Doc. 138 Att. 3

EXHIBIT 2

Case No. 2:13-cv-893

Exhibit A: Infringement of U.S. Patent No. 6,098,065 by Defendant Google

The following analysis shows how each claim element is literally present. In the event that a claim element is deemed to be missing under a literal infringement analysis (e.g., due to claim construction), Rockstar reserves the right to demonstrate the presence of a substantial equivalent of such an element and to pursue infringement under the doctrine of equivalents.

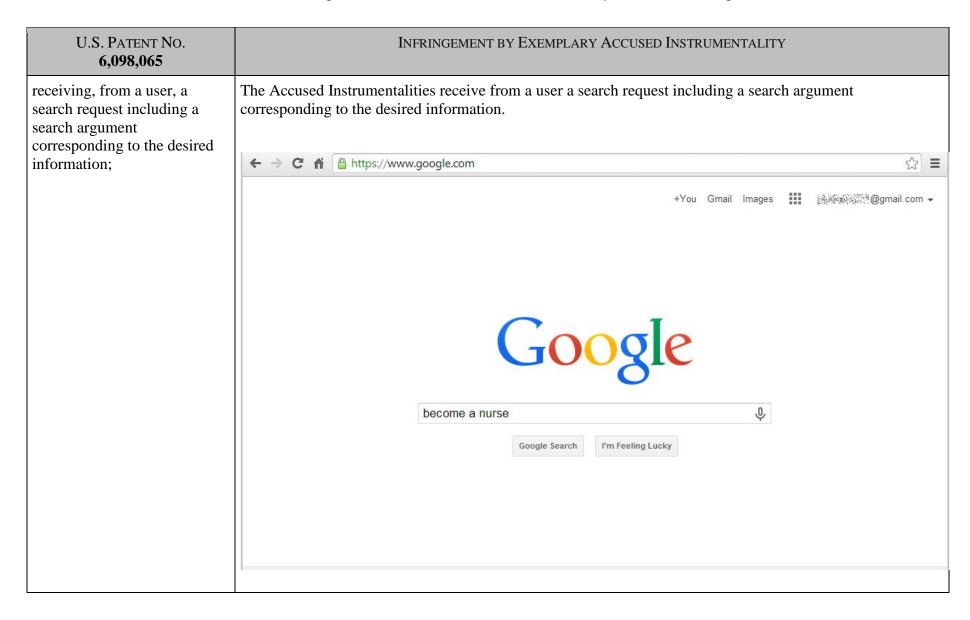
To the extent that the descriptions below give rise to either direct or indirect infringement, Rockstar alleges both.

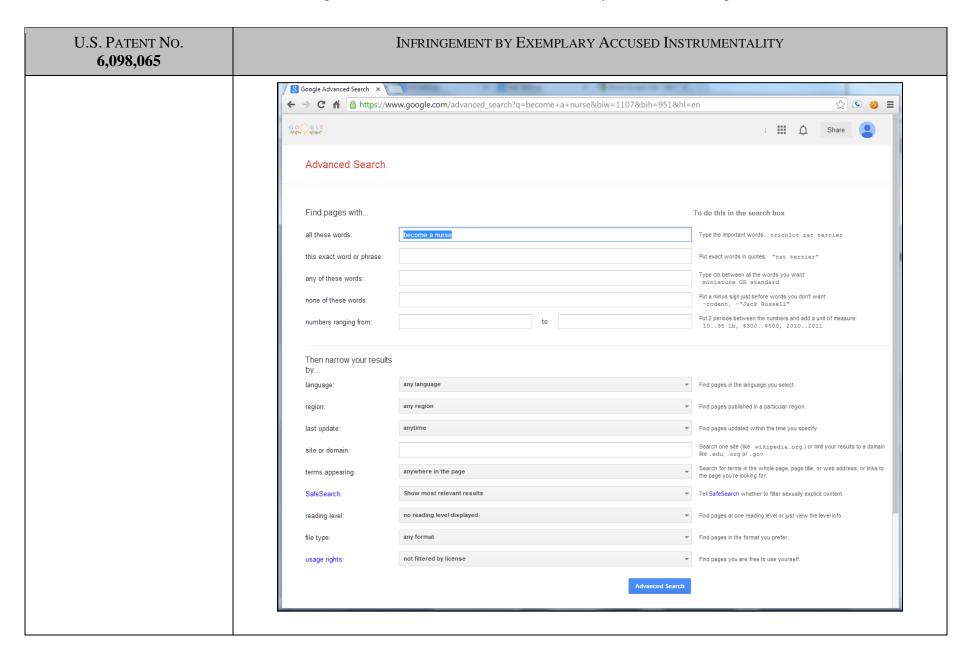
The screenshots below constitute exemplary results of the Accused Instrumentalities' algorithms and source code and do not serve to limit the scope of alleged infringement. Rockstar alleges infringement by the Accused Instrumentalities at each applicable level of abstraction, *i.e.*, source code, algorithms, infrastructure, etc. Further, Rockstar alleges infringement by third-party applications "powered by" Google or that otherwise rely on the Accused Instrumentalities.

U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality		
	Claim No. 1		
A method of searching for desired information within a data network, comprising the steps of:	Google's search services and applications perform the steps of the claimed method. The infringing services and applications include but are not limited to google.com, the Google Search app, the Android search bar, Google custom search, Google premium search services, and Google search services provided to third party websites using Custom Search Services, youtube.com, Google Plus, and any Google-owned property that searches for information within a data network using the method claimed (hereinafter the "Accused Instrumentalities"). The Accused Instrumentalities are implemented on at least one computer via a communications link to a data processing device of a user. ¹		

¹ Content demonstrating that preamble elements are found in the accused instrumentalities shall not be construed as an admission that the preamble is limiting.

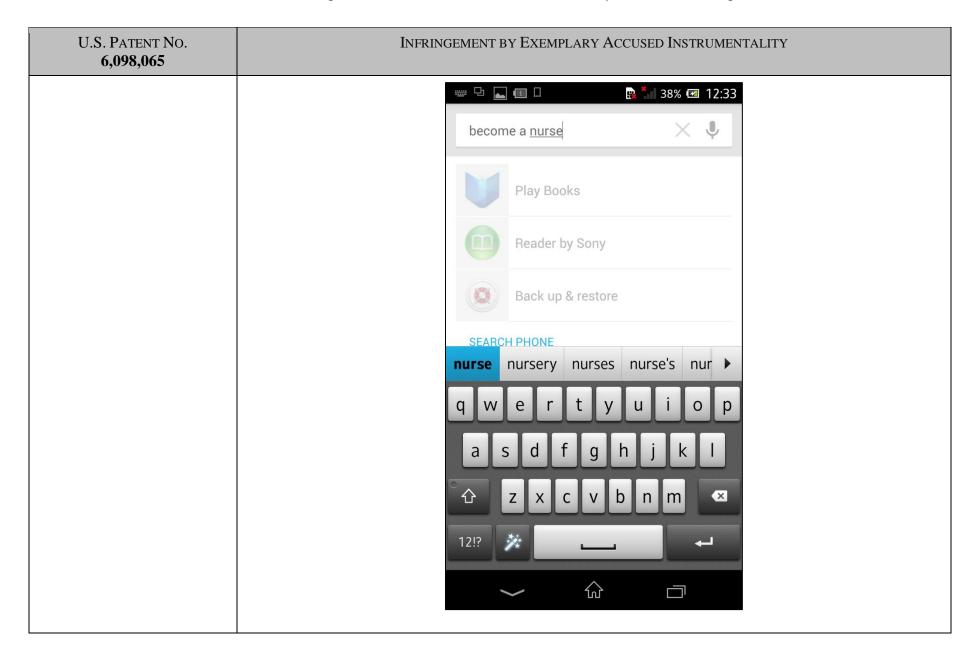
U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality	
	About the Google Search Network is a group of search-related websites where your ads can appear, including Google search sites and search sites that partner with Google to show ads, called search partners. Ads are matched to search results based on the terms a person uses to search. With a few exceptions, described below, text ads are the main ad format used on the Google Search Network. Where your ads can appear When you target your campaign to the Search Network and add keywords to your campaign's ad groups, your ads can appear on Google and other search sites based on the keywords you choose: On Google search sites: Ads can appear alongside, above, or below search results on Google Search, Google Shopping, Google Maps, Google Images, and Google Groups. On other sites that are part of the Search Network (search partners): Ads might appear alongside or above search results on our search partners' sites, such as AOL. https://support.google.com/adwords/answer/1722047?hl=en&ref_topic=3121771	

