EXHIBIT A

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A. Uniloc's Proposed Constructions and Supporting Evidence for the Disputed Terms

Pursuant to P.R. 4-3(b), Uniloc's proposed constructions and supporting evidence for the disputed terms of the '216 Patent are found in the table below. Uniloc notes that the phrase "local licensee unique ID generating means" was previously construed. *See Uniloc USA, Inc. v. Microsoft Corp.*, 447 F. Supp. 2d 177, 190-192 (D.R.I. 2006). In addition, it is Uniloc's understanding that Defendant Pervasive intends to belatedly seek leave to construe the phrase "licensee unique ID," which was previously construed, *see Uniloc USA, Inc. v. Microsoft Corp.*, 447 F. Supp. 2d 177, 183-189 (D.R.I. 2006), and was subsequently affirmed by the Federal Circuit, *see Uniloc USA, Inc. v. Microsoft Corp.*, 290 Fed. Appx. 337, 344 (Fed. Cir. 2008) ("The district court correctly construed the 'licensee unique ID' as a unique identifier associated with a licensee that can be, but is not limited to, personally identifiable information about the licensee or user."). Furthermore, Uniloc understands that Defendants intend to urge the Court to adopt an alleged disclaimer that seeks to alter the construction of all of the previously construed claim terms. Uniloc maintains that the submission of these terms and issues is improper as Defendants have not sought or received leave from the Court to do so.

	DISPUTED TERMS AND PHRASES	UNILOC'S PROPOSED CONSTRUCTION	SUPPORTING EVIDENCE[1]
1	Permits use of said digital data...only if...has matched . . . (claim 1)	The ordinary meaning of the phrase is clear and unambiguous. Thus, the phrase does not require construction.	'216 Patent: Col. 3:22-42, Col. 4:30-43, Col. 4:55-63, Col. 7:21-35, Col. 13:54-14:1.
2	Local (in the phrase "local licensee unique ID generating means")	Uniloc objects to the inclusion of this phrase because under the Court's Orders Defendants were first required to seek leave before submitting previously construed terms. The phrase "local licensee unique ID generating means" was construed previously. Uniloc will address this phrase should the Court grant leave inviting reconsideration, however, Uniloc's position is that the previous construction of "local licensee unique ID generating means" should govern: *Function: to generate a local or remote licensee unique ID/registration key.* *Structure: a summation algorithm or a summer and equivalents thereof*	Uniloc notes that this phrase was previously construed by the District of Rhode Island. *See Uniloc USA, Inc. v. Microsoft Corp.*, 447 F. Supp. 2d 177, 190-192 (D.R.I. 2006). Uniloc contends that Defendants require leave from the Court to re-construe or alter this construction, which has not been granted. Should the Court ultimately grant Defendants leave to submit this term, Uniloc identifies the following: • *Uniloc USA, Inc. v. Microsoft Corp.*, 447 F. Supp. 2d 177, 190-192 (D.R.I. 2006) and the references cited therein. • Uniloc's Opening Claim Construction briefing from *Uniloc USA, Inc. et al. v. Microsoft*, No. 03-CV-440, Dkt. No. 137 (D.R.I. Feb. 24, 2006), including any supporting materials and references therein. • Uniloc's Reply Claim Construction briefing from *Uniloc USA, Inc. et al. v. Microsoft*, No. 03-CV-440, Dkt. No. 141 (D.R.I. Mar. 27, 2006), including any supporting materials and references therein.

[1] Uniloc also identifies the claim language of the asserted and unasserted claims of the '216 Patent. Furthermore, as Uniloc contends that several of the terms do not require construction, and given that several of the terms require leave from the Court, which Defendants have not obtained as of the filing of this Joint Statement, Uniloc reserves the right to rely on any intrinsic and extrinsic evidence proffered by Defendants. In addition, Uniloc reserves the right to present additional intrinsic or extrinsic evidence as necessary to rebut any arguments proffered by any defendant.

	DISPUTED TERMS AND PHRASES	UNILOC'S PROPOSED CONSTRUCTION	SUPPORTING EVIDENCE[1]
3	Comprises part of said digital data when executed on said platform (claim 8)	Uniloc objects to construing this phrase in isolation. This phrase requires no construction when read in context.	'216 Patent: Col. 2:14-23, Col. 13:54-14:1, Col. 14:24-31.
4	Prosecution History Disclaimer Applicable To All Claims	Uniloc objects to the inclusion of this issue because under the Court's Orders Defendants were first required to seek leave before seeking to alter previously construed terms and phrases. Through the application of this alleged disclaimer, Defendants are seeking to alter the construction of all of the previously construed claims. Uniloc will address this issue should the Court direct, however, Uniloc's position is that there has been no "prosecution history disclaimer" and Defendants' position is unfounded.	Uniloc understands that Defendants are essentially asking it to prove a negative. As such, it is difficult for Uniloc to pinpoint specific sections of the intrinsic record. Thus, if the Court requires Uniloc to address this issue, it believes that it would rely on portions of the intrinsic record, including the reexamination prosecution history. In addition, Uniloc may also rely on the previous opinions from the District of Rhode Island and the Federal Circuit.