

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

FORD MOTOR COMPANY,	§	
	§	
Plaintiff,	§	CASE NO. 15-10628-MFL-EAS
	§	
v.	§	
	§	
VERSATA SOFTWARE, INC., f/k/a TRILOGY	§	JURY TRIAL DEMANDED
SOFTWARE, INC., TRILOGY DEVELOPMENT	§	
GROUP, INC., AND TRILOGY, INC.,	§	
	§	
Defendant.	§	

**VERSATA DEVELOPMENT GROUP, INC., F/K/A TRILOGY DEVELOPMENT
GROUP, INC., VERSATA SOFTWARE, INC., F/K/A TRILOGY DEVELOPMENT
GROUP, INC., AND TRILOGY, INC.'S
PRELIMINARY PROPOSED CONSTRUCTIONS FOR
PROPOSED TERMS AND CLAIM ELEMENTS FOR CONSTRUCTION**

Versata Development Group, Inc., Versata Software, Inc., and Trilogy, Inc. (collectively “Versata”) provides the following preliminary proposed constructions for terms and claim elements. Any term not offered for construction or any term for which Versata has not offered a construction should be construed according to its plain and ordinary meaning. Versata reserves the right to revise its preliminary proposed constructions as part of the meet and confer process.

U.S. Patent No. 5,825,651	
Terms	Versata's Proposed Construction
system (claim 60 and 72)	Plain and Ordinary Meaning
configuration user (claim 60)	Plain and Ordinary Meaning
identifying a set of valid configuration options (claim 60)	Plain and Ordinary Meaning
<i>Previously Construed</i>	
product relationships (claim 60)	
part relationships (claim 60)	
configuration state (claim 60)	
notActivateable (claims 61, 68, and 70)	
active/includes/excludes/removes/requires choice relationship (claims 61, 64, 65, 66, and 67)	
U.S. Patent No. 6,405,308	
Terms	Versata's Proposed Construction
<i>Terms for construction pursuant to 35 U.S.C. § 112(¶6):</i>	
means for including the element in a configuration of the system... (claim 34)	<p>Function: including the element in a configuration of the system as an included element if the element is automatically included in the configuration of the system</p> <p>Structure: a general purpose computer such as illustrated in FIG. 1 specially programmed to implement the graphical user interface (GUI) and functionality shown in Fig. 6 and described in col. 2:42-46, 8:12-27.</p>
means for including the element as an optional element in the configuration of the system ... (claim 34)	<p>Function: including the element as an optional element in the configuration of the system if the element is not a necessary component of the system</p> <p>Structure: a general purpose computer such as illustrated in FIG. 1 specially programmed to</p>

	implement the graphical user interface (GUI) and functionality shown in Fig. 6 and described in col. 2:42-46, 8:12-27.
means for including the element as a required choice in the configuration of the system... (claim 34)	Function: including the element a required choice in the configuration of the system if the element is a group that contains one or more members from which to choose Structure: a general purpose computer such as illustrated in FIG. 1 specially programmed to implement the graphical user interface (GUI) and functionality shown in Fig. 6 and described in col. 2:42-46, 8:12-27.
means for including the second element set in the configuration of the system... (claim 35)	Function: including the second element set in the configuration of the system if the first element set is present in the system Structure: a general purpose computer such as illustrated in FIG. 1 specially programmed to implement the graphical user interface (GUI) and functionality shown in Fig. 6 and described in col. 2:42-46, 8:37-58.
means for excluding the second element set from the system... (claim 35)	Function: excluding the second element set from the system when the first element set is present in the system Structure: a general purpose computer such as illustrated in FIG. 1 specially programmed to implement the graphical user interface (GUI) and functionality shown in Fig. 6 and described in col. 2:42-46, 8:37-58.
means for removing the second element set from the system... (claim 35)	Function: removing the second element set from the system when the first element set is present in the system Structure: a general purpose computer such as illustrated in FIG. 1 specially programmed to implement the graphical user interface (GUI) and functionality shown in Fig. 6 and described in col. 2:42-46, 8:37-58.
means for including in the configuration of the system one or more elements in a group of elements... (claim 36)	Function: including in the configuration of the system one or more elements in a group of elements when the first element set is present in the system Structure: a general purpose computer such as illustrated in FIG. 1 specially programmed to implement the graphical user interface (GUI) and functionality shown in Fig. 6 and described in col. 2:42-46, 8:12-27.