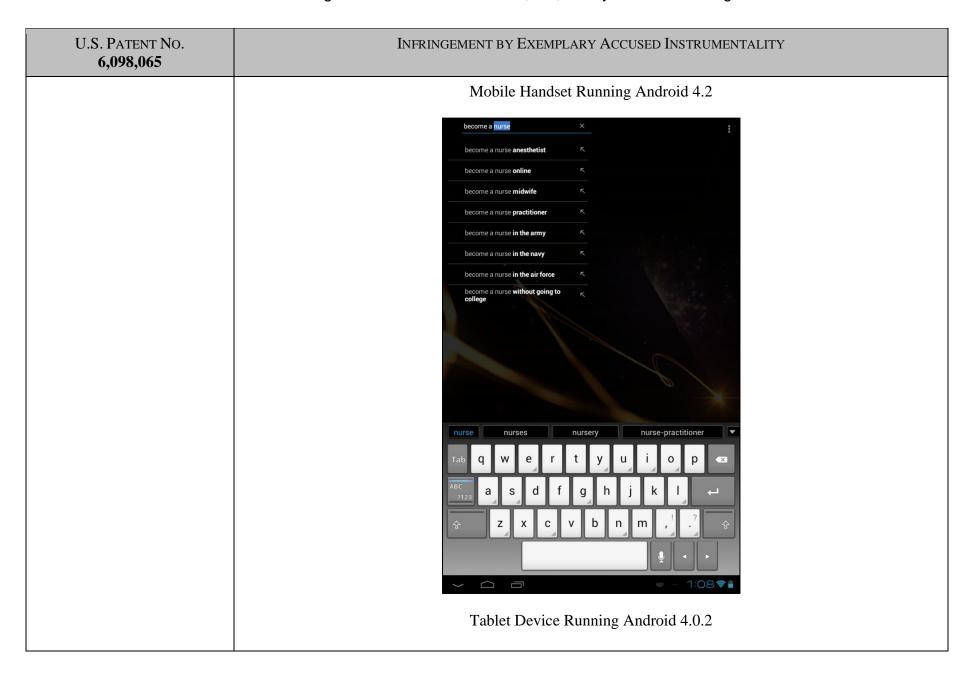


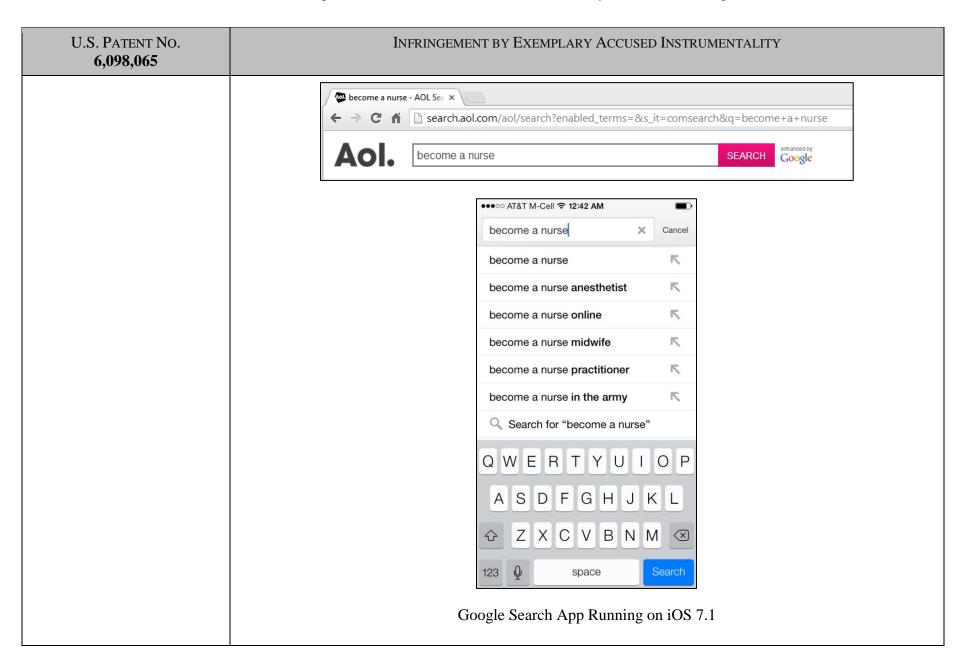


U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality

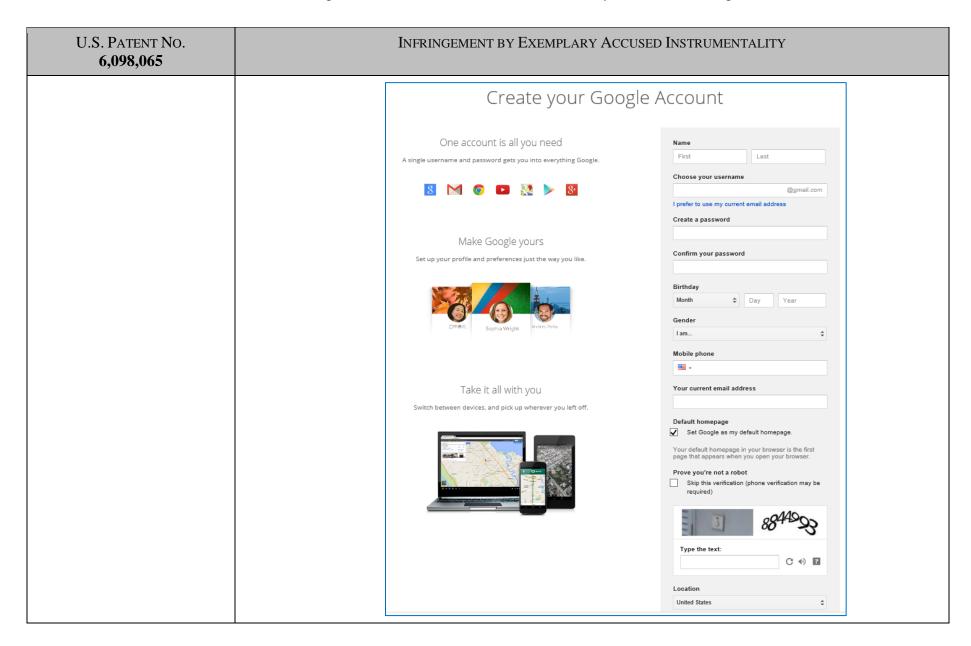
Case No. 2:13-cv-893
Exhibit A: Infringement of U.S. Patent No. 6,098,065 by Defendant Google



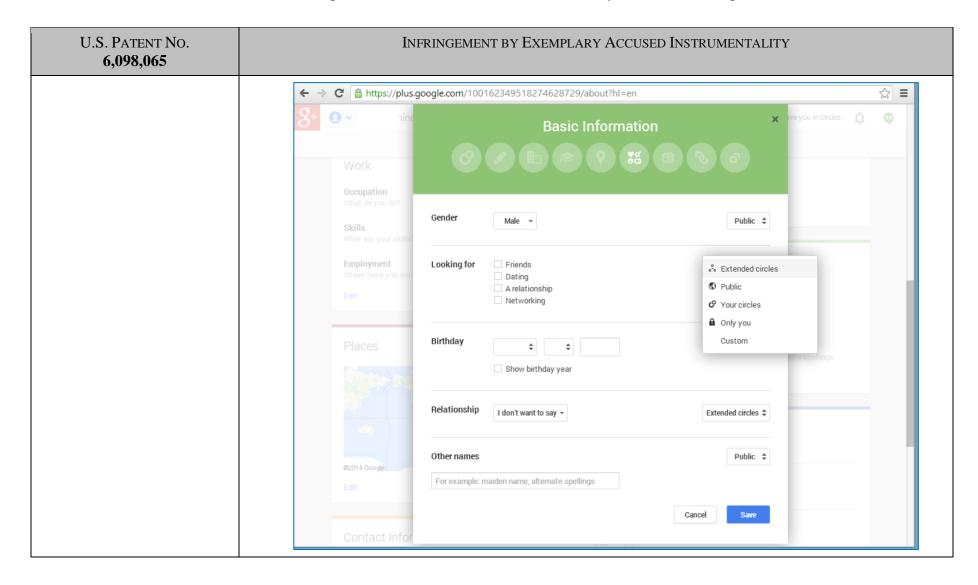




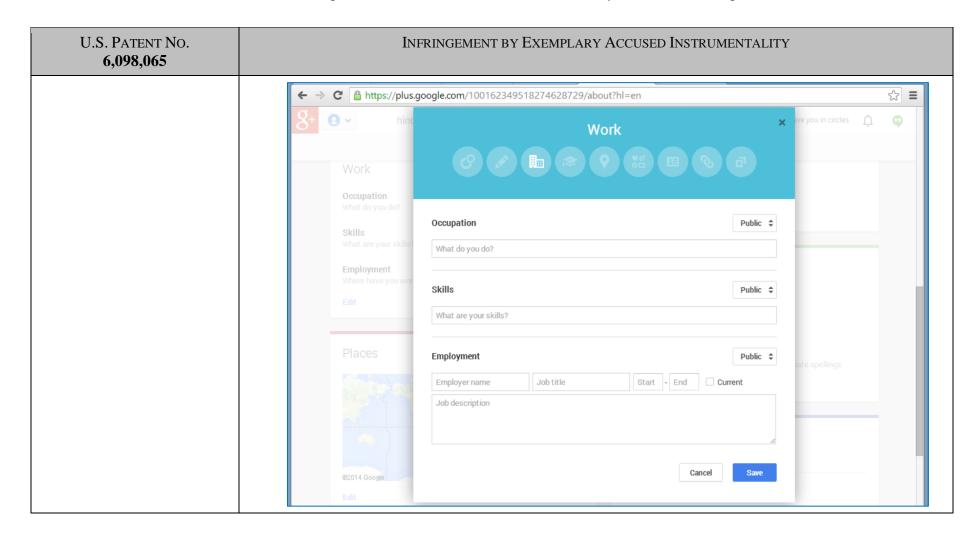
U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality	
	YouTube YouTube YouTube YouTube Www.youtube.com Decome a nurse Decome a nurse	
searching, based upon the received search argument and user profile data, a database of information to generate a search result; and	Based on the received search argument and the user profile data, the Accused Instrumentalities search a database of information to generate a search result.	



