EXHIBIT B

PROPOSED CONSTRUCTIONS FOR DISPUTED TERMS AND SUPPORT

U.S. Patent 7,283,519	Disputed Claim Terms	ESN's Proposed Constructions and Support	Cisco's Proposed Constructions and Support
9. A **network device comprising**:	network device (claims 9, 10, 12, 16)	A "network device" is a collection of hardware and software, connected to a network, which together make up a single logical node on the network. **Intrinsic Support** '519 Patent at 11:65 – 12:4; 21:8-17; 37:30-39; Figs. 4 and 13; claim 12.	A single piece of equipment that transmits and receives data over the broadband network. **Intrinsic Evidence:** '519 Patent: 11:64-12:4. **Extrinsic Evidence:** Definition of "device": "10. In networking, a unit that provides a means for inputting and outputting data over the transmission medium 11. A mechanism or piece of equipment designed to serve a purpose or perform a function." *The IEEE Standard Dictionary of Electrical and Electronics Terms*, 279 (6th. ed. 1996).
	comprising (claims 9, 16) See Exhibit A for agreed construction of this term.		
a **broadband network interface;**	broadband network interface (claims 9, 16) See Exhibit A for		

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	agreed construction of this term.		
a plurality of communication interfaces, including a **telephone line interface** and a **computer data interface;**	telephone line interface (claims 9, 16)	A "telephone line interface" is a hardware subcomponent that provides a physical interface for connecting non-IP telephones (telephones that do not natively support IP network signaling) to the network device. A "telephone line interface" converts device-level telephone signals to/from digitally encoded audio streams and digitally encoded device states (e.g., off-hook, on-hook, and dialed digits.) **Intrinsic Support** '519 Patent at 22:61-63; 23:4-8; 42:45 – 43:5. Prosecution History of U.S. Application No. 11/651,700 (continuation of '519 Patent) – Amendment B (May 23, 2008) at 4.	Hardware subcomponent of the network device that is used to connect telephone stations that do not support IP protocols. **Intrinsic Evidence:** '519 Patent: 42:45-43:5; 58:3-51; 59:29-50; 66:51-54.
	computer data interface (claims 9, 16)	A "computer data interface" is a hardware subcomponent of the network device that is used to connect one or more computer workstations to allow bidirectional IP data paths used for common data transport to/from the one or more computer work stations.	Hardware subcomponent of the network device that is used to connect one or more terminal devices to support bidirectional IP data communication between the network device and the terminal devices. **Intrinsic Evidence:**

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		Intrinsic Support '519 Patent at 41:16-27.	'519 Patent: 41:16-27; 59:51-59
a processor;			
a machine-readable storage medium that stores processor-executable instructions to provide **SIP agents**,	SIP (claims 9, 16)	The term SIP is shorthand for Session Initiation Protocol, which is a communications protocol for creating, modifying and terminating sessions with one or more participants. These sessions may include Internet telephone calls, Internet multimedia conferences, and other types of multimedia distribution. **Extrinsic Support** RFC 2543 - SIP: Session Initiation Protocol at Abstract (March 1999).	Session Initiation Protocol as set forth in IETF RFC 2543 **Intrinsic Evidence:** '519 Patent: 62:38-39. **Extrinsic Evidence:** *SIP: Session Initiation Protocol*, IETF RFC 2543 (1999). Testimony of Dr. Burger.
	SIP agents (claim 9)	A SIP agent is a software entity that provides a SIP function and acts on behalf of a person, thing or other software entity. A SIP user agent and a SIP proxy server are examples of SIP agents. **Extrinsic Support** Newton's Telecom Dictionary, 16th Ed. at 44 (February 2000) ("Agent: 1. The classic definition of an agent is an entity acting on behalf of another.")	*This term is indefinite, as it is neither used nor defined in the specification, it does not have an ordinary meaning, and it is not a term of art that is discernable to one of ordinary skill in the art.* **Extrinsic Evidence:** Testimony of Dr. Burger

