

EXHIBIT 1

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

	§	
UNILOC USA, INC. and UNILOC	§	
LUXEMBOURG, S.A.	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	Case No. 2:16-CV-00393
	§	LEAD CASE
AVG TECHNOLOGIES USA, INC.	§	
	§	
<i>Defendant,</i>	§	
	§	
v.	§	Case No. 2:16-CV-00741
	§	LEAD CASE
ADP, LLC	§	
	§	
<i>Defendant.</i>	§	
	§	

MEMORANDUM OPINION AND ORDER

On August 10, 2017, the Court held a hearing to determine the proper construction of the disputed claim terms in United States Patent Nos. 6,324,578 (“the ’578 Patent”), 6,728,766 (“the ’766 Patent”), 6,510,466 (“the ’466 Patent”), and 7,069,293 (“the ’293 Patent”) (collectively “the Asserted Patents”).¹ The Court has considered the arguments made by the parties at the hearing and in their claim construction briefs. Docket Nos. 140, 150, 155, 174, 185 & 190.² The Court has also considered the intrinsic evidence and made subsidiary factual findings about the extrinsic

¹ The ’466 and ’293 Patents share a common specification. Unless otherwise noted, citations related to either of these patents are made collectively to the ’466 Patent. Similarly, the ’578 and ’766 Patents share a common specification. Unless otherwise noted, citations related to either of these patents are made collectively to the ’578 Patent.

² Citations to the parties’ filings are to the filing’s number in the docket (Docket No.) and pin cites are to the page numbers assigned through ECF in Case No. 2:16-CV-393.

evidence. See *Phillips v. AWH Corp.*, 415 F.3d 1303, 1314 (Fed. Cir. 2005); *Teva Pharm. USA, Inc. v. Sandoz, Inc.*, 135 S. Ct. 831, 841 (2015). The Court issues this Claim Construction Memorandum and Order in light of these considerations.

TABLE OF CONTENTS

I.	BACKGROUND	4
II.	APPLICABLE LAW	7
III.	CONSTRUCTION OF AGREED TERMS	10
IV.	RELEVANCE OF THE PROSECUTION FILE HISTORY IN RELATED PATENTS.	11
V.	CONSTRUCTION OF DISPUTED TERMS	14
	1. “application program(s) / application(s)”	14
	2. “application launcher program”	23
	3. “make the application program available for use”	31
	4. “registration operations”	38
	5. “the initiating execution step”	44
	6. “the computer readable program code means for executing the application program” / “the computer readable program code means for initiating execution” / “the means for executing the application program” / “the means for initiating execution”	51
	7. “license availability”	55
	8. “an instance” / “an instance of the application program” / “an instance of the selected one of the plurality of application programs” and “provid[e]/[ing]”	59
VI.	CONCLUSION	68

I. BACKGROUND

A. The '578 Patent

The '578 Patent was filed on December 14, 1998, issued on November 27, 2001, and is titled “Methods, Systems, and Computer Program Products for Management of Configurable Application Programs on a Network.” The '578 Patent relates to obtaining user and administrator preferences for the application programs installed at a server and providing these preferences along with an instance of the application program to a client for execution. *See, e.g.*, '578 Patent, col. 3:50–4:5.

Claim 1 of the '578 Patent is an exemplary claim and recites the following elements (disputed term in italics):

1. A method for management of configurable *application programs* on a network comprising the steps of:
receiving an *application launcher program* associated with an *application program* having a plurality of configurable preferences from a server;
providing a user set of the plurality of configurable preferences from one of the plurality of authorized users executing the *application launcher program* to the server; and
requesting that the server *provide an instance of the application program* and a stored user set and an administrator set of the plurality of configurable preferences for use in executing the *application program* responsive to a request from the one of the plurality of authorized users.

B. The '466 Patent

The '466 Patent was filed on December 14, 1998, issued on January 21, 2003, and is titled “Methods, Systems, and Computer Program Products for Centralized Management of Application Programs on a Network.” The '466 Patent relates to installing application software on a server, and providing instances of that software to clients for execution via a user desktop interface with display regions associated with the installed software. *See, e.g.*, '466 Patent, col. 3:48–50, 4:39–44.

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