

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

E-NUMERATE SOLUTIONS, INC. and
E-NUMERATE, LLC,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,

Defendant.

C.A. No. 19-859-RTH

**DECLARATION OF GERARD M. O'ROURKE, ESQ. IN SUPPORT OF APPENDIX IN
SUPPORT OF PLAINTIFFS' OPENING CLAIM CONSTRUCTION BRIEFS**

I, Gerard M. O'Rourke, hereby declare as follows:

1. I am an attorney with the law firm O'Kelly & O'Rourke, LLC, attorneys for Plaintiffs in this action, e-Numerate Solutions, Inc. and e-Numerate, LLC.
2. Included as Exhibit A within the Appendix attached hereto is a true and correct copy of e-Numerate v. United States - Table of Agreed-Upon Terms
3. Included as Exhibit B within the Appendix attached hereto is a true and correct copy of Chart with Competing Constructions.
4. Included as Exhibit C within the Appendix attached hereto is a true and correct copy of US Patent 7,650,355B1.
5. Included as Exhibit D within the Appendix attached hereto is a true and correct copy of US Patent 8,185,816B2.
6. Included as Exhibit E within the Appendix attached hereto is a true and correct copy of

- US Patent 9,262,383B2.
7. Included as Exhibit F within the Appendix attached hereto is a true and correct copy of US Patent 9,262,384B2.
 8. Included as Exhibit G within the Appendix attached hereto is a true and correct copy of US Patent 9,268,748B2.
 9. Included as Exhibit H within the Appendix attached hereto is a true and correct copy of US Patent 9,600,842B2.
 10. Included as Exhibit I within the Appendix attached hereto is a true and correct copy of US Patent 10,223,337B2.
 11. Included as Exhibit J within the Appendix attached hereto is a true and correct copy of US Patent 10,423,708B2.
 12. Included as Exhibit K within the Appendix attached hereto is a true and correct copy of techterms.com Definition of “Markup Language”.
 13. Included as Exhibit L within the Appendix attached hereto is a true and correct copy of *Microsoft Computer Dictionary Fourth Edition* cover pages, and page 126.
 14. Included as Exhibit M within the Appendix attached hereto is a true and correct copy of the Declaration of David Martin.
 15. Included as Exhibit N within the Appendix attached hereto is a true and correct copy of the Supplemental Declaration of David Martin.
 16. Included as Exhibit O within the Appendix attached hereto is a true and correct copy of the Declaration of Michael Smith.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: March 14, 2022

/s/ Gerard M. O'Rourke
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