Ex 10

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

ALOFT MEDIA, LLC, Plaintiff, v. MICROSOFT CORPORATION, *et al.*, Defendants.	Civil Action No. 6:08-cv-051-LED

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Plaintiff Aloft Media, LLC ("Aloft") and Defendants[1] SAP AG and SAP America, Inc. (collectively "SAP"), Oracle Corporation and Oracle USA, Inc. (collectively "Oracle"), and Infor Global Solutions (Michigan), Inc. ("Infor") hereby submit the parties' Joint Claim Construction and Prehearing Statement pursuant to Local Patent Rule 4-3 and the amended Docket Control Order entered by the Court on September 9, 2009 (Dkt. No. 186). There are three patents at issue in this lawsuit: U.S. Patent Nos. 6,901,393 ("the '393 Patent"), 7,401,059 ("the '059 Patent"), 7,478,076 ("the '076 Patent").

Section I identifies the claim terms/phrases of the patents-in-suit for which the parties have agreed on a joint construction. Section II and Exhibit A contains Aloft's proposed constructions for the disputed terms of the patents-in-suit, along with supporting intrinsic and extrinsic evidence. Section III and Exhibit B contains Defendants' proposed constructions for

[1] Microsoft Corporation has settled and is no longer a party to this case. *See* Dkt. No. 65.

the disputed terms of the patents-in-suit, along with supporting intrinsic and extrinsic evidence. Section IV contains the parties' positions regarding the length of the claim construction hearing.

None of the parties anticipate calling any witnesses, including experts, at the claim construction hearing.

I. Construction of Claim Terms on Which The Parties Agree

Claim Term	Agreed Construction	Patent
application	software designed for specific jobs or uses	'393 '059 '076

If the parties are able to reach further agreement concerning the constructions of any of the remaining claim terms identified in the attached exhibits, they will supplement the present Joint Statement.

II. Aloft's Construction of Disputed Claim Terms and Identification Of Evidence

In the claim chart attached hereto as Exhibit A, Aloft proposes claim constructions for the disputed claim terms of the patents-in-suit, and identifies intrinsic and extrinsic evidence upon which Aloft may rely to support its proposed constructions. In addition, Aloft reserves the right to rely upon any intrinsic or extrinsic evidence identified by Defendants, and any evidence obtained, or that may be obtained, through claim construction discovery.

III. Defendants' Construction of Disputed Claim Terms and Identification Of Evidence

In the claim chart attached hereto as Exhibit B, Defendants propose claim constructions for the disputed claim terms of the patents-in-suit and identify intrinsic and extrinsic evidence upon which Defendants may rely to support their proposed constructions. In addition, Defendants reserve the right to rely upon any intrinsic or extrinsic evidence identified by Aloft, and any evidence obtained, or that may be obtained, through claim construction discovery.

Additionally, Defendants reserve the right to argue that any of the patents-in-suit are invalid under 35 U.S.C. § 112 *et seq.* as identified in their invalidity contentions served June 1, 2009 and September 11, 2009, respectively.

IV. Length of Claim Construction Hearing

By its Scheduling Order, the Court set the claim construction hearing to begin at 9:00 a.m. on November 19, 2009. The parties propose that the Court allow a total of 3 hours (1.5 hours per side) for the *Markman* hearing.

At this time, the parties do not believe there are any issues that need to be addressed by the Court at a prehearing conference.

DATED: September 29, 2009

Respectfully submitted,

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EXHIBIT A

U.S. PATENT NOS. 6,901,393; 7,478,076; 7,401,059				
Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
'393 '059 '076	decision process	process or algorithm related to decision-making	Figures 1-9, 11-18; 1:17-19, 23-67; 2:1-3, 18-54, 57-67; 3:1-10, 17-36, 50-67; 4:1-14, 36-39; 10:21-42; 11:28-32, 66-67; 12:1-3, 51-55; 13:20-25; 14:14-42, 47-56, 62-67; 15:1-67; 16:1-20, 65-67; 17:1-11, 13-30, 43-67; 18:1-25, 30-67; 19:1-67; 20:18-32, 53-56, 61-62; 22:36-52; 23:8-11, 16-18; September 4, 2008 Amendment A; November 24, 2008 Notice of Allowance. U.S. Patent No. 6,876,991: 2:40-49; 18:28-61; 19:4-10, 14-22, 33-67; 20:1-7, 18-	Barabba, Vincent P. Meeting of the Minds. Boston: Harvard Business School Press, 1995, pp. 177-210.

[1] Claims 8 and 13 are at issue in the '393 Patent. Claims 58-61, 71, 75, 76, 78, 85-87 are at issue in the '059 Patent. Claims 48-50, 60, 64, 65, 67, 74-76 are at issue in the '076 Patent.

[2] The specifications of the patents-in-suit disclose substantially similar subject matter. For ease of reference and unless noted otherwise, citations to the patent specification will be made with reference to the '076 Patent.

