

EXHIBIT A
TO JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT PURSUANT TO PATENT

I. DISPUTED CONSTRUCTIONS FOR U.S. PATENT NO. 6,233,736

Claim Term for '736 Patent	Claim(s)	OpenTV Proposed Construction and Supporting Evidence	Apple Proposed Construction and Supporting Evidence
"automatic and direct access"	1, 8, 9	<p><u>Proposed Constructions:</u> "access without the user performing additional steps which is direct from the user's perspective"</p> <p><u>Supporting Evidence:</u> <u>Specification:</u> <i>See, e.g.</i>, Abstract; 1:6-12; 1:16-33; 1:43-51; 2:59-67; 3:5-14; 3:58-63; 4:5-29; 6:27-33; 6:40-44; 7:54-64; 8:60-65; 9:16-39.</p> <p><u>Other Intrinsic Evidence:</u> <i>Netflix, Inc. v. OpenTV, Inc.</i>, Case No. IPR2014-00269, Paper No. 27, at 3-8, 11-16.</p> <p><u>Extrinsic Evidence:</u> Expert Testimony of Dr. Kevin Almeroth.</p>	<p><u>Proposed Construction:</u> Indefinite</p> <p><u>Supporting Evidence:</u> <u>Specification:</u> <i>See, e.g.</i>, '736 Patent at 1:29-33; 1:46-51; 1:66-71; 3:45-49; 7:54-57; 9:16-39.</p> <p><u>Other Intrinsic Evidence:</u> <i>See, e.g.</i>, '736 File History; Application; Sep. 9, 1999; Mar. 9, 2000 Amendment; Office Action; Dec. 5, 2000; <i>See, e.g.</i>, IPR2014-00269; <i>see also</i> Papers 1, 11, 20.</p> <p><i>See, e.g.</i>, U.S. Pat. App. History, Final Rejection.</p> <p><u>Extrinsic Evidence:</u> Expert testimony of Mr. [redacted]</p>
"automatically and directly electronically accessing"	8	<p><u>Proposed Constructions:</u> "electronically accessing without the user performing additional steps which is direct</p>	<p><u>Proposed Construction:</u> Indefinite</p>

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		<p>from the user's perspective"</p> <p><u>Supporting Evidence:</u> <u>Specification:</u> <i>See, e.g.</i>, Claims 1, 9; Abstract, 1:6-12; 1:16-33; 1:43-51; 2:59-67; 3:5-14; 3:58-63; 4:5-29; 6:27-33; 6:40-44; 7:54-64; 8:60-65; 9:16-39.</p> <p><u>Other Intrinsic Evidence:</u> <i>Netflix, Inc. v. OpenTV, Inc.</i>, Case No. IPR2014-00269, Paper No. 27, at 3-8, 11-16.</p> <p><u>Extrinsic Evidence:</u> Expert Testimony of Dr. Kevin Almeroth.</p>	<p><u>Supporting Evidence:</u> <u>Specification:</u> <i>See, e.g.</i>, '736 Patent at 1:29-33; 1:46-51; 1:66-3:45-49; 7:54-57; 9:16-39.</p> <p><u>Other Intrinsic Evidence:</u> <i>See, e.g.</i>, '736 File History; Application; Sep. 9, 1999; Mar. 9, 2000 Amendment; Office Action; Dec. 5, 2000. <i>See, e.g.</i>, IPR2014-00269; <i>see also</i> Papers 1, 11, 20.</p> <p><i>See, e.g.</i>, U.S. Pat. App. History, Final Rejection.</p> <p><u>Extrinsic Evidence:</u> Expert testimony of Mr. [redacted]</p>
"indicating"	1, 7-9	<p><u>Proposed Construction:</u> "providing an automatic visual, auditory, or tactile indication"</p> <p><u>Supporting Evidence:</u></p>	<p><u>Proposed Construction:</u> Plain and ordinary meaning.</p> <p>In the alternative, "providing an automatic visual, auditory, or tactile indication"</p> <p><u>Supporting Evidence:</u></p>

