

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

UNILOC 2017 LLC,

Plaintiff,

vs.

PAYCHEX, INC.,

Defendant.

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Civil Action No. 1:19-CV-11272-RGS

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January 17, 2020. Docket No. 23.

UNILOC 2017 LLC,

Plaintiff,

vs.

ATHENAHEALTH, INC.,

Defendant.

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Civil Action No. 1:19-CV-11278-RGS

**DEFENDANTS' JOINT OPENING BRIEF ON CLAIM CONSTRUCTION AND  
INDEFINITENESS**

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- Exhibit A:** *Uniloc USA, Inc. v. ADP, LLC*, Case No. 2:16-cv-00741, Docket No. 233 (E.D. Tex. Aug. 16, 2017) (“*EDTX Markman Order*”)
- Exhibit B:** Excerpts from ’528 application prosecution history
- Exhibit C:** Uniloc’s Rule 16.6(e)(1) Disclosures and January 10 email re same
- Exhibit D:** *Uniloc USA, Inc. v. ADP, LLC*, Case No. 18-cv-1132, Docket No. 53 (Uniloc’s Opening Appeal Brief) (Fed. Cir. Aug. 22, 2018)
- Exhibit E:** *Uniloc USA, Inc. v. ADP, LLC*, No. 2:16-cv-00741, Docket No. 210 (Plaintiffs’ Supp. Opening Markman Brief) (E.D. Tex. July 19, 2017)
- Exhibit F:** Excerpts from ’854 application prosecution history
- Exhibit G:** Excerpts from Uniloc’s Rule 16.6(d)(1) disclosures to Paychex
- Exhibit H:** Excerpts from ’293 patent prosecution history
- Exhibit I:** Merriam-Webster’s Collegiate Dictionary, 984–85 (10<sup>th</sup> Ed. 1997) (definition of verb “register”)
- Exhibit J:** T. Webb, *To jar or not to jar?*, [www.javaworld.com/article/2076712/to-jar-or-not-to-jar-.html](http://www.javaworld.com/article/2076712/to-jar-or-not-to-jar-.html) (July 1, 1998)

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