

APPENDIX D:

JOINT CLAIM CONSTRUCTION CHART FOR U.S. PATENT NO. US 7,895,178 B2

Asserted Claims (Disputed terms in bold)	Terms for Construction	Rockstar’s Proposed Construction	Google’s Proposed Construction	Court’s Construction
1. A method for operating an advertising machine implemented on at least one computer to provide advertisements via a communications link to a data processing device of a user, the method comprising: receiving from the data processing device via the communications link a search request that includes a search argument ; searching at least one database using the search argument to produce search results ; selecting at least one advertisement from an advertisement database	“modified search results” ’178 (1, 12)	Plain and ordinary meaning.	a set of search results created by modifying previous search results; not a new set of results	
	“advertising machine”	See ‘969 (17)	See ‘969 (17)	
	“data processing device [of a/the user]”	See ‘969 (6)	See ‘969 (6)	
	“communications link”	See ‘245 (1)	See ‘245 (1)	

Asserted Claims (Disputed terms in bold)	Terms for Construction	Rockstar’s Proposed Construction	Google’s Proposed Construction	Court’s Construction
relating to at least one of the search argument and the search results; transmitting the search results together with the at least one advertisement via the communications link to the data processing device; receiving search refinement input from the data processing device via the communications link; producing modified search results based upon at least the search refinement input; selecting at least one other advertisement from the advertisement database based upon at least one of the search refinement input and the modified search results; and transmitting at least one of the modified search results and the at	“search argument” / “the received search argument”	See ‘969 (1)	See ‘969 (1)	
	“database”	See ‘969 (1)	See ‘969 (1)	
	“search result[s]”	See ‘969 (1)	See ‘969 (1)	
	“advertisement”/ “particular advertisement”	See ‘969 (1)	See ‘969 (1)	
	“advertisement database” / “database having advertisement information”	See ‘969 (1)	See ‘969 (1)	

Asserted Claims (Disputed terms in bold)	Terms for Construction	Rockstar’s Proposed Construction	Google’s Proposed Construction	Court’s Construction
least one other advertisement via the communications link to the data processing device.	“ search refinement input ”	See ‘245 (8)	See ‘245 (8)	
5. The method of claim 1, wherein the search refinement input comprises at least one additional search argument .	“ search refinement input ”	See ‘245 (8)	See ‘245 (8)	
	“ search argument ” / “ the received search argument ”	See ‘969 (1)	See ‘969 (1)	
6. The method of claim 1, wherein the search refinement input comprises additional search criteria.	“ search refinement input ”	See ‘245 (8)	See ‘245 (8)	
7. The method of claim 1, wherein the at least one advertisement includes a link to a website sponsoring the advertisement.	“ advertisement ”/ “ particular advertisement ”	See ‘969 (1)	See ‘969 (1)	
	“ link to a website ” '178 (7, 16) '183 (2, 10, 15)	[Agreed]	[Agreed]	a hyperlink to a website
8. The method of claim 1, further comprising: determining, via communication with the data processing device	“ updating advertisements provided to the data processing device based upon a determination ”	Plain and ordinary meaning. In the alternative, “modifying the	change[ing] the advertisement database to indicate that an advertisement has [not] been selected	

Asserted Claims (Disputed terms in bold)	Terms for Construction	Rockstar’s Proposed Construction	Google’s Proposed Construction	Court’s Construction
that the user does not select the at least one advertisement ; and updating advertisements provided to the data processing device based upon a determination that the user does not select the at least one advertisement.	that the user does not select the at least one advertisement '178 (8)	advertisements provided to the data processing device based upon a determination that the user does not select the at least one advertisement”		
	“user”	See ‘969 (1)	See ‘969 (1)	
	“data processing device [of a/the user]”	See ‘969 (6)	See ‘969 (6)	
	“advertisement”/ “particular advertisement”	See ‘969 (1)	See ‘969 (1)	
9. The method of claim 1, further comprising selecting the at least one advertisement based upon a least one of user profile data and user preference data.	“advertisement”/ “particular advertisement”	See ‘969 (1)	See ‘969 (1)	
	“[the] user profile data”	See ‘969 (2)	See ‘969 (2)	
	“user preference data”/ “preference data for the user” / [creating] user preference data”	See ‘245 (1)	See ‘245 (1)	