<i>Other terms for construction:</i>	
user input (claims 1, 4, 9, 10, and 12)	Plain and Ordinary Meaning
system (claims 1, 6, 9, 11, 14, 18, 20, and 28-36)	Plain and Ordinary Meaning
obtaining, analyzing (claim 1)	Plain and Ordinary Meaning
evaluating said set of relationships forward and backward (claim 5)	Plain and Ordinary Meaning
obtain, determine (claim 9)	Plain and Ordinary Meaning
configuring a system (claims 18, 28, and 34)	Plain and Ordinary Meaning
component relationships (claims 1 and 18)	Plain and Ordinary Meaning
U.S. Patent No. 6,675,294	
Terms	Versata's Proposed Construction
<i>Terms for construction pursuant to 35 U.S.C. § 112(¶6):</i>	
means for obtaining user input... (claim 32)	Function: obtaining user input, the user input identifying at least one selected element from a plurality of displayed elements Structure: a general purpose computer such as illustrated in FIG. 1, including a keyboard or a mouse, and programmed to implement functionality described in 4:46-48, 6:5-6, Fig. 9 element 902, 9:9-12, 12:16-17.
means for analyzing the at least one selected element to determine... (claim 32)	Function: analyzing the at least one selected element to determine if activating a set of element relationships associated with the at least one selected element results in a valid product configuration in accordance with a definition of the product, wherein the definition of the product comprises a set of element relationships identifying classifications for interrelating each element with at least one other element Structure: a general purpose computer such as illustrated in FIG. 1 and programmed to implement functionality described in 2:59-61, 13:8-11 and 3:13-15.
means for selecting at least one element of the product... (claim 33)	Function: selecting at least one element of the product from a plurality of elements displayed by a first computer system

	Structure: a general purpose computer such as illustrated in FIG. 1, including a keyboard or a mouse; and programmed to implement functionality described in 2:45-49, Fig. 9 element 902, 9:9-12, 12:16-17.
means for sending a user input to a second computer system... (claim 33)	Function: sending a user input to a second computer system that identifies the at least one selected element Structure: a general purpose computer such as illustrated in FIG. 1, including I/O block 119
means for receiving with the first computer system a configuration state of the product... (claim 33)	Function: receiving with the first computer system a configuration state of the product in accordance with an analysis of the at least one selected element to determine if activating a set of element relationships associated with the at least one selected element results in a valid product configuration in accordance with a definition of the product, wherein the definition of the product comprises a set of element relationships identifying classifications for interrelating each element with at least one other element Structure: a general purpose computer such as illustrated in FIG. 1, including I/O block 119, and programmed to implement functionality described in 2:59-61, 13:8-11 and 3:13-15.
<i>Other terms for construction:</i>	
user input (claims 1, 11, 21, 32, and 33)	Plain and Ordinary Meaning
configuring a product/system (claims 1, 11, 21, 32, and 33)	Plain and Ordinary Meaning
obtaining, analyzing (claims 1 and 32)	Plain and Ordinary Meaning
obtain, determine if activating (claim 11)	Plain and Ordinary Meaning
selecting, sending, receiving (claims 21 and 33)	Plain and Ordinary Meaning
second computer system (claims 21, 26, and 33)	Plain and Ordinary Meaning
displaying (claim 26)	Plain and Ordinary Meaning
element relationships (claims 1, 2, 11, 21, 32, and 33)	Plain and Ordinary Meaning
U.S. Patent No. 7,200,582	
Terms	Versata's Proposed Construction
'set' equation (claims 1, 2, and 4)	Plain and Ordinary Meaning

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