

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

**BEDROCK COMPUTER
TECHNOLOGIES, LLC**

Plaintiff,

vs.

**SOFTLAYER TECHNOLOGIES, INC.,
et al.**

Defendants.

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CASE NO. 609 CV 269

Jury Trial Demanded

**PLAINTIFF BEDROCK COMPUTER TECHNOLOGIES, LLC’S LOCAL PATENT
RULE 3-1 DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT
CONTENTIONS AND LOCAL PATENT RULE 3-2 DOCUMENT DISCLOSURES**

In accordance with Eastern District of Texas Local Patent Rules 3-1 and 3-2 (herein “Local Patent Rule __” or “P.R. __”), Plaintiff Bedrock Computer Technologies, LLC (“Bedrock”) hereby makes the following Disclosure of Asserted Claims and Infringement Contentions and Document Disclosure for U.S. Patent No. 5,893,120 (“the ’120 Patent”).

I. Local Patent Rule 3-1(a): Asserted Claims

Based upon the information currently available, pursuant to P.R. 3-1(a), Bedrock contends that MySpace, Inc. infringes claims 1-8 (“the Asserted Claims”) of the ’120 Patent.

II. Local Patent Rule 3-1(b): Accused Instrumentalities

Based on the information currently available, Bedrock identifies the following Accused Instrumentalities: Computer equipment configured with or utilizing software based Linux version 2.4.22.x, 2.4.23.x, 2.4.24.x, 2.4.25.x, 2.4.26.x, 2.4.27.x, 2.4.28.x, 2.4.29.x, 2.4.30.x, 2.4.31.x, 2.4.32.x, 2.4.33.x, 2.4.37.x, 2.6.0.x, 2.6.1.x, 2.6.2.x, 2.6.3.x, 2.6.4.x, 2.6.5.x, 2.6.6.x, 2.6.7.x, 2.6.8.x, 2.6.9.x, 2.6.10.x, 2.6.11.x, 2.6.12.x, 2.6.13.x, 2.6.14.x, 2.6.15.x, 2.6.16.x,

2.6.17.x, 2.6.18.x, 2.6.19.x, 2.6.20.x, 2.6.21.x, 2.6.22.x, 2.6.23.x, 2.6.24.x, 2.6.25.x, 2.6.26.x, 2.6.27.x, 2.6.28.x, 2.6.29.x, 2.6.30.x, or 2.6.31.

Bedrock reserves its right to add Accused Instrumentalities as discovery progresses.

III. Local Patent Rule 3-1(c): Infringement Chart

Pursuant to P.R. 3-1(c), Bedrock provides the following infringement claim chart for the '120 Patent, attached hereto as Exhibit A (the "Claim Chart"), which explains how MySpace, Inc.'s Accused Instrumentalities infringe the Asserted Claims. Some of the limitations of the claims of the '120 Patent include features that relate to software of the Accused Instrumentalities. The actual source code of Linux that is installed on MySpace, Inc.'s servers and other device(s) is not publicly available and has not yet been produced for inspection. Bedrock reserves the right to supplement or modify these contentions once MySpace, Inc. has produced this code and Bedrock has completed its review of the source code. Further, Bedrock notes that the specific source and/or object code components may vary between the identified versions of Linux; regardless of any variations, the source and/or object code components identified meets the limitations as indicated in the Claim Chart. Bedrock reserves the right to supplement or modify its infringement contentions once it has completed its review of such software.

IV. Local Patent Rule 3-1(d): Infringement Under Doctrine Of Equivalents

Pursuant to P.R. 3-1(d), Bedrock presently contends that MySpace, Inc. literally infringes the Asserted Claims. In the alternative, Bedrock reserves the right to rely on the doctrine of equivalents should claim construction or discovery determinations or facts of which Bedrock is not currently aware support such reliance. Bedrock has included certain contentions regarding doctrine of equivalents, but reserves the right to modify or supplement any such contentions to

the extent made relevant by the Court's claim construction ruling or by evidence currently unavailable to Bedrock in this case.

