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

- **X**		
AMERANTH, INC.,	**:**	
	:	
Plaintiff,	**:**	Civil Action No. 2:10-cv-294-JRG-RSP
	:	
v.	**:**	
	:	
PAR TECHNOLOGY CORP., ET AL.,	**:**	
	:	
	:	
Defendants.	**:**	
	:	
- --- --- --- --- --- --- --- --- --- --- --- --- --- ---	**X**	

PLAINTIFF AMERANTH'S OPENING
 CLAIM CONSTRUCTION BRIEF

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Page(s)

FEDERAL CASES

OTHER AUTHORITIES

I. <u>INTRODUCTION</u>

The two patents-in-suit[1] are part of a family of four issued patents directed to Ameranth's

widely acclaimed and multiple-award winning synchronous hospitality communications technology.

The asserted claims[2] encompass, *inter alia*, a client/server system for synchronizing hospitality

information between a central database, Web pages and wireless handheld computing devices in an

internet-enabled system, as well as between/with other hospitality and third party applications. These

breakthrough aspects of the patents were <u>*conceived over 13 years ago*</u> when internet and wireless

communications capabilities and deployment were far more limited than they are today, *e.g.*, prior to

the introductions of 3G and 4G wireless networks, the ubiquity of high speed internet connections and

modern mobile devices/smart phones–which serve to further increase the need for this breakthrough

invention for practical hospitality market implementations in the 21st Century.

The asserted claims are clear and unambiguous when interpreted in light of the specification.[3]

Ameranth's constructions are entirely consistent with, and compelled by, the intrinsic record alone.

These claims are directed to synchronous communication and synchronization of computerized

hospitality software applications--such as for online/mobile ordering, reservations, wait lists, ticketing

and other applications in the hospitality industry which require a synchronized user interface across

different computing components of the synchronized client/server system.

The Court should adopt the straightforward constructions intended by the inventors as

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[1] The asserted patents are U.S. 6,384,850 (the "'850 Patent") and U.S. 6,871,325 (the "'325 Patent").
The asserted patents claim priority to an original application filed in 1999. The '850 Patent issued
from the original application. The '325 Patent issued from a continuation of the application which
issued as the '850 Patent as did the '733 (U.S. 6,982,733) and '077 (U.S. 8,146,077) Patents. The
patents are attached as Exhibits 1, 2, 3, and 4, respectively. The text of the specifications are nearly
identical but the latter two patents include additional disclosure and Figures. For simplicity, citations
herein are from the original '850 Patent unless otherwise indicated. Citations are in the form
"Col.:lines."

[2] '850 claims 12-15; '325 claims 11-13, 15.

[3] The meaning of the claims, including each of the disputed terms, is clear, upon reading the
specification and prosecution history, to any person with even rudimentary knowledge of computer
systems, and is thus clear to a person of ordinary skill in the art ("POSA")

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