U.S. PATENT NOS. 6,901,393; 7,478,076; 7,401,059				
Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
			24, 29-38, 50-67; 21:1-12; 22:1-10. '059 Patent: 18:6-27, 39-67; 19:1-5, 9-41, 54-67; 20:1-22, 26-31, 36-67; 21:1-29, 48-62; 24:33-50; 25:6-17; June 1, 2007 Amendment A; March 17, 2008 Notice of Allowance. '393 Patent: Figures 1a, 1b; 1:19-67; 2:1-31, 36; 18:58-67; 19:1-12; September 29, 2004 Substitute Amendment A; January 19, 2005 Notice of Allowance; February 7, 2005 Comments on Reasons for Allowance. U.S. Patent No. 7,499,898: 17:13-33, 37-65; 18:1-67; 19:1-13, 24-33, 39-56, 65-67; 20:4-67; 21:1-6; October 20, 2008 Amendment A; December 31, 2008	

U.S. PATENT NOS. 6,901,393; 7,478,076; 7,401,059				
Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
			Notice of Allowance.	
'393 '059 '076	decision logic	operations carried out in a decision-making process	Figures 1, 1a, 9, 11-18; 1:18-20, 23-67; 2:1-3, 18-21; 3:17-67; 4:1-3, 15-21, 36-39; 10:21-35; 14:14-34, 50-53, 62-67; 15:1-67; 16:1-16; 17:13-34; 20:33-37. '059 Patent: 21:63-67; 24:51-56. U.S. Patent No. 7,499,898: 19:9-13, 37-62.	**Logic** – (a) The nonarithmetic operations performed by a computer, such as sorting, comparing, and matching, that involve yes-no decisions. *The American Heritage® Dictionary of the English Language, Fourth Edition*. http://dictionary.reference.com/browse/logic
'393	collaborative decision platform	computing environment that facilitates cooperative decision-making between two or more parties	Figures 1-9, 11-18; 1:17-19, 23-67; 2:1-3, 18-54, 57-67; 3:1-10, 17-67; 4:1-42, 50-62; 6:1-23; 7:57-67; 8:1-24, 57-66; 9:13-67; 10:1-42; 11:28-32, 66-67; 12:1-3, 51-55; 13:20-25, 64-67; 14:1-4, 14-42, 47-56, 62-67; 15:1-67; 16:1-20, 65-67; 17:1-11, 13-30, 43-67; 18:1-25, 30-67; 19:1-67; 20:18-32, 53-56, 61-62; 22:36-52;	Barabba, Vincent P. Meeting of the Minds. Boston: Harvard Business School Press, 1995, pp. 177-210. **Collaborative (collaborate)** – (1) To work together, especially in joint intellectual effort. *The American Heritage® Dictionary of the English Language, Fourth Edition*. http://dictionary.reference.com/browse/collaborative

U.S. PATENT NOS. 6,901,393; 7,478,076; 7,401,059				
Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
			23:8-11, 16-18; September 4, 2008 Amendment A; November 24, 2008 Notice of Allowance. U.S. Patent No. 6,876,991: 2:40-49; 18:28-61; 19:4-10, 14-22, 33-67; 20:1-7, 18-24, 29-38, 50-67; 21:1-12; 22:1-10. '059 Patent: 18:6-27, 39-67; 19:1-5, 9-41, 54-67; 20:1-22, 26-31, 36-67; 21:1-29, 48-62; 24:33-50; 25:6-17; June 1, 2007 Amendment A; March 17, 2008 Notice of Allowance. '393 Patent: Figures 1a, 1b; 1:19-67; 2:1-31, 36; 18:58-67; 19:1-12; September 29, 2004 Substitute Amendment A; January 19, 2005 Notice of Allowance; February 7, 2005 Comments on Reasons	**Software platform** - a major piece of software, as an operating system, an operating environment, or a database, under which various smaller application programs can be designed to run. *Dictionary.com Unabridged (v 1.1).* http://dictionary.reference.com/browse/software%20platform

U.S. PATENT NOS. 6,901,393; 7,478,076; 7,401,059				
Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
			for Allowance. U.S. Patent No. 7,499,898: 17:13-33, 37-65; 18:1-67; 19:1-13, 24-33, 39-56, 65-67; 20:4-67; 21:1-6; October 20, 2008 Amendment A; December 31, 2008 Notice of Allowance.	
'059 '076	decision platform	computing environment that facilitates decision-making	Figures 1-9, 11-18; 1:17-19, 23-67; 2:1-3, 18-54, 57-67; 3:1-10, 17-67; 4:1-42, 50-62; 6:1-23; 7:57-67; 8:1-24, 57-66; 9:13-67; 10:1-42; 11:28-32, 66-67; 12:1-3, 51-55; 13:20-25, 64-67; 14:1-4, 14-42, 47-56, 62-67; 15:1-67; 16:1-20, 65-67; 17:1-11, 13-30, 43-67; 18:1-25, 30-67; 19:1-67; 20:18-32, 53-56, 61-62; 22:36-52; 23:8-11, 16-18; September 4, 2008 Amendment A; November 24, 2008	Barabba, Vincent P. Meeting of the Minds. Boston: Harvard Business School Press, 1995, pp. 177-210. **Software platform** - a major piece of software, as an operating system, an operating environment, or a database, under which various smaller application programs can be designed to run. *Dictionary.com Unabridged (v 1.1).* http://dictionary.reference.com/browse/software%20platform