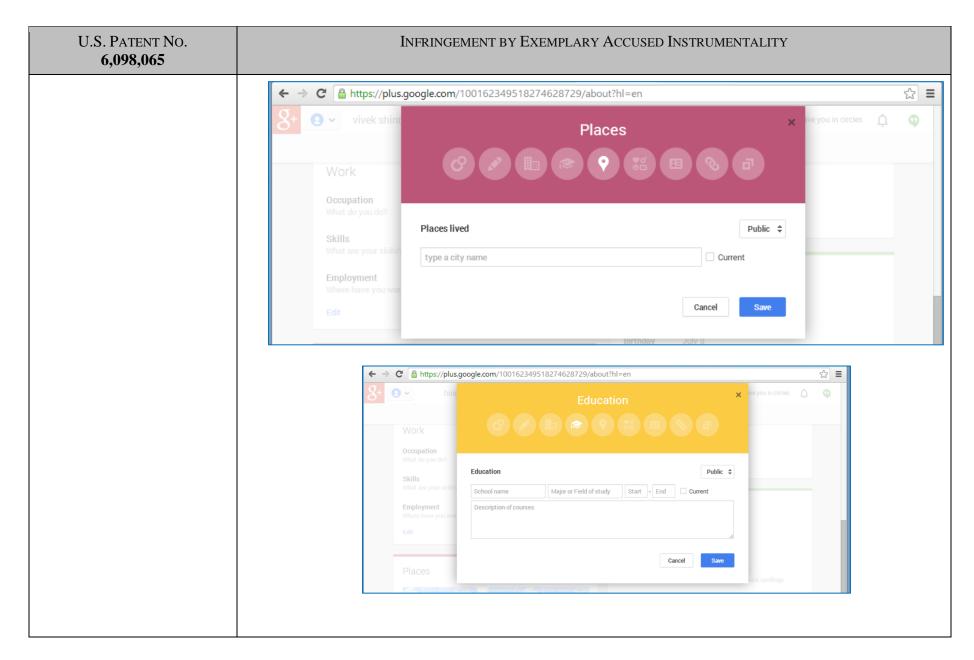
Case No. 2:13-cv-893
Exhibit A: Infringement of U.S. Patent No. 6,098,065 by Defendant Google

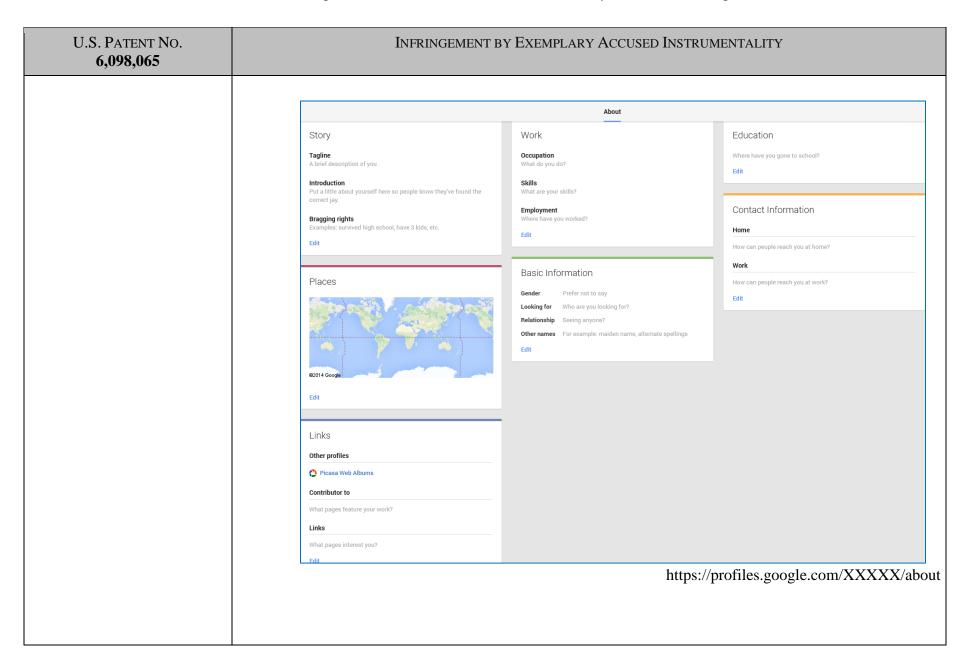


Case No. 2:13-cv-893
Exhibit A: Infringement of U.S. Patent No. 6,098,065 by Defendant Google



Case No. 2:13-cv-893
Exhibit A: Infringement of U.S. Patent No. 6,098,065 by Defendant Google





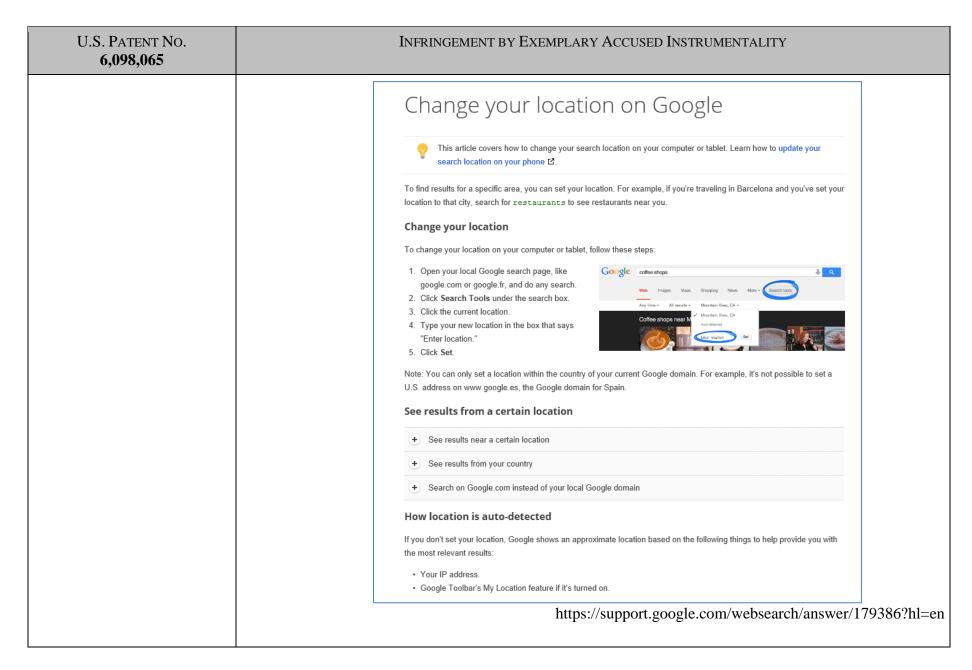
U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality	
	About Google Web History	
	You can get better search results and recommendations with Web History turned on. Web History includes your searches and other web activity.	
	Your Web History is private. This means you need to be signed in to your Google Account to view your history.	
	View and manage your Web History	
	When you create a Google Account, Google Web History is automatically turned on. You can see your Web History or change your settings at www.google.com/history L². Learn how to delete your Web History L², save your Web History L², or edit your Web History on your mobile device L².	
	What is stored in your Web History	
	Google Web History saves information about your activity on the web, as well as details about your browser, including:	
	 Pages you visit Searches on Google Results that appeared, including private results ☑ from Google products like Google+, Gmail, and Google Calendar Ads you respond to by clicking the ad itself or completing a transaction on the advertiser's site Your IP address Your browser type and language 	
	Browser history	
	Your past searches and web activity may also be stored in your browser or the Google Toolbar. Learn more about managing your browser history on Chrome ②, Safari ②, Internet Explorer ②, Toolbar ②, and Firefox ②.	
	How history works when you're signed out	
	Your search and ad results may be customized using search activity from your computer even if you're signed out. To turn off this type of customization, follow these steps:	
	 Visit google.com/history/optout the when not signed in to a Google Account. Click Disable customizations based on search activity. This will turn the setting off for anyone who uses the same browser and computer as you. 	
	https://support.google.com/accounts/answer/54068	

U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality		
	symbols or words to your search the operators - you can use the	searching for after using some basic search tips &, try a search operator. Add these in terms in the Google search box to narrow down your results. Don't worry about memorizing Advanced Search page & to generate many of these searches.	
	Search for an exact word or phrase for s	will work, but site: nytimes.com will not. quotes to search for an exact word or set of words. This option is handy when searching ong lyrics or a line from literature. againe all the people" Only use this if you're looking for a very precise word or phrase, because otherwise you do be excluding helpful results by mistake.	
	espe jagr Tip: spec	a dash (-) before a word or site to exclude all results that include that word. This is exially useful for synonyms like Jaguar the car brand and jaguar the animal. Buar speed "car or pandas "site:wikipedia.org You can also exclude results based on other operators, like excluding all results from a cific site. Buar apeloxing for more results from a certain website, include site: in your query. For	
	site or domain examoly Tip: like.	nple, you can find all mentions of "olympics" on the New York Times website like this: mpics site:nytimes.com. Also search within a specific top-level domain like .org or .edu or country top-level domain de or .jp. mpics site:.gov	
	that link to a URL can the state of the stat	g the link: operator, you can find pages that link to a certain page. For example, you find all the pages that link to google.com. k: google.com You can also search for links to specific pages, like google.com/images. k: google.com/images	

Search for either If you want to search for pages that may have just one of several words, include OR word (capitalized) between the words. Without the OR, your results would typically show only pages	U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality	
World cup location 2014 OR 2018 Tip: Enclose phrases in quotes to search for either one of several phrases. "world cup location 2014" OR "world cup location 2018" Search for a number range Separate numbers by two periods without spaces () to see results that contain numbers in a given range of things like dates, prices, and measurements. camera \$50\$100 Tip: Use only one number with the two periods to indicate an upper maximum or a lower minimum. daytona 500 winners2000 Punctuation When you search, most punctuation and special characters are ignored. However, there are some punctuation and symbols that are work in searches.	6,098,065	word (capitalized) between the words. Without the OR, your results would typically show only pages that match both terms. world cup location 2014 OR 2018 Fip: Enclose phrases in quotes to search for either one of several phrases. "world cup location 2014" OR "world cup location 2018" Search for a several phrases of things like dates, prices, and measurements. camera \$50\$100 Tip: Use only one number with the two periods to indicate an upper maximum or a lower minimum. daytona 500 winners2000 Punctuation When you search, most punctuation and special characters are ignored. However, there are some punctuation and symbols	

U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality	
	Save your search settings	
	You can save your search settings to your Google Account so that your settings are the same no matter what phone, tablet, or computer you're using.	
	Save your settings to your account	
	Phone settings are saved separately from desktop and tablet settings. After you follow the steps below on your desktop or tablet, you'll also need to follow them on your phone. If you use the Google Search app, there are some other settings you can change on the app's settings page.	
	 Visit the Search settings page. Click Sign in in the top right corner if you aren't already signed in. Choose your search settings. Click Save at the bottom of the page. 	
	Now, no matter what device you're on, your settings will be the same as long as you're signed in.	
	Go to the Search Settings page	
	Save your settings without being signed in	
	When you're not signed in, updating your search settings page saves your settings to the browser and computer you're using at the time.	
	These settings may change if:	
	 You switch to another computer or browser with different settings. Someone else visits the Search settings page and changes any settings. 	
	When you're not signed in, your settings are saved in a small browser file on your computer called a cookie if you have cookies turned on ぱ.	

