

EXHIBIT F

Exhibit F

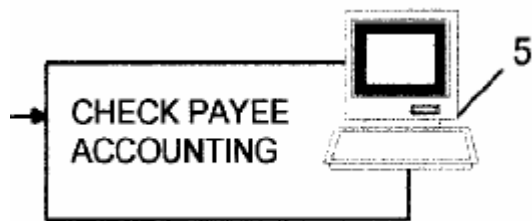
Elements At Issue in the '778 Motion for Summary Judgment With DataTreasury's Intrinsic Evidence

Independent Claim 1:

1. *“means for associating said financial information with the payee’s records of accounts based upon information derived from the payment stub accompanying the instrument for further processing by the payee”*

Agreed Function: Associating said financial information with the payee’s records of accounts based upon information derived from the payment stub accompanying the instrument for further processing by the payee.

DataTreasury’s Proposed Structure: the accounting system and personnel [Fig. 2, 5] [FIG. 2, 5 points to a picture of a computer]:¹



DTC’s Identified Intrinsic Evidence:

- **Col. 1:28-41:** “This invention expedites the processing of a deposit by the payee of an instrument or payment order into a collecting and clearing bank (referred to generally as the payee bank, bank of first deposit, or depository bank). Such instruments and payment orders are prepared, processed, and submitted into the check payment system and are typically paper checks and other cash items. The deposit and collection of the funds represented by these instruments are expedited according to the system of the present invention. Benefits of the present invention are realized by banking customers that receive as payees large numbers of paper checks to process on a continuing basis, such as utilities, bill payment companies, credit card companies, mail order processors, or other large commercial entities.”
- **FIG. 1**
- **Col. 7:22-24:** “payment. Payment stub processing and internal accounting procedures for the reporting and allocation of payments, are an adjunct of the funds collection system of the invention”

Dependent Claim 2:

2. *“means for adding to the record of each instrument an indorsement indicia on behalf of each of payee and the bank”*

¹ Joint Claim Construction Statement, Exhibit E, page E3 (emphasis added).

DataTreasury’s Proposed Function: Adding to the record of each instrument an indorsement indicia.

DataTreasury’s Proposed Structure: A sorter.²

DTC’s Identified Intrinsic Evidence:

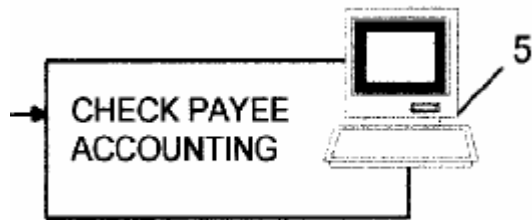
- **Col. 11:36-41:** “collection, or other sort pattern categories. The various categories into which the checks are thus sorted are denoted schematically by pockets 19 in the sorter of FIG. 2. In this embodiment, processing 18 will typically include indorsing the checks, both for the payee and for the depository bank at the payee's location. An institutional indorsement is”
- **Col. 5:13-21:** “system. Mechanical sorting of the paper checks is performed at a first (the payee's) location according to predetermined sort pattern categories specified by the payee's depository bank. Indorsements on behalf of the payee and the depository bank with respect to each instrument received are applied to each instrument. Other information such as the amount and/or a document identification number may also be imprinted on the instrument. In the sorting process, a mechanical sorter assembles the sorted instruments into”
- **FIG. 2**

Independent Claim 5:

3. *“means for associating said information with the payee’s records of accounts corresponding to the payment form”*

DataTreasury’s Proposed Function: Associating said financial information with payee’s record of accounts corresponding to the payment form.

DataTreasury’s Proposed Structure: The accounting system and personnel [Fig. 2, 5] [Fig. 2, 5 points to a picture of a computer]³



DTC’s Identified Intrinsic Evidence:

- **Col. 1:28-41:** “This invention expedites the processing of a deposit by the payee of an instrument or payment order into a collecting and clearing bank (referred to generally as the payee bank, bank of first deposit, or depository bank). Such instruments and payment orders are prepared, processed, and submitted into the check payment system and are typically paper checks and other cash items. The

² Joint Claim Construction Statement, Exhibit E, page E5 (emphasis added).

³ Joint Claim Construction Statement, Exhibit E, page E5 (emphasis added).

deposit and collection of the funds represented by these instruments are expedited according to the system of the present invention. Benefits of the present invention are realized by banking customers that receive as payees large numbers of paper checks to process on a continuing basis, such as utilities, bill payment companies, credit card companies, mail order processors, or other large commercial entities.”

- **FIG. 1**
- **Col. 7:22-24:** “payment. Payment stub processing and internal accounting procedures for the reporting and allocation of payments, are an adjunct of the funds collection system of the invention”

4. *“means at said facility for preparing at least one cash letter for association with each bundled group of instruments”*

DataTreasury’s Proposed Function: Preparing at least one cash letter at said facility.

DataTreasury’s Proposed Structure: Sorter at the depository bank.⁴

DTC’s Identified Intrinsic Evidence:

- **Col. 9:52-55:** “Modifications of the system of FIG. 1 are apparent to those with skill in the art. For example, electronic sorting, routing, grouping and preparation of electronic cash letters may be merged completely at the payee’s location 6 with the”
- **Col. 11:22-24:** “thereafter. The paper check in this embodiment is processed by indorsing, sorting, bundling, routing, and the generation of a physical cash letter to accompany the physical bundle”
- **Col. 11:44-45:** “The mechanical processing of checks at payee’s location 18 will also include the generation of physical cash letters 20”
- **Col. 12:55-58:** “performed by the same physical equipment at substantially the same time as the mechanical sorting and indorsing 18 and 19, and the preparation of cash letters 20. Other modifications will be obvious to those of skill in the art.”

5. *“means for assembling information scanned from the instruments into a transmittable record with respect to each instrument in a correspondence with the bundled groups and cash letters for communication to the bank”*

DataTreasury’s Proposed Function: Assembling information scanned from the instruments into a transmittable record.

Bank of America’s Proposed Function: Assembling information scanned from the instruments into a transmittable record with respect to each instrument in a correspondence with the bundled groups and cash letters for communication to the bank.

DataTreasury’s Proposed Structure: A sorter or processor.⁵

DTC’s Identified Intrinsic Evidence:

- **Col. 7:38-61:** “Following receipt and item capture by the payee, the check will advance to scanning and processing in the electronic scanning block 6 of FIG. 1.

⁴ Joint Claim Construction Statement, Exhibit E, page E7 (emphasis added).

⁵ Joint Claim Construction Statement, Exhibit E, page E7 (emphasis added).

In this step, the check is scanned by a suitable reader. (This processing step may also include verification of the data collected electronically by human operator comparison of the electronic data with the physical check and the payment stub.) The data thus collected will typically include the MICR (Magnetic Ink Character Recognition) data from the MICR lines of the checks. The amount of the check and a date will also be collected (optionally verified by a human operator) and included with the electronic record to be associated with each check. In the typical practice of the invention, electronic indorsements on behalf of the payee and the depository bank will be applied to the electronic record of the check; and a document identification number will also be generated and added to the electronic record of the check to aid in subsequent location and retrieval of the information concerning the particular check. This information typically collected from the MICR line and the check amount is referred to as bank information. The payment stub information comprises the information necessary to the payee derived from the payment stub to reconcile the payment with the check payor's account with the payee.”