

# Exhibit 2

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

Eolas Technologies Incorporated,

*Plaintiff,*

vs.

No. 6:09-cv-00446-LED (filed Oct. 6, 2009)

Adobe Systems Inc.; Amazon.com, Inc.; Apple  
Inc.; Blockbuster Inc.; CDW Corp.; Citigroup  
Inc.; eBay Inc.; Frito-Lay, Inc.; The Go Daddy  
Group, Inc.; Google Inc.; J.C. Penney Company,  
Inc.; JPMorgan Chase & Co.; New Frontier  
Media, Inc.; Office Depot, Inc.; Perot Systems  
Corp.; Playboy Enterprises International, Inc.;  
Rent-A-Center, Inc.; Staples, Inc.; Sun  
Microsystems, Inc.; Texas Instruments Inc.;  
Yahoo! Inc.; and YouTube, LLC,

*Defendants.*

Amazon.com, Inc.; Apple Inc.; Blockbuster  
Inc.; CDW LLC; eBay Inc.; Frito-Lay, Inc.; The  
Go Daddy Group, Inc.; J.C. Penney Company,  
Inc.; JPMorgan Chase & Co.; Office Depot,  
Inc.; Perot Systems Corp.; Rent-A-Center, Inc.;  
Oracle America, Inc. f/k/a Sun Microsystems,  
Inc.; Texas Instruments Inc.; and Yahoo! Inc.,

*Counterclaimants,*

vs.

Eolas Technologies Incorporated,

*Counterdefendant.*

**DEFENDANTS' P.R. 4-2 DISCLOSURE OF  
PROPOSED CLAIM CONSTRUCTIONS AND EXTRINSIC EVIDENCE**

## **I. INTRODUCTION**

In accordance with the Court's Docket Control Order (*see* Docket No. 249) and Patent Rule 4-2, Defendants in the above-captioned case submit the following preliminary claim constructions for claims in U.S. Patent No. 7,599,985 (the '985 patent) and the C2 Reexamination Certificate of U.S. Patent No. 5,838,906 (the '906 patent) (collectively, the "patents-in-suit"). Unless otherwise indicated, the construction of a particular term or phrase appearing in Part II below should apply to all other instances of that term or phrase within the claims of the patents-in-suit that are not subject to § 112, ¶ 6. Claim terms and phrases not expressly defined below should be accorded their plain meaning to persons of ordinary skill in the art.

In addition, where relevant, Defendants provide a preliminary identification of extrinsic evidence that supports their proposed claim constructions. Extrinsic evidence that has already been produced is identified by Bates number. Other extrinsic evidence, including dictionaries and website printings, is being produced bearing the Bates range [PA-00333294] – [PA-0000333443]. Defendants reserve the right to also rely on intrinsic evidence (e.g., evidence cited in the patent or during prosecution of the patents-in-suit) in support of their proposed constructions, even if that intrinsic evidence is not identified below.

Lastly, for each term or phrase which Defendants contend is governed by 35 U.S.C. § 112 ¶ 6, Defendants provide in Part III below a preliminary identification of the structure(s), act(s), or material(s) corresponding to that term or phrase. To the extent a term, phrase, or clause appears in both Part II and Part III below, Defendants contend that if it is agreed or decided that § 112 ¶ 6 does not apply to one or more instances of that term, phrase, or clause, then the term, phrase, or clause appearing in Part II should still be construed by the Court, without reference to § 112 ¶ 6. The fact that Defendants have proposed corresponding structure(s), act(s), or material(s) should not be understood to mean that the Defendants agree that the requirements set forth in 35 U.S.C. § 112 ¶ 1 or § 112 ¶ 2 have been met.

The claim constructions and extrinsic evidence identified in this document are preliminary. Defendants reserve the right to supplement or amend their preliminary claim

constructions and/or identification of extrinsic evidence if necessary, including in light of and in order to rebut Plaintiff's preliminary constructions. Defendants additionally reserve the right to identify expert testimony in rebuttal to Plaintiffs preliminary constructions and/or identification of extrinsic evidence. In addition, to the extent Plaintiff is asserting infringement of any claim of the '906 patent based on conduct before the February 3, 2009, issuance of the C2 Reexamination of the '906 patent, Defendants contend that the Court should compare the scope of the claims as set forth in the C2 Reexamination Certificate to the scope of the claims before reexamination to determine the extent to which Eolas may pursue its infringement claims in light of 35 U.S.C. §§ 252, 307 (i.e., "intervening rights"). Furthermore, Defendants' discovery and investigation in connection with this lawsuit are continuing, and this submission is based only on information obtained to date. Defendants reserve the right to supplement or amend their contentions as further evidence is discovered during the course of discovery. By way of example, Plaintiff has failed to produce certified prosecution histories for the patents-in-suit, or has apparently failed to provide complete prosecution histories for the patents-in-suit and/or the non-public prosecutions of applications belonging to the same patent family. When produced, these materials may be highly relevant to issues of claim construction. Finally, Plaintiff apparently intends to supplement or attempt to supplement infringement contentions as to at least some of the Defendants, either directly or in response to interrogatories. Defendants expressly reserve the right to supplement the constructions and/or identification of extrinsic evidence identified below, or take positions on additional terms that may need to be construed, in the event that Plaintiff supplements any of its infringement contentions, either directly or in response to interrogatories.

**II. PROPOSED CONSTRUCTIONS**

<b><u>Claim Term(s)</u></b>	<b><u>Defendants' Preliminary Disclosure</u></b>
<ul style="list-style-type: none"> <li>• type information . . . utilized by said browser to identify and locate [an / said] executable application</li> <li>• with the browser application: . . . utilizing the type information to identify and locate an executable application</li> </ul>	<p><u>Defendants' Preliminary Proposed Construction:</u>  a browser software process, not an operating system or other software process, uses the type information to determine the name and address of the executable application to automatically invoke</p> <p><u>Defendants' Preliminary Identification of Extrinsic</u></p>

<u>Claim Term(s)</u>	<u>Defendants' Preliminary Disclosure</u>
<ul style="list-style-type: none"> <li>• utilize the browser to: ... utilize the type information to identify and locate an executable application external to the file</li> <li>• type information is utilized by the browser to identify and locate said executable application</li> </ul>	<p><u>Evidence:</u></p> <ul style="list-style-type: none"> <li>• Plaintiff Eolas' Response in Opposition to Adobe System Incorporated's Opposed Motion Requesting Case Management Conference to Address Plaintiff Eolas's Infringement Contentions (Docket No. 375), at n. 6.</li> <li>• <i>Webster's Third New International Dictionary</i> 2525 (1993) ("utilize")</li> <li>• <i>21st Century Dictionary of Computer Terms</i> 176 (1994) ("identifier")</li> <li>• <i>21st Century Dictionary of Computer Terms</i> 211 (1994) ("location")</li> <li>• <i>Academic Press Dictionary of Science and Technology</i> 1081 (1992) ("identifier")</li> <li>• <i>Academic Press Dictionary of Science and Technology</i> 1262 (1992) ("location")</li> </ul>
<ul style="list-style-type: none"> <li>• with the browser application: ... identifying and locating an executable application</li> <li>• executable application ... is identified and located by the browser</li> </ul>	<p><u>Defendants' Preliminary Proposed Construction:</u> a browser software process, not an operating system or other software process, determines the name and address of the executable application to automatically invoke</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u> <i>See</i> extrinsic evidence directly above.</p>
<ul style="list-style-type: none"> <li>• automatically [invoking / invoke] [the / said] executable application</li> <li>• executable application is automatically invoked by the browser</li> </ul>	<p><u>Defendants' Preliminary Proposed Construction:</u> in response to the browser parsing an embed text format, the executable application is launched to permit a user to interact with the object immediately, without any intervening activation of the object by the user</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>Que's Computer Programmer's Dictionary</i> 225 (1993) ("invoke")</li> <li>• <i>21st Century Dictionary of Computer Terms</i> 21 (1994) ("automatic")</li> <li>• <i>21st Century Dictionary of Computer Terms</i> 191 (1994) ("invoke")</li> <li>• <i>McGraw-Hill Dictionary of Scientific and Technical</i></li> </ul>

<u>Claim Term(s)</u>	<u>Defendants' Preliminary Disclosure</u>
	<p><i>Terms</i> 158 (5th ed. 1994) ("automatic")</p> <ul style="list-style-type: none"> <li>• <i>Microsoft Press Computer Dictionary</i> 222 (2d ed. 1994) ("invoke")</li> <li>• Testimony by inventor Michael Doyle from the <i>Eolas v. Microsoft</i> case, including without limitation: Doyle cross, Trial Tr., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. 99-C-626 (N.D. Ill. 2003) (EOLASTX-E-0000000644), at 459:12–460:1 (July 10, 2003); Michael Doyle Dep., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. 99-C-626 (N.D. Ill. February 28–March 1, 2000) (Eolastx-E-0000000180), at 109:10–110:10; Michael Doyle Dep., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. 99-C-626 (N.D. Ill. February 28–March 1, 2000) (Eolastx-E-0000000181), at 345:12–346:10; Michael Doyle Dep., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. 99-C-626 (N.D. Ill. February 28–March 1, 2000) (Eolastx-E-0000000182), at 570:21–571:9.</li> <li>• Testimony by inventor Cheong Ang from the <i>Eolas v. Microsoft</i> case, including without limitation Cheong Ang Dep., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. C-99-0212 (N.D. Ca. January 21-22, 2000) (Eolastx-E-0000000177), at 232:25–233:9.</li> <li>• Testimony by inventor David Martin from the <i>Eolas v. Microsoft</i> case, including without limitation David Martin Dep., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. C-99-0212 (N.D. Ca. January 20-21, 2000) (Eolastx-E-0000000174), at 193:9–194:1.</li> </ul>
workstation	<p><u>Defendants' Preliminary Proposed Construction:</u> a desktop or deskside computer with an operating system and hardware designed for technical or scientific applications that provides higher performance than a personal computer</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>Microsoft Press Computer Dictionary</i> 418-19 (2d ed. 1994) ("workstation")</li> <li>• <i>21st Century Dictionary of Computer Terms</i> 380-81 (1994) ("workstation")</li> <li>• Silicon Graphics, Inc., Annual Report, Securities and Exchange Commission, Fiscal Year ended June 30, 1994 ("Form 10-K") (available at</li> </ul>

