

EXHIBIT C

Chart A-69

U.S. Pat. No. 5,581,664 to Allen with the CBR Express Reference Manual
as prior art to

Asserted Claims of U.S. Patent No. 6,411,947 (“’947 Patent”)

This chart is based on Bright Response’s apparent construction of the claims, and is not an admission that those constructions are correct or appropriate.

’947 Patent	ALLEN ’664
Claim 26	
A method for automatically processing a non-interactive electronic message using a computer, comprising the steps of:	ALLEN ’664, Abstract, 2:61-63, 3:49-52, 9:19-27.
(a) receiving the electronic message from a source;	ALLEN ’664, 3:59 – 4:1.
(b) interpreting the electronic message using a rule base and case base knowledge engine; and	ALLEN ’664, Abstract, 1:58 – 2:2, 2:45-49, 2:61-63, 7:8-16, 10:40-44, Fig. 1.
(c) retrieving one or more predetermined responses corresponding to the interpretation of the electronic message from a repository for automatic delivery to the source.	ALLEN ’664, 2:45-49, 9:7-11, 9:21-29.
Claim 27	
The method of claim 26, wherein the source of the electronic message is not predetermined.	ALLEN ’664, 8:64- 9:1, 9:7-11, Fig. 1.
Claim 28	

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The method of claim 26, further comprising the steps of:	
(b1) classifying the electronic message as at least one of (i) being able to be responded to automatically; and (ii) requiring assistance from a human operator; and	<p>ALLEN '664, Abstract, 9:21-50.</p> <p>To the extent this reference does not teach this claim element, and as detailed in section III.C of Defendants' Supplemental Invalidity Contentions, this reference in combination with the knowledge of one of ordinary skill in the art renders this claim element obvious. <i>See, e.g.</i>, BAUER '402 8:7-21, 14:33-38, 16:34-39, Fig. 3A; BROWN '353 30:9-49; EZ READER 1509; HO '771 20:57-21:20, 25:41-26:4, Fig. 11; SHOHAM '015, 8:8-24, 8:61 – 9:8; TANAKA '985 8:14-35, 20:41-56; TURTLE '948, 2:64-68, 9:15-17.</p>
(c) retrieving one or more predetermined responses corresponding to the interpretation of the electronic message from a repository for automatic delivery to the source when the classification step indicates that the electronic message can be responded to automatically.	<p>ALLEN '664, 2:45-49, 9:7-11, 9:21-29.</p> <p>To the extent this reference does not teach this claim element, and as detailed in section III.C of Defendants' Supplemental Invalidity Contentions, this reference in combination with the knowledge of one of ordinary skill in the art renders this claim element obvious. <i>See, e.g.</i>, BAUER '402 3:38-53, 12:34-48, 18:46-19:13, Figs. 3A and 3B; BROWN '353 30:9-49; EZ READER 1509; HO '771 2:13-23, 22:58-23:5, Figs. 5, 6, and 14; SHOHAM '015, 7:65 – 8:24, 8:32-38, 8:54-60, Fig. 4; TANAKA '985 3:14-25; TURTLE '948, 15:61 – 16:2, 17:67 – 18:2.</p>
Claim 30	
The method of claim 28, wherein the step of interpreting the electronic message further includes the steps of:	
(b1) producing a case model of the electronic message including (i) a set of attributes for identifying specific features of the electronic message; and (ii) message text;	<p>ALLEN '664, 4:35-44, 5:3-11.</p> <p>To the extent this reference does not teach this claim element, and as detailed in section III.C of Defendants' Supplemental Invalidity Contentions, this reference in combination with the knowledge of one of ordinary skill in the art renders this claim element obvious. <i>See, e.g.</i>, BROWN '353 6:39-46; 30:56-31:15; EZ READER 1510; HO '771 23:40-25:27; SHOHAM '015, 11:28-</p>

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	32, 11:38-54; TANAKA '985 13:42-14:2,15:30-49, Figs. 5, 6(a), and 6(b); TURTLE '948, 3:9-20, 11:11-13, 11:22-28, 11:40-55.
(b2) detecting at least one of text, combinations of text, and patterns of text of the electronic message using character matching;	<p>ALLEN '664, 6:24-31, 6:41-43.</p> <p>To the extent this reference does not teach this claim element, and as detailed in section III.C of Defendants' Supplemental Invalidity Contentions, this reference in combination with the knowledge of one of ordinary skill in the art renders this claim element obvious. <i>See, e.g.</i>, BROWN '353 32:19-42; EZ READER 1510, 1511; HO '771 10:24-11:41; SHOHAM '015, 11:28-32, 11:38-54; TANAKA '985 16:6-12, Figs. 5, 6(a), and 6(b); TURTLE '948 Claim 1, 9:46-52.</p>
(b3) flagging the attributes of the case model which are detected in the electronic message;	<p>ALLEN '664, 5:3-15, 6:53-57.</p> <p>To the extent this reference does not teach this claim element, and as detailed in section III.C of Defendants' Supplemental Invalidity Contentions, this reference in combination with the knowledge of one of ordinary skill in the art renders this claim element obvious. <i>See, e.g.</i>, BAUER '402 12:33-13:9; BROWN '353 28:60-29:10; EZ READER 1511, 1513; HO '771 25:11-21; SHOHAM '015, 11:28-32, 11:38-54; TANAKA '985 15:30-49, Figs. 5, 6(a), and 6(b); TURTLE '948, 5:25-29, 11:11-13, 11:40-55, 18:60-65.</p>
(b4) comparing the flagged attributes of the case model with stored attributes of stored case models of the case base;	<p>ALLEN '664, 5:3-26.</p> <p>To the extent this reference does not teach this claim element, and as detailed in section III.C of Defendants' Supplemental Invalidity Contentions, this reference in combination with the knowledge of one of ordinary skill in the art renders this claim element obvious. <i>See, e.g.</i>, BAUER '402 12:33-13:9; BROWN '353 30:56-31:15; EZ READER 1512, 1513; HO '771 23:40-24:42, 25:11-21; SHOHAM '015, 12:8-14; TANAKA '985 15:50-16:39; TURTLE '948, 5:25-29, 11:1-10, 11:54-56, Fig. 8.</p>
(b5) comparing the text of the case model with stored text of the stored case models of the case base; and	<p>ALLEN '664, 6:24-31, 6:41-43.</p> <p>To the extent this reference does not teach this claim element, and as detailed in section III.C of Defendants' Supplemental Invalidity Contentions, this reference in combination with the knowledge of one of ordinary skill in the art renders this claim element obvious. <i>See, e.g.</i>, BROWN '353 32:19-42; EZ READER</p>

