

EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

PERSONALWEB TECHNOLOGIES, LLC

Plaintiff,

vs.

NEC CORPORATION OF AMERICA, INC.

Defendant.

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CASE NO. 6:11-CV-655
PATENT CASE

PERSONALWEB TECHNOLOGIES, LLC

Plaintiff,

vs.

GOOGLE INC. AND YOUTUBE, LLC

Defendants.

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CASE NO. 6:11-CV-656
PATENT CASE

PERSONALWEB TECHNOLOGIES, LLC

Plaintiff,

vs.

NETAPP, INC.

Defendant.

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CASE NO. 6:11-CV-657
PATENT CASE

PERSONALWEB TECHNOLOGIES, LLC

Plaintiff,

vs.

AMAZON.COM, INC.; AMAZON WEB SERVICES LLC; AND DROPBOX, INC.

Defendants.

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**CASE NO. 6:11-CV-658
PATENT CASE**

PERSONALWEB TECHNOLOGIES, LLC

Plaintiff,

vs.

EMC CORPORATION, AND VMWARE, INC.

Defendants.

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**CASE NO. 6:11-CV-660
PATENT CASE**

PERSONALWEB TECHNOLOGIES, LLC

Plaintiff,

vs.

AUTONOMY, INC., ET AL.,

Defendants.

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**CASE NO. 6:11-CV-683
PATENT CASE**

PERSONALWEB TECHNOLOGIES, LLC

Plaintiff,

vs.

YAHOO! INC.

Defendant.

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**CASE NO. 6:12-CV-658
PATENT CASE**

PERSONALWEB TECHNOLOGIES, LLC

Plaintiff,

vs.

APPLE INC.

Defendant.

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**CASE NO. 6:12-CV-660
PATENT CASE**

PERSONALWEB TECHNOLOGIES, LLC

Plaintiff,

vs.

FACEBOOK, INC.

Defendant.

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**CASE NO. 6:12-CV-662
PATENT CASE**

MEMORANDUM OPINION AND ORDER

This Memorandum Opinion construes the disputed claim terms in U.S. Patent Nos. 5,978,791 (“the ‘791 Patent), 6,415,280 (“the ‘280 Patent), 6,928,442 (“the ‘442 Patent), 7,802,310 (“the ‘310 Patent), 7,945,539 (“the ‘539 Patent), 7,945,544 (“the ‘544 Patent), 7,949,662 (“the ‘662 Patent), 8,001,096 (“the ‘096 Patent), and 8,099,420 (“the ‘420 Patent).

Autonomy and Hewlett-Packard's Motion for Summary Judgment of Indefiniteness (6:11-CV-683, Docket No. 164) is **DENIED**. Facebook's Motion for Summary Judgment of Indefiniteness (6:12-CV-662, Docket No. 66) is **DENIED**.

BACKGROUND

The Plaintiff PersonalWeb Technologies LLC ("PersonalWeb") sued the following Defendants for infringement: NEC Corporation of America, Inc. ("NEC"); Google, Inc. and YouTube, LLC ("Google"); NetApp, Inc. ("NetApp"); Amazon.com, Inc. and Amazon Web Services LLC ("Amazon"); Dropbox, Inc. ("Dropbox"); EMC Corp. and VMWare, Inc. ("EMC"); Autonomy, Inc., Hewlett-Packard Co., and HP Enterprise Services, LLC ("HP"); Yahoo! Inc. ("Yahoo"); Apple Inc. ("Apple"); and Facebook, Inc. ("Facebook"). The Court heard oral argument on July 18, 2013.

There are nine asserted patents, all claiming priority to a common application. A number of the Patents have been the subject of post-issuance examination. Inter Partes Reviews ("IPRs") have been initiated for several of the Patents, and the Patent Trial and Appeal Board ("PTAB") has issued decisions for at least three Patents. The Patents generally relate to methods for identifying data items in a data processing system.

APPLICABLE LAW

"It is a 'bedrock principle' of patent law that 'the claims of a patent define the invention to which the patentee is entitled the right to exclude.'" *Phillips v. AWH Corp.*, 415 F.3d 1303, 1312 (Fed. Cir. 2005) (en banc) (quoting *Innova/Pure Water Inc. v. Safari Water Filtration Sys., Inc.*, 381 F.3d 1111, 1115 (Fed. Cir. 2004)). In claim construction, courts examine the patent's intrinsic evidence to define the patented invention's scope. *See id.*; *C.R. Bard, Inc. v. U.S. Surgical Corp.*, 388 F.3d 858, 861 (Fed. Cir. 2004); *Bell Atl. Network Servs., Inc. v. Covad*

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