

JOINT CLAIM CONSTRUCTION CHART

	A	B	C	D
	Terms (Identified by)	Appears in Claims (Independent Claims Bolded)	TimeBase's Proposed Construction and Support	Thomson/West's Proposed Construction and Support
1	Amended (TimeBase)	'228 claims 1, 8, 24 , 31, 42	<p>Plain and ordinary meaning, that is, altered or changed; altered formally by modification, deletion or addition.</p> <p>Intrinsic Evidence: 2:2-30; 3:10-35; 5:23, 35-40; 7:32-40; 9:25-40; 11:3-7; 14:44; 71-72:3-8, 24-28; 73-74:36-38; 79-80:15-19; 89-90:8-10.</p> <p>Extrinsic Evidence:</p> <p><i>Merriam-Webster, Webster's Ninth New Collegiate Dictionary</i>, 1987, page 78; (e.g., "to change or modify for the better;" "to alter formally by modification, deletion or addition.")</p>	<p>Changed or altered in some way</p> <p><u>Intrinsic Evidence:</u></p> <p>Claims listed in column B</p> <p><u>Dictionary Definitions:</u></p> <p>"To change the form or quality of something, usually only slightly." Chambers 21st Century Dictionary (1996).</p> <p>"To change somewhat the form or qualities of; alter partially; amend." Random House Webster's College Dictionary (2000).</p> <p>"To change or alter; esp., to change slightly or partially in character, form, etc." Webster's New World College Dictionary (1999).</p>
2	Attributes (all parties)	'592 claims 1, 3, 5 , 12, 13, 14, 20 , 22, 24, 31, 32, 33, 40 , 42, 44, 51, 52, 53, 59, 60, 61 '228 claims 1, 2, 13 ,	A piece of code or mark-up that describes a point on an axis of a multidimensional space for example, the section number, or ID, or the effective date of a section of statute.	<p>Characteristics or descriptors of text-based data</p> <p><u>Intrinsic Evidence:</u></p> <p>Claims listed in column B</p>

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2		14, 15, 24 , 25, 36 , 37, 38	<p>Intrinsic Evidence: Abstract; 4:10-12; 7:19-21; 31:15-20; 93:30-35; 97:4; 99:25; 101:37; 103:1-9; 105:3-9, 25-37; 111:35-37; 113:1-32; 115:1-35; 119:35-38; 121:5-8, 25-37; 123:20-35; 125:14-16; 151:20-50; 155:11-14; 156:22-26; 157:40-45.</p> <p>'592 Reexam, Notice of Intent to Issue Ex Parte Reexamination Certificate, January 30, 2009, pages 2-6.</p> <p>Extrinsic Evidence:</p> <p>Possibly <i>Extensible Markup Language (XML)</i>, W3C Working Draft 14-Nov-96 and <i>A Gentle Introduction to SGML</i>, Chapter two of Guidelines for Electronic Text Encoding and Interchange (TEI P3), edited by C. M. Sperberg-McQueen and Lou Burnard, currently available at http://www.isgmlug.org/sgmlhelp/g-index.htm, 1994. Rebuttal reserved.</p>	<p>'592 and '228 Patents:¹ Col. 7:43-45</p> <p>¹ Column and line numbers throughout Thomson / West's citations refer to the '592 patent specification, but are meant to include the corresponding excerpts from the '228 specification, into which the entire '592 specification is incorporated.</p> <p>'592 Reexamination: Examiner's Statement, Jan. 30, 2009, at 3.</p> <p><u>Dictionary Definitions:</u></p> <p>"A quality, characteristic, feature." Chambers 21st Century Dictionary (1996).</p> <p>"A quality, character, characteristic, or property attributed as belonging to a person, thing, group, etc." Random House Webster's College</p>