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Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
			Notice of Allowance. U.S. Patent No. 6,876,991: 2:40-49; 18:28-61; 19:4-10, 14-22, 33-67; 20:1-7, 18-24, 29-38, 50-67; 21:1-12; 22:1-10. '059 Patent: 18:6-27, 39-67; 19:1-5, 9-41, 54-67; 20:1-22, 26-31, 36-67; 21:1-29, 48-62; 24:33-50; 25:6-17; June 1, 2007 Amendment A; March 17, 2008 Notice of Allowance. '393 Patent: Figures 1a, 1b; 1:19-67; 2:1-31, 36; 18:58-67; 19:1-12; September 29, 2004 Substitute Amendment A; January 19, 2005 Notice of Allowance; February 7, 2005 Comments on Reasons for Allowance. U.S. Patent No. 7,499,898: 17:13-33, 37-65; 18:1-67; 19:1-13,	

U.S. PATENT NOS. 6,901,393; 7,478,076; 7,401,059				
Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
			24-33, 39-56, 65-67; 20:4-67; 21:1-6; October 20, 2008 Amendment A; December 31, 2008 Notice of Allowance.	
'393 '059 '076	universal module	software component that can interface with applications for carrying out certain functionality	Figures 1, 1a, 2, 3-7, 9, 11-18; 1:18-20; 2:18-21, 25-27, 63-67; 3:16-67; 4:1-21, 36-43, 50-66; 5:56-67; 6:1-8; 7:30-56, 59-67; 8:1-17, 49-51, 57-60; 9:13-16, 43-67; 10:1-35; 11:1-6, 16-17, 42-44, 54-56; 12:20-24, 33-34, 42-46, 62-66; 14:14-19, 28-34, 62-67; 15:1-20; 17:31-34; 20:18-32; 22:36-52. U.S. Patent No. 6,876,991: 18:28-61; 19:33-67; 20:1-7, 50-67; 21:1-12; 22:1-10; July 21, 2004 Amendment B; October 25, 2004 Notice of Allowance. '059 Patent: 18:39-61; 19:17-41, 54-67; 20:1-	

U.S. PATENT NOS. 6,901,393; 7,478,076; 7,401,059				
Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence[2]**	**Extrinsic Evidence**
			10, 32-67; 21:1-29, 48-62; 23:4-40; 24:30-50; June 1, 2007 Amendment A. '393 Patent: June 15, 2004 Amendment A; January 19, 2005 Notice of Allowance. U.S. Patent No. 7,499,898: 17:29-33; 18:17-20; 19:29-33, 39-56.	
'059 '076	framing module	software component that is used to initialize a decision-making process	Figures 1, 1a, 2, 3, 3a, 7, 9, 11-18; 1:18-20, 23-67; 2:1-3, 7-14, 18-27, 28-29, 52-54, 57-67; 3:1-10, 16-67; 4:1-21, 36-39; 10:21-51, 63-67; 14:14-53, 62-67; 15:1-67; 16:1-23; 17:5-11, 43-64; 19:28-67; 20:18-32, 53-60; 22:36-52; 23:8-15. U.S. Patent No. 6,876,991: 18:28-61; 19:4-10, 14-22, 33-67; 20:1-7, 18-24, 29-38,	Barabba, Vincent P. Meeting of the Minds. Boston: Harvard Business School Press, 1995, pp. 177-210. Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, Nov. – Dec. 1992.

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Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
			50-67; 21:1-12; 22:1-10. '059 Patent: 18:6-27, 40-64; 19:4-41, 54-67; 20:1-13, 20-28, 36-67; 21:1-29, 48-62; 22:17-24; 24:33-50; 25:6-13. '393 Patent: 18:57-67; 19:1-13. U.S. Patent No. 7,499,898: 18:57-67; 19:1-8, 29-33, 39-56; 20:45-47, 56-58; 20:56-58; 22:8-12.	
'059 '076	alternatives module	software component that is used to develop decision related alternatives in a decision-making process	Figures 1, 1a, 2, 4, 4a, 7, 9, 11-18; 1:18-20, 23-67; 2:1-3, 32-37, 57-67; 3:1-10, 16-67; 4:1-21, 36-39; 10:21-35; 11:28-38; 14:14-53, 62-67; 15:1-67; 16:1-23; 17:5-11, 43-64; 18:4-5; 20:18-32, 53-60; 22:36-52; 23:8-15. U.S. Patent No. 6,876,991: 18:28-61; 19:4-10, 14-22, 33-67; 20:1-7, 18-24, 29-38,	Barabba, Vincent P. Meeting of the Minds. Boston: Harvard Business School Press, 1995, pp. 177-210. Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, Nov. – Dec. 1992.