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the instructions causing the network device to provide a SIP user agent to represent a non-SIP telephone that uses the telephone line interface, and	SIP user agent (claim 9)	A "SIP user agent" is a SIP network signaling endpoint. **Intrinsic Support** '519 Patent at 14:2-7; 31:37-44; 44:59 – 45:3. Prosecution History of U.S. Reexamination No. 95/000,344 (reexamination of '519 Patent) – Response of Office Action in an *Inter Partes* Reexamination Proceeding (August 13, 2008) at 7 ("Further, claims 9-12 specify a network device that has instructions providing "a SIP user agent" which is "a SIP network signaling endpoint" in accordance with the '519 patent at col. 14, lns. 2-3."). **Extrinsic Support** Jonathan Rosenberg, *DynamicSoft – SIP Proxies*, at pp. 6, 8 (January 24, 2001). RFC 2543 - SIP: Session Initiation Protocol at 1.3 (March 1999).	An application which contains both a user agent client and user agent server that operates in accordance with IETF RFC 2543. **Extrinsic Evidence:** *SIP: Session Initiation Protocol*, IETF RFC 2543 (1999). "User agent (UA): An application which contains both a user agent client and user agent server." *Id*. at 11. "User agent client (UAC), calling user agent: A user agent client is a client application that initiates the SIP request. User agent server (UAS), called user agent: A user agent server is a server application that contacts the user when a SIP request is received and that returns a response on behalf of the user. The response accepts, rejects or redirects the request." *Id.* *See also* section 11, Behavior of SIP User Agents (*Id.* at 95-97). Testimony of Dr. Burger

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	non-SIP telephone (claim 9) See Exhibit A for agreed construction of this term.		
	the instructions causing the network device to provide a SIP user agent to represent a non-SIP telephone that uses the telephone line interface (claim 9)	The instructions cause the network device to provide a "SIP user agent" (a "SIP user agent" is a SIP network signaling endpoint) for the purpose of representing a non-IP telephone that is attached to the network device through the telephone line interface. Because the non-IP telephone is not natively capable of direct participation in SIP communications, it relies on the SIP user agent (provided by the network device) to participate in SIP communications on its behalf, thereby enabling the non-SIP telephone to indirectly participate in SIP communications. **Intrinsic Support** '519 Patent at 14:2-7; 31:37-44; 44:59 – 45:3. Prosecution History of U.S. Reexamination No. 95/000,344 (reexamination of '519 Patent) – Response of Office Action in an *Inter Partes* Reexamination Proceeding	Software in the network device provides each telephone station attached to the telephone line interface with a SIP user agent to perform all the required SIP signaling in accordance with IETF RFC 2543. **Intrinsic Evidence:** '519 Patent: 25:14-16; 31:37-47; 44:59-45:3. **Extrinsic Evidence:** *SIP: Session Initiation Protocol*, IETF RFC 2543 (1999). Testimony of Dr. Burger

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		(August 13, 2008) at 7 ("Further, claims 9-12 specify a network device that has instructions providing "a SIP user agent" which is "a SIP network signaling endpoint" in accordance with the '519 patent at col. 14, lns. 2-3."). **Extrinsic Support** Jonathan Rosenberg, *DynamicSoft – SIP Proxies*, at pp. 6, 8 (January 24, 2001). RFC 2543 - SIP: Session Initiation Protocol at 1.3 (March 1999).	
the instructions further causing the network device to implement a **SIP proxy server that mediates all SIP communications over the broadband network interface involving the non-SIP telephone**.	SIP proxy server (claim 9, 16)	A "SIP proxy server" is an intermediary program that acts as both a server and a client for the purpose of making SIP requests on behalf of other SIP clients such as a SIP user agent. SIP requests are serviced internally or by passing them on, possibly after translation, to other servers. A SIP proxy interprets, and, if necessary, rewrites a SIP request message before forwarding it. **Intrinsic Support** '519 Patent at 24:24-38; 31:1-25; 31:55 – 32:3; 44:46-51; 49:12-24;	An intermediary program that acts as both a server and a client for the purpose of making requests on behalf of other SIP clients in accordance with IETF RFC 2543. **Extrinsic Evidence:** *SIP: Session Initiation Protocol*, IETF RFC 2543 (1999). "Proxy, proxy server: An intermediary program that acts as both a server and a client for the purpose of making requests on behalf of other clients. Requests are serviced

