Appendix E – Part 2

Defendants' Supplemental Prior Art Statement Motivation to Combine '592 (TC1220-TC1239)

to

TimeBase's Memorandum in Support of Its Motion for Summary Judgment of No Invalidity

embedded in the text via a markup language, or stored externally, either in an index, a separate database, or other methods, and that both the content of the text and the attributes of the text could be searched. One of ordinary skill in the art would also have known how to use the coupling means listed above to retrieve the text-based information identified by the search. As described above, such persons also knew about using dimensions and attributes in a multidimensional space as a means for organizing portions or versions of text-based information.

Claims 6, 7, 25, 26, 45, 46

The following references disclose (explicitly or inherently) all of the limitations of claims 6, 7, 25, 26, 45, and 46 of the '592 patent, and therefore, each of the following references ("The 6/7/25/26/45/46 References") anticipates claims 6, 7, 25, 26, 45, and 46:

- Arnold-Moore 1994
- Arnold-Moore 1994-2
- Arnold-Moore 1997-2
- Bachman 1973
- Fay 1996
- Kim 1996
- Lo 1995
- Lo 1996
- Promenschenkel 1995
- Sacks-Davis 1995
- The Documentum/Interleaf System

In addition, claims 6, 7, 25, 26, 45, and 46 of the '592 patent would have been obvious to one of ordinary skill in the art of the '592 patent (with the knowledge and common sense of one of ordinary skill in the art) in view of those same references, either alone, or in combination with one another, or in combination with other references. For

example, the following combinations of references render claims 6, 7, 25, 26, 45, and 46 obvious:

- One or more of The 6/7/25/26/45/46 References in combination with one or more of the following references: Essential Guide 1996, Agosti 1991, Anwar 1996, Arnold-Moore 1995, Arnold-Moore 1997, Bentley 1979, Campbell 1988, Elmasri 1990, Haake 1992, Hansen 1993, Kimball 1996, Larson 1988, Osterbye 1992, Travis & Waldt, Sacks-Davis 1994, Sciore 1991, Sciore 1994, Stonebraker 1990, Stonebraker 1994, Taylor 1994, Wilson 1988, Wilson 1990, Wilson 1992, the Premise System, the Pre-1997 Westlaw/Westmate System, the Astoria System, the SCALEplus System, CD-ROM-based Legal Publications
- Any of the combinations of references listed above in connection with claims 1, 20, 40, 59, 60, 61
- Any of the combinations of references listed above in connection with claims 1, 20, 40, 59, 60, 61 in combination with Travis & Waldt
- Agosti 1991 in combination with one or more of the following references: any of The 6/7/25/26/45/46 References, Azaria 1994, Sacks-Davis 1994, or Travis & Waldt
- Campbell 1988 in combination with one or more of the following references: any of The 6/7/25/26/45/46 References, Azaria 1994, Sacks-Davis 1994, or Travis & Waldt
- Haake 1992 in combination with one or more of the following references: any of The 6/7/25/26/45/46 References, Azaria 1994, Sacks-Davis 1994, or Travis & Waldt
- Osterbye 1992 in combination with one or more of the following references: any of The 6/7/25/26/45/46 References, Azaria 1994, Sacks-Davis 1994, or Travis & Waldt
- Stonebraker 1990 in combination with one or more of the following references: any of The 6/7/25/26/45/46 References, Azaria 1994, Sacks-Davis 1994, or Travis & Waldt
- Taylor 1994 in combination with one or more of the following references: any of The 6/7/25/26/45/46 References, Azaria 1994, Sacks-Davis 1994, or Travis & Waldt
- Wilson 1992 in combination with one or more of the following references: any of The 6/7/25/26/45/46 References, Azaria 1994, Sacks-Davis 1994, or Travis & Waldt

- The Premise System in combination with one or more of the following references: any of The 6/7/25/26/45/46 References, Azaria 1994, Sacks-Davis 1994, or Travis & Waldt
- Sciore 1991 in combination with one or more of the following references: any of The 6/7/25/26/45/46 References, Azaria 1994, Sacks-Davis 1994, or Travis & Waldt
- CD-ROM-based Legal Publications in combination with one or more of the following references: any of The 6/7/25/26/45/46 References, Azaria 1994, Sacks-Davis 1994, or Travis & Waldt
- The Astoria System in combination with one or more of the following references: any of The 6/7/25/26/45/46 References, Azaria 1994, Sacks-Davis 1994, or Travis & Waldt