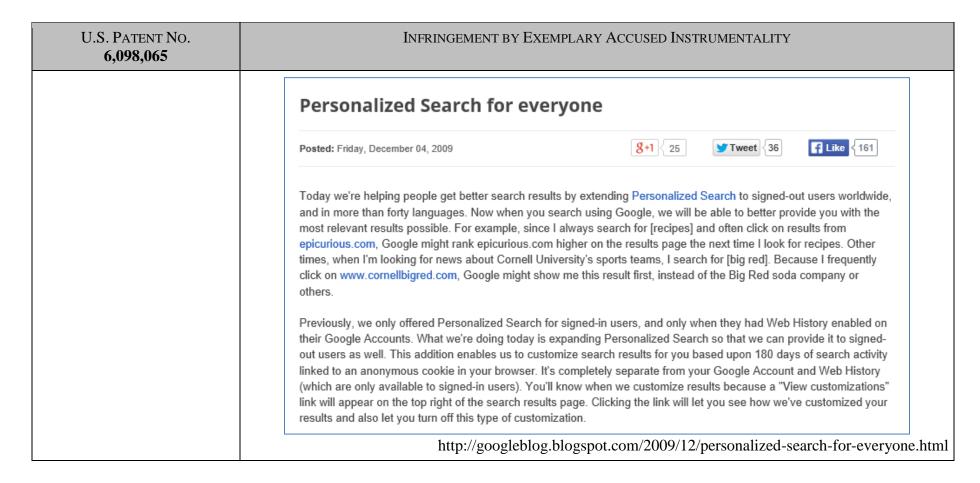
U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality	
	https://support.google.cor	m/websearch/answer/2539428?p=settings_signin&hl=en
	Finding information by crawling	Organizing information by indexing
	We use software known as "web crawlers" to discover publicly available webpages. The most well-known crawler is called "Googlebot." Crawlers look at webpages and follow links on those pages, much like you would if you were browsing content on the web. They go from link to link and bring data about those webpages back to Google's servers.	The web is like an ever-growing public library with billions of books and no central filing system. Google essentially gathers the pages during the crawl process and then creates an index, so we know exactly how to look things up. Much like the index in the back of a book, the Google index includes information about words and their locations. When you search, at the most basic level, our algorithms look up your search
	The crawl process begins with a list of web addresses from past crawls and sitemaps provided by website owners. As our crawlers visit these	terms in the index to find the appropriate pages.
	websites, they look for links for other pages to visit. The software pays special attention to new sites, changes to existing sites and dead links.	The search process gets much more complex from there. When you search for "dogs" you don't want a page with the word "dogs" on it hundreds of times. You probably want pictures, videos or a list of
	Computer programs determine which sites to crawl, how often, and how many pages to fetch from each site. Google doesn't accept payment to crawl a site more frequently for our web search results. We care more about having the best possible results because in the long run that's what's best for users and, therefore, our business.	breeds. Google's indexing systems note many different aspects of pages, such as when they were published, whether they contain pictures and videos, and much more. With the Knowledge Graph, we're continuing to go beyond keyword matching to better understand the people, places and things you care about.
	https://www.google.com/intl/e	n/insidesearch/howsearchworks/crawling-indexing.html



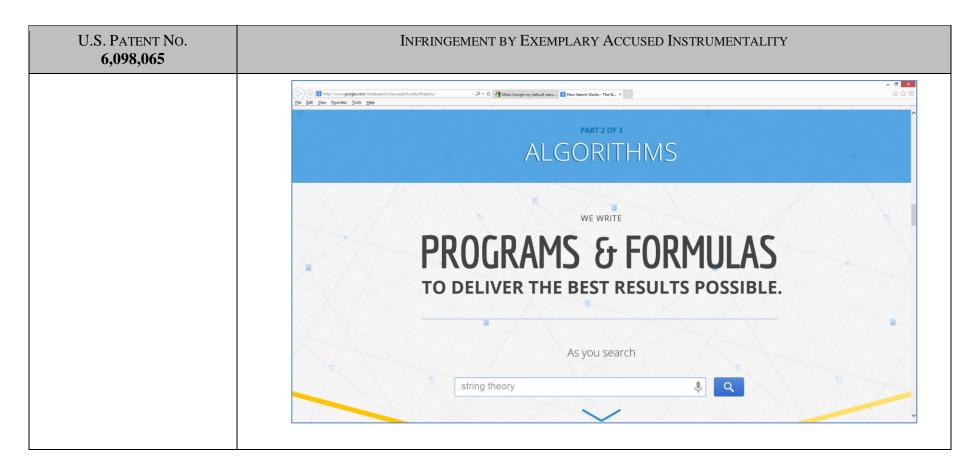
U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality
	How location is auto-detected
	If you don't set your location, Google shows an approximate location based on the following things to help provide you with the most relevant results:
	 Your IP address. Google Toolbar's My Location feature if it's turned on.
	https://support.google.com/websearch/answer/179386?p=settings_location&hl=en
	Types of location data used by Google
	Different types of location information may be used in various Google products.
	Implicit location information is information that does not actually tell us where your device is located, but allows us to infer that you are either interested in the place or that you might be at the place. An example of implicit location information would be a manually typed search query for a particular place. Implicit location information is used in a variety of ways. For example, if you type in "Eiffel Tower", we infer that you may like to see information for places near Paris, and we can then use that to provide recommendations about those local places to you.
	Internet traffic information, such as IP address, is usually assigned in country-based blocks, so it can be used to at least identify the country of your device, and do things such as to provide you with the correct language and locale for search queries. This information is sent as a normal part of internet traffic.
	https://www.google.com/intl/en/policies/technologies/location-data/
	Unique device identifier
	A unique device identifier is a string of characters that is incorporated into a device by its manufacturer and can be used to uniquely identify that device. Different device identifiers vary in how permanent they are, whether they can be reset by users, and how they can be accessed. A given device may have several different unique device identifiers. Unique device identifiers can be used for various purposes, including security and fraud detection, syncing services such as a user's email inbox, remembering the user's preferences and providing relevant advertising.
	http://www.google.com/intl/en/policies/privacy/key-terms/#toc-terms-server-logs

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	Context is subtle, and it's not easy for a computer to replicate the kind of contextual understanding humans have in everyday conversation. Yet, despite the challenges, over the past decade context has become a foundational part of search, and it's hard to imagine search without it:
	 Language: What is the language of the search query? The query language is an incredibly basic, yet important signal we rely on to determine the right results to serve. If you type a search in French and we return results entirely in Swahili, you'll be changing search engines very, very fast. Geography: Where was the search conducted? If you're looking to order a pizza, and we send you off to a pizza parlor on the other side of the country, you'll be waiting a long time for delivery. Search queries: What search queries did you type immediately before this one? If you say to me "I'm looking for a card game," and I say to you, "which one?" and then you say "Dominion," and then I say, "The card game or the power company?" you'd be pretty frustrated. It's the same with search.
	Personalization, a special kind of context "Personalization" is a special kind of context; it's the context of you. For example, what are you interested in, who do you care about, and what do you search for regularly? In addition to the contexts mentioned above, we personalize search results in a couple specific ways:
	 Past search activity: With Web History personalization, we make search results more relevant to you based on your interests, as revealed through the "context" of past queries and clicks. We look at both "pattern" (which site do you generally visit for a given topic) and "preference" (which topics do you tend to be interested in). For example, if you're an apple farmer who frequently visits sites about apple varieties and farming techniques, we'll be more likely to show you results about apples the fruit rather than Apple computers. If you're signed out, we'll still customize your search results based on up to 180 days of past search information linked to your browser using an anonymous cookie. Social connections: With Social Search, we improve your results by relying on the context of your friends, family, coworkers and other people you may care about across the web. We'll sometimes improve the ranking of results if they're more likely to be relevant based on your social connections. We'll also highlight your connections by showing their names and pictures in the results when they've published or commented on content, for example by clicking the +1 button.
	http://insidesearch.blogspot.com/2011/11/some-thoughts-on-personalization.html

U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality	
	Search history When signed in, you can receive more relevant results and recommendations based on your search activity. You can turn off or edit your search history at any time.	
	Search History settings	
	With Google Web History, you get more relevant search results and recommendations across Google's products and services based on your searches and other web activity. When you create a Google Account, Google Web History is automatically turned on. You can delete individual searches from your Web History, delete all of your Web History, as well as turn off Web History to prevent future searches from being saved to your Web History. https://support.google.com/websearch/topic/3037039?hl=en&ref_topic=3036131	