<u>Claim Term(s)</u>	<u>Defendants' Preliminary Disclosure</u>
	<p><a href="http://www.sec.gov/Archives/edgar/data/802301/0000912057-94-003243.txt">http://www.sec.gov/Archives/edgar/data/802301/0000912057-94-003243.txt</a>), last visited Sept. 16, 2010) (included in production dated September 17, 2010.)</p>
network server	<p><u>Defendants' Preliminary Proposed Construction:</u> the computer(s) running software that process commands to locate and retrieve documents or files from storage, and then transfer a copy to a client workstation, and which are capable of executing applications responsive to requests from the client workstation</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>Microsoft Press Computer Dictionary</i> 75 (2d ed. 1994) ("client/server architecture")</li> <li>• <i>Microsoft Press Computer Dictionary</i> 268 (2d ed. 1994) ("network")</li> <li>• <i>Microsoft Press Computer Dictionary</i> 269 (2d ed. 1994) ("network server")</li> <li>• <i>Microsoft Press Computer Dictionary</i> 355 (2d ed. 1994) ("server")</li> </ul>
executable application	<p><u>Defendants' Preliminary Proposed Construction:</u> a compiled native binary program, designed to help users perform certain tasks, that remains discrete and separate from the browser application, and is not the operating system, a utility, or a library</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>Barron's Dictionary of Computer Terms</i> 119 (2d ed. 1989) ("execute")</li> <li>• <i>Barron's Dictionary of Computer Terms</i> 202 (2d ed. 1989) ("module")</li> <li>• <i>21st Century Dictionary of Computer Terms</i> 13 (1994) ("application program")</li> <li>• <i>21st Century Dictionary of Computer Terms</i> 130 (1994) ("executable file")</li> <li>• <i>Microsoft Press Computer Dictionary</i> 23–24 (2d ed. 1994) ("application")</li> </ul>

<u>Claim Term(s)</u>	<u>Defendants' Preliminary Disclosure</u>
	<ul style="list-style-type: none"> <li>• <i>Microsoft Press Computer Dictionary</i> 90 (2d ed. 1994) ("computer program")</li> <li>• <i>Microsoft Press Computer Dictionary</i> 137–38 (2d ed. 1994) ("dynamic link library")</li> <li>• <i>Microsoft Press Computer Dictionary</i> 153 (2d ed. 1994) ("executable program")</li> <li>• <i>Microsoft Press Computer Dictionary</i> 236 (2d ed. 1994) ("library")</li> <li>• <i>Microsoft Press Computer Dictionary</i> 319 (2d ed. 1994) ("program")</li> <li>• Testimony by inventor Michael Doyle from the <i>Eolas v. Microsoft</i> case, including without limitation: Doyle direct, Trial Tr., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. 99-C-626 (N.D. Ill. 2003) (EOLASTX-E-0000000644), at 303:15–306:14 (July 9, 2003); Doyle cross, Trial Tr., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. 99-C-626 (N.D. Ill. 2003) (EOLASTX-E-0000000644), at 477:20-478:4 (July 10, 2003); Doyle redirect, Trial Tr., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. 99-C-626 (N.D. Ill. 2003) (EOLASTX-E-0000000644), at 537:1–:10 (July 10, 2003).</li> <li>• Testimony by inventor David Martin from the <i>Eolas v. Microsoft</i> case, including without limitation Martin direct, Trial Tr., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. 99-C-626 (N.D. Ill. 2003) (EOLASTX-E-0000000644), at 20:18–21:13<sup>1</sup> (July 10, 2003).</li> </ul>
object	<p><u>Defendants' Preliminary Proposed Construction:</u> information capable of being retrieved and presented to a user of a computer system, which is not a program and which does not include source code or byte code</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• Remarks by inventor Michael Doyle on the www-vrml forum from approximately the August 1994 time frame concerning the meaning of this term and the scope of the alleged invention, including without limitation the following: <a href="http://1997.webhistory.org/www.lists/www-vrml.1994/0480.html">http://1997.webhistory.org/www.lists/www-vrml.1994/0480.html</a>,</li> </ul>

<sup>1</sup> In other versions of this transcript the testimony appears on pages 574:18–575:13.

<u>Claim Term(s)</u>	<u>Defendants' Preliminary Disclosure</u>
	<p><a href="http://1997.webhistory.org/www.lists/www-vrml.1994/0483.html">http://1997.webhistory.org/www.lists/www-vrml.1994/0483.html</a>, and  <a href="http://1997.webhistory.org/www.lists/www-vrml.1994/0486.html">http://1997.webhistory.org/www.lists/www-vrml.1994/0486.html</a> (last visited September 16, 2010)  (included in production dated September 17, 2010.)</p> <ul style="list-style-type: none"> <li>• Testimony by inventor Michael Doyle from the <i>Eolas v. Microsoft</i> case, including without limitation Trial Tr., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. 99-C-626 (N.D. Ill. 2003) (EOLASTX-E-0000000644), at 282:6–283:17 (July 9, 2003).</li> </ul>
type information	<p><u>Defendants' Preliminary Proposed Construction:</u>  A value needed by the browser to determine which executable application to launch for a given object. The value can specify either a particular application <u>or</u> data type, or both</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u> None</p>
object [has / having] type information associated with it	<p><u>Defendants' Preliminary Proposed Construction:</u>  the object has been connected to the type information</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u>  • <i>Microsoft Press Computer Dictionary</i> 28 (2d ed. 1994) ("associate")</p>
enable interactive processing of said object	<p><i>See</i> proposed construction and extrinsic evidence below for the longer phrase "said executable application . . . to display said object and enable interactive processing of said object"</p>
[enable / enabling] an end-user to directly interact with [said / the / an] object	<p><i>See</i> proposed construction and extrinsic evidence below for the longer phrase "said executable application . . . to display said object and enable an end-user to directly interact with said object"</p>
file	<p><u>Defendants' Preliminary Proposed Construction:</u>  a static document stored on a file system</p>

<u>Claim Term(s)</u>	<u>Defendants' Preliminary Disclosure</u>
	<p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>Barrons Dictionary of Computer Terms</i> 106, 126 (2d ed. 1989) ("document"; "file")</li> <li>• <i>Academic Press Dictionary of Science and Technology</i> 826 (1992) ("file")</li> <li>• <i>21st Century Dictionary of Computer Terms</i> 138 (1994) ("file")</li> </ul>
<ul style="list-style-type: none"> <li>• [first] hypermedia document</li> <li>• [first] distributed hypermedia document</li> <li>• file containing information to enable a browser application to display [, on] [said/the] [client workstation,] at least [a / said] portion of [a / said] distributed hypermedia document</li> </ul>	<p><u>Defendants' Preliminary Proposed Construction:</u> a document received by the browser that includes links (specified by the hypertext format) to graphics, sound, video or other media</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u> None.</p>
text format	<p><u>Defendants' Preliminary Proposed Construction:</u> a predefined set of tags or symbols that specify the formatting of a document</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u> None</p>
embed text format	<p><u>Defendants' Preliminary Proposed Construction:</u> a tag that specifies the object to be embedded at the location of the tag</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u> None.</p>
embed text format, located at a first location in said first distributed hypermedia document	<p><u>Defendants' Preliminary Proposed Construction:</u> embed text format located at the place in the received document where the embedded object will appear within the displayed document</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• Testimony by inventor Michael Doyle from the <i>Eolas v. Microsoft</i> case, including without limitation: Michael</li> </ul>

<u>Claim Term(s)</u>	<u>Defendants' Preliminary Disclosure</u>
	<p>Doyle Dep., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. 99-C-626 (N.D. Ill. February 28-March 1, 2000) (Eolastx-E-0000000180), at 116:14–118:11; Michael Doyle Dep., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. 99-C-626 (N.D. Ill. February 28-March 1, 2000) (Eolastx-E-0000000182), at 558:15–560:7.</p> <ul style="list-style-type: none"> <li>• Testimony by inventor David Martin from the <i>Eolas v. Microsoft</i> case, including without limitation David Martin Dep., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. C-99-0212 (N.D. Ca. January 20-21, 2000) (Eolastx-E-0000000174), at 151:4–153:10; 164:10–166:4.</li> <li>• Testimony by inventor Cheong Ang from the <i>Eolas v. Microsoft</i> case, including without limitation Cheong Ang Dep., <i>Eolas Techs Inc. v. Microsoft Corp.</i>, No. C-99-0212 (N.D. Ca. January 21-22, 2000) (Eolastx-E-0000000177), at 241:22–242:1; 243:1–12.</li> </ul>
<p>embed text format [which] correspond[s/ing] to [a / said] first location in the document</p>	<p><u>Defendants' Preliminary Proposed Construction:</u> embed text format located at the place in the received file where the embedded object will appear within the displayed document</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u> <i>See</i> extrinsic evidence directly above.</p>
<p>interactively control[ling]</p>	<p><u>Defendants' Preliminary Proposed Construction:</u> a continuing exchange between a user and the controllable application through which the user causes the controllable application to alter the displayed object</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>Barron's Dictionary of Computer Terms</i> 165–66 (2d ed. 1989) ("interactive system")</li> <li>• <i>Microsoft Press Computer Dictionary</i> 217–18 (2d ed. 1994) ("interactive," "interactive processing," "interactive program," "interactive session")</li> </ul>
<p>distributed application</p>	<p><u>Defendants' Preliminary Proposed Construction:</u> application external to the browser, where application tasks that could be performed on a single computer are</p>

<u>Claim Term(s)</u>	<u>Defendants' Preliminary Disclosure</u>
	<p>instead broken up and performed at the same time on both the client workstation and one or more computers that are remote to the client workstation</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>21st Century Dictionary of Computer Terms</i> 112 (1994) ("distributed processing")</li> <li>• <i>Que's Computer Programmer's Dictionary</i> 137 (1993) ("distributed processing")</li> </ul>
<ul style="list-style-type: none"> <li>• display [said / the] object</li> <li>• object is being displayed</li> </ul>	<p><u>Defendants' Preliminary Proposed Construction:</u></p> <p>visually present the contents of the object, not the result of running a program within the object or executing code within the object</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u> <i>See</i> extrinsic evidence identified in this document for the claim term "object."</p> <ul style="list-style-type: none"> <li>• <i>McGraw-Hill Dictionary of Scientific and Technical Terms</i> 593 (5th ed. 1994) ("display")</li> <li>• <i>Academic Press Dictionary of Science and Technology</i> 660 (1992) ("display")</li> </ul>
<ul style="list-style-type: none"> <li>• said executable application . . . to display said object and enable interactive processing of said object</li> </ul>	<p><u>Defendants' Preliminary Proposed Construction:</u></p> <p>the executable application changes the structure or presentation of the object, either with or without direct input from an end-user, while the executable application displays the object to the end-user</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>Webster's Third New International Dictionary</i> 654 (1993) ("display")</li> <li>• <i>Webster's Third New International Dictionary</i> 1808 (1993) ("process")</li> </ul>
<ul style="list-style-type: none"> <li>• said executable application . . . to display said object and enable an end-user to directly interact with said object</li> </ul>	<p><u>Defendants' Preliminary Proposed Construction:</u></p> <p>the executable application allows an end-user to control the structure or presentation of the object through direct input received by the executable application from the end-</p>