V. Local Patent Rule 3-1(e): Priority Date

Pursuant to P.R. 3-1(e), each and every Asserted Claim of the '120 Patent is entitled to a priority date of at least as early as January 2, 1997, based on the filing of Application No. 775,864.

VI. Local Patent Rule 3-1(f): Bedrock, Inc.'s Products

Pursuant to P.R.3-1(f), Bedrock discloses that it has no apparatus, product, device, process, method, act, or other instrumentality that practices the claimed invention.

VII. Local Patent Rule 3-2(a) Document Disclosure

Bedrock does not have in its possession, custody, or control any documents that are called for under P.R. 3-2(a).

VIII. Local Patent Rule 3-2(b) Document Disclosure

Based on its searches to date, Bedrock is producing today documents called for under P.R. 3-2(b), bearing the following production Bates numbers: BTEX0000001 through BTEX0000173 and BTEX0000486 through BTEX0000690.

IX. Local Patent Rule 3-2(c) Document Disclosure

Bedrock is producing today documents called for under P.R. 3-2(c), bearing the following production Bates numbers: BTEX0000174 through BTEX0000485.

Bedrock's investigation is ongoing. Bedrock reserves the right to supplement these disclosures if additional pertinent information becomes available.

DATED: October 9, 2009

Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFF
BEDROCK COMPUTER
TECHNOLOGIES**

EXHIBIT A

BEDROCK COMPUTER TECHS., LLC V. SOFTLAYER TECH. SOLUTIONS, LLC, ET. AL

PLAINTIFF’S P.R. 3-1 INFRINGEMENT CONTENTIONS¹

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
1.	An information storage and retrieval system, the system comprising:	<p>Bedrock Computer Technologies LLC (“Bedrock”) does not express a position at this time as to whether the preamble of this claim limits the claim’s scope. Nevertheless, Bedrock identifies below aspects of the Accused Instrumentalities that correspond to the claim preamble.</p> <p>When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) computer equipment configured with or utilizing software based on Linux version 2.4.22.x, 2.4.23.x, 2.4.24.x, 2.4.25.x, 2.4.26.x, 2.4.27.x, 2.4.28.x, 2.4.29.x, 2.4.30.x, 2.4.31.x, 2.4.32.x, 2.4.33.x, 2.4.37.x, 2.6.0.x, 2.6.1.x, 2.6.2.x, 2.6.3.x, 2.6.4.x, 2.6.5.x, 2.6.6.x, 2.6.7.x, 2.6.8.x, 2.6.9.x, 2.6.10.x, 2.6.11.x, 2.6.12.x, 2.6.13.x, 2.6.14.x, 2.6.15.x, 2.6.16.x, 2.6.17.x, 2.6.18.x, 2.6.19.x, 2.6.20.x, 2.6.21.x, 2.6.22.x, 2.6.23.x, 2.6.24.x, 2.6.25.x, 2.6.26.x, 2.6.27.x, 2.6.28.x, 2.6.29.x, 2.6.30.x, or 2.6.31 (each of which, individually, is an “Accused Version of Linux”), MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted for information storage and retrieval.</p> <p>In the event this preamble is construed so as to be not literally present in the Accused</p>

¹ The contentions contained in this chart are based on functionality observable through the open source versions of Linux that are publicly available. **All of the limitations of the asserted claims of the ’120 patent include features that relate to software of the Accused Instrumentalities. The actual source code of Linux that is installed on MySpace, Inc.’s servers and other device(s) is not publicly available and has not yet been produced for inspection. Bedrock reserves the right to supplement or modify these contentions once MySpace, Inc. has produced this code and Bedrock has completed its review of the source code.**

Bedrock’s identification of specific routines is not intended to identify all of the code necessary to satisfy the claim limitation at issue. Other source and/or object code components, such as routines, functions, methods, macros, classes, data structures, libraries etc. may be necessary. Furthermore, these identified code components may be called by or call other code components. Also, the code components identified are normally the first or the most relevant in a series of code components and are intended to reference the entire function path. Bedrock reserves its right to provide additional detail in its expert report according to the schedule set by the Court.