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2				Dictionary (2000). "A characteristic or quality of a person or thing." Webster's New World College Dictionary (1999).
3	Dividing (TimeBase)	'228 claims 1, 24	Separating into suitable portions. Intrinsic Evidence: '592: 5:61 to 6:2; 7:10-17, and 41-58; 9:10-18; 14:23-32. '228: 10:18-27; 11:37-43; 12:1-8; 13:39-46; 21:36-40; 18: 48-56; 163:14; 164:61. '592 Reexam, Notice of Intent to Issue Ex Parte Reexamination Certificate, January 30, 2009, pages 2-6. Extrinsic Evidence: None at present. Rebuttal reserved.	Separating into two or more parts <u>Intrinsic Evidence:</u> Claims listed in column B <u>Dictionary Definitions</u> "1 to separate into parts." The World Book Dictionary, Volume 1, A-K (1994). "Separate into . . . parts or smaller groups; split up; break or cut apart." The New Shorter Oxford English Dictionary on Historical Principles, Volume 1 (1993). "To separate into parts or groups, or to cause (something) to separate in such a way." Cambridge Dictionary of American English

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3				(1999).
4	Displaying (Thomson/ West)	'228 claims 1, 13, 24, 36	<p>Putting on a visual output device of a computer; presenting data visually; providing a visual presentation of data. Output devices include printers, plotters and other reproductive devices.</p> <p>Intrinsic Evidence: 11:58-12:1; 12:12-15; 12:17-21.</p> <p>Extrinsic Evidence: <i>Microsoft Computer Dictionary</i>, Microsoft Press, 1991, page 111, <i>IBM Dictionary of Computing</i>, 10th ed., 1993, page 206, (e.g., “display” is a “visual presentation of data”), <i>Encyclopedia of Computer Science & Engineering</i>, Anthony Ralston, Van Nostrand Reinhold, 2d ed. 1983, page 495. (Display devices include, e.g., “printers or card readers.”)</p>	<p>Showing on a computer screen</p> <p><u>Intrinsic Evidence:</u></p> <p>Claims listed in column B</p> <p><i>'592 and '228 Patents:</i></p> <p>Fig. 5, including 516</p> <p>Col. 11:58-59</p> <p>Col. 12:12-14</p> <p><u>Dictionary Definitions</u></p> <p>“To show text and graphics on a CRT or flat panel screen.” The Computer Glossary, 8th Edition (1998).</p> <p>“(1)(A) To present data visually. . . . (6)(B) (computer graphics) To visually present data or other graphics . . . (7) To output to the terminal of the user.” The IEEE Standard Dictionary of Electrical and Electronics Terms, 6th Edition</p>

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	Terms (Identified by)	Appears in Claims (Independent Claims Bolded)	TimeBase’s Proposed Construction and Support	Thomson/West’s Proposed Construction and Support
4				(2000). “5. to show (computer data) on a CRT or other screen.” Random House Webster’s College Dictionary (2000).
5	Each (Thomson/West)	‘592 claims 1, 20, 40, 59, 60, 61 ‘228 claims 1, 24	Plain and ordinary, referring individually to things. Intrinsic Evidence: Abstract; 2:13; 3:47-54;4:4-10; 5:65; 7:14-21; 10:42-44, 57; 12:8; 14:32-37; 155:5, 28; 156:8, 15, 18, 23, 39; 157:17, 34-35, 56; 158:45, 51. Extrinsic Evidence, if any: <i>New Shorter Oxford English Dictionary</i> , 5 th Ed., 2002, Oxford University Press, Inc., page 781 (e.g., “each one,... : referring individually to things....”)	Every one considered separately <u>Intrinsic Evidence:</u> Claims listed in column B <u>Dictionary Definitions</u> “Applied to every one of two or more people or items considered separately”; “every single one of two or more people, animals or things.” Chambers 21st Century Dictionary (1996). “Every one of two or more considered individually or one by one.” Random House Webster’s College Dictionary (2000). “Every one of two or more considered separately.” Webster’s New World College Dictionary

