

**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

UNILOC 2017 LLC,

Plaintiff,

vs.

ATHENAHEALTH, INC.,

Defendant.

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

**SUBMISSION OF JOINT CLAIM CONSTRUCTION STATEMENT**

Pursuant to the Court's Scheduling Order, (1:19-CV-11272 Docket No. 17; 1:19-CV-11278 Docket No. 27), Plaintiff, Uniloc 2017, and Defendants, Paychex, Inc. and athenahealth, Inc. (collectively, "Defendants") respectfully submit the Joint Claim Construction Statement, attached as Exhibit A. The parties rank the terms in the following order of importance:

1. Application program(s)
2. Application launcher program
3. Registration operations
4. File packet
5. Executing the application program using the obtained user set and the obtained administrator set responsive to a request from the one of the plurality of authorized users
6. Configuration manager program

In addition, the parties have briefed the issue of whether two groups of claims of U.S. Patent No. 6,324,578 are indefinite: 1) claims 20, 22, 24, 35, 37, and 39; and 2) claims 9, 23, 25, and 40. The parties suggest that the Court take up indefiniteness after construction of the above terms during the *Markman* hearing.

The parties have also briefed an issue as to means-plus-function terms, and the parties suggest that the Court take that up after addressing the indefiniteness issues.

Dated: March 5, 2020

Respectfully submitted,

/s/James J. Foster

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 5, 2020.

/s/ James J. Foster  
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