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		49:31-45. **<u>Extrinsic Support</u>** Jonathan Rosenberg, *DynamicSoft – SIP Proxies*, at pp. 7-10 (January 24, 2001). RFC 2543 - SIP: Session Initiation Protocol at 1.3 (March 1999).	internally or by passing them on, possibly after translation, to other servers. A proxy interprets, and, if necessary, rewrites a request message before forwarding it." *Id*. at 10. "The To, From, Call-ID, and Contact tags are copied exactly from the original request. The proxy SHOULD change the Request-URI to indicate the server where it intends to send the request." *Id.* at 98. *See also* section 12.3, Proxy Server (*Id.* at 98-100). Testimony of Dr. Burger
	mediates (claim 9)	Note: ESN does not believe it is helpful to construe the term "mediates" in isolation. ESN construes "mediates" in the context of the complete phrase "SIP proxy server that mediates all SIP communications over the broadband network interface involving the non-SIP telephone."	Acts as an intermediary. **Extrinsic Evidence:** Definition of "mediate": "To act as intermediary." *The American Heritage Dictionary*, 525 (4th ed. 2001).

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	SIP proxy server that mediates all SIP communications over the broadband network interface involving the non-SIP telephone (claim 9)	The instructions cause the network device to implement a SIP proxy server that acts as an intermediary for SIP communications between a SIP user agent representing a non-SIP telephone attached to the telephone line interface and a remote SIP endpoint (e.g., telephone) accessible by way of routing SIP communications over the broadband network interface. The requirement that the "SIP proxy server mediate all SIP communications over the broadband network interface involving the non-SIP telephone" means that the SIP proxy server must control SIP telephone call sessions involving the non-SIP telephone by (1) making SIP signaling events available to a telephone call control function and (2) translating E.164 numbers into IP addresses (as required to establish SIP call sessions). **Intrinsic Support** '519 Patent at 6:47-62; 8:41-54; 11:55-59; 24:24-38; 25:23-45; 31:1-25; 31:55 – 32:3; 33:7-35; 44:46-51; 49:12-24; 49:31-45. Prosecution History of U.S.	*"SIP", "SIP Proxy Server", "mediates", and "non-SIP telephone" as construed above; "broadband network interface" as construed in Exhibit A; ordinary meaning for rest of phrase.*

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		Reexamination No. 95/000,344 (reexamination of '519 Patent) – Response of Office Action in an *Inter Partes* Reexamination Proceeding (August 13, 2008) at 7-8. **Extrinsic Support** Jonathan Rosenberg, *DynamicSoft – SIP Proxies*, at pp. 7-10, 23-26, 32 (January 24, 2001). RFC 2543 - SIP: Session Initiation Protocol at 1.3 (March 1999).	

10. The **network device** of claim 9, wherein the computer data interface passes **IP data**.	IP data (claim 10) See Exhibit A for agreed construction of this term.		