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5				(1999).
6	Graphical representation (Thomson/ West)	‘228 claims 24, 36	<p>“Graphical representation” means a written, printed or pictorial presentation or display.</p> <p>Intrinsic Evidence: 11:58-12:1; 12:12-15; 12:17-21.</p> <p>‘228: 16:20-30; 31:10-15; 16:41-43; 165:19; 166:12.</p> <p>Extrinsic Evidence: <i>IBM Dictionary of Computing</i>, 10th ed., 1993, page 301 (e.g., “graphic: a symbol produced by a process such as handwriting, drawing, or printing.”).</p>	<p>A pictorial presentation or pictorial display</p> <p><u>Intrinsic Evidence:</u></p> <p>Claims listed in column B</p> <p><i>‘228 File History:</i></p> <p>Nov. 8, 2004 response, at 28.</p> <p>Sept. 19, 2005 response, at 4.</p> <p><u>Extrinsic Evidence:</u></p> <p>U.S. Patent No. 5,767,854, Anwar, M., “Multidimensional Data Display and Manipulation System and Methods for Using Same,” (Sept. 27, 1996) (“Anwar 1996”) [SAIC001665-1717], including Figs. 1-7, 10, 11, 13, 14, 21-37.</p> <p>Caplinger, M., “Graphical database browsing,” ACM SIGOIS Bulletin, Vol. 7 Issue 2-3, 1986 (“Caplinger 1986”) [THOM00208979-87], <i>generally</i>.</p>

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	Terms (Identified by)	Appears in Claims (Independent Claims Bolded)	TimeBase's Proposed Construction and Support	Thomson/West's Proposed Construction and Support
6				<p>Jarke, M., et al., Fundamentals of Data Warehouses ("Jarke") [THOM00223958-70], <i>see, e.g.</i>, 88-89, 187, Figs. 5.1, 5.8.</p> <p>Taylor, C., Tudhope, D., Beynon-Davies, P., "Technical Briefing Representation and Manipulation of Conceptual Temporal and Geographical Knowledge in a Museum Hypermedia System," (1994) ("Taylor 1994") [THOM00198022-27], <i>e.g.</i>, 242.</p> <p>Stonebraker, M., Chen, J., Nathan, N., Paxson, C., Wu, J., "Tioga: Providing Data Management Support for Scientific Visualization Applications," 1994 IEEE Symposium on Visual Languages (1994) ("Stonebraker 1994") [THOM00209213-26], <i>e.g.</i>, 5.</p> <p>Sperley, E., The Enterprise Data Warehouse: Planning, Building, and Implementation (1999) ("Sperley 1999") [THOM00221567-99], <i>e.g.</i>,</p>

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6				<p>235.</p> <p>U.S. Patent No. 6,144,962, Weinberg, A., "Visualization of Web Sites and Hierarchical Data Structures," (April 11, 1997) ("Weinberg 1997") [THOM00210146-90] at <i>e.g.</i> Figs. 1-6, 13-16, 18-19, 21-24, and accompanying text.</p> <p><u>Dictionary Definitions</u></p> <p>Chambers 21st Century Dictionary (1996).</p> <p>Graphical: "relating to graphs; shown by means of a graph"</p> <p>Graph: "a diagram that illustrates the way in which one quantity varies in relation to another, usually consisting of horizontal and vertical axes . . . which cross each other at a point called the origin"</p> <p>Random House Webster's College Dictionary (2000).</p>