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		<p><u>Specification:</u> <i>See, e.g.</i>, Abstract; 3:58-4:4; 6:13-15; 9:15-29.</p> <p><u>Other Intrinsic Evidence:</u> <i>Netflix, Inc. v. OpenTV, Inc.</i>, Case No. IPR2014-00269, Paper No. 27, at 8-10.</p> <p><u>Extrinsic Evidence:</u> Expert testimony of Dr. Kevin Almeroth.</p>	<p><u>Specification:</u> <i>See, e.g.</i>, '736 Patent at 26; 7:3-9; 7:32-42; 8:22-23.</p> <p><u>Other Intrinsic Evidence:</u> <i>See, e.g.</i>, '736 File History; Application; Sep. 9, 1998; Mar. 9, 2000 Amendment; Office Action; Dec. 5, 2000. <i>See, e.g.</i>, IPR2014-00269, <i>see also</i> Papers 1, 11, 20.</p> <p><u>Extrinsic Evidence:</u> The New Lexicon Webster's Dictionary Of The English Language, 3rd Edition (1990) at 492 (defining "indicate" as "to direct out, show" and defining "point" as "something which points to information").</p> <p>Expert testimony of Mr. [redacted]</p>
<p>"means for indicating to the user that an address is available for extraction from said electronic signal"</p>	<p>9</p>	<p><u>Proposed Construction:</u> Governed by 112(6)</p> <p><u>Function (agreed):</u> "indicating to the user that an address is available for extraction from said electronic</p>	<p><u>Proposed Construction:</u> Governed by 112(6)</p> <p><u>Function (agreed):</u> "indicating to the user that an address is available for extraction from said electronic</p>

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		<p>signal”</p> <p><u>Structure (disputed):</u> “an automatic message, picture within picture, logo, or icon displayed on a video screen, a light, a sound or wireless tactile indicator, and equivalents thereof”</p> <p><u>Supporting Evidence:</u> <u>Specification:</u> <i>See, e.g.</i>, 3:60-67; 6:13-26; 7:35-42; 9:16-29.</p> <p><u>Extrinsic Evidence:</u> Expert testimony of Dr. Kevin Almeroth.</p>	<p>signal”</p> <p><u>Structure (disputed):</u> “a message, picture within picture, icon, light, sound, or wireless tactile indicator, and equivalents thereof”</p> <p><u>Supporting Evidence:</u> <u>Specification:</u> <i>See, e.g.</i>, '736 Patent at 26; 7:3-9; 7:32-42; 8:22-23.</p> <p><u>Other Intrinsic Evidence:</u> <i>See, e.g.</i>, '736 File History; Application; Sep. 9, 1999; Mar. 9, 2000 Amendment; Office Action; Dec. 5, 2000. <i>See, e.g.</i>, IPR2014-0020; <i>see also</i> Papers 1, 11, 20.</p> <p><u>Extrinsic Evidence:</u> Expert testimony of Mr. [redacted]</p>
<p>“means for extracting an address associated with an online information source from an information signal embedded in said</p>	<p>9</p>	<p><u>Proposed Construction:</u> Governed by 112(6)</p> <p><u>Function (agreed):</u> “extracting an address associated with an</p>	<p><u>Proposed Construction:</u> Governed by 112(6)</p> <p><u>Function (agreed):</u> “extracting an address associated with an</p>

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<p>electronic signal, and for automatically establishing, in response to a user initiated command, a direct link with the online information source”</p>		<p>online information source from an information signal embedded in an electronic signal, and automatically establishing, in response to a user initiated command, a direct link with the online information source”</p> <p><u>Structure (disputed):</u> “access controller, provided with an address extractor including hardware and/or software, that detects, decodes, and/or stores an address signal sent with a video signal and provided with a modem with hardware and/or software to automatically establish a direct digital communication link, and equivalents thereof”</p> <p><u>Supporting Evidence:</u> <u>Specification:</u> <i>See, e.g.</i>, Fig. 2; 4:5-13; 5:43-53; 6:1-7; 7:30-35; 7:50-53; 8:37-48; 8:60-65.</p> <p><u>Extrinsic Evidence:</u> Expert testimony of Dr. Kevin Almeroth.</p>	<p>online information source from an information signal embedded in an electronic signal, and automatically establishing, in response to a user initiated command, a direct link with the online information source”</p> <p><u>Structure (disputed):</u> Insufficient disclosure of structure is indefinite</p> <p><u>Supporting Evidence:</u> <u>Specification:</u> <i>See, e.g.</i>, '736 Patent at 29; 5:43-6:7; 7:22-35; 8:35; Figs. 1, 2, 3.</p> <p><u>Other Intrinsic Evidence:</u> <i>See, e.g.</i>, '736 File History; Application; Sep. 9, 1999; Mar. 9, 2000 Amendment; Office Action; Dec. 5, 2000 <i>See, e.g.</i>, IPR2014-0020; <i>see also</i> Papers 1, 11, 2</p> <p><u>Extrinsic Evidence:</u></p>

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