<u>Claim Term(s)</u>	<u>Defendants' Preliminary Disclosure</u>
<ul style="list-style-type: none"> <li>• the executable application . . . to display the object and enable an end-user to directly interact with the object</li> <li>• enabling an end-user to directly interact with an object by utilizing said executable application to interactively process said object while the object is being displayed</li> <li>• software comprising an executable application . . . operable to: cause the client workstation to display an object and enable an end-user to directly interact with said object while the object is being displayed</li> <li>• [an / the] executable application . . . to enable an end-user to directly interact with [an / the] object[,] while the object is being displayed</li> </ul>	<p>user while the executable application displays the object to the end-user and, without any intervening step or process, changes the structure or presentation of the object in direct response to the end-user's input</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>Webster's Third New International Dictionary</i> 641 (1993) ("directly")</li> <li>• <i>Webster's Third New International Dictionary</i> 654 (1993) ("display")</li> <li>• <i>Webster's Third New International Dictionary</i> 745 (1993) ("enable")</li> <li>• <i>Webster's Third New International Dictionary</i> 1808 (1993) ("process")</li> </ul>
<p>A computer program product . . . comprising a computer usable medium having computer readable program code physically embodied therein, said computer program product further comprising: computer readable program code for causing said client workstation to execute a browser application</p>	<p><u>Defendants' Preliminary Proposed Construction:</u> a physical item that is commercially available and includes <i>the computer code</i> necessary to run a browser application on a client workstation</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>Microsoft Press Computer Dictionary</i> 90 (2d ed. 1994) ("computer program"; "computer-readable")</li> <li>• <i>Microsoft Press Computer Dictionary</i> 252 (2d ed. 1994) ("media")</li> <li>• <i>Microsoft Press Computer Dictionary</i> 318 (2d ed. 1994) ("product")</li> </ul>
<p>computer readable media encoded with software</p>	<p><u>Defendants' Preliminary Proposed Construction:</u> a physical item that includes <i>the computer code</i> necessary to run a browser application on a client workstation</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>Microsoft Press Computer Dictionary</i> 90 (2d ed. 1994) ("computer-readable")</li> </ul>

<u>Claim Term(s)</u>	<u>Defendants' Preliminary Disclosure</u>
	<ul style="list-style-type: none"> <li>• <i>Microsoft Press Computer Dictionary</i> 252 (2d ed. 1994) ("media")</li> </ul>
pars[e/es/ed/ing]	<p><u>Defendants' Preliminary Proposed Construction:</u> decomposing a string of text using a grammar and categorizing its components</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>Que's Computer Programmer's Dictionary</i> 302 (1993) ("parse")</li> <li>• <i>Barron's Dictionary of Computer Terms</i> 230 (2d ed. 1989) ("parsing")</li> </ul>
<ul style="list-style-type: none"> <li>• identify[ing] an embed text format</li> <li>• an embed text format . . . is identified</li> </ul>	<p><u>Defendants' Preliminary Proposed Construction:</u> detecting an embed text format during parsing of a hypermedia document</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u> <i>See</i> extrinsic evidence identified for "pars[e/es/ed/ing]."</p>
specifies the location of at least a portion of [an / said] object	<p><u>Defendants' Preliminary Proposed Construction:</u> designates the address for some or all of an external object</p> <p><u>Defendants' Preliminary Identification of Extrinsic Evidence:</u></p> <ul style="list-style-type: none"> <li>• <i>21st Century Dictionary of Computer Terms</i> 211 (1994) ("location")</li> <li>• <i>Academic Press Dictionary of Science and Technology</i> 1262 (1992) ("location")</li> </ul>

### III. PROPOSED CORRESPONDING STRUCTURE(S)/ACT(S) FOR § 112, ¶ 6

<u>'906 Claim 6</u>	<u>Corresponding structure(s) or act(s)</u>
computer readable program code for causing said client workstation to execute a browser application to parse a first distributed hypermedia document to identify text formats included in said distributed hypermedia document and to	<p>The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to".</p> <p>The corresponding structure includes at least</p>

<p>respond to predetermined text formats to initiate processes specified by said text formats;</p>	<p>the following:</p> <ul style="list-style-type: none"> <li>• NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A. Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).</li> </ul>
<p>computer readable program code for causing said client workstation to utilize said browser to display, on said client workstation, at least a portion of a first hypermedia document received over said network from said server, wherein the portion of said first hypermedia document is displayed within a first browser-controlled window on said client workstation, wherein said first distributed hypermedia document includes an embed text format, located at a first location in said first distributed hypermedia document, that specifies the location of at least a portion of an object external to the first distributed hypermedia document, wherein said object has type information associated with it utilized by said browser to identify and locate an executable application external to the first distributed hypermedia document, and wherein said embed text format is parsed by said browser to automatically invoke said executable application to execute on said client workstation in order to display said object and <u>enable an end-user to directly interact with said object</u> within a display area created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window.</p>	<p>The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to".</p> <p>The corresponding structure includes at least the following:</p> <ul style="list-style-type: none"> <li>• NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B. Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).</li> <li>• hypermedia document (212) with the following HTML tag at a "first location" in the document: &lt;EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]&gt;</li> <li>• data object (216)</li> </ul> <p>There is no corresponding structure for at least the following:</p> <ul style="list-style-type: none"> <li>• "executable application . . . to display said object and enable an end-user to directly interact with said object within a display area created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window"</li> </ul>

<b><u>'906 Claim 7</u></b>	<b><u>Corresponding structure(s) or act(s)</u></b>
<p>wherein said executable application is a controllable application and further comprising:  computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation via inter-process communications between said browser and said controllable application.</p>	<p>The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to".</p> <p>The corresponding structure includes at least the following:</p> <ul style="list-style-type: none"> <li>• NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B</li> </ul> <p>There is no corresponding structure for at least the following:</p> <ul style="list-style-type: none"> <li>• "interactively control said controllable application"</li> </ul>
<p>computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation via inter-process communications between said browser and said controllable application.</p>	<p>The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to".</p> <p>The corresponding structure includes at least the following:</p> <ul style="list-style-type: none"> <li>• NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B</li> </ul> <p>There is no corresponding structure for at least the following:</p> <ul style="list-style-type: none"> <li>• "interactively control said controllable application"</li> </ul>
<b><u>'906 Claim 8</u></b>	<b><u>Corresponding structure(s) or act(s)</u></b>
<p>wherein the communications to interactively control said controllable application continue to be exchanged between the controllable application and the browser even after the controllable application program has been launched.</p>	<p>The recited function includes the entire phrase that appears after "wherein".</p> <p>The corresponding structure includes at least the following:</p> <ul style="list-style-type: none"> <li>• NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B</li> </ul> <p>There is no corresponding structure for at least the following:</p> <ul style="list-style-type: none"> <li>• "interactively control said controllable application"</li> </ul> <p>The corresponding acts include at least the following:</p>

	<ul style="list-style-type: none"> <li>calling each of the following functions that appear in Appendix B one or more times after the "controllable application program" has been launched: send_client_msg and handle_client_msg</li> </ul>
<b>'906 Claim 13</b>	<b>Corresponding structure(s) or act(s)</b>
<p>wherein additional instructions for controlling said controllable application reside on said network server, wherein said computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation includes:</p> <p>computer readable program code for causing said client workstation to issue from the client workstation, one or more commands to the network server;</p> <p>computer readable program code for causing said network server to execute one or more instructions in response to said commands;</p> <p>computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions; and</p> <p>computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application.</p>	<p>The recited function includes "controlling said controllable application" and each phrase that appears after the clauses "computer readable program code for causing said client workstation to" and "computer readable program code for causing said network server to".</p> <p>There is no corresponding structure.</p>
<p>computer readable program code for causing said client workstation to issue from the client workstation, one or more commands to the network server;</p>	<p>The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to".</p> <p>There is no corresponding structure.</p>
<p>computer readable program code for causing said network server to execute one or more instructions in response to said commands;</p>	<p>The recited function includes the entire phrase that appears after "computer readable program code for causing said network server to".</p> <p>There is no corresponding structure.</p>
<p>computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions; and</p>	<p>The recited function includes the entire phrase that appears after "computer readable program code for causing said network server to".</p> <p>There is no corresponding structure.</p>

<p>computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application.</p>	<p>The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to".</p> <p>There is no corresponding structure.</p>
<p><b>'906 Claim 14</b></p>	<p><b><u>Corresponding structure(s) or act(s)</u></b></p>
<p>wherein said additional instructions for controlling said controllable application reside on said client workstation.</p>	<p>The recited function includes "controlling said controllable application".</p> <p>There is no corresponding structure.</p>
<p><b>'906 Claim 9</b></p>	<p><b><u>Corresponding structure(s) or act(s)</u></b></p>
<p>computer readable program code for causing said client workstation to execute a browser application to parse a first distributed hypermedia document to identify text formats included in said distributed hypermedia document and to respond to predetermined text formats to initiate processes specified by said text formats;</p>	<p>The text to the left also appears in claim 6, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 6. See above.</p>
<p>computer readable program code for causing said client workstation to utilize said browser to display, on said client workstation, at least a portion of a first hypermedia document received over said network from said server, wherein the portion of said first hypermedia document is displayed within a first browser-controlled window on said client workstation, wherein said first distributed hypermedia document includes an embed text format, located at a first location in said first distributed hypermedia document, that specifies the location of at least a portion of an object external to the first distributed hypermedia document, wherein said object has type information associated with it utilized by said browser to identify and locate an executable application external to the first distributed hypermedia document, and wherein said embed text format is parsed by said browser to</p>	<p>The text to the left also appears in the combined text of claims 6, 7, 8, and 13 — with one exception described below — and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claims 6, 7, 8, and 13, with one exception described below.</p> <p>The one exception is the following: The text to the left includes the phrase "enable interactive processing of said object" while the text in claim 6 includes the phrase "enable an end-user to directly interact with said object".</p> <p>Thus, whereas in claim 6 there is no corresponding structure for "executable application . . . to display said object and <u>enable an end-user to directly interact with said object</u> within a display area created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window", in claim 9 there is no corresponding structure for "executable application . . . to display said object and <u>enable interactive processing of said object</u> within a display area</p>

automatically invoke said executable application to execute on said client workstation in order to display said object and enable interactive processing of said object within a display area created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window;

wherein said executable application is a controllable application and further comprising:  
computer readable program code for causing said client workstation to interactively control said controllable application of said client workstation via inter-process communications between said browser and said controllable application;  
wherein the communications to interactively control said controllable application continue to be exchanged between the controllable application and the browser even after the controllable application program has been launched; and  
wherein additional instructions for controlling said controllable application reside on said network server, wherein said computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation includes:  
computer readable program code for causing said client workstation to issue, from the client workstation, one or more commands to the network server;  
computer readable program code for causing said network server to execute one or more instructions in response to said commands;  
computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions;  
and

created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window".