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6				<p>Graphical: “of or pertaining to a graphical user interface or its components”; “graphic”</p> <p>Graphic: “pertaining to the use of diagrams, graphs, mathematical curves, or the like; diagrammatic”</p>
7	Linking means (all parties)	’592 claims 1, 5, 8, 9, 10, 20, 24, 27, 28, 29, 40, 44, 47, 48, 49, 59, 60, 61	<p>A connection which utilizes any piece of code or mark-up that allows departure and destination points to be created to portions, between portions or between related material and portions.</p> <p>If 35 U.S.C. §112, ¶6 applies: <u>Linking means function</u>: The function to be performed – if § 112, paragraph 6 applies – is set forth in claims 1, 5, 8, 9, 10, 20, 24, 27, 28, 29, 40, 47, 48, 49, 59, 60 and 61. Generally speaking, the main function of a linking means is to connect portions to other portions and other related material, as set forth in the literal language of the applicable claims.</p>	<p>Governed by 35 U.S.C. § 112 ¶ 6</p> <p>Function: logically connecting a block of text-based data to another specific block of text-based data</p> <p>Structure: markup language consisting of a single reference ID which uniquely identifies a specific block of text-based data</p> <p><u>Intrinsic Evidence</u>: Claims listed in column B</p> <p><i>’592 and ’228 Patents</i>: Figs. 3, 4, 14 Col. 4:54–57</p>

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7			<p><u>Linking means structure</u>: A piece of information of a code or mark-up that is used to connect to, or between portions or between related material and portions.</p> <p>Intrinsic Evidence: 4:21-24; 5:23-27; 10:7-18, 24-36, 37-50; 11:7-12; 155:6-10, 25-30, 37-39, 40-43, 46-47; 156:18-22, 38-42, 49-50; 157:36; 158:11-21.</p> <p>'592 Reexam, Notice of Intent to Issue Ex Parte Reexamination Certificate, January 30, 2009, pages 2-6.</p> <p>Extrinsic Evidence: Possibly <i>Extensible Markup Language (XML)</i>, W3C Working Draft 14-Nov-96 or <i>A Gentle Introduction to SGML</i>, Chapter two of Guidelines for Electronic Text Encoding and Interchange (TEI P3), edited by C. M. Sperberg-McQueen and Lou Burnard, currently available at</p>	<p>Col. 5:4-6</p> <p>Col. 9:65-10:3</p> <p>Col. 12:64-13:35</p> <p>Col. 13:61-63</p> <p>Cols. 35/36:3-9</p> <p>Cols. 97/98:3-6</p> <p>Cols. 97/98:25-31</p> <p>Cols. 121/122:33-38</p> <p>Cols. 123/124:1-28</p> <p><i>'592 Prosecution History</i></p> <p>Australian Patent Application filed January 31, 1997, and subsequently submitted to U.S. PTO during prosecution of the '592 patent application, at Figs. 8, 10, 14.</p> <p>Feb. 15, 2001 Comments on Statement of Reasons for Allowance, at 2.</p>

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7			<p>http://www.isgmlug.org/sgmlhelp/g-index.htm, 1994. Rebuttal reserved.</p>	<p><i>'228 Patent</i> Col. 3:66–4:2 <i>Related Patent Application 10/196,802</i> Paragraph [0050] <i>EPO Proceedings</i> TimeBase Sept. 19, 2005 Response (“R1”), at, e.g., 9. <u>Extrinsic Evidence:</u> <i>TimeBase Documents</i> TB000384, TB000387: Technology Assessment of MALT Product TB001460, TB001466–72: MALT XML Structure Management System TB004503–05: MALTlink—Unbreakable Data Links TB009482, TB009484: TimeBase Background TB012784, TB012796: The Technology—The Development of a</p>

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7				<p>Prototype n-Dimensional XML Repository of Information</p> <p>TB0036564: MALT XML Frequently Asked Questions</p> <p><i>Patent</i></p> <p>U.S. Patent No. 5,355,472, at Col. 1:45–53</p> <p><u>Dictionary Definitions</u></p> <p>“v. 1. To connect or join. 2. To associate.” Chambers 21st Century Dictionary (1996).</p> <p>“n. 4. Anything serving to connect or tie. v. to join together with or as with a link or links.” Webster’s New World College Dictionary, 4th Edition (1999).</p> <p>“n. 2. anything serving to connect one part or thing with another; a bond or tie. 7. <i>Computers</i>. an object, as text or graphics, linked through hypertext to a document, another object, etc. v. 11. To join by or as if</p>

