

EXHIBIT 11

2. The '194 patent term "Downloadable" is construed as "an executable application program, which is downloaded from a source computer and run on the destination computer."²
3. The '194 patent term "server that serves as a gateway to the client" is construed to have its plain and ordinary meaning.³
4. The '780 patent term "performing a hashing function on the Downloadable and the fetched software components to generate a Downloadable ID" is construed as "performing a hashing function on the Downloadable together with its fetched software components to generate a Downloadable ID."⁴
5. The '822 patent term "downloadable-information" is construed to have its plain and ordinary meaning.⁵
6. The '822 patent term "evaluating the detection indicators" is construed to have its plain and ordinary meaning.⁶
7. The '822 patent term "information-destination" is construed as "client."⁷

2005) (internal citations omitted). The court further observes that the defendant's proposed construction would unjustifiably narrow the term's broad scope, which was not explicitly limited or redefined by the specification. *Id.*, 415 F.3d at 1316.

² Since the parties agree that this term lacks ordinary meaning, the court construes the term "only as broadly as provided for by the patent itself." *Irdeto Access, Inc. v. Echostar Satellite Corp.*, 383 F.3d 1295, 1300 (Fed. Cir. 2004). In doing so, the court declines to replace the '194 patent specification's explicit definition with a conflicting portion of the '194 patent's prosecution history. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1316 (Fed. Cir. 2005) (internal citations omitted). Finjan's citations to the prosecution histories and specifications of related, subsequently issued patents likewise do not persuade the court to reject this lexicography. *Id.*

³ See footnote 1 with respect to ordinary meaning.

⁴ The court's construction reflects how the inventor understood and used the term, as evinced by the patent's prosecution history. *Phillips*, 415 F.3d at 1317; (see D.I. 123 at JA2060 (the '780 patent's Application, Amendment and Response to Office Action, July 31, 2003).)

⁵ See footnote 1 with respect to ordinary meaning.

⁶ See footnote 1 with respect to ordinary meaning.