Otherwise, the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claims 6, 7, 8, and 13.

<p>computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application.</p>	
<p>computer readable program code for causing said client workstation to interactively control said controllable application of said client workstation via inter-process communications between said browser and said controllable application;</p>	<p>The text to the left also appears in claim 7, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 7. See above.</p>
<p>wherein the communications to interactively control said controllable application continue to be exchanged between the controllable application and the browser even after the controllable application program has been launched.</p>	<p>The text to the left also appears in claim 8, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 8. See above.</p>
<p>wherein additional instructions for controlling said controllable application reside on said network server, wherein said computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation includes:  computer readable program code for causing said client workstation to issue, from the client workstation, one or more commands to the network server;  computer readable program code for causing said network server to execute one or more instructions in response to said commands;  computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions;  and  computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application.</p>	<p>The text to the left also appears in claim 13, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 13. See above.</p>

<p>computer readable program code for causing said client workstation to issue, from the client workstation, one or more commands to the network server;</p>	<p>The text to the left also appears in claim 13, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 13. See above.</p>
<p>computer readable program code for causing said network server to execute one or more instructions in response to said commands;</p>	<p>The text to the left also appears in claim 13, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 13. See above.</p>
<p>computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions; and</p>	<p>The text to the left also appears in claim 13, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 13. See above.</p>
<p>computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application.</p>	<p>The text to the left also appears in claim 13, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 13. See above.</p>
<p><b>'906 Claim 10</b></p>	<p><b><u>Corresponding structure(s) or act(s)</u></b></p>
<p>computer readable program code for causing said client workstation to execute a browser application to parse a first distributed hypermedia document to identify text formats included in said distributed hypermedia document and to respond to predetermined text formats to initiate processes specified by said text formats;</p>	<p>The text to the left also appears in claim 6, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 6. See above.</p>
<p>computer readable program code for causing said client workstation to utilize said browser to display, on said client workstation, at least a portion of a first hypermedia document received over said network from said server, wherein the portion of said first hypermedia document is displayed within a first browser-controlled window on said client workstation, wherein said first distributed hypermedia document includes an embed text format, located at a first location in said first distributed hypermedia document, that specifies the location of at least a portion of an</p>	<p>The text to the left also appears in the combined text of claims 6, 7, 8, 13, and 14 — with one exception described below — and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claims 6, 7, 8, 13, and 14, with one exception described below.</p> <p>The one exception is the following: The text to the left includes the phrase "enable interactive processing of said object" while the text in claim 6 includes the phrase "enable an end-user to directly interact with said object".</p> <p>Thus, whereas in claim 6 there is no</p>

object external to the first distributed hypermedia document,  
wherein said object has type information associated with it utilized by said browser to identify and locate an executable application external to the first distributed hypermedia document, and

wherein said embed text format is parsed by said browser to automatically invoke said executable application to execute on said client workstation in order to display said object and enable interactive processing of said object within a display area created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window;

wherein said executable application is a controllable application and further comprising:

computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation via inter-process communications between said browser and said controllable application;

wherein the communications to interactively control said controllable application continue to be exchanged between the controllable application and the browser even after the controllable application program has been launched;

wherein additional instructions for controlling said controllable application reside on said network server, wherein said computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation includes:

computer readable program code for causing said client workstation to issue, from the client workstation, one or more

corresponding structure for "executable application . . . to display said object and enable an end-user to directly interact with said object within a display area created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window", in claim 9 there is no corresponding structure for "executable application . . . to display said object and enable interactive processing of said object within a display area created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window".

Otherwise, the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claims 6, 7, 8, 13, and 14.

<p>commands to the network server;  computer readable program code for causing said network server to execute one or more instructions in response to said commands;  computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions;  and  computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application; and  wherein said additional instructions for controlling said controllable application reside on said client workstation.</p>	
<p>computer readable program code for causing said client workstation to interactively control said controllable application of said client workstation via inter-process communications between said browser and said controllable application;</p>	<p>The text to the left also appears in claim 7, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 7. See above.</p>
<p>wherein the communications to interactively control said controllable application continue to be exchanged between the controllable application and the browser even after the controllable application program has been launched.</p>	<p>The text to the left also appears in claim 8, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 8. See above.</p>
<p>wherein additional instructions for controlling said controllable application reside on said network server, wherein said computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation includes:  computer readable program code for causing said client workstation to issue, from the client workstation, one or more commands to the network server;  computer readable program code for</p>	<p>The text to the left also appears in claims 13 and 14, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claims 13 and 14. See above.</p>

<p>causing said network server to execute one or more instructions in response to said commands;</p> <p>computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions;</p> <p>and</p> <p>computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application; and</p> <p>wherein said additional instructions for controlling said controllable application reside on said client workstation.</p>	
<p>computer readable program code for causing said client workstation to issue, from the client workstation, one or more commands to the network server;</p>	<p>The text to the left also appears in claim 13, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 13. See above.</p>
<p>computer readable program code for causing said network server to execute one or more instructions in response to said commands;</p>	<p>The text to the left also appears in claim 13, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 13. See above.</p>
<p>computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions;</p> <p>and</p>	<p>The text to the left also appears in claim 13, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 13. See above.</p>
<p>computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application; and</p>	<p>The text to the left also appears in claim 13, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 13. See above.</p>
<p>wherein said additional instructions for controlling said controllable application reside on said client workstation.</p>	<p>The text to the left also appears in claim 14, and thus the function and corresponding structure(s) or act(s) for the text to the left are the same as described above with respect to claim 14. See above.</p>
<p><b>'985 Claim 16</b></p>	<p><b><u>Corresponding structure(s) or act(s)</u></b></p>
<p>software comprising computer executable instructions . . . and when the software is executed operable to:</p>	<p>The recited function includes the entire phrase that appears after "software comprising computer executable instructions . . . and when</p>

<p>receive, at the client workstation from the network server over the network environment, at least one file containing information to enable a browser application to display at least a portion of a distributed hypermedia document within a browser-controlled window;  cause the client workstation to utilize the browser to:  respond to text formats to initiate processing specified by the text formats;  display at least a portion of the document within the browser-controlled window;  identify an embed text format corresponding to a first location in the document, the embed text format specifying the location of at least a portion of an object external to the file, with the object having type information associated with it;  utilize the type information to identify and locate an executable application external to the file; and  automatically invoke the executable application, in response to the identifying of the embed text format, to execute on the client workstation in order to display the object and enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window.</p>	<p>the software is executed operable to".</p> <p>The corresponding structure includes at least the following:</p> <ul style="list-style-type: none"> <li>• NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B. Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).</li> <li>• hypermedia document (212) with the following HTML tag at a "first location" in the document: &lt;EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]&gt;</li> <li>• data object (216)</li> </ul> <p>There is no corresponding structure for at least the following:</p> <ul style="list-style-type: none"> <li>• "executable application . . . to display the object and enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window"</li> </ul>
<b>'985 Claim 17</b>	<b><u>Corresponding structure(s) or act(s)</u></b>
claim 16 where: the information to enable comprises text formats.	Same as for claim 16.
<b>'985 Claim 18</b>	<b><u>Corresponding structure(s) or act(s)</u></b>
claim 17 where: the text formats are HTML tags.	Same as for claim 17.
<b>'985 Claim 19</b>	<b><u>Corresponding structure(s) or act(s)</u></b>
claim 16 where: the information contained in the file received comprises at least one embed text format.	Same as for claim 16.
<b>'985 Claim 20</b>	<b><u>Corresponding structure(s) or act(s)</u></b>
communicating via the network server with	The recited function includes the entire