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7				by a link or links; unite." Random House Webster's College Dictionary (2000).
8	Link (all parties)	'228 claims 1 , 5, 6, 7, 13 , 15, 16, 17, 18, 24 , 28, 29, 30, 38, 39, 40 , 41	<p>A connection which utilizes any piece of code or mark-up that allows departure and destination points to be created to portions, between portions or between related material and portions.</p> <p>Intrinsic Evidence: 4:21-24; 5:23-27; 10:7-18, 24-36, 37-50; 11:7-12; 155:6-10, 25-30, 37-39, 40-43, 46-47; 156:18-22, 38-42, 49-50; 157:36; 158:11-21.</p> <p>'592 Reexam, Notice of Intent to Issue Ex Parte Reexamination Certificate, January 30, 2009, pages 2-6.</p> <p>Extrinsic Evidence: Possibly <i>Extensible Markup Language (XML)</i>, W3C Working Draft 14-Nov-96 or <i>A Gentle Introduction to SGML</i>, Chapter two of Guidelines for Electronic Text</p>	<p>A logical connection between a block of text-based data and another specific block of text-based data, where the logical connection is markup language consisting of a single reference ID, which uniquely identifies the specific block of text-based data</p> <p><u>Intrinsic & Extrinsic Evidence:</u> Claims listed in column B</p> <p>Same support as for "linking means" above</p>

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8			Encoding and Interchange (TEI P3), edited by C. M. Sperberg-McQueen and Lou Burnard, currently available at http://www.isgmlug.org/sgmlhelp/g-index.htm , 1994. Rebuttal reserved.	
9	Modified (TimeBase)	'592 claims 1, 20, 40, 59, 60, 61	Plain and ordinary meaning; changed or altered in some way. Intrinsic Evidence: Abstract; 3:50-52, 62-64; 4:7-9; 7:15; 155:6, 9, 14, 20, 22; 156:17, 20, 25, 34; 157:13, 38, 43, 50, 52; 158:34, 41. Extrinsic Evidence: None at present. Rebuttal reserved.	Same construction and support as "amended" above. Claims listed in column B
10	Multidimensional space (all parties)	'592 claims 1, 5, 20, 24, 40, 44, 59, 60,	Multidimensional space refers to an area not having boundaries and that is	An area not having boundaries and that is capable of, or involves, more

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10		61 '228 claims 1, 13, 24, 36	capable of, or involves, more than three dimensions. Intrinsic Evidence: 7:52-54; Figures 1-4; 8:10-20; 10:48-59; 11:14-17; 155:11-14; 156:21-25; 157:41-44. '592 Reexam, Notice of Intent to Issue Ex Parte Reexamination Certificate, January 30, 2009, pages 2-6. Extrinsic Evidence: None at present. Rebuttal reserved.	than three dimensions, where the dimensions are axes along which point-to-point movement is allowed <u>Intrinsic Evidence:</u> Claims listed in column B <i>'592 and '228 Patents:</i> Figs 1-4, 14, 15 Col. 4:17-26 Col. 4:63-65 Col. 5:46-51 Col. 7:52-8:12 Col. 10:26-28 Col. 10:48-11:11 Col. 13:44-54 <i>'228 Patent</i> Col. 4:27-48 Col. 20:1-15

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10				<p>Col. 21:7-8</p> <p>Col. 21:36-22:25</p> <p>Col. 22:53-23:3</p> <p><i>'592 Prosecution History:</i></p> <p>Australian Patent Application filed January 31, 1997, and subsequently submitted to U.S. PTO during prosecution of the '592 patent application, at Figs. 1-4, 13, 15.</p> <p>Reexam Response, May 12, 2008, at 15-16.</p> <p>Reexam Examiner's Statement, Jan. 30, 2009, at 3, 5-6.</p> <p><i>'228 Prosecution History</i></p> <p>Nov. 8, 2004 Response, at 20-21.</p> <p><i>EPO Proceedings</i></p> <p>TimeBase response to EPO, Sept. 19, 2005 ("R1"), at 10-11.</p> <p>TimeBase response to EPO, Apr. 5,</p>