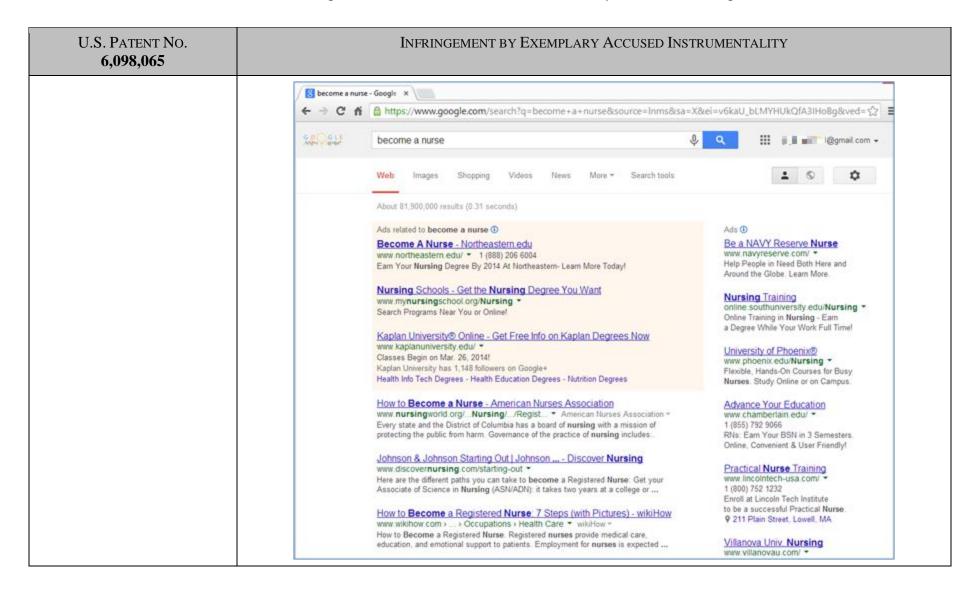


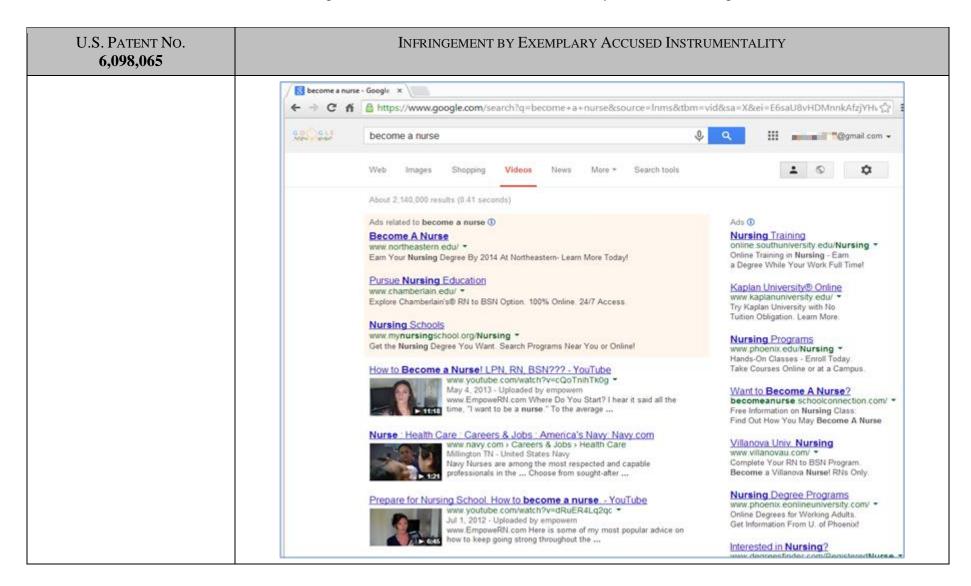
U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality
	€ Only you can see your history
	Your history makes your Google experience better Your history helps you find what you're looking for faster and gives you quick access to pages you've visited before.
	More relevant results Get better results and recommendations.
	Smarter predictions See improved search predictions as you type.
	History on any device Open recent searches from your computer on your phone or tablet.
	https://history.google.com/history/

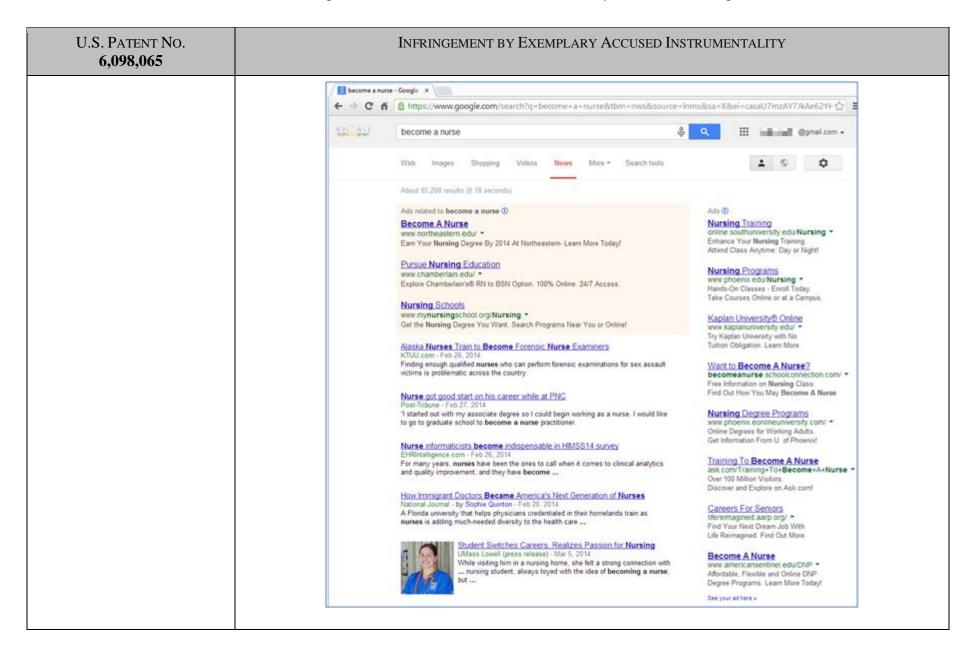


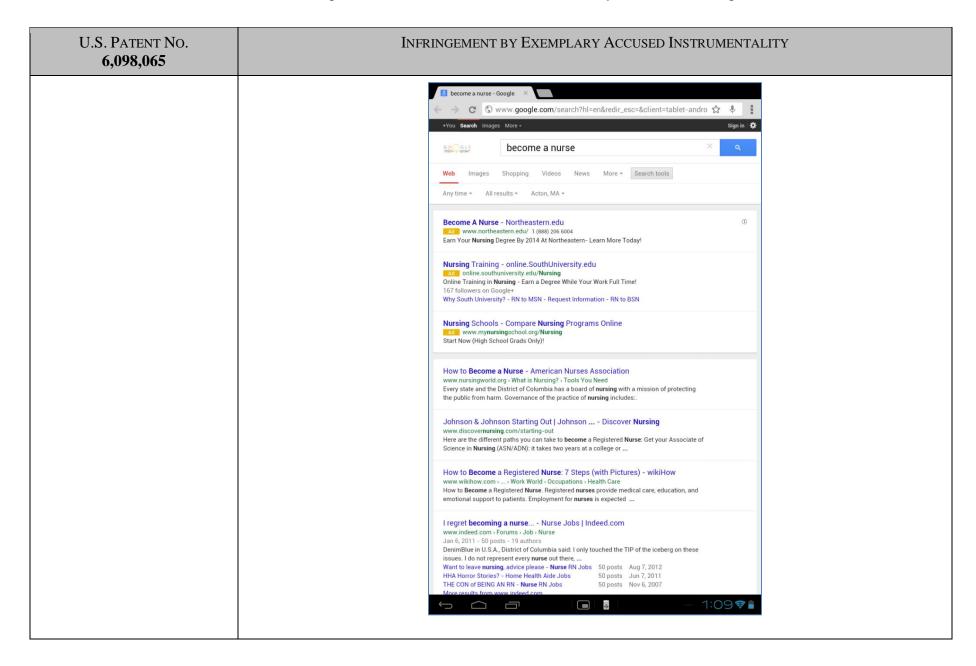
U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality
	USER CONTEXT Provides more relevant results based on geographic region, Web History, and other factors.

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	RESULTS can take a variety of forms: http://www.google.com/insidesearch/howsearchworks/thestory/
providing the search results to the user	The Accused Instrumentalities provide the search results to the user.

