Bayer AG v. Elan Pharm. Research Corp.</i> , 212 F.3d 1241, 1247 (Fed. Cir. 2000)	17, 30
<i>Canton Bio Med. v. Integrated Linear Techs., Inc.</i> , 216 F.3d 1367, 1369 (Fed. Cir. 2000).....	17
<i>Celeritas Technologies, Ltd. v. Rockwell Intern. Corp.</i> , 150 F.3d 1354, 1361 (Fed. Cir. 1998)..	19
<i>Cooper Cameron Corp. v. Kvaerner Oilfield Prods., Inc.</i> , 291 F.3d 1317, 1322 (Fed. Cir. 2002)	18
<i>Desper Prods., Inc. v. QSound Labs., Inc.</i> , 157 F.3d 1325, 1333-34 (Fed. Cir. 1998)	18
<i>Dolly, Inc. v. Spalding & Evenflo Cos.</i> , 16 F.3d 394, 400 (Fed. Cir. 1994).....	18
<i>Ecolab, Inc. v. Envirochem, Inc.</i> , 264 F.3d 1358 (Fed. Cir. 2001).....	24, 32
<i>Ekchian v. Home Depot, Inc.</i> , 104 F.3d 1299, 1304 (Fed. Cir. 1997)	18
<i>Elkay Mfg. Co. v. Ebco Mfg. Co.</i> , 192 F.3d 973, 979 (Fed. Cir. 1999)	30
<i>Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd.</i> , 535 U.S. 722, 739-40 (2002)	18
<i>Fin Control Sys. Pty., Ltd. v. OAM, Inc.</i> , 265 F.3d 1311, 1320-21 (Fed. Cir. 2001).....	18
<i>Gillette Co. v. Energizer Holdings, Inc.</i> , 405 F.3d 1367, 1370 (Fed. Cir. 2005).....	21
<i>Hahn v. Wong</i> , 892 F.2d 1028, 1033 (Fed. Cir. 1989).....	19
<i>Johnson & Johnston Assocs. v. R.E. Serv. Co.</i> , 285 F.3d 1046, 1054 (Fed. Cir. 2002)	28
<i>Johnson Worldwide Associates, Inc. v. Zebco Corp.</i> , 175 F.3d 985, 989 (Fed. Cir. 1999).....	21
<i>Kahn v. General Motors Corp.</i> , 135 F.3d 1472, 1476 (Fed. Cir. 1998)	17
<i>Key Pharms. v. Hercon Labs. Corp.</i> , 161 F.3d 709, 714 (Fed. Cir. 1998).....	20
<i>Kinik Co. v. International Trade Comm'n.</i> , 362 F.3d 1359, 1364 (Fed. Cir. 2004)	29
<i>Lockwood v. Am. Airlines, Inc.</i> , 107 F.3d 1565, 1573 (Fed. Cir. 1997)	18
<i>Loral Fairchild Corp. v. Matsushita Elec.</i> , 266 F.3d 1358, 1361 (Fed. Cir. 2001).....	6, 20
<i>Mahurkar v. C.R. Bard</i> , 79 F.3d 1572, 1577 (Fed. Cir. 1996)	20
<i>Mark I Mktg. Corp. v. R.R. Donnelley & Sons Co.</i> , 66 F.3d 285, 291 (Fed. Cir. 1995).....	18
<i>Markman v. Westview Instruments, Inc.</i> , 52 F.3d 967, 980 (Fed. Cir. 1995)	10
<i>Medichem, S.A., v. Rolabo, S.L.</i> , 353 F.3d 928, 934 (Fed. Cir. 2003).....	35
<i>Netword, LLC v. Centraal Corp.</i> , 242 F.3d 1347, 1353-54 (Fed. Cir. 2001).....	17
<i>Phillips Petroleum Co. v. Huntsman Polymers Corp.</i> , 157 F.3d 866, 871 (Fed. Cir. 1998)	20

<i>Phillips v. AWH Corp.</i> , ___ F.3d ___ (Fed. Cir. 2005), 2005 WL 1620331 (Fed. Cir. July 12, 2005).....	20
<i>PPG Indus., Inc. v. Guardian Indus. Corp.</i> , 75 F.3d 1558, 1566 (Fed. Cir. 1996).....	19
<i>Price v. Symsek</i> , 988 F.2d 1187, 1194 (Fed. Cir. 1993).....	19
<i>ResQNet.com, Inc. v. Lansa, Inc.</i> , 346 F.3d 1374, 1378 (Fed. Cir. 2003).....	20
<i>Rheox, Inc. v. Entact, Inc.</i> , 276 F.3d 1319 (Fed. Cir. 2000).....	18
<i>Sage Prods, Inc. v. Devon Indus., Inc.</i> , 126 F.3d 1420, 1425-26 (Fed. Cir. 1997).....	18
<i>Seachange Intern., Inc., v. C-COR, Inc.</i> , 413 F.3d 1361 (Fed. Cir. 2005).....	31
<i>Seal-Flex, Inc. v. Athletic Track & Court Constr.</i> , 98 F.3d 1318, 1321 (Fed. Cir. 1996).....	17
<i>Sibia Neurosciences, Inc. v. Cadus Pharmaceutical Corp.</i> , 225 F.3d 1349, 1355-56 (Fed. Cir. 2000).....	19
<i>Slip Track Sys. Inc. v. Metal Lite, Inc.</i> , 304 F.3d 1256, 1265 (Fed. Cir. 2002).....	19
<i>Southwall Technologies, Inc. v. Cardinal IG Co.</i> , 54 F.3d 1570, 1576 (Fed. Cir. 1995).....	28
<i>TechSearch, L.L.C. v. Intel Corp.</i> , 286 F.3d 1360, 1369 (Fed. Cir. 2002).....	20
<i>Tucker v. Union of Needletrades, Indus. & Textile Employees</i> , 407 F.3d 784, 787 (6th Cir. 2005).....	17
<i>Upsher-Smith Labs., Inc. v. PamLab, L.L.C.</i> , 412 F.3d 1319, (Fed. Cir. 2005).....	19
<i>Vitronics Corp. v. Conceptoronic, Inc.</i> , 90 F.3d 1576, 1582 (Fed. Cir. 1996).....	21
<i>ZMI Corp. v. Cardiac Resuscitator Corp.</i> , 844 F.2d 1576, 1580 (Fed. Cir. 1988).....	29
Statutes	
35 U.S.C. § 282.....	19
35 U.S.C. §§ 102(a) and (g).....	6
Rules	
Fed. R. Civ. P. 56(c).....	17