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10				<p>2007 ("R3"), at 6-7.</p> <p>TimeBase response to EPO, May 2, 2008 ("R5"), at 4-5.</p> <p><u>Extrinsic Evidence:</u></p> <p>Caplinger, M., "Graphical database browsing," ACM SIGOIS Bulletin, Vol. 7 Issue 2-3, 1986 ("Caplinger 1986") [THOM00208979-87], at e.g. 113-17.</p> <p>Jarke, M., et al., Fundamentals of Data Warehouses ("Jarke"). See, e.g., 88-89, 187 [THOM00223958-THOM00223970].</p> <p>Stonebraker, M., Chen, J., Nathan, N., Paxson, C., Wu, J., "Tioga: Providing Data Management Support for Scientific Visualization Applications," 1994 IEEE Symposium on Visual Languages (1994) ("Stonebraker 1994") [THOM00209213 - THOM00209226], e.g.,5.</p> <p>Sperley, E., The Enterprise Data Warehouse: Planning, Building, and</p>

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10				<p>Implementation (1999) (“Sperley 1999”) [THOM00221567-599], <i>e.g.</i>,235.</p> <p><u>Dictionary Definition:</u></p> <p>“Having or relating to more than three dimensions.” Chambers 21st Century Dictionary (1996).</p>
11	Portion (all parties)	<p>‘592 claims 1, 4, 5, 9, 10, 11, 13, 14, 15, 17, 19, 20, 23, 24, 28, 29, 30, 32, 33, 34, 36, 39, 40, 43, 44, 48, 49, 50, 52, 53, 54, 56, 58, 59, 60, 61</p> <p>‘228 claims 1, 7, 8, 10, 12, 13, 15, 17, 18, 19, 21, 24, 29, 30, 31, 33, 35, 36, 38, 40, 41, 42, 44, 46</p>	<p>A part of a writing or written work and more than a single word, for example, a section in the case of a statute, act or regulation.</p> <p>Intrinsic Evidence: Abstract; 5:60-6:2; 7:6-14, 41-48; 9:10-15; 11:35-36; 155:3-6; 156:3-12, 14-17; 157:16-21, 26-29; 158:145-155.</p> <p>‘592 Reexam, Notice of Intent to Issue Ex Parte Reexamination Certificate, January 30, 2009, pages 2-6.</p> <p>Extrinsic Evidence: None at present. Rebuttal reserved.</p>	<p>A block of text-based data</p> <p><u>Intrinsic Evidence:</u></p> <p>Claims listed in column B</p> <p><i>‘592 and ‘228 Patents:</i></p> <p>Fig. 6, including 618</p> <p>Col. 7:49–51</p> <p>Col. 11:10–12</p> <p>Col. 11:34–36</p> <p><i>‘592 Prosecution History:</i></p> <p>Amendment After First Office Action, June 27, 2000, at 12–13.</p>

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11				<p><u>Extrinsic Evidence:</u></p> <p><i>TimeBase Document:</i></p> <p>TB036563-67: MALT XML Frequently Asked Questions</p>
12	Predefined (TimeBase)	'592 claims 1 , 4, 5, 10, 11, 13, 14, 15, 17, 19, 20 , 23, 24, 29, 30, 32, 33, 34, 36, 39, 40 , 43, 44, 49, 50, 52, 53, 54, 56, 58, 59 , 60 , 61	<p>The size or structural type of a portion determined based upon an analysis of the nature of the information and knowledge of how the information will be used.</p> <p>Intrinsic Evidence: 5:61-6:2; 7:10-17, 45-48; 9:10-14; '592 Reexam, Notice of Intent to Issue Ex Parte Reexamination Certificate, January 30, 2009, pages 2-6.</p> <p>Extrinsic Evidence: None at present. Rebuttal reserved.</p>	See Thomson / West's Proposed Construction and Support for "Predefined portion"
13	Predefined portion (Thomson/ West)	'592 claims 1 , 4, 5, 10, 11, 13, 14, 15, 17, 19, 20 , 23, 24, 29, 30, 32, 33, 34, 36, 39, 40 , 43, 44,	Predefined: The size or structural type of a portion determined based upon an analysis of the nature of the information and knowledge of how the information will be used.	<p>A block of text-based data that has been chosen for storage</p> <p><u>Intrinsic Evidence:</u></p> <p>Claims listed in column B</p>