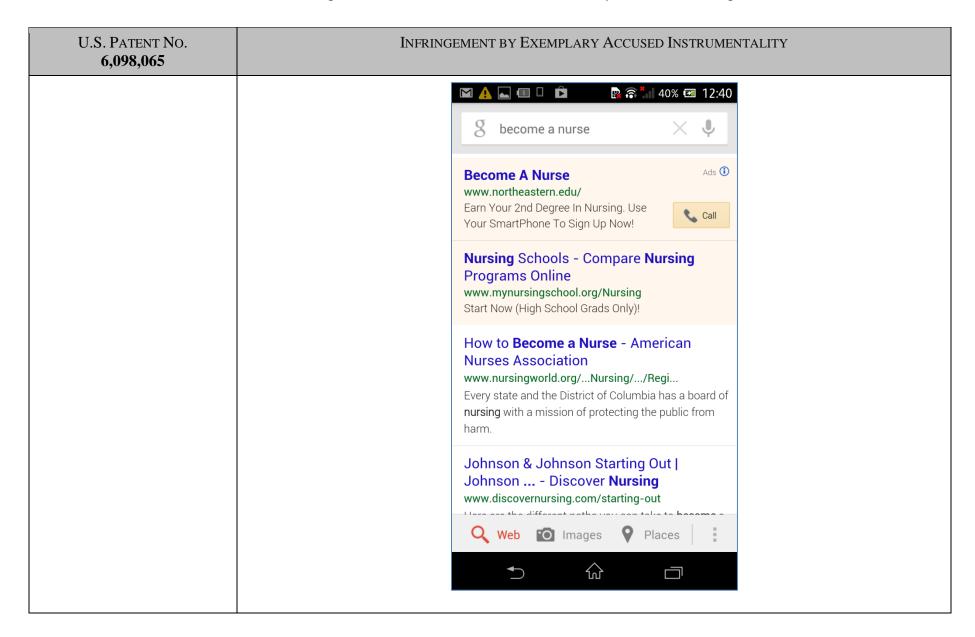


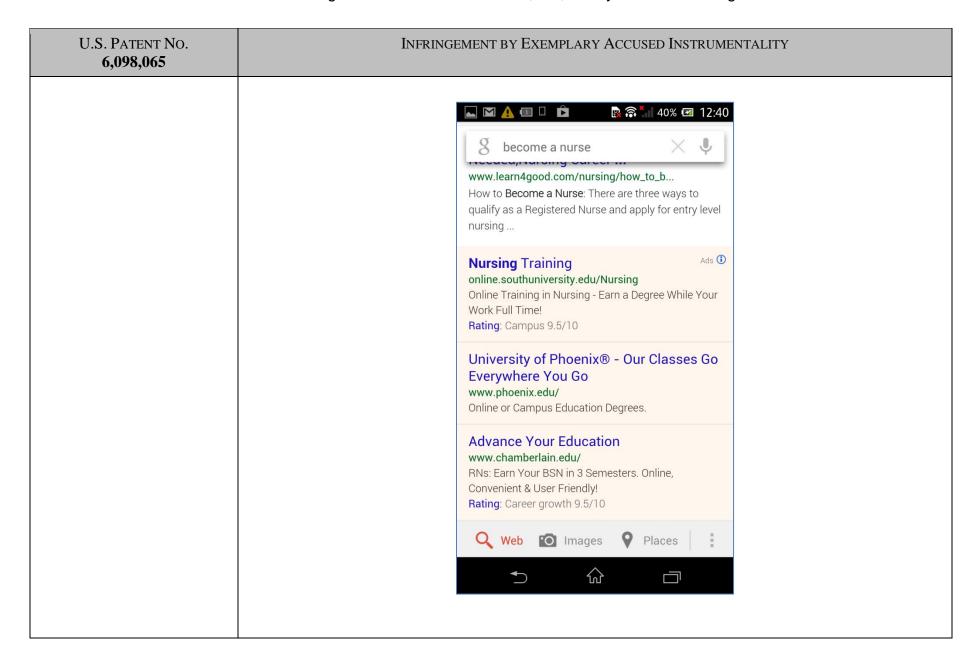


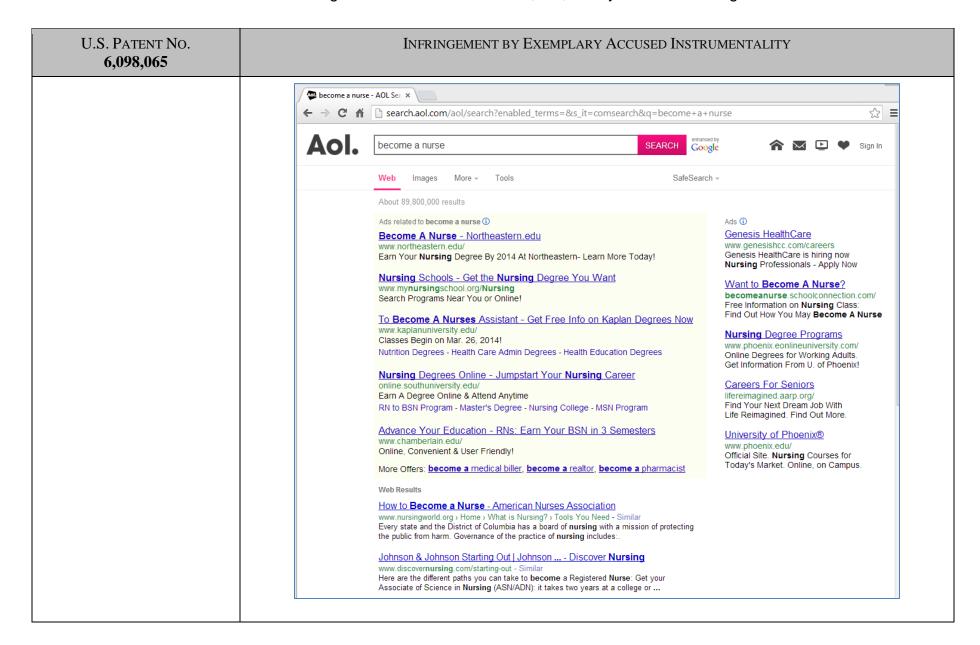


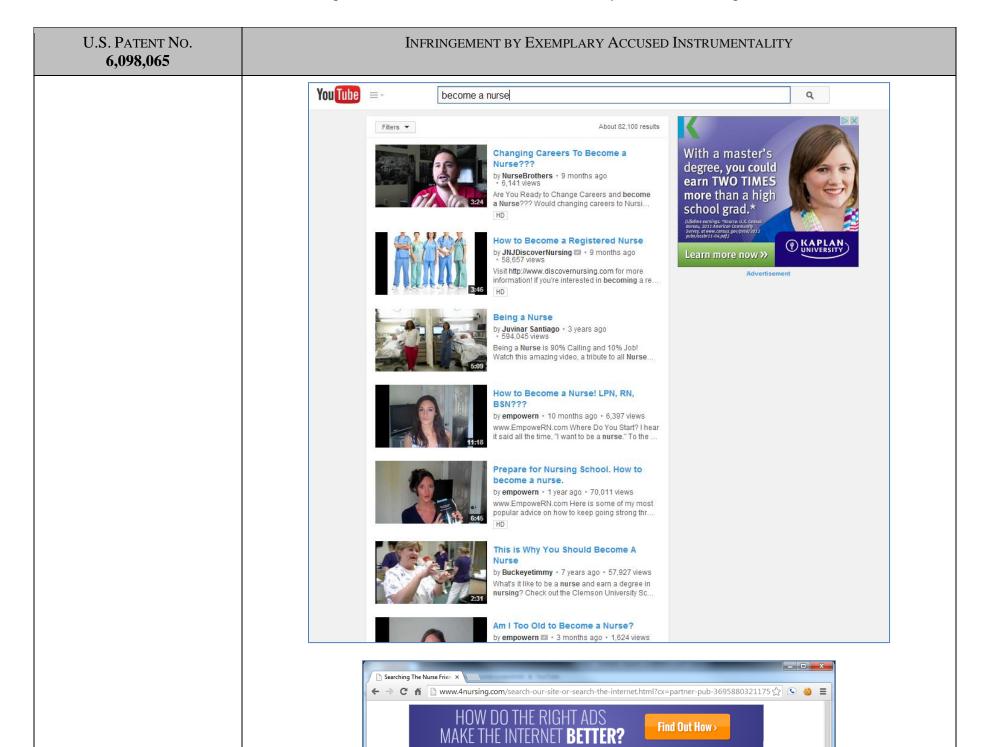


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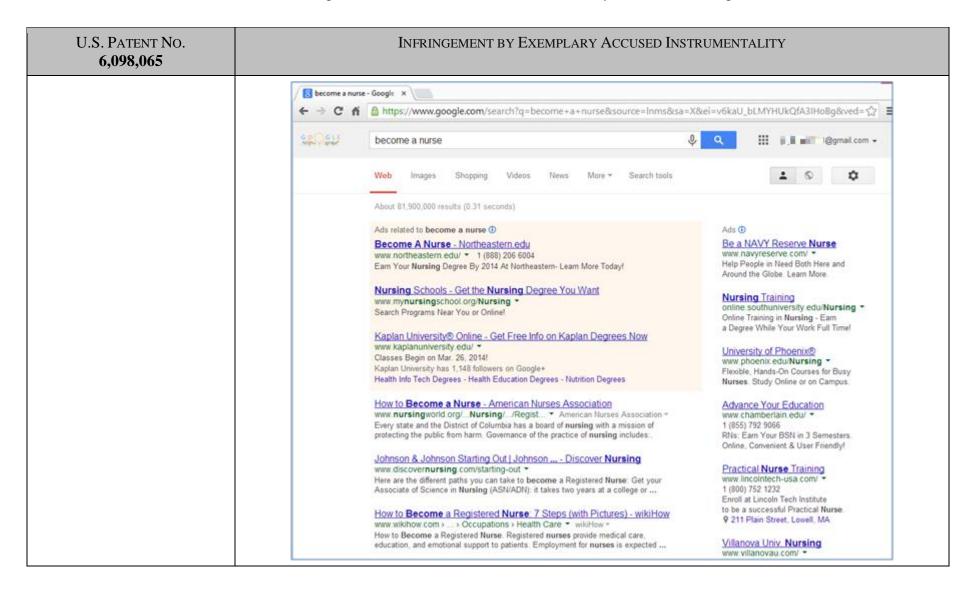