One of ordinary skill in the art would have had the same motivations for combining and/or modifying these references and systems described above with respect to claims 1, 20, 40, 59, 60, and 61. In addition, one of ordinary skill in the art would have further known how to implement use SGML or XML to add structure, markup, attributes, and links to text-based information. Such a person would further know that use of a DTD is inherent with use of SGML or XML, and that at DTD provides the definitions for documents marked up with SGML or XML. Such a person would also know that use of a SSM is a common mechanism for defining the styles by which text-based information may be presented to a user or customer via various delivery mechanisms.

Claims 8, 9, 10, 27, 28, 29, 47, 48, 49

The following references disclose (explicitly or inherently) all of the limitations of claims 8, 27, and 47 of the '592 patent, and therefore, each of the following references ("The 8/27/47 References") anticipates claims 8, 27, and 47:

- Agosti 1991
- Arnold-Moore 1994

- Arnold-Moore 1994-2
- Arnold-Moore 1997-2
- Bachman 1973
- Campbell 1988
- Fay 1996
- Kim 1996
- Lo 1995
- Lo 1996
- Osterbye 1992
- Sacks-Davis 1995
- Sciore 1991
- Sciore 1994
- Taylor 1994
- Wilson 1992
- The Premise System
- CD-ROM-based Legal Publications
- Pre-1997 Westlaw/Westmate System

The following references disclose (explicitly or inherently) all of the limitations of claims 9, 28, and 48 of the '592 patent, and therefore, each of the following references ("The 9/28/48 References") anticipates claims 9, 28, and 48:

- Agosti 1991
- Arnold-Moore 1994
- Arnold-Moore 1994-2
- Arnold-Moore 1997-2
- Campbell 1988
- Fay 1996
- Kim 1996
- Lo 1995
- Lo 1996
- Osterbye 1992
- Sacks-Davis 1995
- Taylor 1994
- The Premise System
- CD-ROM-based Legal Publications
- Pre-1997 Westlaw/Westmate System

The following references disclose (explicitly or inherently) all of the limitations of claims 10, 29, and 49 of the '592 patent, and therefore, each of the following references ("The 10/29/49 References") anticipates claims 10, 29, and 49:

- Arnold-Moore 1994
- Arnold-Moore 1994-2
- Arnold-Moore 1997-2
- Bachman 1973
- Campbell 1988
- Fay 1996
- Kim 1996
- Lo 1995
- Lo 1996
- Osterbye 1992
- Sacks-Davis 1995
- Sciore 1991
- Sciore 1994
- Taylor 1994
- Wilson 1992
- The Premise System
- CD-ROM-based Legal Publications
- Pre-1997 Westlaw/Westmate System

In addition, claims 8, 9, 10, 27, 28, 29, 47, 48, and 49 of the '592 patent would have been obvious to one of ordinary skill in the art of the '592 patent (with the knowledge and common sense of one of ordinary skill in the art) in view of those same references, either alone, or in combination with one another, or in combination with other references. For example, the following combinations of references render claims 8, 9, 10, 27, 28, 29, 47, 48, and 49 obvious:

- One or more of The 8/27/47 References in combination with one or more of the following references renders obvious claims 8, 27, 47: Essential Guide 1996, Anwar 1996, Arnold-Moore 1995, Arnold-Moore 1997, Bentley 1979, Elmasri 1990, Haake 1992, Hansen 1993, Kimball 1996, Larson 1988,

Promenschenkel 1995, Travis & Waldt, Sacks-Davis 1994, Stonebraker 1990, Stonebraker 1994, Wilson 1988, Wilson 1990, the Astoria System, the SCALEplus System, the Documentum/Interleaf System