<p>at least one client workstation over said network in order to cause said client workstation to:</p> <p>receive, over said network environment from said server, at least one file containing information to enable a browser application to display at least a portion of a distributed hypermedia document within a browser-controlled window;</p> <p>execute, at said client workstation, a browser application, with the browser application:</p> <p>responding to text formats to initiate processing specified by the text formats;</p> <p>displaying, on said client workstation, at least a portion of the document within the browser-controlled window;</p> <p>identifying an embed text format which corresponds to a first location in the document, where the embed text format specifies the location of at least a portion of an object external to the file, where the object has type information associated with it;</p> <p>utilizing the type information to identify and locate an executable application external to the file; and</p> <p>automatically invoking the executable application, in response to the identifying of the embed text format, to execute on the client workstation in order to display the object and enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window.</p>	<p>phrase that appears after "in order to cause said client workstation to".</p> <p>The corresponding acts includes at least the following:</p> <ul style="list-style-type: none"> <li>• the client workstation launches NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B (hereinafter the "browser application"). Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).</li> <li>• the browser application retrieves over the network from the network server the hypermedia document (212) with the following HTML tag at a "first location" in the document: <code>&lt;EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]&gt;</code></li> <li>• the browser application performs the steps in Figure 7A (e.g., parsing the hypermedia document to identify the <code>&lt;EMBED&gt;</code> tag</li> <li>• the browser application performs the steps in Figure 7B (e.g., initialize the drawing area)</li> <li>• the browser application performs the steps in Figure 8A to identify and locate an executable application using the information <code>TYPE = "application/x-vis"</code> found in the <code>&lt;EMBED&gt;</code> tag</li> </ul> <p>There is no corresponding act for at least the following:</p> <ul style="list-style-type: none"> <li>• "the browser application . . . automatically invoking the executable application . . . to display the object and enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window"</li> </ul>
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<b><u>'985 Claim 21</u></b>	<b><u>Corresponding structure(s) or act(s)</u></b>
The method of claim 20 where: the information to enable comprises text formats.	Same as for claim 20.
<b><u>'985 Claim 22</u></b>	<b><u>Corresponding structure(s) or act(s)</u></b>
The method of claim 21 where: the text formats are HTML tags.	Same as for claim 21.
<b><u>'985 Claim 23</u></b>	<b><u>Corresponding structure(s) or act(s)</u></b>
The method of claim 20 where: the information contained in the file received comprises at least one embed text format.	Same as for claim 20.
<b><u>'985 Claim 24</u></b>	<b><u>Corresponding structure(s) or act(s)</u></b>
<p>A method for running an executable application in a computer network environment . . . the method comprising:</p> <p>enabling an end-user to directly interact with an object by utilizing said executable application to interactively process said object while the object is being displayed within a display area created at a first location within a portion of a hypermedia document being displayed in a browser-controlled window,</p> <p>wherein said network environment is a distributed hypermedia environment, wherein said client workstation receives, over said network environment from said server, at least one file containing information to enable said browser application to display, on said client workstation, at least said portion of said distributed hypermedia document within said browser-controlled window,</p> <p>wherein said executable application is external to said file,</p> <p>wherein said client workstation executes the browser application, with the browser application responding to text formats to initiate processing specified by the text formats,</p> <p>wherein at least said portion of the document is displayed within the browser-controlled window,</p> <p>wherein an embed text format which corresponds to said first location in the document is identified by the browser, wherein the embed text format specifies the location of at least a portion of said</p>	<p>The recited function includes the entire phrase that appears after "the method comprising:".</p> <p>The corresponding acts includes at least the following:</p> <ul style="list-style-type: none"> <li>• the client workstation launches NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B (hereinafter the "browser application"). Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).</li> <li>• the browser application retrieves over the network from the network server the hypermedia document (212) with the following HTML tag at a "first location" in the document: &lt;EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]&gt;</li> <li>• the browser application performs the steps in Figure 7A (e.g., parsing the hypermedia document to identify the &lt;EMBED&gt; tag</li> <li>• the browser application performs the steps in Figure 7B (e.g., initialize the drawing area)</li> <li>• the browser application performs the steps in Figure 8A to identify and locate an executable application using the information</li> </ul>

<p>object external to the file, wherein the object has type information associated with it, wherein the type information is utilized by the browser to identify and locate said executable application, and wherein the executable application is automatically invoked by the browser, in response to the identifying of the embed text format.</p>	<p>TYPE = "application/x-vis" found in the &lt;EMBED&gt; tag</p> <p>There is no corresponding act for at least the following:</p> <ul style="list-style-type: none"> <li>• "enabling an end-user to directly interact with an object by utilizing said executable application to interactively process said object while the object is being displayed within a display area created at a first location within a portion of a hypermedia document being displayed in a browser-controlled window"</li> </ul>
<p align="center"><b>'985 Claim 25</b></p>	<p align="center"><b><u>Corresponding structure(s) or act(s)</u></b></p>
<p>25. The method of claim 24 where: the information to enable comprises text formats.</p>	<p>Same as for claim 24.</p>
<p align="center"><b>'985 Claim 26</b></p>	<p align="center"><b><u>Corresponding structure(s) or act(s)</u></b></p>
<p>26. The method of claim 25 where: the text formats are HTML tags.</p>	<p>Same as for claim 25.</p>
<p align="center"><b>'985 Claim 27</b></p>	<p align="center"><b><u>Corresponding structure(s) or act(s)</u></b></p>
<p>27. The method of claim 24 where: the information contained in the file received comprises at least one embed text format.</p>	<p>Same as for claim 24.</p>
<p align="center"><b>'985 Claim 28</b></p>	<p align="center"><b><u>Corresponding structure(s) or act(s)</u></b></p>
<p>software comprising an executable application . . . operable to:  cause the client workstation to display an object and enable an end-user to directly interact with said object while the object is being displayed within a display area created at a first location within a portion of a hypermedia document being displayed in a browser-controlled window, wherein said network environment is a distributed hypermedia environment, wherein said client workstation receives, over said network environment from said server, at least one file containing information to enable said browser application to display, on said client workstation, at least said portion of said distributed hypermedia document within said browser-controlled window, wherein said executable application is external to said file, wherein said client workstation executes said browser application, with the browser application responding to text</p>	<p>The recited function includes the entire phrase that appears after "software comprising an executable application . . . operable to".</p> <p>The corresponding structure includes at least the following:</p> <ul style="list-style-type: none"> <li>• NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B. Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).</li> <li>• hypermedia document (212) with the following HTML tag at a "first location" in the document: &lt;EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]&gt;</li> </ul>

<p>formats to initiate processing specified by the text formats, wherein at least said portion of the document is displayed within the browser-controlled window, wherein an embed text format which corresponds to said first location in the document is identified by the browser, wherein the embed text format specifies the location of at least a portion of said object external to the file, wherein the object has type information associated with it, wherein the type information is utilized by the browser to identify and locate said executable application, and wherein the executable application is automatically invoked by the browser, in response to the identifying of the embed text format.</p>	<ul style="list-style-type: none"> <li>• data object (216)</li> </ul> <p>There is no corresponding structure for at least the following:</p> <ul style="list-style-type: none"> <li>• "cause the client workstation to display an object and enable an end-user to directly interact with said object while the object is being displayed within a display area created at a first location within a portion of a hypermedia document being displayed in a browser-controlled window"</li> </ul>
<p><b><u>'985 Claim 29</u></b></p>	<p><b><u>Corresponding structure(s) or act(s)</u></b></p>
<p>29. The method of claim 28 where: the information to enable comprises text formats.</p>	<p>The recited function includes the entire phrase that appears after "software comprising an executable application . . . operable to".</p> <p>The corresponding structure includes at least the following:</p> <ul style="list-style-type: none"> <li>• NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B (hereinafter the "browser application"). Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).</li> <li>• hypermedia document (212) with the following HTML tag at a "first location" in the document: &lt;EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]&gt;</li> <li>• data object (216)</li> </ul>

	<p>The corresponding acts includes at least the following:</p> <ul style="list-style-type: none"> <li>• the client workstation launches the browser application</li> <li>• the browser application retrieves over the network from the network server the hypermedia document (212) with the following HTML tag at a "first location" in the document: &lt;EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]&gt;</li> <li>• the browser application performs the steps in Figure 7A (e.g., parsing the hypermedia document to identify the &lt;EMBED&gt; tag <ul style="list-style-type: none"> <li>• the browser application performs the steps in Figure 7B (e.g., initialize the drawing area)</li> <li>• the browser application performs the steps in Figure 8A to identify and locate an executable application using the information TYPE = "application/x-vis" found in the &lt;EMBED&gt; tag</li> </ul> </li> </ul> <p>There is no corresponding act for at least the following:</p> <ul style="list-style-type: none"> <li>• "cause the client workstation to display an object and enable an end-user to directly interact with said object while the object is being displayed within a display area created at a first location within a portion of a hypermedia document being displayed in a browser-controlled window"</li> </ul>
<b><u>'985 Claim 30</u></b>	<b><u>Corresponding structure(s) or act(s)</u></b>
30. The method of claim 29 where: the text formats are HTML tags.	Same as for claim 29.
<b><u>'985 Claim 31</u></b>	<b><u>Corresponding structure(s) or act(s)</u></b>
31. The method of claim 28 where: the information contained in the file received comprises at least one embed text format.	Same as for claim 29.
<b><u>'985 Claim 32</u></b>	<b><u>Corresponding structure(s) or act(s)</u></b>
communicating via a network server with at least one client workstation over said computer network environment in order to cause said client workstation to: receive at said client workstation, over	<p>The recited function includes the entire phrase that appears after "in order to cause said client workstation to:"</p> <p>The corresponding acts includes at least the</p>

said computer network environment from said server, at least one file containing information to enable a browser application to display, on said client workstation, at least a portion of a distributed hypermedia document within a browser-controlled window;

utilize an executable application external to said file to enable an end-user to directly interact with an object while the object is being displayed within a display area created at a first location within the portion of the distributed hypermedia document being displayed in the browser-controlled window, with said network server coupled to said computer network environment, wherein said computer network environment has at least said client workstation and said network server coupled to the computer network environment,

wherein said computer network environment is a distributed hypermedia environment,

wherein said client workstation executes the browser application, with the browser application responding to text formats to initiate processing specified by the text formats,

wherein at least said portion of the document is displayed within the browser-controlled window,

wherein an embed text format which corresponds to said first location in the document is identified by the browser,

wherein the embed text format specifies the location of at least a portion of said object external to the file,

wherein the object has type information associated with it,

wherein the type information is utilized by the browser to identify and locate said executable application, and

wherein the executable application is automatically invoked by the browser,

following:

- the client workstation launches NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B (hereinafter the "browser application"). Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).
- the browser application retrieves over the network from the network server the hypermedia document (212) with the following HTML tag at a "first location" in the document: `<EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]>`
- the browser application performs the steps in Figure 7A (e.g., parsing the hypermedia document to identify the `<EMBED>` tag
- the browser application performs the steps in Figure 7B (e.g., initialize the drawing area)
- the browser application performs the steps in Figure 8A to identify and locate an executable application using the information `TYPE = "application/x-vis"` found in the `<EMBED>` tag

There is no corresponding act for at least the following:

- "utilize an executable application external to said file to enable an end-user to directly interact with an object while the object is being displayed within a display area created at a first location within the portion of the distributed hypermedia document being displayed in the browser-controlled window"

in response to the identifying of the embed text format.	
<b>'985 Claim 33</b>	<b><u>Corresponding structure(s) or act(s)</u></b>
33. The method of claim 32 where: the information to enable comprises text formats.	Same as for claim 32.
<b>'985 Claim 34</b>	<b><u>Corresponding structure(s) or act(s)</u></b>
34. The method of claim 33 where: the text formats are HTML tags.	Same as for claim 33.
<b>'985 Claim 35</b>	<b><u>Corresponding structure(s) or act(s)</u></b>
35. The method of claim 32 where: the information contained in the file received comprises at least one embed text format.	Same as for claim 32.
<b>'985 Claim 40</b>	<b><u>Corresponding structure(s) or act(s)</u></b>
<p>communicating via the network server with at least one remote client workstation over said computer network environment in order to cause said client workstation to: receive, over said computer network environment from the network server, at least one file containing information to enable a browser application to display at least a portion of a distributed hypermedia document within a browser-controlled window;</p> <p>execute, at said client workstation, a browser application, with the browser application:</p> <p>responding to text formats to initiate processing specified by the text formats;</p> <p>displaying, on said client workstation, at least a portion of the document within the browser-controlled window;</p> <p>identifying an embed text format which corresponds to a first location in the document, where the embed text format specifies the location of at least a portion of an object;</p> <p>identifying and locating an executable application associated with the object; and</p> <p>automatically invoking the executable application, in response to the identifying of the embed text format, in order to enable an end-user to directly interact with the object while the object is being displayed within a</p>	<p>The recited function includes the entire phrase that appears after "in order to cause said client workstation to:"</p> <p>The corresponding acts includes at least the following:</p> <ul style="list-style-type: none"> <li>• the client workstation launches NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B (hereinafter the "browser application"). Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).</li> <li>• the browser application retrieves over the network from the network server the hypermedia document (212) with the following HTML tag at a "first location" in the document: &lt;EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]&gt;</li> <li>• the browser application performs the steps in Figure 7A (e.g., parsing the hypermedia document to identify the &lt;EMBED&gt; tag</li> <li>• the browser application performs the steps in Figure 7B (e.g., initialize the drawing area)</li> <li>• the browser application performs the steps</li> </ul>

<p>display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window,</p> <p>wherein the executable application is part of a distributed application, and wherein at least a portion of the distributed application is for execution on the network server.</p>	<p>in Figure 8A to identify and locate an executable application using the information TYPE = "application/x-vis" found in the &lt;EMBED&gt; tag</p> <p>There is no corresponding act for at least the following:</p> <ul style="list-style-type: none"> <li>• "automatically invoking the executable application, in response to the identifying of the embed text format, in order to enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window, wherein the executable application is part of a distributed application, and wherein at least a portion of the distributed application is for execution on the network server."</li> </ul>
<p><b>'985 Claim 41</b></p>	<p><b>Corresponding structure(s) or act(s)</b></p>
<p>41. The method of claim 40 where: the information to enable comprises text formats.</p>	<p>Same as for claim 40.</p>
<p><b>'985 Claim 42</b></p>	<p><b>Corresponding structure(s) or act(s)</b></p>
<p>42. The method of claim 41 where: the text formats are HTML tags.</p>	<p>Same as for claim 41.</p>
<p><b>'985 Claim 43</b></p>	<p><b>Corresponding structure(s) or act(s)</b></p>
<p>43. The method of claim 40 where: the information contained in the file received comprises at least one embed text format.</p>	<p>Same as for claim 40.</p>

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By: /s/ Jason W. Wolff

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David J. Healey  
<[Healey@fr.com](mailto:Healey@fr.com)>  
FISH & RICHARDSON P.C.  
1 Houston Center  
1221 McKinney Street, Suite 2800  
Houston, TX 77010  
Telephone: (713) 654-5300  
Facsimile: (713) 652-0109

OF COUNSEL:

Frank E. Scherkenbach  
<[Scherkenbach@fr.com](mailto:Scherkenbach@fr.com)>  
FISH & RICHARDSON P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

Jason W. Wolff  
<[Wolff@fr.com](mailto:Wolff@fr.com)>  
Joseph P. Reid (*pro hac vice*)  
<[Reid@fr.com](mailto:Reid@fr.com)>  
FISH & RICHARDSON P.C.  
12390 El Camino Real  
San Diego, CA 92130  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099

*Attorneys for Defendant Adobe Systems  
Inc.*

By: /s/ Joseph H. Lee

---

Douglas Lumish (*pro hac vice*)

<[doug.lumish@weil.com](mailto:doug.lumish@weil.com)>

Jared Bobrow (*pro hac vice*)

<[jared.bobrow@weil.com](mailto:jared.bobrow@weil.com)>

Joseph H. Lee (*pro hac vice*)

<[joseph.lee@weil.com](mailto:joseph.lee@weil.com)>

Parker C. Ankrum (*pro hac vice*)

<[parker.ankrum@weil.com](mailto:parker.ankrum@weil.com)>

WEIL, GOTSHAL & MANGES LLP

201 Redwood Shores Parkway

Redwood Shores, CA 94065

Telephone: (650) 802-3000

Facsimile: (650) 802-3100

Christian J. Hurt (Bar No. 24059987)

<[christian.hurt@weil.com](mailto:christian.hurt@weil.com)>

WEIL, GOTSHAL & MANGES LLP

700 Louisiana, Suite 1600

Houston, TX 77002

Telephone: (713) 546-5000

Facsimile: (713) 224-9511

Otis W. Carroll, Jr. (Bar No. 03895700)

<[fedserv@icklawn.com](mailto:fedserv@icklawn.com)>

Deborah J. Race (Bar No. 16448700)

<[drace@icklawn.com](mailto:drace@icklawn.com)>

IRELAND CARROLL & KELLEY

6101 S. Broadway, Suite 500

Tyler, TX 75703

Telephone: (903) 561-1600

Facsimile: (903) 581-1071

*Attorneys for Defendant and  
Counterclaimant Amazon.com, Inc.*

By: /s/ Richard A. Cederoth

---

David T. Pritikin (*pro hac vice*)  
<[dpitkin@sidley.com](mailto:dpitkin@sidley.com)>  
Richard A. Cederoth (*pro hac vice*)  
<[rcederoth@sidley.com](mailto:rcederoth@sidley.com)>  
Shubham Mukherjee (*pro hac vice*)  
<[smukherjee@sidley.com](mailto:smukherjee@sidley.com)>  
SIDLEY AUSTIN LLP  
One South Dearborn Street  
Chicago, IL 60603  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036

Teague I. Donahey (*pro hac vice*)  
<[tdonahey@sidley.com](mailto:tdonahey@sidley.com)>  
SIDLEY AUSTIN LLP  
555 California Street, Suite 2000  
San Francisco, CA 94104  
Telephone: (415) 772-1200  
Facsimile: (415) 772-7400

Theodore W. Chandler (*pro hac vice*)  
<[tchandler@sidley.com](mailto:tchandler@sidley.com)>  
SIDLEY AUSTIN LLP  
555 West Fifth Street, Suite 4000  
Los Angeles, CA 90013  
Telephone: (213) 896-6000  
Facsimile: (213) 896-6600

Duy D. Nguyen (*pro hac vice*)  
<[ddnguyen@sidley.com](mailto:ddnguyen@sidley.com)>  
SIDLEY AUSTIN LLP  
1801 Page Mill Road, Suite 110  
Palo Alto, CA 94304  
Telephone: (650) 565-7000  
Facsimile: (650) 565-7100

Eric M. Albritton (Bar No. 00790215)  
<[ema@emafirm.com](mailto:ema@emafirm.com)>  
ALBRITTON LAW FIRM  
P.O. Box 2649  
Longview, TX 75606  
Telephone: (903) 757-8449  
Facsimile: (903) 758-7397

*Attorneys for Defendant and  
Counterclaimant Apple Inc.*

By: /s/ Scott Breedlove

---

Scott Breedlove (Bar No. 00790361)

<[sbreedlove@velaw.com](mailto:sbreedlove@velaw.com)>

VINSON & ELKINS LLP

2001 Ross Ave

3700 Trammell Crow Center

Dallas, TX 75201-2975

Telephone: (214) 220-7993

Facsimile: (214) 999-7993

David Kent Wooten (Bar No. 24033477)

<[dwooten@velaw.com](mailto:dwooten@velaw.com)>

VINSON & ELKINS LLP

2500 First City Tower

1001 Fannin Street

Houston, TX 77002

Telephone: (713) 758-2222

Facsimile: (713) 615-5216

Deron R. Dacus (Bar No. 00790553)

<[derond@rameyflock.com](mailto:derond@rameyflock.com)>

Shannon Dacus (Bar No. 00791004)

<[Shannond@rameyflock.com](mailto:Shannond@rameyflock.com)>

RAMEY & FLOCK, P.C.

100 East Ferguson, Suite 500

Tyler, TX 75702

Telephone: (903) 597-3301

Facsimile: (903) 597-2413

*Attorneys for Defendant and  
Counterclaimant Blockbuster Inc.*

By: /s/ Thomas L. Duston

---

Thomas L. Duston (*pro hac vice*)  
<[tduston@marshallip.com](mailto:tduston@marshallip.com)>  
Anthony S. Gabrielson (*pro hac vice*)  
<[agabrielson@marshallip.com](mailto:agabrielson@marshallip.com)>  
Scott A. Sanderson (*pro hac vice*)  
<[ssanderson@marshallip.com](mailto:ssanderson@marshallip.com)>  
MARSHALL, GERSTEIN & BORUN LLP  
6300 Willis Tower  
233 South Wacker Drive  
Chicago, IL 60606-6357  
Telephone: (312) 474-6300  
Facsimile: (312) 474-0448

Eric H. Findlay (Bar No. 00789886)  
<[efindlay@findlaycraft.com](mailto:efindlay@findlaycraft.com)>  
Brian Craft (Bar No. 04972020)  
<[bcraft@findlaycraft.com](mailto:bcraft@findlaycraft.com)>  
FINDLAY CRAFT, LLP  
6760 Old Jacksonville Highway  
Suite 101  
Tyler, TX 75703  
Telephone: (903) 534-1100  
Facsimile: (903) 534-1137

*Attorneys for Defendant and  
Counterclaimant CDW LLC*

By: /s/ M. Scott Fuller

---

Edwin R. DeYoung (Bar No. 05673000)  
<[edeyoung@lockelord.com](mailto:edeyoung@lockelord.com)>

Roy W. Hardin (Bar No. 08968300)  
<[rhardin@lockelord.com](mailto:rhardin@lockelord.com)>

Roger Brian Cowie (Bar No. 00783886)  
<[rcowie@lockelord.com](mailto:rcowie@lockelord.com)>

M. Scott Fuller (Bar No. 24036607)  
<[sfuller@lockelord.com](mailto:sfuller@lockelord.com)>

Galyn Gafford (Bar No. 24040938)  
<[ggafford@lockelord.com](mailto:ggafford@lockelord.com)>

LOCKE LORD BISSELL & LIDDELL LLP  
2200 Ross Avenue, Suite 2200  
Dallas, TX 75201-6776  
Telephone: (214) 740-8000  
Facsimile: (214) 740-8800