Asserted Claims (Disputed terms in bold)	Terms for Construction	Rockstar’s Proposed Construction	Google’s Proposed Construction	Court’s Construction
10. The method of claim 1, further comprising selecting the search results based upon at least one of user profile data and user preference data .	“ search result[s] ”	See ‘969 (1)	See ‘969 (1)	
	“ [the] user profile data ”	See ‘969 (2)	See ‘969 (2)	
	“ user preference data ”/ “ preference data for the user ” / [creating] user preference data ”	See ‘245 (1)	See ‘245 (1)	
12. A method for operating a data processing device of a user to receive advertisements via a communications link from an advertising machine implemented on at least one computer, the method comprising: based upon interaction with the user , creating a search request that includes a search argument ; transmitting to the advertising	“ user ”	See ‘969 (1)	See ‘969 (1)	
	“ search argument ” / “ the received search argument ”	See ‘969 (1)	See ‘969 (1)	
	“ advertising machine ”	See ‘969 (17)	See ‘969 (17)	

Asserted Claims (Disputed terms in bold)	Terms for Construction	Rockstar’s Proposed Construction	Google’s Proposed Construction	Court’s Construction
machine via the communications link the search request that includes the search argument; receiving search results and at least one advertisement via the communications link from the advertising machine, the at least one advertisement relating to the search argument; displaying the search results and the at least one advertisement on a display of the data processing device ; based upon interaction with the user, receiving search refinement input ; transmitting the search refinement input to the advertising machine via the communications link; receiving modified search results and at	“communications link”	See ‘245 (1)	See ‘245 (1)	
	“search result[s]”	See ‘969 (1)	See ‘969 (1)	
	“advertisement”/ “particular advertisement”	See ‘969 (1)	See ‘969 (1)	
	“display[ed/ing]”	See ‘969 (6)	See ‘969 (6)	
	“data processing device [of a/the user]”	See ‘969 (6)	See ‘969 (6)	

Asserted Claims (Disputed terms in bold)	Terms for Construction	Rockstar’s Proposed Construction	Google’s Proposed Construction	Court’s Construction
least one other advertisement from the advertising machine that are based upon at least the search refinement input; and displaying the modified search results and the at least one other advertisement on the display of the data processing device.	“search refinement input”	See ‘245 (8)	See ‘245 (8)	
	“modified search results”	See ‘178 (1)	See ‘178 (1)	
14. The method of claim 12, wherein the search refinement input comprises at least one additional search argument .	“search refinement input”	See ‘245 (8)	See ‘245 (8)	
	“search argument” / “the received search argument”	See ‘969 (1)	See ‘969 (1)	
15. The method of claim 12, wherein the search refinement input comprises additional search criteria.	“search refinement input”	See ‘245 (8)	See ‘245 (8)	
16. The method of claim 12, wherein the at least one advertisement includes a link to a website sponsoring the advertisement.	“advertisement”/ “particular advertisement”	See ‘969 (1)	See ‘969 (1)	
	“link to a website”	[Agreed]	[Agreed]	a hyperlink to a website

Asserted Claims (Disputed terms in bold)	Terms for Construction	Rockstar’s Proposed Construction	Google’s Proposed Construction	Court’s Construction
17. The method of claim 12, further comprising: determining that the user does not select the at least one advertisement ; and transmitting the indication that the user does not select the at least one advertisement to the advertising machine via the communications link .	“ user ”	See ‘969 (1)	See ‘969 (1)	
	“ advertisement ”/ “ particular advertisement ”	See ‘969 (1)	See ‘969 (1)	
	“ advertising machine ”	See ‘969 (17)	See ‘969 (17)	
	“ communications link ”	See ‘245 (1)	See ‘245 (1)	
18. The method of claim 12, further comprising: receiving user input to indicate selection of the at least one advertisement ; and transmitting the indication that the user selects the at least one advertisement to the advertising machine via the communications link .	“ advertisement ”/ “ particular advertisement ”	See ‘969 (1)	See ‘969 (1)	
	“ user ”	See ‘969 (1)	See ‘969 (1)	
	“ advertising machine ”	See ‘969 (17)	See ‘969 (17)	
	“ communications link ”	See ‘245 (1)	See ‘245 (1)	