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	1512; HO '771 23:40-24:42; SHOHAM '015, 12:8-14; TANAKA '985 16:6-12, Figs. 5, 6(a), and 6(b); TURTLE '948, 14:3-12, 18:56-59.
(b6) assigning a score to each stored case model which is compared with the case model, the score increasing when at least one of the attributes and the text match the stored case model and the score not increasing when at least one of the attributes and the text do not match the stored case model.	ALLEN '664, 5:15-26. To the extent this reference does not teach this claim element, and as detailed in section III.C of Defendants' Supplemental Invalidity Contentions, this reference in combination with the knowledge of one of ordinary skill in the art renders this claim element obvious. <i>See, e.g.</i> , BAUER '402 12:33-13:9; BROWN '353 25:28-42; EZ READER 1512; HO '771 23:40-25:27; SHOHAM '015, 11:16-27; TANAKA '985 16:18-25; TURTLE '948, 14:42-46, 13:63 – 14:35.
Claim 31	
The method of claim 30, wherein:	
when at least one of the attributes and the text match the stored case model, the score is increased by a predetermined match weight; and	ALLEN '664, 5:15-26; CBR Express User's Guide, p. 63, 81-82. To the extent this reference does not teach this claim element, and as detailed in section III.C of Defendants' Supplemental Invalidity Contentions, this reference in combination with the knowledge of one of ordinary skill in the art renders this claim element obvious. <i>See, e.g.</i> , BAUER '402 12:33-13:9; EZ READER 1512; HO '771 23:40-25:27; SHOHAM '015, 11:16-27; TANAKA '985 16:18-25; TURTLE '948, 13:63 – 14:35; CBR Express Reference Manual, p. 14; BRANTING '90, 47-61.
when at least one of the attributes and the text does not match the stored case model, the score is decreased by a predetermined mismatch weight.	ALLEN '664, 5:15-26; CBR Express User's Guide, pp. 81-82. To the extent this reference does not teach this claim element, and as detailed in section III.C of Defendants' Supplemental Invalidity Contentions, this reference in combination with the knowledge of one of ordinary skill in the art renders this claim element obvious. <i>See, e.g.</i> , BAUER '402 12:33-13:9; EZ READER 1512; HO '771 23:40-25:27; SHOHAM '015, 11:16-27; TANAKA '985 22:30-64, Fig. 17; TURTLE '948, 13:63 – 14:2, 14:42-46; CBR Express Reference Manual, p. 14; BRANTING '90, 47-61.
Claim 33	

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<p>The method of claim 31, wherein each score is normalized by dividing the score by a maximum possible score for the stored case model, where the maximum possible score is determined when all of the attributes and text of the case model and the stored case model match.</p>	<p>ALLEN '664, 5:15-35; CBR Express User's Guide, p. 63.</p> <p>To the extent this element is not disclosed in ALLEN '664, it would have been obvious to one of ordinary skill to combine ALLEN '664 with the teachings of CBR-EXPRESS. ALLEN '664 explicitly discloses combining its teachings with those of CBR-EXPRESS at 10:40-44.</p> <p>CBR-EXPRESS discloses a case-based reasoning system for use with helpdesk applications, just like ALLEN '664. See, e.g., p. 11.</p> <p>CBR-EXPRESS discloses "nearest neighbor matching at 9-11.</p> <p>To the extent this reference does not teach this claim element, this reference in combination with the knowledge of one of ordinary skill in the art renders this claim element obvious. See, e.g., BAUER '402 12:33-13:9; BROWN '353 25:34-63, 26:20-26; EZ READER 1512; HO '771 23:40-25:27; SHOHAM '015, 11:52-55; TANAKA '985 15:50-16:39, Fig. 17; TURTLE '948: 14:37-41, 17:10-17; CBR Express Reference Manual, pp. 16-17; Watson, YAH0021225-26, YAH0021228; BRANTING '90, 62.</p>
Claim 38	
<p>The method of claim 26, wherein the predetermined response is altered in accordance the interpretation of the electronic message before delivery to the source.</p>	<p>ALLEN '664, 9:21-29.</p>
Claim 39	
<p>The method of claim 26, wherein the electronic message includes fixed data.</p>	<p>ALLEN '664, 3:59 – 4:1, 9:16-29, Fig 6D.</p>
Claim 40	
<p>The method of claim 26, wherein the electronic message includes variable data.</p>	<p>ALLEN '664, 3:59-65, 4:7-10, 9:33-41, Fig 6B.</p>