Alexas D. Skucas (*pro hac vice*)  
<[askucas@kslaw.com](mailto:askucas@kslaw.com)>

KING & SPALDING LLP  
1185 Avenue of the Americas  
New York, NY 10036-4003  
Telephone: (212) 556-2100  
Facsimile: (212) 556-2222

Eric L. Sophir (*pro hac vice*)  
<[esophir@kslaw.com](mailto:esophir@kslaw.com)>

KING & SPALDING LLP  
1700 Pennsylvania Ave. NW, Suite 200  
Washington, D.C. 20006-4707  
Telephone: (202) 626-8980  
Facsimile: (202) 626-3737

*Attorneys for Defendant Citigroup Inc.*

By: /s/ Joseph H. Lee

---

Douglas Lumish (*pro hac vice*)

<[doug.lumish@weil.com](mailto:doug.lumish@weil.com)>

Jared Bobrow (*pro hac vice*)

<[jared.bobrow@weil.com](mailto:jared.bobrow@weil.com)>

Joseph H. Lee (*pro hac vice*)

<[joseph.lee@weil.com](mailto:joseph.lee@weil.com)>

Parker C. Ankrum (*pro hac vice*)

<[parker.ankrum@weil.com](mailto:parker.ankrum@weil.com)>

WEIL, GOTSHAL & MANGES LLP

201 Redwood Shores Parkway

Redwood Shores, CA 94065

Telephone: (650) 802-3000

Facsimile: (650) 802-3100

Christian J. Hurt (Bar No. 24059987)

<[christian.hurt@weil.com](mailto:christian.hurt@weil.com)>

WEIL, GOTSHAL & MANGES LLP

700 Louisiana, Suite 1600

Houston, TX 77002

Telephone: (713) 546-5000

Facsimile: (713) 224-9511

Otis W. Carroll, Jr. (Bar No. 03895700)

<[fedserv@icklawn.com](mailto:fedserv@icklawn.com)>

Deborah J. Race (Bar No. 16448700)

<[drace@icklawn.com](mailto:drace@icklawn.com)>

IRELAND CARROLL & KELLEY

6101 S. Broadway, Suite 500

Tyler, TX 75703

Telephone: (903) 561-1600

Facsimile: (903) 581-1071

*Attorneys for Defendant and  
Counterclaimant eBay Inc.*

By: /s/ Jeffrey F. Yee

---

Jeffrey K. Joyner (*pro hac vice*)

<[joynerj@gtlaw.com](mailto:joynerj@gtlaw.com)>

Jeffrey F. Yee (*pro hac vice*)

<[yeej@gtlaw.com](mailto:yeej@gtlaw.com)>

GREENBERG TRAUIG LLP

2450 Colorado Avenue, Suite 400E

Santa Monica, CA 90404

Telephone: (310) 586-7700

Facsimile: (310) 586-7800

Christopher M. Joe (Bar No. 00787770)

<[chrisjoe@bjciplaw.com](mailto:chrisjoe@bjciplaw.com)>

Brian Carpenter (Bar No. 03840600)

<[brian.carpenterb@bjciplaw.com](mailto:brian.carpenterb@bjciplaw.com)>

Eric W. Buether (Bar No. 03316880)

<[eric.buethere@bjciplaw.com](mailto:eric.buethere@bjciplaw.com)>

BUETHER JOE & CARPENTER, LLP

1700 Pacific, Suite 2390

Dallas, TX 75201

Telephone: (214) 466-1270

Facsimile: (214) 635-1842

*Attorneys for Defendant and  
Counterclaimant Frito-Lay, Inc.*

By: /s/ Neil J. McNabnay

---

Thomas M. Melsheimer (Bar No.  
13922550)

<[txm@fr.com](mailto:txm@fr.com)>

Neil J. McNabnay (Bar No. 24002583)

<[njm@fr.com](mailto:njm@fr.com)>

J. Nicholas Bunch (Bar No. 24050352)

<[bunch@fr.com](mailto:bunch@fr.com)>

FISH & RICHARDSON P.C.

1717 Main Street, Suite 5000

Dallas, TX 75201

Telephone: (214) 747-5070

Facsimile: (214) 747-2091

Proshanto Mukherji (*pro hac vice*)

<[pvm@fr.com](mailto:pvm@fr.com)>

FISH & RICHARDSON P.C.

225 Franklin Street

Boston, MA 02110

Telephone: (617) 542-5070

Facsimile: (617) 542-8906

*Attorneys for Defendant and  
Counterclaimant The Go Daddy Group,  
Inc.*

By: /s/ Christopher C. Carnaval

---

Scott T. Weingaertner (*pro hac vice*)  
<[sweingaertner@kslaw.com](mailto:sweingaertner@kslaw.com)>  
Robert F. Perry (*pro hac vice*)  
<[rperry@kslaw.com](mailto:rperry@kslaw.com)>  
Christopher C. Carnaval (*pro hac vice*)  
<[ccarnaval@kslaw.com](mailto:ccarnaval@kslaw.com)>  
Mark H. Francis (*pro hac vice*)  
<[mfrancis@kslaw.com](mailto:mfrancis@kslaw.com)>  
KING & SPALDING LLP  
1185 Avenue of the Americas  
New York, NY 10036-4003  
Telephone: (212) 556-2100  
Facsimile: (212) 556-2222

Michael E. Jones (Bar No. 10929400)  
<[mikejones@potterminton.com](mailto:mikejones@potterminton.com)>  
Allen F. Gardner (Bar No. 24043679)  
<[allengardner@potterminton.com](mailto:allengardner@potterminton.com)>  
POTTER MINTON  
A Professional Corporation  
110 N. College, Suite 500 (75702)  
P.O. Box 359  
Tyler, TX 75710  
Telephone: (903) 597-8311  
Facsimile: (903) 593-0846

*Attorneys for Defendant Google Inc.*

By: /s/ Jeffrey F. Yee

---

Jeffrey K. Joyner (*pro hac vice*)

<[joynerj@gtlaw.com](mailto:joynerj@gtlaw.com)>

Jeffrey F. Yee (*pro hac vice*)

<[yeej@gtlaw.com](mailto:yeej@gtlaw.com)>

GREENBERG TRAUIG LLP

2450 Colorado Avenue, Suite 400E

Santa Monica, CA 90404

Telephone: (310) 586-7700

Facsimile: (310) 586-7800

Christopher M. Joe (Bar No. 00787770)

<[chrisjoe@bjciplaw.com](mailto:chrisjoe@bjciplaw.com)>

Brian Carpenter (Bar No. 03840600)

<[brian.carpenterb@bjciplaw.com](mailto:brian.carpenterb@bjciplaw.com)>

Eric W. Buether (Bar No. 03316880)

<[eric.buethere@bjciplaw.com](mailto:eric.buethere@bjciplaw.com)>

BUETHER JOE & CARPENTER, LLP

1700 Pacific, Suite 2390

Dallas, TX 75201

Telephone: (214) 466-1270

Facsimile: (214) 635-1842

*Attorneys for Defendant and  
Counterclaimant J.C. Penney Company,  
Inc.*

By: /s/ Stephen K. Shahida

Stephen K. Shahida (*pro hac vice*)  
<[sshahida@mwe.com](mailto:sshahida@mwe.com)>

MCDERMOTT WILL & EMERY LLP  
600 13th Street, N.W.  
Washington, DC 20005-3096  
Telephone: (202) 756-8327  
Facsimile: (202) 756-8087

Trey Yarbrough (Bar No. 22133500)  
<[trey@yw-lawfirm.com](mailto:trey@yw-lawfirm.com)>

Debra Elaine Gunter (Bar No. 24012752)  
<[debby@yw-lawfirm.com](mailto:debby@yw-lawfirm.com)>

YARBROUGH WILCOX, PLLC  
100 E. Ferguson Street  
Suite 1015  
Tyler, TX 75702  
Telephone: (903) 595-3111  
Facsimile: (903) 595-0191

*Attorneys for Defendant and  
Counterclaimant JPMorgan Chase & Co.*

By: /s/ Michael Simons

Michael Simons (Bar No. 24008042)  
<[msimons@akingump.com](mailto:msimons@akingump.com)>

AKIN GUMP STRAUSS HAUER & FELD LLP  
300 West 6th Street, Suite 2100  
Austin, TX 78701  
Telephone: (512) 499-6253  
Facsimile: (512) 499-6290

*Attorney for Defendant New Frontier  
Media, Inc.*

By: /s/ Suzanne M. Wallman

---

Kenneth J. Jurek  
<[kjurek@mwe.com](mailto:kjurek@mwe.com)>  
Suzanne M. Wallman  
<[swallman@mwe.com](mailto:swallman@mwe.com)>  
Brett E. Bachtell  
<[bbachtell@mwe.com](mailto:bbachtell@mwe.com)>  
MCDERMOTT WILL & EMERY LLP  
227 West Monroe Street  
Chicago, IL 60606  
Telephone: (312) 372-2000  
Facsimile: (312) 984-7700

David M. Stein (Bar No. 00797494)  
<[dstein@mwe.com](mailto:dstein@mwe.com)>  
MCDERMOTT WILL & EMERY LLP  
18191 Von Karman Avenue, Suite 500  
Irvine, CA 92612-7108  
Telephone: (949) 851-0633  
Facsimile: (949) 851-9348

J. Thad Heartfield (Bar No. 09346800)  
<[thad@jth-law.com](mailto:thad@jth-law.com)>  
THE HEARTFIELD LAW FIRM  
2195 Dowlen Road  
Beaumont, TX 77706  
Telephone: (409) 866-3318  
Facsimile: (409) 866-5789

*Attorneys for Defendant and  
Counterclaimant Office Depot, Inc.*

By: /s/ Douglas M. Kubehl

---

Barton E. Showalter (Bar No. 00788408)

<[bart.showalter@bakerbotts.com](mailto:bart.showalter@bakerbotts.com)>

Douglas M. Kubehl (Bar No. 00796909)

<[doug.kubehl@bakerbotts.com](mailto:doug.kubehl@bakerbotts.com)>

David O. Taylor (Bar No. 24042010)

<[david.taylor@bakerbotts.com](mailto:david.taylor@bakerbotts.com)>

BAKER BOTTS L.L.P.

2001 Ross Avenue

Dallas, TX 75201-2980

Telephone: (214) 953-6500

Facsimile: (214) 953-6503

Scott Partridge (Bar No. 00786940)

<[scott.partridge@bakerbotts.com](mailto:scott.partridge@bakerbotts.com)>

Roger Fulghum (Bar No. 00790724)

<[roger.fulghum@bakerbotts.com](mailto:roger.fulghum@bakerbotts.com)>

BAKER BOTTS L.L.P.