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13		49, 50, 52, 53, 54, 56, 58, 59, 60, 61	<p>Portion: A part of a writing or written work and more than a single word, for example, a section in the case of a statute, act or regulation.</p> <p>Intrinsic Evidence: As to "predefined," 5:61-6:2; 7:10-17, 45-48; 9:10-14.</p> <p>As for "portion," Abstract; 5:60-6:2; 7:6-14, 41-48; 9:10-15; 11:35-36; 155:3-6; 156:3-12, 14-17; 157:16-21, 26-29; 158:145-155.</p> <p>'592 Reexam, Notice of Intent to Issue Ex Parte Reexamination Certificate, January 30, 2009, pages 2-6.</p> <p>Extrinsic Evidence: None at present. Rebuttal reserved.</p>	'592 and '228 Patents: Abstract Col. 7:14-17
14	Means for searching/ searching means (all parties)	'592 claims 2, 3, 4, 5, 21, 22, 23, 24	<p><u>Function</u>: As set forth in the claims.</p> <p><u>Structure</u>: software for locating text-based data using attributes, links, portions, words or phrases, or the</p>	Governed by 35 U.S.C. § 112 ¶ 6 Function: permitting a user to enter a search request

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	Terms (Identified by)	Appears in Claims (Independent Claims Bolded)	TimeBase’s Proposed Construction and Support	Thomson/West’s Proposed Construction and Support
14			<p>equivalent.</p> <p>Intrinsic Evidence: 5:19-21; 7:24-26, 49-51; 12:42-55; 14:6-21; 101:15-20; 155:15-20; 156:26-34; 157:45-52.</p> <p>Extrinsic Evidence: <i>Fundamentals of Database Systems</i>, Ramez Elmasri and Shamkant B. Navanthe, Addison-Wesley, 2d ed. 1994 pages 11 (“A DBMS is a complex software system that consists of many components or modules, including modules for implementing the catalog, query language, interface processors, data access and security.”) and 14 (“Because many types of users, with varying levels of technical knowledge, use a database, a DBMS should provide a variety of user interfaces. These include query languages for casual users, programming language interfaces for application programmers, forms and command codes for parametric users, and menu-driven interfaces and natural</p>	<p>Structure: text retrieval software having a user interface</p> <p><u>Intrinsic Evidence:</u></p> <p>Claims listed in column B</p> <p><i>’592 and ’228 Patents:</i></p> <p>Fig. 6, including 624</p> <p>Figs. 16 and 17</p> <p>Col. 4:33–35</p> <p>Col. 8:34–37</p> <p>Col. 9:44–60</p> <p>Col. 11:36–44</p> <p>Col. 11:54–58</p> <p>Col. 12:37–49</p> <p>Col. 14:7–17</p>