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this preamble and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(a) ²	<p>a linked list to store and provide access to records stored in a memory of the system, at least some of the records automatically expiring,</p>	<p>When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted to include a linked list to store and provide access to records stored in a memory of the system, at least some of the records automatically expiring.</p> <p>Within each and every Accused Version of Linux, data structure <code>rt_hash_table</code> in module <code>/net/ipv4/route.c</code>³ anchors one or more linked list(s) to store and provide access to records stored in a memory of the system, at least some of the records automatically expiring. In this way, computer equipment configured with or utilizing software based on an Accused Version of Linux includes a linked list to store and provide access to records stored in a memory of the system, at least some of the records automatically expiring.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused</p>

² While the limitations are not lettered in the actual claims of the patent, Bedrock provides them here for ease of reference.

³ The path names of the cited source code is provided for the defendants' convenience. If any version or customization of any Accused Version of Linux deviates from the path names that are cited in these charts, such deviations are insignificant because it is the routines, functions, methods, macros, classes, data structures, etc., as embodied on servers and other devices, that infringe.

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(b)	<p>a record search means utilizing a search key to access the linked list,</p>	<p>When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted to include a record search means utilizing a search key to access the linked list or its equivalent.</p> <p>Specifically, code contained within functions <code>ip_route_input_mc</code>, <code>ip_mkroute_input</code>, <code>ip_route_input_slow</code>, <code>ip_mkroute_output</code>, <code>ip_rt_redirect</code>, and/or <code>ip_route_output_slow</code> in module <code>/net/ipv4/route.c</code> calls functions <code>rt_hash</code> and <code>rt_intern_hash</code>. In this way, computer equipment configured with or utilizing software based on an Accused Version of Linux includes a record search means utilizing a search key to access the linked list or its equivalent.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(c)	<p>the record search means</p>	<p>When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
	including a means for identifying and removing at least some of the expired ones of the records from the linked list when the linked list is accessed, and	<p>contributes to same) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted to include a record search means, the record search means including a means for identifying and removing at least some of the expired ones of the records from the linked list when the linked list is accessed or its equivalent.</p> <p>Specifically, code contained within function <code>rt_intern_hash</code>, as invoked by functions <code>ip_route_input_mc</code>, <code>ip_mkroute_input</code>, <code>ip_route_input_slow</code>, <code>ip_mkroute_output</code>, <code>ip_rt_redirect</code>, and/or <code>ip_route_output_slow</code> in module <code>/net/ipv4/route.c</code>, comprises record search means including a means for identifying and removing at least some of the expired ones of the records from the linked list when the linked list is accessed or its equivalent.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(d)	means, utilizing the record search means, for accessing the linked list and, at the same time, removing at least some of the expired ones of the records in the linked list.	When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted to include means, utilizing the record search means, for accessing the linked list and, at the same time, removing at least some of the expired ones of the records in the linked list or its equivalent.

