

**EXHIBIT C: REMAINING TERMS IN DISPUTE**

The numbering of the remaining terms is presented for convenience and does not reflect the parties' views as to the relative importance of the terms. All citations to patent specifications refer to section or column and line numbers and include all figures referenced in the relevant passages cited.

Claim Term	Plaintiffs' Proposed Construction/Support	Defendants' Proposed Construction/Support
<p><b>client/second node</b></p> <p>'516 patent, claims 1, 10; '471 patent, claims 2, 3, 4, 6, 7, 8, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, 22, 31, 32, 33, 34, 35, 36, 40;</p>	<p><b>"processing device that communicates with a server/first node over a communications network"</b></p> <p><u>Intrinsic support:</u></p> <p>'516 patent, Abstract; 1:48-53; 4:39-5:18; 5:28-35; 6:8-25; 8:17-42; 8:51-65; 9:6-25; 10:17-22; 10:31-50; 12:32-36; 16:34-39;</p> <p>'471 patent, Abstract; 1:59-64; 4:35-5:11; 5:21-28; 6:1-17; 8:5-29; 8:38-51; 8:59-9:10; 10:1-8; 10: 21-39; 12:21-25; 16:16-21;</p> <p><u>Extrinsic Support:</u></p> <p>Definition of "client," Microsoft Computer Dictionary, Third Edition, 1997</p> <p>Definition of "node," McGraw-Hill Dictionary of Scientific and Technical Terms, Fifth Edition, 1994</p>	<p><b>"A node in the network that performs the recited client/second node functions."</b></p> <p><u>Intrinsic support:</u></p> <p>'062 patent specification, Figs. 4, 5, 5a, 5b, 5c, 6, 6a, 6b, 7, 8, 11, 14, 15, 16, 17, 18, and 20 and associated description; see also Fig. 13 as described at Col. 18, ln. 66 – Col. 19, ln. 22; Figs. 17 and 18 as described at Col. 20, ln. 52 – Col. 21, ln. 27; see also Fig. 18A illustrating a client's data packet as described at Col. 21 ln. 28-46 and Figs. 1a-1b and 2a-2o as described at Col. 9, ln. 59 – Col. 10, ln. 7; see also Decision Granting IPR of '062 patent (2/4/14), p. 3.</p> <p>'062 patent specification, Col. 15, ln 41 (defining the "server" as the "root of the tree"); see also Col. 5, ln. 12-15; Col. 5, ln. 29-32; Col. 9, ln. 45-49; Col. 13, ln. 9-34; and Col. 17, ln. 22-33.</p>

**EXHIBIT C: REMAINING TERMS IN DISPUTE**

Claim Term	Plaintiffs' Proposed Construction/Support	Defendants' Proposed Construction/Support
	<p>Expert Testimony re understanding of this term by a POSA. See Exhibit D.</p>	<p><u>Extrinsic Support:</u></p> <p>Definition of “client,” Microsoft Computer Dictionary, Third Edition, 1997</p> <p>Definition of “server,” Microsoft Computer Dictionary, Third Edition, 1997</p> <p>Drs. Heppe and/or Akl may be asked to provide evidence regarding the client recitations. In opining about the meaning, their declarations and testimony may explain how Defendants’ proposed constructions are supported by intrinsic evidence, extrinsic evidence, and/or the education and experience of a person of ordinary skill in the art relevant to the patents in suit. Their declarations and testimony may also respond to Plaintiffs’ proposed constructions and supporting evidence.</p>
<p><b>link to said server/first node</b></p> <p>‘471 patent, claims 2, 6, 10, 14, 17, 20, 31, 34, 40;                      ‘496 patent, claims 1, 2, 7, 11, 12, 16, 21, 24, 33, 40, 42, 45;</p>	<p><b>"a path from a client to the server/first node"</b></p> <p><u>Intrinsic support:</u></p>	<p><b>“The ‘link’ includes the identification of each of the hops to be traversed by the data message packet en route to the first node (server).”</b></p>