- One or more of The 9/28/48 References in combination with one or more of the following references renders obvious claims 9, 28, 48: Essential Guide 1996, Anwar 1996, Arnold-Moore 1995, Arnold-Moore 1997, Bachman 1973, Bentley 1979, Elmasri 1990, Haake 1992, Hansen 1993, Kimball 1996, Larson 1988, Promenschenkel 1995, Travis & Waldt, Sacks-Davis 1994, Sciore 1991, Sciore 1994, Stonebraker 1990, Stonebraker 1994, Wilson 1988, Wilson 1990, Wilson 1992, the Astoria System, the SCALEplus System, the Documentum/Interleaf System
- One or more of The 10/29/49 References in combination with one or more of the following references renders obvious claims 10, 29, 49: Essential Guide 1996, Agosti 1991, Anwar 1996, Arnold-Moore 1995, Arnold-Moore 1997, Bentley 1979, Elmasri 1990, Haake 1992, Hansen 1993, Kimball 1996, Larson 1988, Promenschenkel 1995, Travis & Waldt, Sacks-Davis 1994, Stonebraker 1990, Stonebraker 1994, Wilson 1988, Wilson 1990, the Astoria System, the SCALEplus System, the Documentum/Interleaf System
- Any of the combinations of references listed above in connection with claims 1, 20, 40, 59, 60, 61
- Any of the combinations of references listed above in connection with claims 1, 20, 40, 59, 60, 61 in view of Folio Views Infobase Production Kit Utilities Manual, Version 3.1, Provo, Utah: Folio Corporation (June 1, 1994)
- Any of the combinations of references listed above in connection with claims 1, 20, 40, 59, 60, 61 in view of Sacks-Davis 1994 or Travis & Waldt
- Agosti 1991 in combination with one or more of the following references: any of The 8/9/10/27/28/29/47/48/49 References[3], Sacks-Davis 1994 or Travis & Waldt
- Arnold-Moore 1995 in combination with one or more of the following references: any of The 8/9/10/27/28/29/47/48/49 References, Sacks-Davis 1994 or Travis & Waldt
- Bachman 1973 in combination with one or more of the following references: any of The 8/9/10/27/28/29/47/48/49 References, Sacks-Davis 1994 or Travis & Waldt

[3] "The 8/9/10/27/28/29/47/48/49 References" refers to the superset consisting of The 8/27/47 References, The 9/28/48 References, and the 10/29/49 References.

- Promenschenkel 1995 in combination with one or more of the following references: any of The 8/9/10/27/28/29/47/48/49 References, Sacks-Davis 1994 or Travis & Waldt
- Stonebraker 1990 in combination with one or more of the following references: any of The 8/9/10/27/28/29/47/48/49 References, Sacks-Davis 1994 or Travis & Waldt
- Wilson 199 in combination with one or more of the following references: any of The 8/9/10/27/28/29/47/48/49 References, Sacks-Davis 1994 or Travis & Waldt
- The Documentum/Interleaf System in combination with one or more of the following references: any of The 8/9/10/27/28/29/47/48/49 References, Sacks-Davis 1994 or Travis & Waldt
- The Astoria System in combination with one or more of the following references: any of The 8/9/10/27/28/29/47/48/49 References, Sacks-Davis 1994 or Travis & Waldt

One of ordinary skill in the art would have had the same motivations for combining and/or modifying these references and systems described above with respect to claims 1, 20, 40, 59, 60, and 61. In addition, one of ordinary skill in the art would have further known how to implement cross-references or links between portions of information or text-based data by adding information to the original text. Such a person would have known that links or cross-references could be implemented by using code or markup. Such a person would also have known how to associate each portion and amended portions of text-based data with an identification code and then to use those identification codes to create those cross-references or links between portions. One of ordinary skill would further know that creating a cross-reference or a link could involve identifying the source and the destination portions of text-based data, and that these cross-references or links could be in the form of static associations between portions or could alternatively be in the form of dynamic links or

queries to identify the destination portion depending on the circumstances at run-time. One of ordinarily skill would know also that those links or cross references could be encoded with the text-based information, or could alternatively be stored external to the text-based information.