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>Specifically, the functions <code>ip_route_input_mc</code>, <code>ip_mkroute_input</code>, <code>ip_route_input_slow</code>, <code>ip_mkroute_output</code>, <code>ip_rt_redirect</code>, and/or <code>ip_route_output_slow</code> in module <code>/net/ipv4/route.c</code>. include means, utilizing the record search means, for accessing the linked list and, at the same time, removing at least some of the expired ones of the records in the linked list or its equivalent.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
2.	<p>The information storage and retrieval system according to claim 1 further including means for dynamically determining maximum number for the record search means to remove in the accessed linked list of records.</p>	<p>When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted to include means for dynamically determining maximum number for the record search means to remove in the accessed linked list of records or its equivalent.</p> <p>Specifically, code contained within function <code>rt_intern_hash</code>, in module <code>/net/ipv4/route.c</code>, dynamically executes based upon comparison with variable <code>ip_rt_gc_elasticity</code>. In this way, computer equipment configured with or utilizing software based on an Accused Version of Linux includes means for dynamically determining maximum number for the record search means to remove in the accessed linked list of records or its equivalent.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
3.	<p>A method for storing and retrieving information records using a linked list to store and provide access to the records, at least some of the records automatically expiring, the method comprising the steps of:</p>	<p>Bedrock does not express a position at this time as to whether the preamble of this claim limits the claim’s scope. Nevertheless, Bedrock identifies below aspects of the Accused Instrumentalities that correspond to the claim preamble.</p> <p>When MySpace, Inc. uses (or induces or contributes to others’ use of) computer equipment configured with or utilizing software based on Linux version 2.4.22.x, 2.4.23.x, 2.4.24.x, 2.4.25.x, 2.4.26.x, 2.4.27.x, 2.4.28.x, 2.4.29.x, 2.4.30.x, 2.4.31.x, 2.4.32.x, 2.4.33.x, 2.4.37.x, 2.6.0.x, 2.6.1.x, 2.6.2.x, 2.6.3.x, 2.6.4.x, 2.6.5.x, 2.6.6.x, 2.6.7.x, 2.6.8.x, 2.6.9.x, 2.6.10.x, 2.6.11.x, 2.6.12.x, 2.6.13.x, 2.6.14.x, 2.6.15.x, 2.6.16.x, 2.6.17.x, 2.6.18.x, 2.6.19.x, 2.6.20.x, 2.6.21.x, 2.6.22.x, 2.6.23.x, 2.6.24.x, 2.6.25.x, 2.6.26.x, 2.6.27.x, 2.6.28.x, 2.6.29.x, 2.6.30.x, or 2.6.31 (each of which, individually, is an “Accused Version of Linux”), MySpace, Inc. practices (or induces or contributes to others’ practice of) a method for storing and retrieving information records that uses a linked list to store and provide access to the records, where at least some of the records are automatically expiring. Computer equipment configured with or utilizing software based on an Accused Version of Linux is especially adapted to store and retrieve information records using a linked list to store and provide access to the records, where at least some of the records are automatically expiring.</p> <p>In the event this preamble is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this preamble and the aforementioned features of the</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(a)	<p>accessing the linked list of records,</p>	<p>When MySpace, Inc. uses (or induces or contributes to others' use of) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. practices (or induces or contributes to others' practice of) a method that includes the step of accessing the linked list of records. Computer equipment configured with or utilizing software based on an Accused Version of Linux is especially adapted to access a linked list of records.</p> <p>Specifically, the data structure <code>rt_hash_table</code> in module <code>/net/ipv4/route.c</code> is used to access the linked list of records. Additionally, code contained within the function <code>rt_intern_hash</code> in module <code>/net/ipv4/route.c</code> is also used to access the linked list of records.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(b)	<p>identifying at least some of the automatically expired ones of the records, and</p>	<p>When MySpace, Inc. uses (or induces or contributes to others' use of) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. practices (or induces or contributes to others' practice of) a method that includes the step of identifying at least some of the automatically expired ones of the</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>records. Computer equipment configured with or utilizing software based on an Accused Version of Linux is especially adapted to identify at least some of the automatically expired ones of the records.</p> <p>Specifically, code contained within or accessed by the function <code>rt_intern_hash</code> in module <code>/net/ipv4/route.c</code> is used to practice a method that includes the step of identifying at least some of the automatically expired ones of the records.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(c)	<p>removing at least some of the automatically expired records from the linked list when the linked list is accessed.</p>	<p>When MySpace, Inc. uses (or induces or contributes to others' use of) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. practices (or induces or contributes to others' practice of) a method that includes the step of removing at least some of the automatically expired records from the linked list when the linked list is accessed. Computer equipment configured with or utilizing software based on an Accused Version of Linux is especially adapted to remove at least some of the automatically expired records from the linked list when the linked list is accessed.</p> <p>Specifically, code contained within the function <code>rt_intern_hash</code> in module <code>/net/ipv4/route.c</code> is used to practice a method that includes the step of removing at least some of the automatically expired records from the linked list when the linked list is</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>accessed.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