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Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
			50-67; 21:1-12; 22:1-10. '059 Patent: 18:6-27, 40-64; 19:4-41, 54-67; 20:1-13, 20-28, 36-67; 21:1-29, 48-62; 22:17-24; 24:33-50; 25:6-13. '393 Patent: 18:57-67; 19:1-13. U.S. Patent No. 7,499,898: 18:57-67; 19:1-8, 29-33, 39-56, 65-67; 20:56-58; 22:8-12.	
'059 '076	analysis module	software component that is used to analyze alternatives in a decision-making process	Figures 1, 1a, 2, 5, 5a, 7, 9, 11-18; 1:18-20, 23-67; 2:1-3, 38-41, 57-67; 3:1-10, 16-67; 4:1-21, 36-39; 10:21-35; 11:66-67; 12:1-9; 14:14-53, 62-67; 15:1-67; 16:1-23; 17:5-11, 43-64; 18:4-5; 20:18-32, 53-60; 22:36-52; 23:8-15. U.S. Patent No. 6,876,991: 18:28-61; 19:4-10, 14-22, 33-67; 20:1-7, 18-24, 29-38,	Barabba, Vincent P. Meeting of the Minds. Boston: Harvard Business School Press, 1995, pp. 177-210. Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, Nov. – Dec. 1992.

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Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
			50-67; 21:1-12; 22:1-10. '059 Patent: 18:6-27, 40-64; 19:4-41, 54-67; 20:1-13, 20-28, 36-67; 21:1-29, 48-62; 22:17-24; 24:33-50; 25:6-13. '393 Patent: 18:57-67; 19:1-13. U.S. Patent No. 7,499,898: 18:57-67; 19:1-8, 29-33, 39-56, 65-67; 20:56-58; 22:8-12.	
'059 '076	connection module	software component that is used to process decision related alternatives to develop a solution	Figures 1, 1a, 2, 6, 6a, 7, 9, 11-18; 1:18-20, 23-67; 2:1-3, 42-45, 57-67; 3:1-10, 16-67; 4:1-21, 36-39; 10:21-35; 12:51-60; 14:15-53, 62-67; 15:1-67; 16:1-23; 17:5-11, 43-64; 18:4-5; 20:18-32, 53-60; 22:36-52; 23:8-15. U.S. Patent No. 6,876,991: 18:28-61; 19:4-10, 14-22, 33-67; 20:1-7, 14-24, 29-38,	Barabba, Vincent P. Meeting of the Minds. Boston: Harvard Business School Press, 1995, pp. 177-210. Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, Nov. – Dec. 1992.

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Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
			50-67; 21:1-12; 22:1-10. '059 Patent: 18:6-27, 40-64; 19:4-41, 54-67; 20:1-13, 20-31, 36-67; 21:1-29, 48-67; 22:17-24; 24:33-53; 25:6-13. '393 Patent: 18:57-67; 19:1-13. U.S. Patent No. 7,499,898: 18:57-67; 19:1-8, 29-33, 39-62, 65-67; 20:56-67; 21:1-5; 22:8-12.	
'393 '059 '076	receiving business	Aloft is of the view that no construction of this term is required. In the alternative, should the Court decide to construe the term, Aloft believes that it should be construed to mean: a business interested in receiving products and/or services	Figures 9, 11-18; 1:28-46, 50-62, 64-67; 2:1-3, 52-54, 63-67; 3:1-10; 3:53-58; 14:14-34, 38-39, 47-50, 62-65; 15:11-16, 22-29, 31-67; 16:1-23. '393 Patent: Figures 1a, 1b; 1:26-59.	
'393	supplying business	Aloft is of the view that no	Figures 9, 11-18; 1:28-	

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Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
'059 '076		construction of this term is required. In the alternative, should the Court decide to construe the term, Aloft believes that it should be construed to mean: a business capable of supplying products and/or services	46, 50-62, 64-67; 2:1-3, 52-54, 63-67; 3:1-10; 3:53-58; 14:14-34, 38-39, 47-50, 62-65; 15:11-16, 22-29, 31-67; 16:1-23. '393 Patent: Figures 1a, 1b; 1:26-59.	
'393 '059	using a system	Aloft is of the view that no construction of this term is required. Should the Court decide to construe the term, Aloft believes that it should be construed to have its plain and ordinary meaning consistent with the intrinsic evidence.		
'059 '076	receiving first information regarding the attributes from a receiving business	Aloft is of the view that no construction of this term is required. Should the Court decide to construe the term, Aloft believes that it should be		

U.S. PATENT NOS. 6,901,393; 7,478,076; 7,401,059				
Pat. No(s).[1]	**Claim Term**	**Proposed Construction**	**Intrinsic Evidence**[2]	**Extrinsic Evidence**
		construed to have its plain and ordinary meaning consistent with the intrinsic evidence.		
'393	receiving first information regarding each of the minimum set of attributes from a receiving business	Aloft is of the view that no construction of this term is required. Should the Court decide to construe the term, Aloft believes that it should be construed to have its plain and ordinary meaning consistent with the intrinsic evidence.		
'393 '059 '076	interfacing with different applications adapted for applying the universal modules to different business sectors	Aloft is of the view that no construction of this term is required. Should the Court decide to construe the term, Aloft believes that it should be construed to have its plain and ordinary meaning consistent with the intrinsic evidence.		

