

EXHIBIT 2

Claim Element	Preliminary Court's Construction	Prior Art
<p>1 [a] A method for organizing and viewing information in a computer filing system having a display device and a first plurality of documents, said method comprising:</p>		<p><u>Nicol</u></p> <p>Nicol discloses a method and apparatus “for presenting help messages to a user in an interactive computer environment in which a help mode operates concurrently with other programs operating in the computer system. <i>See Nicol, Abstract; see also, e.g., 2:15-21; 3:10-31; Figs. 1, 2.</i></p> <p><u>Levine</u></p> <p>During the prosecution of U.S. Patent No. 6,243,724 (“the ‘724 patent”), which issued from the parent application of the ‘101 patent, the Examiner stated that “Levine shows a graphical document collection in an analogous art for the purpose of presenting documents.” ’724 patent Prosecution History, Office Action mailed 6/12/95, pp. 10-11 (APMW025565-66).</p>
<p>1 [b] displaying a graphical iconic representation of a collection of said first plurality of documents;</p>	<p>“A graphical iconic representation of a collection of said first plurality of documents” was construed in the Court’s preliminary claim construction order as “a collection of two or more document icons displayed together.” D.I. 178.</p>	<p><u>Nicol</u></p> <p>During the prosecution of the ‘724 patent, the Examiner stated that a “<i>graphical iconic collection representation</i> is shown in fig. 2 [of Nicol].” ’724 Prosecution History, Office Action mailed 6/12/95, p. 10 (APMW025565) (emphasis in original).</p> <p>Nicol discloses two or more icons displayed together. For example, “the pencil icon 402 and the spray can icon 406 are icons which represent tasks that may be performed by a hypothetical program.” <i>See Nicol, 7:10-23; see also Figs. 2, 3.</i></p>

		<p><u>Levine</u></p> <p>During the prosecution of the ‘724 patent, the Examiner stated that “Levine shows a graphical document collection in an analogous art for the purpose of presenting documents.” ’724 patent Prosecution History, Office Action mailed 6/12/95, pp. 10-11 (APMW025565-66).</p>
<p>1 [c] displaying a first indicia of a first document of said collection by selecting a first position from said graphical iconic representation, wherein said first position on said graphical iconic representation is capable of being at any one of a plurality of locations on said graphical iconic representation and wherein said selecting from said graphical iconic representation comprises positioning a cursor on said graphical iconic representation; and</p>		<p><u>Nicol</u></p> <p>During the prosecution of the ‘724 patent, the Examiner stated that “[d]isplaying indicia of document by selecting position from representation is shown in fig. 2 [of Nicol].” ’724 patent Prosecution History, Office Action mailed 6/12/95, p. 10 (APMW025565) (emphasis in original); <i>see also, e.g.</i>, Nicol, 5:1-5.</p> <p>Nicol discloses a “system [that] displays the help information for a particular icon whenever the pointer is positioned over the icon.” Nicol, 6:23-28; <i>see also, e.g.</i>, Nicol, 5:1-5.</p> <p>During the prosecution of the ‘724 patent, the Examiner also stated that displaying indicia of a document, “<i>regardless of position on representation</i> is shown in fig. 2 [of Nicol] in which help [message] is provided regardless of position.” ’724 patent Prosecution History, Office Action mailed 6/12/95, p. 10 (APMW025565) (emphasis in original); <i>see also, e.g.</i>, Nicol, 5:1-5.</p> <p>Also, during prosecution of the ‘724 patent, Apple stated that Nicol discloses “the general concept of a graphical user interface wherein information regarding an icon may be retrieved by pointing a cursor at the icon.” ’724 patent Prosecution History, Appeal Brief, March 12, 1996, p. 32 (APMW-0025610).</p>
<p>1 [d] displaying in series a second indicia of a second document and a third indicia of a third</p>		<p><u>Nicol</u></p> <p>During the prosecution of the ‘724 patent, the Examiner rejected claim 84 (which is comparable to claim 1 of the ‘101 patent), stating that applying the display of indicia “to multiple</p>