4.	<p>The method according to claim 3 further including the step of dynamically determining maximum number of expired ones of the records to remove when the linked list is accessed.</p>	<p>When MySpace, Inc. uses (or induces or contributes to others' use of) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. practices (or induces or contributes to others' practice of) a method that includes the step of dynamically determining maximum number of expired ones of the records to remove when the linked list is accessed.</p> <p>Specifically, code contained within function <code>rt_intern_hash</code> (in module <code>/net/ipv4/route.c</code>) that dynamically executes based upon comparison with variable <code>ip_rt_gc_elasticity</code> is used to perform the claimed act(s). In this way, computer equipment configured with or utilizing software based on an Accused Version of Linux practices a method that includes the step of dynamically determining maximum number of expired ones of the records to remove when the linked list is accessed. Computer equipment configured with or utilizing software based on an Accused Version of Linux is especially adapted to dynamically determine maximum number of expired ones of the records to remove when the linked list is accessed.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
5.	<p>An information storage and retrieval system, the system comprising:</p>	<p>Bedrock Computer Technologies LLC (“Bedrock”) does not express a position at this time as to whether the preamble of this claim limits the claim’s scope. Nevertheless, Bedrock identifies below aspects of the Accused Instrumentalities that correspond to the claim preamble.</p> <p>When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) computer equipment configured with or utilizing software based on Linux version 2.4.22.x, 2.4.23.x, 2.4.24.x, 2.4.25.x, 2.4.26.x, 2.4.27.x, 2.4.28.x, 2.4.29.x, 2.4.30.x, 2.4.31.x, 2.4.32.x, 2.4.33.x, 2.4.37.x, 2.6.0.x, 2.6.1.x, 2.6.2.x, 2.6.3.x, 2.6.4.x, 2.6.5.x, 2.6.6.x, 2.6.7.x, 2.6.8.x, 2.6.9.x, 2.6.10.x, 2.6.11.x, 2.6.12.x, 2.6.13.x, 2.6.14.x, 2.6.15.x, 2.6.16.x, 2.6.17.x, 2.6.18.x, 2.6.19.x, 2.6.20.x, 2.6.21.x, 2.6.22.x, 2.6.23.x, 2.6.24.x, 2.6.25.x, 2.6.26.x, 2.6.27.x, 2.6.28.x, 2.6.29.x, 2.6.30.x, or 2.6.31 (each of which, individually, is an “Accused Version of Linux”), MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted for information storage and retrieval.</p> <p>In the event this preamble is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this preamble and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
(a)	<p>a hashing means to provide access to records stored in a memory of the system and using an external chaining technique to store the records with same hash address, at least some of the records automatically expiring,</p>	<p>When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted to include a hashing means to provide access to records stored in a memory of the system and using an external chaining technique to store the records with same hash address, where at least some of the records are automatically expiring or its equivalent.</p> <p>Specifically, data structure <code>rt_hash_table</code> in module <code>/net/ipv4/route.c</code> implements a hashing means to provide access to records stored in a memory of the system and using an external chaining technique to store the records with same hash address, where at least some of the records automatically are expiring or its equivalent.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(b)	<p>a record search means utilizing a search key to access a linked list of records having the same hash address,</p>	<p>When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted to include a record search means utilizing a search key to access a linked list of records having the same hash address or its equivalent.</p> <p>Specifically, code contained within functions <code>ip_route_input_mc</code>, <code>ip_mkroute_input</code>,</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>ip_route_input_slow, ip_mkroute_output, ip_rt_redirect, and/or ip_route_output_slow in module /net/ipv4/route.c calls functions rt_hash and rt_intern_hash. In this way, computer equipment configured with or utilizing software based on an Accused Version of Linux includes a record search means utilizing a search key to access a linked list of records having the same hash address or its equivalent.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(c)	<p>the record search means including means for identifying and removing at least some expired ones of the records from the linked list of records when the linked list is accessed, and</p>	<p>When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted to include the record search means including means for identifying and removing at least some expired ones of the records from the linked list of records when the linked list is accessed or its equivalent.