Exhibit B

1. US Patent No. 6,901,393 - Claims 8 & 13

Term No.	Claim Term	Defendants' Preliminary Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
1.	"receiving first information regarding each of the minimum set of attributes from a receiving business"	Accepting first information regarding each of the minimum set of attributes input by a receiving business	15:5-7 17: 12-14 Figs. 9, 11 – 17 **File history:** '393 Prosecution History, 2004-09-29 Applicant Arguments/Remarks Made in an Amendment, at 7. '393 Prosecution History, 2004-09-29 Applicant Arguments/Remarks Made in an Amendment, at 8.	
2.	"receiving business"	Commercial enterprise interested in receiving products and/or services	1:52-59 15:12-19 15:55-59 16:6-25 16:45-60 Fig. 11 – 18	
3.	"supplying business"	Commercial enterprise capable of supplying products or services	1:52-59 15:42-45 15:55-59 16:6-25 16:45-60 Fig. 11 – 18	

4.	"decision process"	Process of Framing, Alternatives, Analysis, and Connection for a particular type of decision	4:10-14 10:63-11:11 11:12-15:11 13:64-14:64 15:12-14 15:62-63 15:63-16:5 Fig. 3 (element 122) Fig. 9 (element 908) Fig. 11 (element 1104) Fig. 12 (elements 1200 and 1202)	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] "Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]

5.	"using a system"	Using a combination of software and a hardware environment on which the software is implemented	2:15-19 2:37-38 2:42-44 3:54-4:4 4:35-4:59 4:60-10:54 10:55-60 Fig. 1d Fig. 2	
6.	"decision logic"	Operations to execute the decision process	2:15-23 2:45-62 3:1-2 3:34-50 4:5-10 10:61-11:10 Fig. 1c Fig. 8a-i	
7.	"collaborative decision platform"	Collaborative platform that drives the four steps of Framing, Alternatives, Analysis, and Connection	1:38-51 3:35-4:4 4:10-14 10:61-11:10 11:12-15:11 13:64-14:64 15:65-16:5 17:5-62 Fig. 1d (element 122) Fig. 3 (element 122) Fig. 4 (element 122)	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-

			Fig. 5 (element 122) Fig. 6 (element 122) Fig. 7 Fig. 12 (element 1202) Fig. 13 (element 1300) Fig. 14 (element 1400) Fig. 15 (element 1500) Fig. 16 (element 1600) Fig. 18 (element 1802)	Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] "Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]
8.	"interfacing with different applications adapted for applying the universal modules to different business sectors"	Communicating with different applications each designed to tailor the processes carried out by the universal modules to a distinct business sector	10:61 – 11:11 Fig. 1d Fig. 3, 3a, 4, 4a, 5, 5a, 6, 6a 4:5-10 **File History:** '393 Prosecution History: Resp. filed Sept. 29, 2004 p. 9:24-27; Resp. filed June 15, 2004; Notice of Allowance. '991 Prosecution History:	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Application: (1) The use to which an information processing system is put; for example, a payroll application, an airline reservation application, a network application. (2) A collection of software components used to perform specific types of user-oriented work on a computer. (3) in the AS/400 system, the collection of CSP/AE objects that together can be run on the system. An application consists of a program object, up to five map group objects (depending on how many different devices

			Resp. filed July 21, 2004 p. 9:20-25	are supported), and any number of table objects. McDaniel: IBM Dictionary of Computing; McGraw-Hill; 1994 [Defnt_0011348-0011352] Application: (3) A program (as a word processor or spreadsheet) that performs one of the major tasks for which a computer is used. Merriam-Webster's Collegiate Dictionary, Eleventh Edition, 2004 [Defnt_0011353-0011355] Adapt: to make fit (as for a specific or new use or situation) often by modification Webster's Ninth New Collegiate Dictionary; 1991 [Defnt_0011344-0011347] Interface: (1) A shared boundary between two functional units, defined by functional characteristics, signal characteristics, or other characteristics, as appropriate. The concept includes the specification of the connection of two devices having different functions. (2) Hardware, software, or both, that links systems, programs, or devices. McDaniel: IBM Dictionary of Computing; McGraw-Hill; 1994 [Defnt_0011348-0011352]
9.	"universal modules"	*Term is incapable of construction.*	NONE	NONE

2. '059 Claims 58, 59, 60, 61, 71, 75, 76, 78, 85, 86, 87

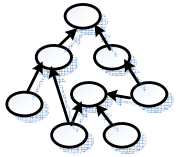
Term No.	Claim Term	Defendants' Preliminary Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
1.	"receiving first information regarding the attributes from a receiving business"	Accepting first information regarding the attributes input by a receiving business	15:12-14 17: 15-18 See Figures 11 – 19. **File history:** '393 Prosecution History, 2004-09-29 Applicant Arguments/Remarks Made in an Amendment, at 7. '393 Prosecution History, 2004-09-29 Applicant Arguments/Remarks Made in an Amendment, at 8.	
2.	"receiving business"	Commercial enterprise interested in receiving products and/or services	15: 19-21 15:61-64 16:12-31 16:50-64 16:64-17:7 Fig. 11 – 18	
3.	"supplying business"	Commercial enterprise capable of supplying products or services	15:48-51 15:61-64 16:12-31 16:50-64 16:64-17:7	

