IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

MIRROR WORLDS, LLC,
 	
      Plaintiff,
 	
        v.
 	
APPLE INC.,
 	
      Defendant.
	Civil Action No. 6:08-cv-88 LED

APPLE INC.,
 	
      Counterclaim Plaintiff,
 	
        v.
 	
MIRROR WORLDS, LLC,
MIRROR WORLDS TECHNOLOGIES, INC.,
 	
      Counterclaim Defendants.
	JURY TRIAL DEMANDED

DEFENDANT AND COUNTERCLAIM PLAINTIFF APPLE INC.'S
NOTICE OF ASSERTED PRIOR ART FOR TRIAL

Defendant and Counterclaim Plaintiff Apple Inc. hereby identifies the following primary

prior art systems that it intends to assert at trial:

1.   MAYA Design's Workscape System (1989-1995) (as evidenced by

Defendant's Exhibit Nos. ("DX") DX0135, DX0175, DX0197, DX0294, DX0511, DX0512,

DX0573 and DX0922 and related testimony).

2.   Apple Inc.'s "Piles" System (1992-1995) (as evidenced by DX0201, DX0291,

DX0355 and DX0356, and related testimony).

3.   Dantz Development Corporation's Retrospect System (1989-1995) (as evidenced by DX0353, DX0517, DX0519, DX0520 and DX0818).

4.   Lotus Development Corporation's Lotus Magellan System (1989-1995) (as evidenced by DX0170, DX0352, DX0387, DX0502 and DX1007, and related testimony).

5.   The Spatial Data Management System (1977-1981) (as evidenced by DX0282, DX0471 and DX0499, and related testimony).

6.   The Lifestreams System (1994-1995) (as evidenced by N. Carriero, E. Freeman, and D. Gelernter, "The Lifestreams Software Architecture," YALEU/DCS/TR-1054 (1994), DX0378, DX0774 and DX0777, and related testimony).

7.   The Memoirs System (1988-1992) (as evidenced by DX0382, DX0563, DX0588 and DX0589, and related testimony).

8.   ON Technology, Inc.'s On Location System (1989-1991) (as evidenced by DX0555 and DX0582, and relevant testimony).

9.   United States Patent No. 5,504,852, to Thompson-Rohrlich (Filed Mar. 1995), DX0176, and Inside Macintosh: Files (HFS Manual) (1992), DX0360.

As a consequence of Mirror Worlds' present election of numerous claims to be presented at trial, Apple hereby identifies and reserves the right to rely on the following additional references.[1] Apple is willing to reduce the following two lists further if Mirror Worlds reduces the number of claims it will be presenting at trial.

1.   United States Patent No. 5,621,906, DX0181.

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[1] Also as a result of Mirror Worlds' election of claims, Apple removed from its list of asserted prior art additional references relevant to the validity of the '999 patent. Apple reserves the right, however, to assert these references without prejudice for other pending issues, claims, or defenses, if necessary.

2. "Semantic File Systems," by Gifford, Jouvelot, Sheldon and O'Toole (ACM'91), DX0388.

3. United States Patent No. 6,396,513, DX0203.

4. United States Patent No. 5,724,567, DX0185.

5. United States Patent No. 6,202,058, DX0199.

6. English translation of Japanese Patent No. 6-180661, "A file search method," (1992), DX0354.

7. United States Patent No. 5,649,188, DX0184.

8. The HyperCard Basics (Apple Computer, 1990) and HyperCard Stack Design Guidelines (Addison Wesley, 1989), DX0357.

9. United States Patent No. 5,758,324, DX0165.

Apple hereby identifies the following obviousness and state of the art references it intends to rely on at trial, which will be used, in part, to demonstrate the evolution of the claimed features:

1. Robin Lee Kullberg, "Dynamic Timelines: Visualizing Historical Information in Three Dimensions," Master of Science Thesis, MIT (1995), DX0430.

2. William M. Newman, "A system for interactive graphical programming," ACM – Spring Joint Computer Conference (1968), DX0495.

3. Beverly L. Harrison, *et al.*, "Timelines: An Interactive System for the Collection and Visualization of Temporal Data," appeared in Proceedings of Graphics Interface '94, pp. 141-148 (1994), DX0504.

4. Robert Spence, *et al.*, "Data base navigation: an office environment for the professional," Behavior and Information Technology, Vol. 1, No. 1, pp. 43-54 (1982), DX0522.

5.   Ben Shneiderman, "The Eyes Have It: A Task by Data Type Taxonomy for Information Visualizations," Proc. Visual Languages (Sept. 1996), DX0525.

6.   Brett Milash, *et al.*, "Lifelines: Visualizing Personal Histories," (video) (April 1995), DX0554.

7.   Linda Musthaler, "A tall order for document managers," Network World, pp. 35-40 (July 18, 1994), DX0569.

8.   Sandra Kappes, *et al*., "Document Management for the Knowledge Worker System," US Army Corps of Engineers USACERL ADP Report 95/38 (1995), DX0572.

9.   Peggy Seiden, *et al.*, "Information Retrieval Systems for Microcomputers," Library Hi Tech, Vol. 3, Iss. 1, pp. 41-54 (1985), DX0562.

Apple additionally reserves the right, per the agreement between the parties and the general practice of the court, to present additional background prior art for providing context to the state of the art that Apple will not assert in any obviousness combination.

Dated: September 6, 2010   Respectfully submitted,

/s/ Jeffrey G. Randall
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on this 6th day of September, 2010. As of this date, all counsel of record had consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Jeffrey G. Randall
Jeffrey G. Randall