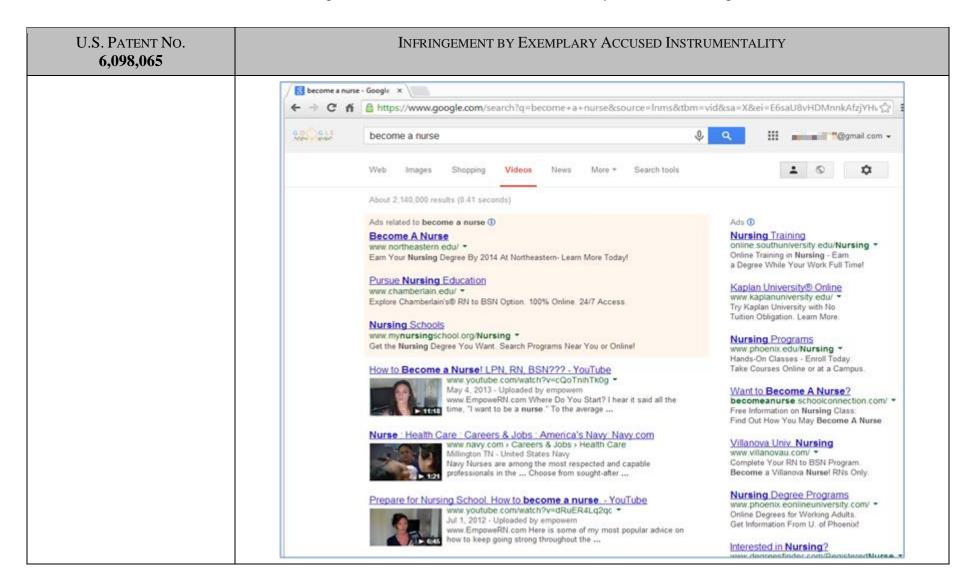


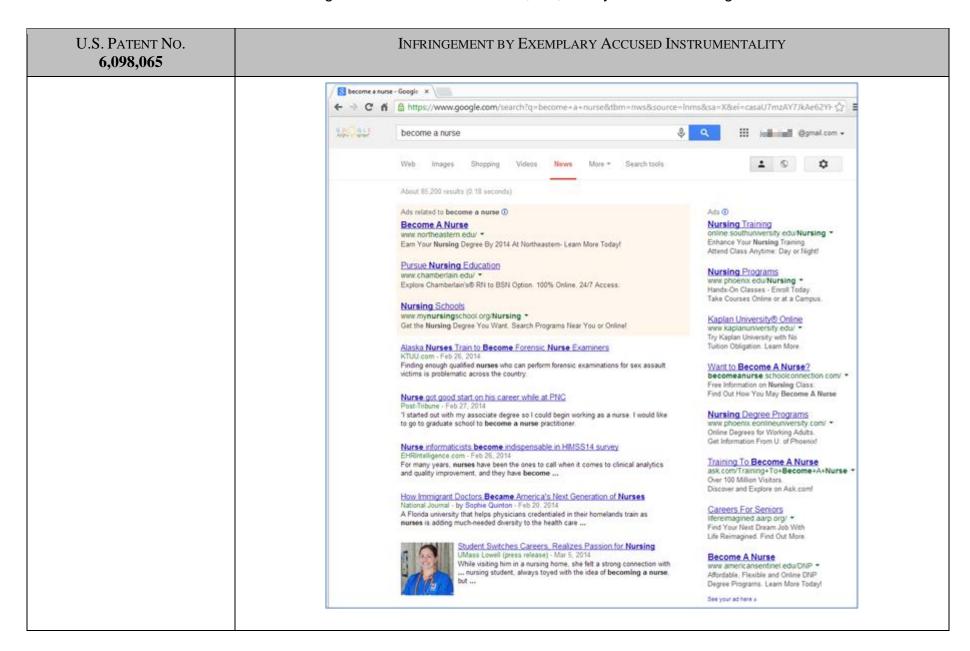


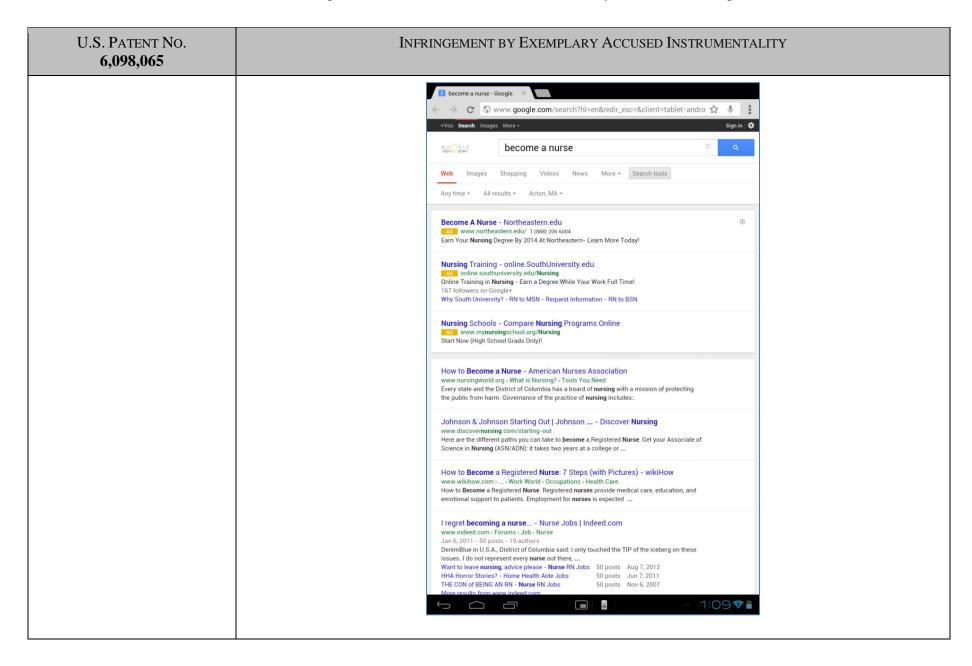


U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality
wherein searching the database includes correlating, as a function of a fuzzy logic algorithm, the received search argument and user profile data to particular information in the database, and providing the particular information as the search results.	Upon information and belief, the Accused Instrumentalities correlate as a function of a fuzzy logic algorithm the received search argument and user profile data to particular information in the database, and provide the particular information as the search results. For example, it is believed that the Accused Instrumentalities utilize fuzzy logic algorithms in at least Google's current search algorithm Hummingbird to correlate received search arguments and user profile data to particular information in the database. On information and belief, previous versions of Google's search algorithm also correlated as a function of fuzzy logic the received search argument and user profile data to particular information in the database. It is also believed that the Accused Instrumentalities' ability to utilize synonyms relies on fuzzy logic algorithms. See above. See also http://www.forbes.com/sites/roberthof/2013/09/26/google-just-revamped-search-to-handle-your-long-questions/.