Claims 11, 12, 30, 31, 50, 51

The following references disclose (explicitly or inherently) all of the limitations of claims 11, 30, and 50 of the '592 patent, and therefore, each of the following references ("The 11/30/50 References") anticipates claims 11, 30, and 50:

- Agosti 1991
- Arnold-Moore 1994
- Arnold-Moore 1994-2
- Arnold-Moore 1995
- Arnold-Moore 1997-2
- Bachman 1973
- Campbell 1988
- Fay 1996
- Haake 1992
- Kim 1996
- Lo 1995
- Lo 1996
- Osterbye 1992
- Promenschenkel 1995
- Sacks-Davis 1995
- Sciore 1991
- Sciore 1994
- Stonebraker 1990
- Taylor 1994
- Wilson 1992
- The Premise System
- Pre-1997 Westlaw/Westmate System
- CD-ROM-based Legal Publications
- The Astoria System
- The Documentum/Interleaf System

The following references disclose (explicitly or inherently) all of the limitations of claims 12, 31, and 51 of the '592 patent, and therefore, each of the following references ("The 12/31/51 References") anticipates claims 12, 31, and 51:

- Agosti 1991
- Arnold-Moore 1994
- Arnold-Moore 1994-2
- Arnold-Moore 1997-2
- Bachman 1973
- Fay 1996
- Haake 1992
- Kim 1996
- Lo 1996
- Sacks-Davis 1995
- Stonebraker 1990
- Wilson 1992
- The Premise System
- Pre-1997 Westlaw/Westmate System
- The Documentum/Interleaf System

In addition, claims 11, 12, 30, 31, 50, and 51 of the '592 patent would have been obvious to one of ordinary skill in the art of the '592 patent (with the knowledge and common sense of one of ordinary skill in the art) in view of those same references, either alone, or in combination with one another, or in combination with other references. For example, the following combinations of references render claims 11, 12, 30, 31, 50, and 51 obvious:

- One or more of The 11/30/50 References in combination with one or more of the following references renders obvious claims 11, 30, and 50: Essential Guide 1996, Anwar 1996, Arnold-Moore 1997, Bentley 1979, Elmasri 1990, Hansen 1993, Kimball 1996, Larson 1988, Travis & Waldt, Sacks-Davis 1994, Stonebraker 1994, Wilson 1988, Wilson 1990, the SCALEplus System
- One or more of The 12/31/51 References in combination with one or more of the following references renders obvious claims 12, 31, 51: Essential Guide

1996, Anwar 1996, Arnold-Moore 1995, Arnold-Moore 1997, Bentley 1979, Campbell 1988, Elmasri 1990, Hansen 1993, Kimball 1996, Lo 1995, Osterbye 1992, Larson 1988, Promenschenkel 1995, Travis & Waldt, Sacks-Davis 1994, Stonebraker 1994, Taylor 1994, Wilson 1988, Wilson 1990, the Astoria System, the SCALEplus System, CD-ROM-based Legal Publications

- Any of the combinations of references listed above with respect to claims 1, 20, 40, 59, 60, 61
- Any of the combinations of references listed above with respect to claims 1, 20, 40, 59, 60, 61 in combination with Travis & Waldt
- Arnold-Moore 1995 in combination with one or more of the following references: any of The 11/12/30/31/50/51 References[4], Travis & Waldt
- Campbell 1988 in combination with one or more of the following references: any of The 11/12/30/31/50/51 References, Travis & Waldt
- Lo 1995 in combination with one or more of the following references: any of The 11/12/30/31/50/51 References, Travis & Waldt
- Osterbye 1992 in combination with one or more of the following references: any of The 11/12/30/31/50/51 References, Travis & Waldt
- Promenschenkel 1995 in combination with one or more of the following references: any of The 11/12/30/31/50/51 References, Travis & Waldt
- Taylor 1994 in combination with one or more of the following references: any of The 11/12/30/31/50/51 References, Travis & Waldt
- Sciore 1991 in combination with one or more of the following references: any of The 11/12/30/31/50/51 References, Travis & Waldt
- CD-ROM-based Legal Publications in combination with one or more of the following references: any of The 11/12/30/31/50/51 References, Travis & Waldt
- The Astoria System in combination with one or more of the following references: any of The 11/12/30/31/50/51 References, Travis & Waldt

One of ordinary skill in the art would have had the same motivations for combining and/or modifying these references and systems described above with respect to claims 1, 20, 40, 59, 60, and 61. In addition, one of ordinary skill in the art would have further known

[4] "The 11/12/30/31/50/51 References" refers to the superset consisting of The 11/30/50 References and The 12/31/51 References

how to build a database containing text-based data, whether or not that data was divided into portions, and whether or not modified portions were stored. Such a person would further know how to associate attributes with those portions of text-base data, either within a markup language or by using a second database, file, table, or storage system. Such a person would further know how to use attributes in a second database, file, table, or storage system to query the portions of text-based data, and to retrieve the portions matching the desired attributes.