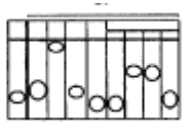
			Fig. 11 – 18	
4.	"decision process"	Process of Framing, Alternatives, Analysis, and Connection for a particular type of decision	1:56-2:9 4:50-53 11:12-26 11:26-15:18 14:11-15:4 15:19-21 16:1-2 16:2-11 Fig. 3 (element 122) Fig. 9 (element 908) Fig. 11 (element 1104) Fig. 12 (elements 1200 and 1202)	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] "Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes

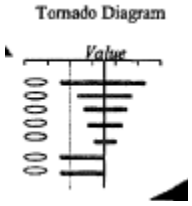
				and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]
5.	"using a system"	Using a combination of software and a hardware environment on which the software is implemented	2:43-45 3:35-38 4:35-60	
6.	"decision logic"	Operations to execute the decision process	1:56-2:9 2:20-25 3:21-39 3:44-45 4:6-17 4:45-50 11:10-26 Fig. 1 Fig. 8a-i	
7.	"decision platform"	Collaborative platform that drives the four steps of Framing, Alternatives, Analysis, and Connection	1:56-2:9 2:20-25 4:28-44 4:50-53 11:10-26 11:26-15:18 14:11-15:4	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553]

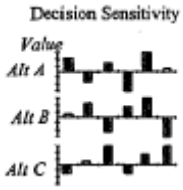
			16:3-11 17:8-63 Fig. 1a (element 122) Fig. 3 (element 122) Fig. 4 (element 122) Fig. 5 (element 122) Fig. 6 (element 122) Fig. 7 Fig. 12 (element 1202) Fig. 13 (element 1300) Fig. 14 (element 1400) Fig. 15 (element 1500) Fig. 16 (element 1600) Fig. 18 (element 1802)	Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] “Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]

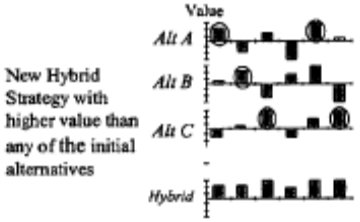
8.	"interfacing with different applications adapted for applying the universal modules to different business sectors"	Communicating with different applications each designed to tailor the processes carried out by the universal modules to a distinct business sector	4:45-50 11:10-26 Fig. 1a (element 124) Fig. 3, 3a, 4, 4a, 5, 5a, 6, 6a **File History:** '393 Prosecution History: Resp. filed Sept. 29, 2004 p. 9:24-27; Resp. filed June 15, 2004; Notice of Allowance. '991 Prosecution History: Resp. filed July 21, 2004 p. 9:20-25	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Application: (1) The use to which an information processing system is put; for example, a payroll application, an airline reservation application, a network application. (2) A collection of software components used to perform specific types of user-oriented work on a computer. (3) in the AS/400 system, the collection of CSP/AE objects that together can be run on the system. An application consists of a program object, up to five map group objects (depending on how many different devices are supported), and any number of table objects. McDaniel: IBM Dictionary of Computing; McGraw-Hill; 1994 [Defnt_0011348-0011352] Application: (3) A program (as a word processor or spreadsheet) that performs one of the major tasks for which a computer is used. Merriam-Webster's Collegiate Dictionary, Eleventh Edition, 2004 [Defnt_0011353-0011355] Adapt: to make fit (as for a specific or new use or situation) often by modification Webster's Ninth New Collegiate Dictionary; 1991 [Defnt_0011344-0011347] Interface: (1) A shared boundary between two functional units, defined by functional characteristics, signal characteristics, or other characteristics, as appropriate. The concept includes the specification of the connection of two devices

				having different functions. (2) Hardware, software, or both, that links systems, programs, or devices. McDaniel: IBM Dictionary of Computing; McGraw-Hill; 1994 [Defnt_0011348-0011352]
9.	"universal modules"	*Term is incapable of construction*	NONE	NONE
10.	"framing module"	Universal module that implements the Framing of the decision process and generates visual display of an influence diagram having the form 	3:22-25 11:12-33. 11:27-12:18 14:7-18 14:19-42 Fig. 3/3a (elements 122, 300, 306) Fig. 7 **File History:** '059 Prosecution History, 2007-8-27 Non-Final Rejection, at 3.	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] "Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that

				displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]
11.	"alternatives module"	Universal module that implements the Alternatives of the decision process and develops a strategy table having the form . 	3:26-31 12:19-56 14:7-18 14:37-51 Fig. 4/4a (elements 122, 400, 402) Fig. 7 **File History:** '059 Prosecution History, 2007-8-27 Non-Final Rejection, at 3.	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to