</p> <p>Specifically, code contained within function rt_intern_hash, as invoked by functions ip_route_input_mc, ip_mkroute_input, ip_route_input_slow, ip_mkroute_output, ip_rt_redirect, and/or ip_route_output_slow in module /net/ipv4/route.c comprises record search means including means for identifying and removing at least some expired ones of the records from the linked list of records when the linked list is accessed or its equivalent.</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(d)	<p>mea[n]s, utilizing the record search means, for inserting, retrieving, and deleting records from the system and, at the same time, removing at least some expired ones of the records in the accessed linked list of records.</p>	<p>When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted to include means, utilizing the record search means, for inserting, retrieving, and deleting records from the system and, at the same time, removing at least some expired ones of the records in the accessed linked list of records or its equivalent.</p> <p>Specifically, the functions <code>ip_route_input_mc</code>, <code>ip_mkroute_input</code>, <code>ip_route_input_slow</code>, <code>ip_mkroute_output</code>, <code>ip_rt_redirect</code>, and/or <code>ip_route_output_slow</code> in module <code>/net/ipv4/route.c</code> include means, utilizing the record search means, for inserting, retrieving, and deleting records from the system and, at the same time, removing at least some expired ones of the records in the accessed linked list of records or its equivalent.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		limitation.
6.	The information storage and retrieval system according to claim 5 further including means for dynamically determining maximum number for the record search means to remove in the accessed linked list of records.	<p>When MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. makes, uses, sells, offers to sell or imports (or actively induces or contributes to same) a system that is especially adapted to include means for dynamically determining maximum number for the record search means to remove in the accessed linked list of records or its equivalent.</p> <p>Specifically, code contained within function <code>rt_intern_hash</code> (in module <code>/net/ipv4/route.c</code>) dynamically executes based upon comparison with variable <code>ip_rt_gc_elasticity</code>. In this way, computer equipment configured with or utilizing software based on an Accused Version of Linux includes means for dynamically determining maximum number for the record search means to remove in the accessed linked list of records or its equivalent.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
7.	A method for storing and retrieving information records using a hashing technique to provide access to the records and using an external chaining technique to store the records	<p>Bedrock does not express a position at this time as to whether the preamble of this claim limits the claim's scope. Nevertheless, Bedrock identifies below aspects of the Accused Instrumentalities that correspond to the claim preamble.</p> <p>When MySpace, Inc. uses (or induces or contributes to others' use of) computer equipment configured with or utilizing software based on Linux version 2.4.22.x, 2.4.23.x, 2.4.24.x, 2.4.25.x, 2.4.26.x, 2.4.27.x, 2.4.28.x, 2.4.29.x, 2.4.30.x, 2.4.31.x,</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
	with same hash address, at least some of the records automatically expiring, the method comprising the steps of:	<p>2.4.32.x, 2.4.33.x, 2.4.37.x, 2.6.0.x, 2.6.1.x, 2.6.2.x, 2.6.3.x, 2.6.4.x, 2.6.5.x, 2.6.6.x, 2.6.7.x, 2.6.8.x, 2.6.9.x, 2.6.10.x, 2.6.11.x, 2.6.12.x, 2.6.13.x, 2.6.14.x, 2.6.15.x, 2.6.16.x, 2.6.17.x, 2.6.18.x, 2.6.19.x, 2.6.20.x, 2.6.21.x, 2.6.22.x, 2.6.23.x, 2.6.24.x, 2.6.25.x, 2.6.26.x, 2.6.27.x, 2.6.28.x, 2.6.29.x, 2.6.30.x, or 2.6.31 (each of which, individually, is an “Accused Version of Linux”), MySpace, Inc. practices (or induces or contributes to others’ practice of) a method for storing and retrieving information records using a hashing technique to provide access to the records and using an external chaining technique to store the records with same hash address, at least some of the records automatically expiring. The Computer equipment configured with or utilizing software based on an Accused Version of Linux is especially adapted to store and retrieve information records using a hashing technique to provide access to the records and using an external chaining technique to store the records with same hash address, where at least some of the records automatically expire.</p> <p>In the event this preamble is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this preamble and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(a)	accessing a linked list of records having same hash address,	When MySpace, Inc. uses (or induces or contributes to others’ use of) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. practices (or induces or contributes to others’ practice of) a method that includes the step of accessing a linked list of records having same hash address. Computer equipment configured with or utilizing software based on an Accused Version of Linux is especially adapted to access a linked list of records having same hash address.

