

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

TYLER DIVISION

DATE: January 27, 2010

JUDGE
LEONARD DAVIS

REPORTER: Shea Sloan

LAW CLERKS: Kat Li

<p>MIRROR WORLDS, LLC</p> <p style="text-align:center">V</p> <p>APPLE, INC.</p>	<p>CIVIL ACTION NO: 6:08-CV-88</p> <p>MARKMAN HEARING</p>
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ATTORNEYS FOR PLAINTIFFS	ATTORNEY FOR DEFENDANT
Joseph Diamante (Stroock & Stroock) Alexander Solo (Stroock) Kenneth Stein (Stroock) Otis Carroll (ICK Firm)	Matthew Powers (Weil) Sonal Mehta (Weil) Steven Cherensky (Weil) Adam Biggs (Albritton Firm)

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 1:30 pm

ADJOURN: 4:30 pm

TIME:	MINUTES:
1:30 pm	Case called. Mr. Carroll, Mr. Diamante, Mr. Stein and Mr. Solo announced ready for Plaintiff. Mr. Biggs, Mr. Powers, Mr. Cherensky and Ms. Mehta announced ready for Defendant.
	Court addressed the parties on the proposed order of proceeding. Court asked for a brief opening statement.
	Mr. Stein presented an opening statement to the Court.
	Mr. Powers presented an opening statement to the Court.
	Mr. Stein presented the term “stream.”
	Mr. Powers responded and presented the Defendant’s proposed definition of “stream.”
	Mr. Powers presented the term “main stream.” Court proposed a definition. Mr. Powers can live with that. Mr. Stein disagrees. Court and parties discussed proposed definition.

DAVID J. MALAND, CLERK

FILED: 1.27.2010

BY: *Rosa L. Ferguson*, Courtroom Deputy

TIME:	MINUTES:
	Court and parties discussed the claim scope dispute and Court will resolve. Court and parties discussed “each” and “every.”
	Mr. Stein presented term “substream.”
	Mr. Powers responded and presented Defendant’s proposed definition of “substream.”
	Mr. Stein responded.
	Mr. Powers presented “stream-based operating system.”
	Mr. Stein responded and presented Plaintiff’s proposed definition of “stream-based operating system.”
	Mr. Powers responded.
2:50 pm	Court in recess for 10 minutes.
	Hearing resumed.
	Mr. Stein presented term “timestamp to identify.”
	Mr. Powers responded and presented Defendant’s proposed definition of “timestamp to identify.”
	Mr. Stein responded.
	Mr. Powers presented term “glance views.”
	Mr. Stein responded as to document representation. Mr. Powers responded. Court clarified the document and document representation. Mr. Powers continued to respond.
	Mr. Stein further responded. Mr. Powers replied.
	Court moved on to “Receding Foreshortened Stack” and inquired if either party could live with the other party’s definition. Mr. Powers responded.
	Mr. Stein presented term “receding foreshortened stack.”
	Mr. Powers responded and presented Defendant’s proposed definition of “receding foreshortened stack.”. Mr. Stein further responded. Court and parties continued to discuss.
	Mr. Powers presented term “archiving.”
	Mr. Stein responded and presented Plaintiff’s proposed definition of “archiving.” Mr. Powers responded. Mr. Stein replied.
	Mr. Stein presented term “document organizing facility.”
	Mr. Powers responded and presented Defendant’s proposed definition of “document organizing facility.”
	Court will move on to the means plus function terms dealing with the Motion for Summary Judgment.
	Mr. Stein presented “means for selecting a timestamp to identify each data unit.”

TIME:	MINUTES:
	Mr. Powers moved on to “means to selecting a timestamp to identify.” Mr. Stein responded as to structure.
	Court will take the rest of that argument on the briefs.
	Court would like some argument on “data unit.”
	Mr. Powers presented term “data unit.” Mr. Stein responded. Mr. Powers responded.
	Ms. Mehta presented terms in the Piles Patent Terms. Ms. Mehta presented term “graphical iconic representation.”
	Mr. Stein responded. Ms. Mehta responded.
	Court inquired as to mediation. Mr. Carroll responded. Mr. Powers responded. Mr. Diamante responded.
	Court inquired as to a preliminary ruling on claim construction.
4:30 pm	There being nothing further, Court adjourned.