JOINT CLAIM CONSTRUCTION CHART

	A	B	C	D
	Terms (Identified by)	Appears in Claims (Independent Claims Bolded)	TimeBase’s Proposed Construction and Support	Thomson/West’s Proposed Construction and Support
14			language interfaces for stand-alone users.”).	
15	Step of searching / searching step (all parties)	592 claims 41, 42, 43, 44	<p>Function: As set forth in the claims.</p> <p>Acts: using software to locate text-based data using attributes, links, portions, words or phrases, or the equivalent.</p> <p>Intrinsic Evidence: 5:19-21; 7:24-26, 49-51; 12:42-55; 14:6-21; 101:15-20; 155:15-20; 156:26-34; 157:45-52.</p> <p>Extrinsic Evidence: <i>Fundamentals of Database Systems</i>, Ramez Elmasri and Shamkant B. Navanthe, Addison-Wesley, 2d ed. 1994, pages 11 (“A DBMS is a complex software system that consists of many components or modules, including modules for implementing the catalog, query language, interface processors, data access and security.”) and 14 (“Because many types of users, with varying levels of technical knowledge, use a database, a DBMS should</p>	<p>Governed by 35 U.S.C. § 112 ¶ 6</p> <p>Function: permitting a user to enter a search request</p> <p>Step: providing text retrieval software having a user interface</p> <p>Same support as “means for searching / searching means” above.</p> <p>Claims listed in column B</p>

JOINT CLAIM CONSTRUCTION CHART

	A	B	C	D
	Terms (Identified by)	Appears in Claims (Independent Claims Bolded)	TimeBase’s Proposed Construction and Support	Thomson/West’s Proposed Construction and Support
15			provide a variety of user interfaces. These include query languages for casual users, programming language interfaces for application programmers, forms and command codes for parametric users, and menu-driven interfaces and natural language interfaces for stand-alone users.”).	
16	Allowing the user to search/ allowing the user to ... input at least one search request (Thomson/ West)	‘228 claims 1, 24 ‘228 claims 13, 36	<p>“Allowing” is plain and ordinary, that is, to permit.</p> <p>“User” is plain and ordinary, that is, the one doing the searching.</p> <p>As for “search,” see above.</p> <p>As for “input,” plain and ordinary, a noun or verb meaning information ready for entry, to enter, or entered into a computer.</p> <p>Intrinsic Evidence: As for searching, 5:19-21; 7:24-26, 49-51; 12:42-55; 14:6-21; 101:15-20; 155:15-20; 156:26-34; 157:45-52.</p>	<p>Governed by 35 U.S.C. § 112 ¶ 6</p> <p>Function: permitting a user to enter a search request</p> <p>Step: providing text retrieval software having a user interface</p> <p>Same support as “means for searching / searching means” above.</p> <p>Claims listed in column B</p>

JOINT CLAIM CONSTRUCTION CHART

	A	B	C	D
	Terms (Identified by)	Appears in Claims (Independent Claims Bolded)	TimeBase's Proposed Construction and Support	Thomson/West's Proposed Construction and Support
16			<p>Extrinsic Evidence:</p> <p>For “allowing,” see <i>New Shorter Oxford English Dictionary</i>, 5th Ed., 2002, Oxford University Press, Inc., page 58 (e.g., “not prevent the occurrence of;” “permit”).</p> <p>For “user,” see <i>New Shorter Oxford English Dictionary</i>, 5th Ed., 2002, Oxford University Press, Inc., page 3490 (e.g., “a person or organization making use of a computer”).</p> <p>For “input,” see <i>Microsoft Computer Dictionary</i>, Microsoft Press, 1991, page 187 (e.g., “Information entered into a computer for processing.... Normally used as a noun or an adjective, the word is often also used as a verb meaning to enter information”), <i>Encyclopedia of Computer Science & Engineering</i>, Anthony Ralston, Van Nostrand Reinhold, 2d ed. 1983, page 735</p>	

JOINT CLAIM CONSTRUCTION CHART

	A	B	C	D
	Terms (Identified by)	Appears in Claims (Independent Claims Bolded)	TimeBase's Proposed Construction and Support	Thomson/West's Proposed Construction and Support
16			<p>("Input is the process of translation of incoming information into electronic patterns suitable for computer processing"), or <i>IBM Dictionary of Computing</i>, 10th ed., 1993, page 341 ("Information or data to be processed").</p> <p>For "search," and the like, <i>Fundamentals of Database Systems</i>, Ramez Elmasri and Shamkant B. Navanthe, Addison-Wesley, 2d ed. 1994, pages 11, 14 as quoted above.</p>	