				Defnt_0004901] “Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]
12.	“analysis module”	Universal module that implements the Analysis of the decision process and generates a tornado diagram having the form  	3:32-35 12:57-13:41 14:7-18 14:52-62 Fig. 5/5a (elements 122, 500, 502, 509) Fig. 7 **File History:**	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in

		or generates a sensitivity table having the form  	'059 Prosecution History, 2007-8-27 Non-Final Rejection, at 3.	Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] "Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]
13.	"connection module"	Universal module that implements the Connection of the decision progress and generates a hybrid strategy incorporating	3:36-39 13:42-14:6	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments "

		elements from two or more potential solutions having the form  	14:7-18 14:63-15:4 Fig. 6/6a (elements 122, 600, 602, 509) Fig. 7 **File History:** '059 Prosecution History, 2007-8-27 Non-Final Rejection, at 3.	*Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] "Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as

				optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]

3. US Patent No. 7,478,076 – Claims 48, 49, 50, 60, 64, 65, 67, 74, 75, 76

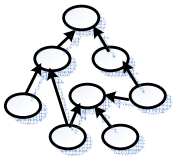
Term No.	Claim Term	Defendants' Preliminary Proposed Construction	Intrinsic Evidence	Extrinsic Evidence
1.	"receiving first information regarding the attributes from a receiving business"	Accepting first information regarding the attributes input by a receiving business	14:21-26 16: 24-26 See Figures 11 – 19 **File history:** '393 Prosecution History, 2004-09-29 Applicant Arguments/Remarks Made in an Amendment, at 7. '393 Prosecution History, 2004-09-29 Applicant Arguments/Remarks Made in an Amendment, at 8.	
2.	"receiving business"	Commercial enterprise interested in receiving products and/or services	14:28-30 15:3-7 15:20-40 15:58-16:5	

			16:6-16 Fig. 11 – 18	
3.	"supplying business"	Commercial enterprise capable of supplying products or services	14:57-60 15:3-7 15:20-40 15:58-16:5 16:6-16 Fig. 11 – 18	
4.	"decision process"	Process of Framing, Alternatives, Analysis, and Connection for a particular type of decision	1:50-2:3 3:58-61 10:21-35 10:36-14:27 13:20-14:13 14:28-30 15:10-11 15:11-20 Fig. 3 (element 122) Fig. 9 (element 908) Fig. 11 (element 1104) Fig. 12 (elements 1200 and 1202)	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] "Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence

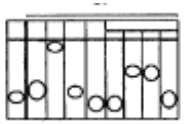
				arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]
5.	"using a system"	Using a combination of software and a hardware environment on which the software is implemented	2:20-21 2:25-27 3:35-52 4:15-39 4:40-10:12 10:13-17 Fig. 1a Fig. 2	
6.	"decision logic"	Operations to execute the decision process	1:50-2:3 2:28-45 2:50-51 3:13-32 3:53-58	

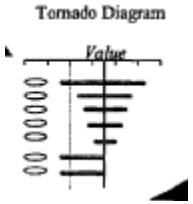
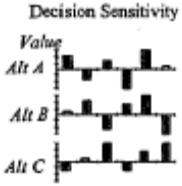
			10:21-35 Fig. 1 Fig. 8a-i	
7.	"decision platform"	A platform that drives the four steps of Framing, Alternatives, Analysis, and Connection	1:50-2:3 3:35-52 3:58-61 10:21-35 10:36-14:27 13:20-14:13 15:12-20 16:17-17:4 Fig. 1a (element 122) Fig. 3 (element 122) Fig. 4 (element 122) Fig. 5 (element 122) Fig. 6 (element 122) Fig. 7 Fig. 12 (element 1202) Fig. 13 (element 1300) Fig. 14 (element 1400) Fig. 15 (element 1500) Fig. 16 (element 1600) Fig. 18 (element 1802)	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] "Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event

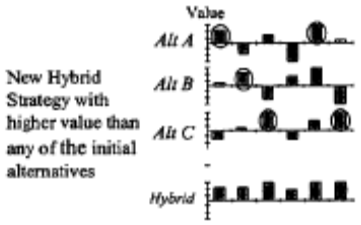
				Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]
8.	"interfacing with different applications adapted for applying the universal modules to different business sectors"	Communicating with different applications each designed to tailor the processes carried out by the universal modules to a distinct business sector	3: 53-58 10:20-35 Fig. 1a (element 124) Fig. 3, 3a, 4, 4a, 5, 5a, 6, 6a '393 Prosecution History: '393 Prosecution History: Resp. filed Sept. 29, 2004 p. 9:24-27; Resp. filed June 15, 2004; Notice of Allowance. '991 Prosecution History: Resp. filed July 21, 2004 p. 9:20-25	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Application: (1) The use to which an information processing system is put; for example, a payroll application, an airline reservation application, a network application. (2) A collection of software components used to perform specific types of user-oriented work on a computer. (3) in the AS/400 system, the collection of CSP/AE objects that together can be run on the system. An application consists of a program object, up to five map group objects (depending on how many different devices are supported), and any number of table objects. McDaniel: IBM Dictionary of Computing; McGraw-Hill; 1994 [Defnt_0011348-0011352] Application: (3) A program (as a word processor or spreadsheet) that performs one of the major