12. The **network device** of claim 9, wherein the network device is contained in a single physical enclosure.			

16. A method for establishing a **voice-over-packet** network architecture, the method comprising:	voice-over-packet (claim 16) See Exhibit A for agreed construction of this term.		
locating a **system management platform** in a	system management	A "system management platform" is deployed in the shared packet	Platform, installed in a carrier central office or equivalent, that provides

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shared packet network, the system management platform collecting **call log data** from a plurality of network devices; and	platform (claim 16)	network. The system management platform generally does not participate in voice communications with the network devices, but provides a supporting, administrative role, including collecting call log data from the network devices. **Intrinsic Support** '519 Patent at 37:40-43; 56:58 – 57:3.	provisioning, configuration, management and active monitoring of network devices **Intrinsic Evidence:** '519 Patent: 56:58-57:37; 37:40-50.
	shared packet network (claim 16)	A "shared packet network" uses packet switching (in contrast to circuit switching) to communicate data (for example, text, sound or video data). Packet switching is a network communications method that splits data into smaller bundles of data, called packets, that are then routed over a network that is shared with other data traffic. Each packet is labeled with its intended destination and a sequence number to allow the packets to be reassembled in the proper order when they reach their destination. The Internet is an example of a shared packet network. **Extrinsic Support** Newton's Telecom Dictionary, 16th	Packet network owned and operated by a telecommunications carrier that is shared by a public subscriber base. **Intrinsic Evidence:** '519 Patent: 18:25-28; 18:59-60; 59:60-60:6. *See also* FIGS. 8 and 9.

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		Ed. at 626-628 (February 2000) (definitions for "packet," "packet switching " and "packet switching network").	
	call log data (claim 16) See Exhibit A for agreed construction of this term.		
distributing the plurality of **network devices** that each include			
a **telephone line interface**,			
a **computer data interface**,			
a broadband network interface terminating a link from the **shared packet network**,			
a processor, and			
a machine-readable storage medium storing processor-executable instructions to control telephone calls, the instructions causing each network device to **route telephone calls in a peer-to-peer fashion over the**	route telephone calls in a peer-to-peer fashion over the shared packet network (claim 16)	Routing calls in a peer-to-peer fashion means that a network device may route calls to another network device reachable through the shared packet network without requiring any intermediary call control agent between the two network devices. **Intrinsic Support**	Route each telephone call without requiring assistance from the network beyond IP connectivity over the carrier packet network. **Intrinsic Evidence:** '519 Patent: 11:37-43; 18:55-60.

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shared packet network and to send **call log data** to the **system management platform**[;]		'519 Patent at 11:36-43; 18:55-59; 22:2-14. Prosecution History of U.S. Application No. 11/651,700 (continuation of '519 Patent) – Amendment B (May 23, 2008) at 11.	
[] wherein the storage medium further stores processor-executable instructions to act as an **SIP proxy server for devices using the telephone line interface and for devices using the computer data interface**.	SIP proxy server for devices using the telephone line interface and for devices using the computer data interface (claim 16)	The instructions cause the network device to implement a SIP proxy server that acts as an intermediary for SIP communications to/from a SIP user agent representing a non-SIP telephone attached to the telephone line interface and SIP devices connected to the network device through the computer data interface. A "SIP proxy server" is an intermediary program that acts as both a server and a client for the purpose of making SIP requests on behalf of other SIP clients such as a SIP user agent. SIP requests are serviced internally or by passing them on, possibly after translation, to other servers. A SIP proxy interprets, and, if necessary, rewrites a SIP request message before forwarding it. **Intrinsic Support**	Default SIP proxy server that is used by the SIP user agents representing telephone stations and SIP user agents representing computer workstations to participate in SIP network signaling operations that involve carrier-owned SIP network signaling endpoints. **Intrinsic Evidence:** '519 Patent: 24:24-32; 31:37-47; 31:66-32:3; 44:59-45:11; 47:61-66. **Extrinsic Evidence:** *SIP: Session Initiation Protocol*, IETF RFC 2543 (1999).

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		'519 Patent at 24:24-38; 31:1-25; 31:55 – 32:3; 44:46-51; 49:12-24; 49:31-45. **Extrinsic Support** Jonathan Rosenberg, *DynamicSoft – SIP Proxies*, at pp. 7-10 (January 24, 2001). RFC 2543 - SIP: Session Initiation Protocol at 1.3 (March 1999).	