One Shell Plaza

910 Louisiana

Houston, TX 77002-4995

Telephone: (713) 229-1234

Facsimile: (713) 229-1522

Kevin Meek (Bar No. 13899600)

<[kevin.meek@bakerbotts.com](mailto:kevin.meek@bakerbotts.com)>

Paula Heyman (Bar No. 24027075)

<[paula.heyman@bakerbotts.com](mailto:paula.heyman@bakerbotts.com)>

BAKER BOTTS L.L.P.

1500 San Jacinto Center

Austin, TX 78701-4075

Telephone: (512) 322-2500

Facsimile: (512) 322-2501

Shannon Dacus (Bar No. 00791004)

<[Shannond@rameyflock.com](mailto:Shannond@rameyflock.com)>

RAMEY & FLOCK, P.C.

100 East Ferguson, Suite 500

Tyler, TX 75702

Telephone: (903) 597-3301

Facsimile: (903) 597-2413

*Attorneys for Defendant and  
Counterclaimant Perot Systems Corp.*

By: /s/ Gentry C. McLean

---

David B. Weaver (Bar No. 00798576)  
<[dweaver@velaw.com](mailto:dweaver@velaw.com)>  
Avelyn M. Ross (Bar No. 24027871)  
<[aross@velaw.com](mailto:aross@velaw.com)>  
Gentry C. McLean (Bar No. 24046403)  
<[gmclean@velaw.com](mailto:gmclean@velaw.com)>  
VINSON & ELKINS LLP  
2801 Via Fortuna, Suite 100  
Austin, TX 78746-7568  
Tel: (512) 542-8400  
Fax: (512) 236-3218

*Attorneys for Defendant Playboy  
Enterprises International, Inc.*

By: /s/ Jeffrey F. Yee

---

Jeffrey K. Joyner (*pro hac vice*)  
<[joynerj@gtlaw.com](mailto:joynerj@gtlaw.com)>  
Jeffrey F. Yee (*pro hac vice*)  
<[yeej@gtlaw.com](mailto:yeej@gtlaw.com)>  
GREENBERG TRAUIG LLP  
2450 Colorado Avenue, Suite 400E  
Santa Monica, CA 90404  
Telephone: (310) 586-7700  
Facsimile: (310) 586-7800

Christopher M. Joe (Bar No. 00787770)  
<[chrisjoe@bjciplaw.com](mailto:chrisjoe@bjciplaw.com)>  
Brian Carpenter (Bar No. 03840600)  
<[brian.carpenterb@bjciplaw.com](mailto:brian.carpenterb@bjciplaw.com)>  
Eric W. Buether (Bar No. 03316880)  
<[eric.buethere@bjciplaw.com](mailto:eric.buethere@bjciplaw.com)>  
BUETHER JOE & CARPENTER, LLP  
1700 Pacific, Suite 2390  
Dallas, TX 75201  
Telephone: (214) 466-1270  
Facsimile: (214) 635-1842

*Attorneys for Defendant and  
Counterclaimant Rent-A-Center, Inc.*

By: /s/ Daniel V. Williams

---

Mark G. Matuschak (*pro hac vice*)  
<[mark.matuschak@wilmerhale.com](mailto:mark.matuschak@wilmerhale.com)>

Donald R. Steinberg (*pro hac vice*)  
<[donald.steinberg@wilmerhale.com](mailto:donald.steinberg@wilmerhale.com)>

WILMER CUTLER PICKERING HALE AND  
DORR LLP  
60 State Street  
Boston, MA 02109  
Telephone: (617) 526-6000  
Facsimile: (617) 526-5000

Kate Hutchins (*pro hac vice*)  
<[kate.hutchins@wilmerhale.com](mailto:kate.hutchins@wilmerhale.com)>

WILMER CUTLER PICKERING HALE AND  
DORR LLP  
399 Park Avenue  
New York, NY 10011  
Telephone: (212) 230-8800  
Facsimile: (212) 230-8888

Daniel V. Williams, (*pro hac vice*)  
<[daniel.williams@wilmerhale.com](mailto:daniel.williams@wilmerhale.com)>

WILMER CUTLER PICKERING HALE AND  
DORR LLP  
1875 Pennsylvania Avenue NW  
Washington, DC 20006  
Telephone: (202) 663-6000  
Facsimile: (202) 663-6363

Michael E. Richardson (Bar No. 24002838)  
<[mrichardson@brsfirm.com](mailto:mrichardson@brsfirm.com)>

BECK REDDEN & SECREST  
1221 McKinney, Suite 4500  
Houston, TX 77010  
Telephone: (713) 951-6284  
Facsimile: (713) 951-3720

*Attorneys for Defendant Staples, Inc.*

By: /s/ Kathryn B. Riley

---

Mark D. Fowler (*pro hac vice*)  
<[mark.fowler@dlapiper.com](mailto:mark.fowler@dlapiper.com)>  
DLA PIPER US LLP  
2000 University Avenue  
East Palo Alto, CA 94303-2215  
Telephone: (650) 833-2000  
Facsimile: (650) 833-2001

Kathryn B. Riley (*pro hac vice*)  
<[kathryn.riley@dlapiper.com](mailto:kathryn.riley@dlapiper.com)>  
DLA PIPER US LLP  
401 B Street, Suite 1700  
San Diego, CA 92101  
Telephone: (619) 699-2700  
Facsimile: (619) 764-6692

Eric H. Findlay (Bar No. 00789886)  
<[efindlay@findlaycraft.com](mailto:efindlay@findlaycraft.com)>  
FINDLAY CRAFT, LLP  
6760 Old Jacksonville Highway  
Suite 101  
Tyler, TX 75703  
Telephone: (903) 534-1100  
Facsimile: (903) 534-1137

*Attorneys for Defendant and  
Counterclaimant Oracle America, Inc.  
(formerly known as Sun Microsystems,  
Inc.)*

By: /s/ Amanda A. Abraham

---

Carl R. Roth (Bar No. 17312000)

<[cr@rothfirm.com](mailto:cr@rothfirm.com)>

Brendan C. Roth (Bar No. 24040132)

<[br@rothfirm.com](mailto:br@rothfirm.com)>

Amanda A. Abraham (Bar No. 24055077)

<[aa@rothfirm.com](mailto:aa@rothfirm.com)>

THE ROTH LAW FIRM, P.C.

115 N. Wellington, Suite 200

Marshall, TX 75670

Telephone: (903) 935-1665

Facsimile: (903) 935-1797

*Attorneys for Defendant and  
Counterclaimant Texas Instruments  
Incorporated*

By: /s/ Joseph H. Lee

---

Douglas Lumish (*pro hac vice*)

<[doug.lumish@weil.com](mailto:doug.lumish@weil.com)>

Jared Bobrow (*pro hac vice*)

<[jared.bobrow@weil.com](mailto:jared.bobrow@weil.com)>

Joseph H. Lee (*pro hac vice*)

<[joseph.lee@weil.com](mailto:joseph.lee@weil.com)>

Parker C. Ankrum (*pro hac vice*)

<[parker.ankrum@weil.com](mailto:parker.ankrum@weil.com)>

WEIL, GOTSHAL & MANGES LLP

201 Redwood Shores Parkway

Redwood Shores, CA 94065

Telephone: (650) 802-3000

Facsimile: (650) 802-3100

Christian J. Hurt (Bar No. 24059987)

<[christian.hurt@weil.com](mailto:christian.hurt@weil.com)>

WEIL, GOTSHAL & MANGES LLP

700 Louisiana, Suite 1600

Houston, TX 77002

Telephone: (713) 546-5000

Facsimile: (713) 224-9511

Otis W. Carroll, Jr. (Bar No. 03895700)

<[fedserv@icklawn.com](mailto:fedserv@icklawn.com)>

Deborah J. Race (Bar No. 16448700)

<[drace@icklawn.com](mailto:drace@icklawn.com)>

IRELAND CARROLL & KELLEY

6101 S. Broadway, Suite 500

Tyler, TX 75703

Telephone: (903) 561-1600

Facsimile: (903) 581-1071

*Attorneys for Defendant and  
Counterclaimant Yahoo! Inc.*

By: /s/ Christopher C. Carnaval

---

Scott T. Weingaertner (*pro hac vice*)  
<[sweingaertner@kslaw.com](mailto:sweingaertner@kslaw.com)>  
Robert F. Perry (*pro hac vice*)  
<[rperry@kslaw.com](mailto:rperry@kslaw.com)>  
Christopher C. Carnaval (*pro hac vice*)  
<[ccarnaval@kslaw.com](mailto:ccarnaval@kslaw.com)>  
Mark H. Francis (*pro hac vice*)  
<[mfrancis@kslaw.com](mailto:mfrancis@kslaw.com)>  
KING & SPALDING LLP  
1185 Avenue of the Americas  
New York, NY 10036-4003  
Telephone: (212) 556-2100  
Facsimile: (212) 556-2222

Michael E. Jones (Bar No. 10929400)  
<[mikejones@potterminton.com](mailto:mikejones@potterminton.com)>  
Allen F. Gardner (Bar No. 24043679)  
<[allengardner@potterminton.com](mailto:allengardner@potterminton.com)>  
POTTER MINTON  
A Professional Corporation  
110 N. College, Suite 500 (75702)  
P.O. Box 359  
Tyler, TX 75710  
Telephone: (903) 597-8311  
Facsimile: (903) 593-0846

*Attorneys for Defendant YouTube, LLC*

**SIGNATURE ATTESTATION**

I hereby certify that concurrence in the service of this document has been obtained from each of the other signatories shown above.

\_\_\_\_\_  
/s/ Shubham Mukherjee  
Shubham Mukherjee

**CERTIFICATE OF SERVICE**

I hereby certify that on the date and in the place shown below, I served **Defendants' P.R. 4-2 Disclosure of Proposed Claim Constructions and Extrinsic Evidence** by email, addressed to:

Josh Budwin, Esq.  
MCKOOL SMITH, P.C.  
300 West Sixth Street, Suite 1700  
Austin, Texas 78701  
<[Eolas@McKoolSmith.com](mailto:Eolas@McKoolSmith.com)>

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 17, 2010, in San Francisco, California.

\_\_\_\_\_  
/s/ Teague I. Donahey  
Teague I. Donahey