				tasks for which a computer is used. Merriam-Webster's Collegiate Dictionary, Eleventh Edition, 2004 [Defnt_0011353-0011355] Adapt: to make fit (as for a specific or new use or situation) often by modification Webster's Ninth New Collegiate Dictionary; 1991 [Defnt_0011344-0011347] Interface: (1) A shared boundary between two functional units, defined by functional characteristics, signal characteristics, or other characteristics, as appropriate. The concept includes the specification of the connection of two devices having different functions. (2) Hardware, software, or both, that links systems, programs, or devices. McDaniel: IBM Dictionary of Computing; McGraw-Hill; 1994 [Defnt_0011348-0011352]
9.	"universal modules"	*Term is incapable of construction*	NONE	NONE
10.	"framing module"	Universal module that implements the Framing of the decision process and generates visual display of an influence diagram having the form 	2:28-31 10:36-11:27 13:16-27 13:28-34 Fig. 3/3a (elements 122, 300, 306) Fig. 7 **File History:** '059 Prosecution History, 2007-8-27 Non-Final Rejection, at 3.	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901]

				Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] “Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]

11.	"alternatives module"	Universal module that implements the Alternatives of the decision process and develops a strategy table having the form . 	2:32-37 11:28-65 13:16-27 13:46-60 Fig. 4/4a (elements 122, 400, 402) Fig. 7 **File History:** '059 Prosecution History, 2007-8-27 Non-Final Rejection, at 3.	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] "Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence

				diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]
12.	"analysis module"	Universal module that implements the Analysis of the decision process and generates a tornado diagram having the form  or generates a sensitivity table having the form  	2:38-41 11:66-12:50 13:16-27 13:61-14:4 Fig. 5/5a (elements 122, 500, 502, 509) Fig. 7 **File History:** '059 Prosecution History, 2007-8-27 Non-Final Rejection, at 3.	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901] "Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs.

				"Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]
13.	"connection module"	Universal module that implements the Connection of the decision progress and generates a hybrid strategy incorporating elements from two or more potential solutions having the form  	4:42-45 12:51-13:15 13:16-27 14:5-13 Fig. 6/6a (elements 122, 600, 602, 509) Fig. 7 **File History:** '059 Prosecution History, 2007-8-27 Non-Final Rejection, at 3.	Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286] Barabba 1995 book Meeting of the Minds [Defnt_0009553] Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901] Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting,

				November 2, 1993 [Defnt_0004897 to Defnt_0004901] “Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs. "Tornado diagram" – A sensitivity analysis that displays the values and policy impacts of varying input values. See Expected Value Tornado Diagram, Base Tornado Diagram, and Event Tornado Diagram. "Strategy table" – A collection of decision nodes and a set of defined strategies. In the influence diagram, the Strategy Node contains the name of the node, and the names of the included decisions. During evaluation, one strategy is selected as optimal. Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]

Proposed extrinsic evidence for terms above:

1. Kusnic and Owen, "The Unifying Vision Process: Value Beyond Traditional Decision Analysis in Multiple-Decision-Maker Environments," *Interfaces*, Vol. 22, No. 6, November-December 1992. [Defnt_0007269 to Defnt_007286]

2. Barabba 1995 book Meeting of the Minds [Defnt_0009553]

3. Barabba and Pudar article "Communication in Action: GM's Dialogue Decision Process," in Strategic Communication Management, December/January 1997 [Defnt_0004897 to Defnt_0004901]

4. Owen and Kusnic, Some Experiences with Improving the Quality of Decisions in Large Organizations with Multiple-Decision-Makers, Prepared for ORSA/TIMS national Meeting, November 2, 1993 [Defnt_0004897 to Defnt_0004901]

5. "Influence diagram" – Represents all the components of a decision problem – decisions, uncertainties, and values – and the relationships among them. Comprised of nodes and influence arcs.

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Glossary in the DPL Decision Analysis Software version 4.0 manual by Applied Decision Analysis (ADA) LLC, 1998 [Defnt_0011327 and Defnt_0011336]

6. Application: (1) The use to which an information processing system is put; for example, a payroll application, an airline reservation application, a network application. (2) A collection of software components used to perform specific types of user-oriented work on a computer. (3) in the AS/400 system, the collection of CSP/AE objects that together can be run on the system. An application consists of a program object, up to five map group objects (depending on how many different devices are supported), and any number of table objects.
McDaniel: IBM Dictionary of Computing; McGraw-Hill; 1994 [Defnt_0011348-0011352]

7. Application: (3) A program (as a word processor or spreadsheet) that performs one of the major tasks for which a computer is used.
Merriam-Webster's Collegiate Dictionary, Eleventh Edition, 2004 [Defnt_0011353-0011355]

8. Interface: (1) A shared boundary between two functional units, defined by functional characteristics, signal characteristics, or other characteristics, as appropriate. The concept includes the specification of the connection of two devices having different functions. (2) Hardware, software, or both, that links systems, programs, or devices.

McDaniel: IBM Dictionary of Computing; McGraw-Hill; 1994 [Defnt_0011348-0011352]

9. Adapt: to make fit (as for a specific or new use or situation) often by modification
Webster's Ninth New Collegiate Dictionary; 1991 [Defnt_0011344-0011347]