**EXHIBIT C: REMAINING TERMS IN DISPUTE**

Claim Term	Plaintiffs' Proposed Construction/Support	Defendants' Proposed Construction/Support
	<p>'471 patent, 2:34-43; 4:60-5:43; 6:11-17; 7:50-9:10; 9:21-12:40; 13:26-14:29; 19:47-20:59; 20:60-21:26;</p> <p>'496 patent, 2:37-46; 4:63-5:46; 6:14-20; 7:52-9:12; 9:23-12:42; 13:28-14:31; 19:49-20:61; 20:62-21:27;</p> <p><u>Extrinsic Support:</u></p> <p>Definition of "server," McGraw-Hill Dictionary of Scientific and Technical Terms, Fifth Edition, 1994</p> <p>Definition of "node," McGraw-Hill Dictionary of Scientific and Technical Terms, Fifth Edition, 1994</p> <p>Expert Testimony re understanding of this term by a POSA. See Exhibit D.</p>	<p><u>Intrinsic support:</u></p> <p>'062 patent specification, Col. 5, ln. 23-24; 8/5/99 Office Action Response, p. 5 (emphasizing that each client must communication through a transmission path that includes all other clients); '062 patent reexamination, Response to First Office Action (1/22/08), pp. 4, 7 and 10. '062 patent Reexam Appeal Brief at 34 (link tree includes identification of "all of the clients on the path"); '062 IPR Grant of Petition at p. 3 (defining client machines as a personal computer); see also, '314 IPR proceedings, Patent Owner's Preliminary Response, pp. 9-12, 20-23 (transmission path includes "all the nodes along the path from the client to the server"); and '516 patent reexamination 10/29/07 Office Action Response, pp. 9-24 and declaration of Brownrigg in support thereof, paragraph 15-25. <i>See also</i> Patent Owner's response to IPR petition filed for the '314 patent; Oct. 14, 2008 Proposed After Final Amendment in '062 patent reexamination and associated</p>

**EXHIBIT C: REMAINING TERMS IN DISPUTE**

Claim Term	Plaintiffs' Proposed Construction/Support	Defendants' Proposed Construction/Support
		<p>Advisory Action (Dec. 16, 2008).</p> <p><u>Extrinsic Support:</u></p> <p>November 17, 2005 Deposition of Edwin Brownrigg, including but not limited to pgs. 149-54; 190-93.</p> <p>March 29, 2006 Deposition of Edwin Brownrigg, including but not limited to pgs. 150-60; 171-75; 190-92; 196-97.</p> <p>June 18, 2013 Deposition of Edwin Brownrigg, including but not limited to pgs. 111-114; 119; 124; 131.</p> <p>Drs. Heppe and/or Akl may be asked to provide evidence regarding the link recitations. In opining about the meaning, their declarations and testimony may explain how Defendants' proposed constructions are supported by intrinsic evidence, extrinsic evidence, and/or the education and experience of a person of ordinary skill in the art relevant to the patents in suit. Their declarations and testimony may also respond to Plaintiffs' proposed constructions and</p>

**EXHIBIT C: REMAINING TERMS IN DISPUTE**

Claim Term	Plaintiffs' Proposed Construction/Support	Defendants' Proposed Construction/Support
		supporting evidence.
<p><b>[changes the/changing] transmission paths of [clients/each of the second nodes]</b></p> <p>'314 patent, claim 12; '516 patent, claims 1, 10;</p>	<p><b>No construction necessary.</b></p> <p><u>Intrinsic support:</u></p> <p>'314 patent, 4:26-35; 5:55-61; 6:9-10; 8:44-9:2; 9:12-21; 9:12-21; 9:44-51; 10:63-11:5; 11:39-12:16; 14:50-16:32; '516 patent, 4:39-48; 6:2-7; 6:23-25; 8:66-9:5; 9:6-25; 9:35-40; 9:42-45; 10:1-9; 11:14-11:26; 11:58-12:36; 15:6-16:58; 16:20-33;</p> <p><u>Extrinsic Support:</u></p> <p>Definition of "node," McGraw-Hill Dictionary of Scientific and Technical Terms, Fifth Edition, 1994</p> <p>Expert Testimony re understanding of this term by a POSA. See Exhibit D.</p>	<p><b>This term requires construction under 112(f).</b></p> <p><b>Function: updating the map of transmission paths to reflect route updates made by a client.</b></p> <p><b>Structure: Microprocessor 42 implementing algorithms of Fig. 5 (esp. at 86, 88, and 90) and Fig. 18 (esp. at 388 and 392) and corresponding discussion in specification.</b></p> <p><b>Alternatively, specification lacks an adequate written description of structure for performing the recited functions</b></p> <p><u>Intrinsic support:</u></p> <p><i>See</i> '062 patent specification, col. 5, ln. 23-24; algorithms of Fig. 5 (esp. at 86, 88, and 90) and Fig. 18 (esp. at 388 and 392) and corresponding discussion in specification; <i>see also</i> Col. 13, ln. 9-27; Col. 9, ln. 44-66 (tree structures); Fig. 4 as described</p>

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.