<p>document by positioning said cursor first on a second position on said graphical iconic representation next on a third position on said graphical iconic representation.</p>		<p>instances [is] inherent in the applied reference [<i>i.e.</i> Nicol].” ‘724 patent Prosecution History, Office Action mailed 6/12/95, p. 11 (APMW025566); <i>see also, e.g., Nicol, 5:1-5; 9:17-44.</i></p> <p>Also, during the prosecution of the ‘724 patent, Apple stated that Nicol discloses “the general concept of a graphical user interface wherein information regarding an icon may be retrieved by pointing a cursor at the icon.” ‘724 patent Prosecution History, Appeal Brief, March 12, 1996, p. 32 (APMW-0025610).</p>
<p>2. A method as in claim 1 wherein said indicia is displayed adjacent to said graphical iconic representation of said collection.</p>		<p><u>Nicol</u></p> <p>During the prosecution of the ‘724 patent, the Examiner stated that “[<i>c</i>]oncurrent <i>adjacent display of representation and indicia</i> is shown in fig. 2 [of Nicol].” ‘724 patent Prosecution History, Office Action mailed 6/12/95, p. 10 (APMW025565) (bold added, italics in original); <i>see also, e.g., Nicol, 9:11-44, Fig. 2.</i></p>
<p>3. A method as in claim 1 wherein during said displaying in series said second indicia and said third indicia, said graphical iconic representation is concurrently displayed.</p>		<p><u>Nicol</u></p> <p>During the prosecution of the ‘724 patent, the Examiner stated that “[<i>c</i>]oncurrent <i>adjacent display of representation and indicia</i> is shown in fig. 2 [of Nicol].” ‘724 patent Prosecution History, Office Action mailed 6/12/95, p. 10 (APMW025565) (bold added, italics in original); <i>see also, e.g., Nicol, 9:11-44, Fig. 2.</i></p>
<p>4. A method as in claim 3 wherein said second indicia is displayed adjacent to said graphical iconic representation and said third indicia is displayed adjacent to said graphical iconic representation.</p>		<p><u>Nicol</u></p> <p>During the prosecution of the ‘724 patent, the Examiner stated that “[<i>c</i>]oncurrent <i>adjacent display of representation and indicia</i> is shown in fig. 2 [of Nicol].” ‘724 patent Prosecution History, Office Action mailed 6/12/95, p. 10 (APMW025565) (bold added, italics in original); <i>see also, e.g., Nicol, 9:11-44, Fig. 2.</i></p>

<p>5 [a] An apparatus for organizing and viewing information in a computer filing system having a display device and a first plurality of documents, said apparatus comprising:</p>		<p><i>See claim 1[a].</i></p>
<p>5 [b] means for displaying a graphical iconic representation of a collection of said first plurality of documents;</p>		<p><i>See claim 1[b]; see also, e.g., Nicol, 2:48-61; 3:22-40.</i></p>
<p>5 [c] means for displaying a first indicia of a first document of said collection by selecting a first position from said graphical iconic representation, wherein said first position on said graphical iconic representation is capable of being at any one of a plurality of locations on said graphical iconic representation and wherein said selecting from said graphical iconic representation comprises positioning a cursor on said graphical iconic representation; and</p>		<p><i>See claim 1[c]; see also, e.g., Nicol, 2:48-61; 3:22-40.</i></p>

<p>5 [d] means for displaying in series a second indicia of a second document and a third indicia of a third document by positioning said cursor first on a second position on said graphical iconic representation next on a third position on said graphical iconic representation.</p>		<p><i>See claim 1[d]; see also, e.g., Nicol, 2:48-61; 3:22-40.</i></p>
<p>6. An apparatus as in claim 5 wherein said indicia is displayed adjacent to said graphical iconic representation of said collection.</p>		<p><i>See claim 2.</i></p>
<p>7. An apparatus as in claim 5 wherein during said displaying in series said second indicia and said third indicia, said graphical iconic representation is concurrently displayed.</p>		<p><i>See claim 3.</i></p>
<p>8. An apparatus as in claim 7 wherein said second indicia is displayed adjacent to said graphical iconic representation and said third indicia is displayed adjacent to said graphical iconic representation.</p>		<p><i>See claim 4.</i></p>
<p>9 [a]. A computer readable medium containing</p>		<p><i>See claim 1[a].</i></p>

<p>executable computer program instructions which when executed by a computer system cause said computer system to perform a method for organizing and viewing information in a computer filing system having a display device and a first plurality of documents, said method comprising:</p>		
<p>9 [b] displaying a graphical iconic representation of a collection of said first plurality of documents;</p>		<p><i>See claim 1[b].</i></p>
<p>9 [c] displaying a first indicia of a first document of said collection by selecting a first position from said graphical iconic representation, wherein said first position on said graphical iconic representation is capable of being at any one of a plurality of locations on said graphical iconic representation and wherein said selecting from said graphical iconic representation comprises positioning a cursor on said graphical</p>		<p><i>See claim 1[c].</i></p>

<p>iconic representation; and</p>		
<p>9 [d] displaying in series a second indicia of a second document and a third indicia of a third document by positioning said cursor first on a second position on said graphical iconic representation next on a third position on said graphical iconic representation.</p>		<p><i>See claim 1[d].</i></p>
<p>10. A computer readable medium as in claim 9 wherein said indicia is displayed adjacent to said graphical iconic representation of said collection.</p>		<p><i>See claim 2.</i></p>
<p>11. A computer readable medium as in claim 9 wherein during said displaying in series said second indicia and said third indicia, said graphical iconic representation is concurrently displayed.</p>		<p><i>See claim 3.</i></p>
<p>12. A computer readable medium as in claim 11 wherein said second indicia is displayed adjacent to said graphical iconic representation and said third indicia is displayed adjacent to</p>		<p><i>See claim 4.</i></p>

said graphical iconic representation.		
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