Claims 13, 32, 52

The following references disclose (explicitly or inherently) all of the limitations of claims 13, 32, and 52 of the '592 patent, and therefore, each of the following references ("The 13/32/52 References") anticipates claims 13, 32, and 52:

- Agosti 1991
- Arnold-Moore 1994
- Arnold-Moore 1994-2
- Arnold-Moore 1995
- Arnold-Moore 1997-2
- Bachman 1973
- Haake 1992
- Kim 1996
- Lo 1995
- Lo 1996
- Osterbye 1992
- Sacks-Davis 1995
- Sciore 1991
- Sciore 1994
- Taylor 1994
- Wilson 1992
- The Premise System
- Pre-1997 Westlaw/Westmate System
- CD-ROM-based Legal Publications

- The Documentum/Interleaf System

In addition, claims 13, 32, and 52 of the '592 patent would have been obvious to one of ordinary skill in the art of the '592 patent (with the knowledge and common sense of one of ordinary skill in the art) in view of those same references, either alone, or in combination with one another, or in combination with other references. For example, the following combinations of references render claims 13, 32, and 52 obvious:

- One or more of The 13/32/52 References in combination with one or more of the following references: Essential Guide 1996, Anwar 1996, Arnold-Moore 1997, Bentley 1979, Campbell 1988, Elmasri 1990, Fay 1996, Hansen 1993, Kimball 1996, Larson 1988, Promenschenkel 1995, Travis & Waldt, Sacks-Davis 1994, Stonebraker 1990, Stonebraker 1994, Wilson 1988, Wilson 1990, the Astoria System, the SCALEplus System
- Any of the combinations of references listed above with respect to claims 1, 20, 40, 59, 60, 61

One of ordinary skill in the art would have had the same motivations for combining and/or modifying these references and systems described above with respect to claims 1, 20, 40, 59, 60, and 61. In addition, one of ordinary skill in the art would have known how to relate attributes to text-based data, including encoding that data with those attributes. Such a person would have known that this could be accomplished using any markup language, tagging format, embedded text, or database fields.

Claims 14, 15, 33, 34, 53, 54

The following references disclose (explicitly or inherently) all of the limitations of claims 14, 33, and 53 of the '592 patent, and therefore, each of the following references ("The 14/33/53 References") anticipates claims 14, 33, and 53:

- Agosti 1991

- Arnold-Moore 1994
- Arnold-Moore 1997-2
- Bachman 1973
- Campbell 1988
- Haake 1992
- Lo 1996
- Osterbye 1992
- Sciore 1991
- Sciore 1994
- Stonebraker 1990
- Taylor 1994
- Wilson 1992
- The Premise System
- CD-ROM-based Legal Publications
- Pre-1997 Westlaw/Westmate System

The following references disclose (explicitly or inherently) all of the limitations of claims 15, 34, and 54 of the '592 patent, and therefore, each of the following references ("The 15/34/54 References") anticipates claims 15, 34, and 54:

- Agosti 1991
- Arnold-Moore 1994
- Arnold-Moore 1994-2
- Arnold-Moore 1995
- Arnold-Moore 1997-2
- Bachman 1973
- Campbell 1988
- Fay 1996
- Haake 1992
- Kim 1996
- Lo 1995
- Lo 1996
- Osterbye 1992
- Promenschenkel 1995
- Sacks-Davis 1995
- Sciore 1991
- Sciore 1994
- Stonebraker 1990

- Taylor 1994
- Wilson 1992
- The Premise System
- Pre-1997 Westlaw/Westmate System
- CD-ROM-based Legal Publications
- The Documentum/Interleaf System

In addition, claims 14, 15, 33, 34, 53, and 54 of the '592 patent would have been obvious to one of ordinary skill in the art of the '592 patent (with the knowledge and common sense of one of ordinary skill in the art) in view of those same references, either alone, or in combination with one another, or in combination with other references. For example, the following combinations of references render claims 14, 15, 33, 34, 53, and 54 obvious:

- One or more of The 14/33/53 References in combination with one or more of the following references renders obvious claims 14, 33, and 53: Essential Guide 1996, Anwar 1996, Arnold-Moore 1994-2, Arnold-Moore 1995, Arnold-Moore 1997, Bentley 1979, Elmasri 1990, Fay 1996, Hansen 1993, Kim 1996, Kimball 1996, Larson 1988, Lo 1995, Promenschenkel 1995, Travis & Waldt, Sacks-Davis 1994, Sacks-Davis 1995, Stonebraker 1994, Wilson 1988, Wilson 1990, the Astoria System, the SCALEplus System, the Documentum/Interleaf System
- One or more of The 15/34/54 References in combination with one or more of the following references renders obvious claims 15, 34, and 54: Essential Guide 1996, Anwar 1996, Arnold-Moore 1997, Bentley 1979, Elmasri 1990, Hansen 1993, Kimball 1996, Larson 1988, Travis & Waldt, Sacks-Davis 1994, Stonebraker 1994, Wilson 1988, Wilson 1990, the Astoria System, the SCALEplus System
- Any of the combinations of references listed above in connection with claims 1, 20, 40, 59, 60, 61
- Any of the combinations of references listed above in connection with claims 1, 20, 40, 59, 60, 61 in view of Travis & Waldt

- Arnold-Moore 1994-2 in combination with one or more of the following references: any of The 14/15/33/34/53/54 References[5] or Travis & Waldt
- Arnold-Moore 1995 in combination with one or more of the following references: any of The 14/15/33/34/53/54 References or Travis & Waldt
- Fay 1996 in combination with one or more of the following references: any of The 14/15/33/34/53/54 References or Travis & Waldt
- Kim 1996 in view in combination with one or more of the following references: any of The 14/15/33/34/53/54 References or Travis & Waldt
- Lo 1995 in combination with one or more of the following references: any of The 14/15/33/34/53/54 References or Travis & Waldt
- Promenschenkel 1995 in combination with one or more of the following references: any of The 14/15/33/34/53/54 References or Travis & Waldt
- Sacks-Davis 1995 in combination with one or more of the following references: any of The 14/15/33/34/53/54 References or Travis & Waldt
- The Documentum/Interleaf System in combination with one or more of the following references: any of The 14/15/33/34/53/54 References or Travis & Waldt
- The Astoria System in combination with one or more of the following references: any of The 14/15/33/34/53/54 References or Travis & Waldt

One of ordinary skill in the art would have had the same motivations for combining and/or modifying these references and systems described above with respect to claims 1, 20, 40, 59, 60, and 61. In addition, one of ordinary skill in the art would have known how to add, delete, or modify attributes associated with portions of text-based data. Such a person would also know how to add, delete, or modify the data within portions of text-based data.

[5] "The 14/15/33/34/53/54 References" refers to the superset consisting of The 14/33/53 References and The 15/34/54 References

Claims 16, 17, 18, 35, 36, 37, 55, 56, 57

The following references disclose (explicitly or inherently) all of the limitations of claims 16, 35, and 55 of the '592 patent, and therefore, each of the following references anticipates claims 16, 35, and 55:

- Agosti 1991
- Arnold-Moore 1994
- Arnold-Moore 1994-2
- Arnold-Moore 1995
- Arnold-Moore 1997-2
- Lo 1996
- Wilson 1992
- The Premise System
- Pre-1997 Westlaw/Westmate System
- CD-ROM-based Legal Publications
- The Documentum/Interleaf System
- The SCALEplus System

The following references disclose (explicitly or inherently) all of the limitations of claims 17, 36, and 56 of the '592 patent, and therefore, each of the following references anticipates claims 17, 36, and 56:

- Agosti 1991
- Arnold-Moore 1994
- Arnold-Moore 1994-2
- Arnold-Moore 1995
- Arnold-Moore 1997-2
- Wilson 1992
- The Premise System
- Pre-1997 Westlaw/Westmate System
- CD-ROM-based Legal Publications
- The SCALEplus System

The following references disclose (explicitly or inherently) all of the limitations of claims 18, 37, and 57 of the '592 patent, and therefore, each of the following references anticipates claims 18, 37, and 57:

- Agosti 1991
- Arnold-Moore 1994
- Arnold-Moore 1994-2
- Arnold-Moore 1995
- Arnold-Moore 1997-2
- Wilson 1992
- The Premise System
- Pre-1997 Westlaw/Westmate System
- CD-ROM-based Legal Publications
- The SCALEplus System