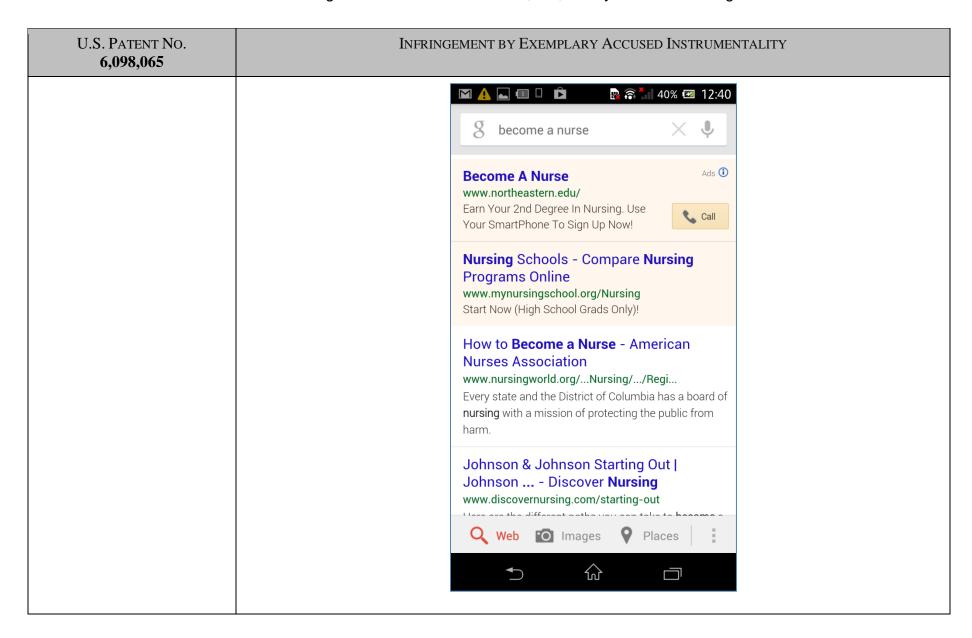


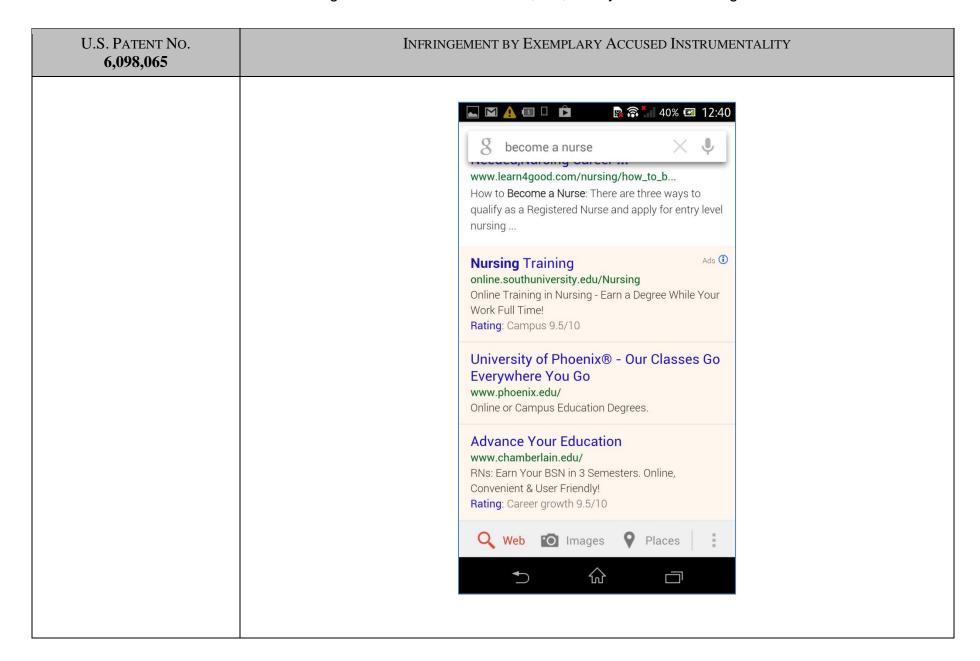


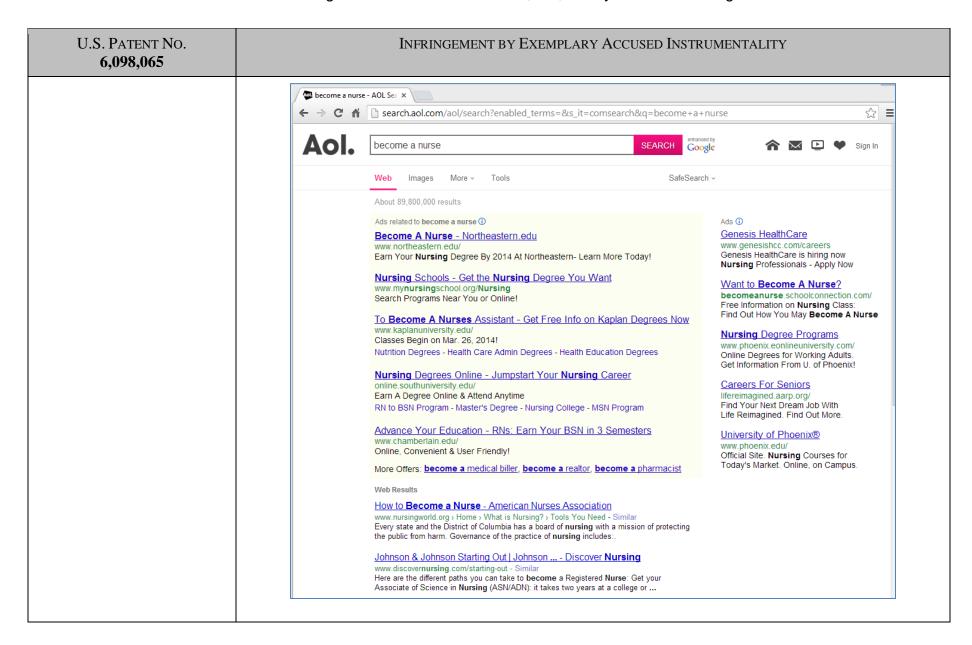


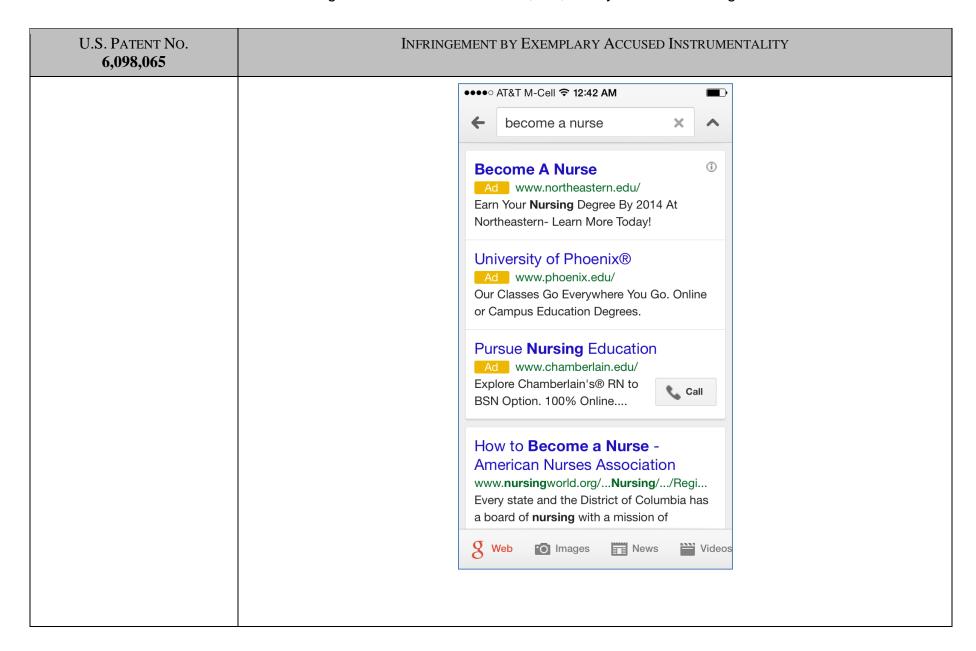


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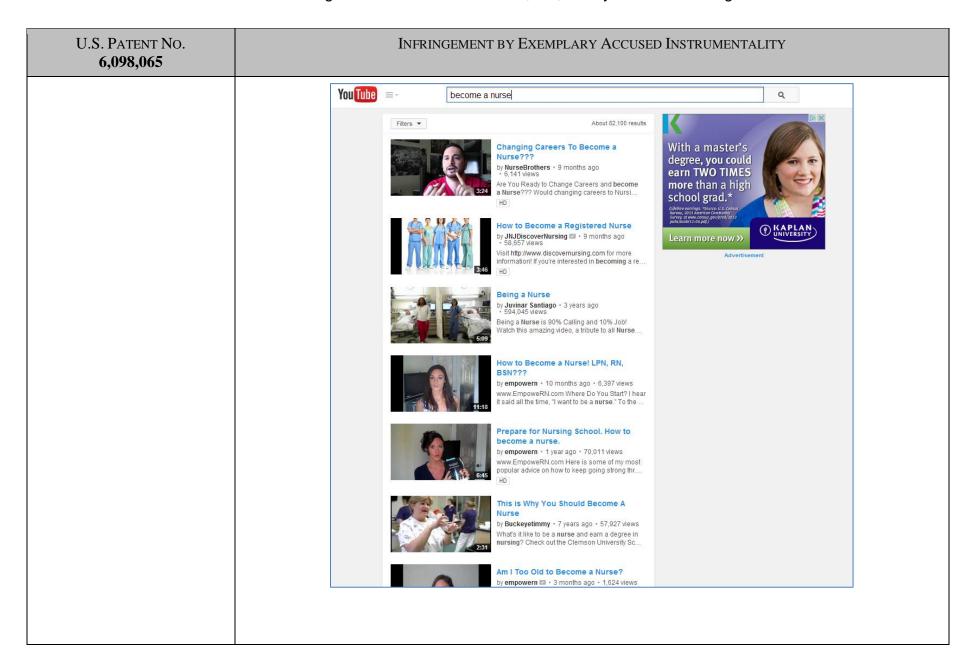


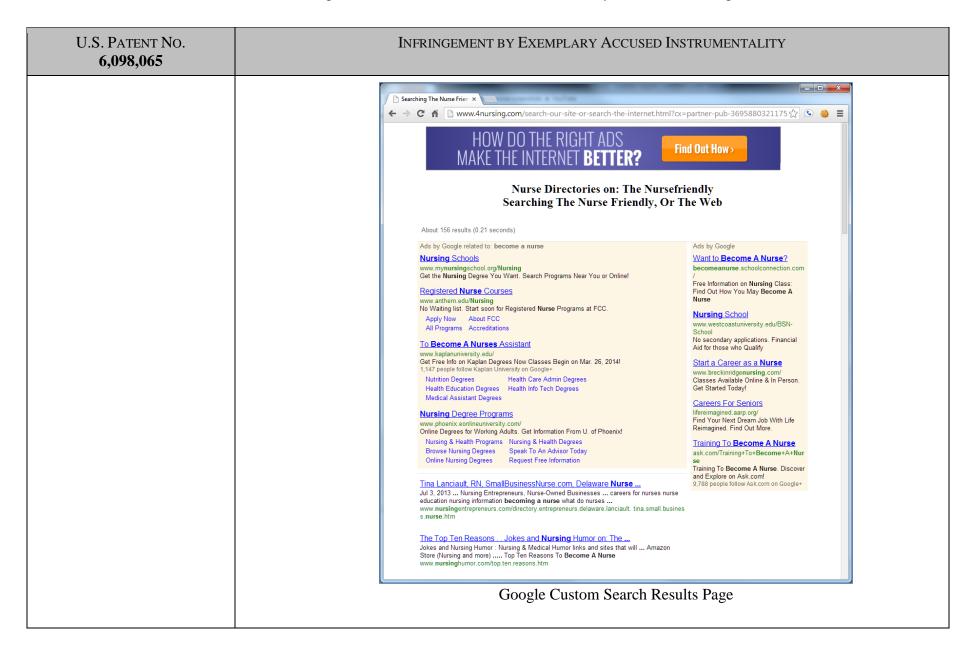






U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality	
	How to Become a Nurse, Qualifications Needed, Nursing Career www.learn4good.com/nursing/how_to_b How to Become a Nurse: There are three ways to qualify as a Registered Nurse and apply for entry level nursing	
	Nursing Schools Ad www.mynursingschool.org/Nursing Accredited Nursing Schools. Online or Campus - Get Free Info!	
	Practical Nurse Training Ad www.lincolntech-usa.com/ Enroll at Lincoln Tech Institute to be a successful Practical Nurse. Programs and Campuses - Apply Online	
	Nursing Degree Programs Ad www.phoenix.eonlineuniversity.com/ Online Programs for Busy Adults. Pursue a Degree with U. of Phoenix! Nursing Programs - Nursing Degrees	





Search operators If you're not finding what you're searching for after using some basic search tips &, try a search operator. Add these symbols or words to your search terms in the Google search box to narrow down your results. Don't worry about memorizing the operators - you can use the Advanced Search page & to generate many of these searches. When you search using an operator, don't add any spaces between the operator and your query. A search for
Search for an exact Word or phrase Use quotes to search for an exact word or set of words. This option is handy when searching for song lyrics or a line from literature. "imagine all the people" Tip: Only use this if you're looking for a very precise word or phrase, because otherwise you could be excluding helpful results by mistake.
Add a dash (-) before a word or site to exclude all results that include that word. This is especially useful for synonyms like Jaguar the car brand and jaguar the animal. jaguar speed "car 0r pandas "site: wikipedia.org Tip: You can also exclude results based on other operators, like excluding all results from a specific site.
Search within a If you are looking for more results from a certain website, include site: in your query. For example, you can find all mentions of "olympics" on the New York Times website like this: olympics site:nytimes.com Tip: Also search within a specific top-level domain like .org or .edu or country top-level domain like .de or .jp. olympics site:.gov
Search for pages that link to a URL Using the link: operator, you can find pages that link to a certain page. For example, you can find all the pages that link to google.com. link:google.com Tip: You can also search for links to specific pages, like google.com/images. link:google.com/images https://support.google.com/websearch/answer/136861?hl=e

U.S. PATENT NO. 6,098,065	Infringement by Exemplar	RY ACCUSED INSTRUMENTALITY
	Finding information by crawling We use software known as "web crawlers" to discover publicly available	Organizing information by indexing The web is like an ever-growing public library with billions of books and
	webpages. The most well-known crawler is called "Googlebot." Crawlers look at webpages and follow links on those pages, much like you would if you were browsing content on the web. They go from link to link and	no central filing system. Google essentially gathers the pages during the crawl process and then creates an index, so we know exactly how to look things up. Much like the index in the back of a book, the Google
	bring data about those webpages back to Google's servers. The crawl process begins with a list of web addresses from past crawls and sitemaps provided by website owners. As our crawlers visit these	index includes information about words and their locations. When you search, at the most basic level, our algorithms look up your search terms in the index to find the appropriate pages.
	websites, they look for links for other pages to visit. The software pays special attention to new sites, changes to existing sites and dead links.	The search process gets much more complex from there. When you search for "dogs" you don't want a page with the word "dogs" on it hundreds of times. You probably want pictures, videos or a list of
	Computer programs determine which sites to crawl, how often, and how many pages to fetch from each site. Google doesn't accept payment to crawl a site more frequently for our web search results. We care more about having the best possible results because in the long	breeds. Google's indexing systems note many different aspects of pages, such as when they were published, whether they contain pictures and videos, and much more. With the Knowledge Graph, we're continuing to go beyond keyword matching to better understand the
	run that's what's best for users and, therefore, our business.	people, places and things you care about. n/insidesearch/howsearchworks/crawling-indexing.html

U.S. PATENT NO. 6,098,065	Infringement by Exemplary Accused Instrumentality	
	Only you can see your history	
	Your history makes your Google experience better	
	Your history helps you find what you're looking for faster and gives you quick access to pages you've visited before.	
	More relevant results Get better results and recommendations.	
	Smarter predictions See improved search predictions as you type.	
	History on any device Open recent searches from your computer on your phone or tablet.	
	https://history.google.com/history/	