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>Specifically, data structure <code>rt_hash_table</code> in module <code>/net/ipv4/route.c</code> is used to access a linked list of records having the same hash address. Additionally, code contained within the function <code>rt_intern_hash</code> in module <code>/net/ipv4/route.c</code> is also used to access a linked list of records having the same hash address. In this way, computer equipment configured with or utilizing software based on an Accused Version of Linux practices a method that includes the step of accessing a linked list of records having same hash address.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(b)	identifying at least some of the automatically expired ones of the records,	<p>When MySpace, Inc. uses (or induces or contributes to others' use of) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. practices (or induces or contributes to others' practice of) a method that includes the step of identifying at least some of the automatically expired ones of the records. Computer equipment configured with or utilizing software based on an Accused Version of Linux is especially adapted to identify at least some of the automatically expired ones of the records.</p> <p>Specifically, code contained within or accessed by the function <code>rt_intern_hash</code> in module <code>/net/ipv4/route.c</code> practices a method that includes the step of identifying at least some of the automatically expired ones of the records.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
(c)	<p>removing at least some of the automatically expired records from the linked list when the linked list is accessed, and</p>	<p>When MySpace, Inc. uses (or induces or contributes to others' use of) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. practices (or induces or contributes to others' practice of) a method that includes the step of removing at least some of the automatically expired records from the linked list when the linked list is accessed. Computer equipment configured with or utilizing software based on an Accused Version of Linux is especially adapted to remove at least some of the automatically expired records from the linked list when the linked list is accessed.</p> <p>Specifically, code contained within and/or called by the function <code>rt_intern_hash</code> in module <code>/net/ipv4/route.c</code> practices a method that includes the step of removing at least some of the automatically expired records from the linked list when the linked list is accessed.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
(d)	inserting, retrieving or deleting one of the records from the system following the step of removing.	<p>When MySpace, Inc. uses (or induces or contributes to others' use of) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. practices (or induces or contributes to others' practice of) a method that includes the step of inserting, retrieving or deleting one of the records from the system following the step of removing. Computer equipment configured with or utilizing software based on an Accused Version of Linux is especially adapted to insert, retrieve or delete one of the records from the system following the step of removing.</p> <p>Specifically, code contained within the function <code>rt_intern_hash</code> in module <code>/net/ipv4/route.c</code> is used to practice a method that includes the step of inserting one of the records from the system following the step of removing.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>
8.	The method according to claim 7 further including the step of dynamically determining maximum number of expired ones of the records to remove when the linked list is accessed.	When MySpace, Inc. uses (or induces or contributes to others' use of) computer equipment configured with or utilizing software based on an Accused Version of Linux, MySpace, Inc. practices (or induces or contributes to others' practice of) a method that includes the step of dynamically determining maximum number of expired ones of the records to remove when the linked list is accessed. Computer equipment configured with or utilizing software based on an Accused Version of Linux is especially adapted to dynamically determine maximum number of expired ones of the records to remove when the linked list is accessed.

	Claim Language	Accused Instrumentalities: Computer equipment configured with or utilizing software based on an Accused Version of Linux
		<p>Specifically, code contained within function <code>rt_intern_hash</code>, in module <code>/net/ipv4/route.c</code>, dynamically executes based upon comparison with variable <code>ip_rt_gc_elasticity</code>. In this way, computer equipment configured with or utilizing software based on an Accused Version of Linux practices a method that includes the step of dynamically determining maximum number of expired ones of the records to remove when the linked list is accessed.</p> <p>In the event this limitation is construed so as to be not literally present in the Accused Instrumentalities, Bedrock would alternatively contend that the Accused Instrumentalities meet the recited limitation under the doctrine of equivalents, because any purported differences between this limitation and the aforementioned features of the Accused Instrumentalities would be insubstantial. For example, the aforementioned features of the Accused Instrumentalities would perform substantially the same function, in substantially the same way, to achieve substantially the same result, as the recited limitation.</p>