In addition, claims 16, 17, 18, 35, 36, 37, 55, 56, and 57 would have been obvious to one of ordinary skill in the art of the '592 patent (with the knowledge and common sense of one of ordinary skill in the art) in view of those same references, either alone, or in combination with one another, or in combination with other references. Indeed, claims 16, 17, 18, 35, 36, 37, 55, 56, and 57 are rendered obvious by all of the references and combinations of references listed above in conjunction with claims 1, 20, 40, 59, 60 and 61. This is because one of ordinary skill in the art would have known that any of these references or combinations of references disclosed a system for publishing an electronic publication using text-based data containing portions of data that could contain legislation, provisions of legislation, and/or sections of legislation. One of ordinary skill in the art would know how to apply any of the systems disclosed by these references to the publishing of legislation, provisions or legislation, and/or sections of legislation. Additionally, one of ordinary skill in

the art would know how to make each portion of text-based data in a legislative publishing system a provision or section of legislation.

Claims 19, 39, 58

The following references disclose (explicitly or inherently) all of the limitations of claims 19, 39, and 58 of the '592 patent, and therefore, each of the following references ("The 19/39/58 References") anticipates claims 19, 39, and 58:

- Agosti 1991
- Arnold-Moore 1994
- Arnold-Moore 1994-2
- Arnold-Moore 1995
- Arnold-Moore 1997-2
- Bachman 1973
- Campbell 1988
- Fay 1996
- Larson 1988
- Lo 1996
- Osterbye 1992
- Promenschenkel 1995
- Sacks-Davis 1995
- Sciore 1991
- Sciore 1994
- Wilson 1992
- The Premise System
- Pre-1997 Westlaw/Westmate System
- CD-ROM-based Legal Publications
- The Astoria System
- The Documentum/Interleaf System
- The SCALEplus System

In addition, claims 19, 39, and 58 of the '592 patent would have been obvious to one of ordinary skill in the art of the '592 patent (with the knowledge and common sense of one of ordinary skill in the art) in view of those same references, either alone, or in combination

with one another, or in combination with other references. For example, the following combinations of references render claims 19, 39, and 58 obvious:

- One or more of The 19/39/58 References in combination with one or more of the following references: Essential Guide 1996, Anwar 1996, Arnold-Moore 1997, Bentley 1979, Elmasri 1990, Haake 1992, Hansen 1993, Kim 1996, Kimball 1996, Lo 1995, Travis & Waldt, Sacks-Davis 1994, Stonebraker 1990, Stonebraker 1994, Taylor 1994, Wilson 1988, Wilson 1990
- Any of the combinations of references listed above in connection with claims 1, 20, 40, 59, 60, 61
- Any of the combinations of references listed above in connection with claims 1, 20, 40, 59, 60, 61 in view of Travis & Waldt
- Haake 1992 in combination with one or more of the following references: any of The 19/39/58 References or Travis & Waldt
- Kim 1996 in combination with one or more of the following references: any of The 19/39/58 References or Travis & Waldt
- Lo 1995 in combination with one or more of the following references: any of The 19/39/58 References or Travis & Waldt
- Stonebraker 1990 in combination with one or more of the following references: any of The 19/39/58 References or Travis & Waldt
- Taylor 1994 in combination with one or more of the following references: any of The 19/39/58 References or Travis & Waldt
- The Astoria System in combination with one or more of the following references: any of The 19/39/58 References or Travis & Waldt

One of ordinary skill in the art would have had the same motivations for combining and/or modifying these references and systems described above with respect to claims 1, 20, 40, 59, 60, and 61. In addition, one of ordinary skill in the art would have known how to divide text-based data into portions smaller than the entire document and larger than a single word.

Claim 38

Claim 38 would have been obvious to one of ordinary skill in the art of the '592 patent (with the knowledge and common sense of one of ordinary skill in the art) in view of the references or the combinations of references set forth above in connection with claims 1, 20, 40, 59, 60, and 61. One of ordinary skill in the art would have known that any of these references or combinations of references could be implemented with a recording medium of magnetic media, optical media, and magneto-optical media. Such a person would have known, for example, how to implement the solutions using cd-rom media to publish text-based information.