

Exhibit 2011
Zynga, Inc. v. Personalized Media Communications, LLC
Case IPR2013-00156 (SCM)

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

PERSONALIZED MEDIA
COMMUNICATIONS, LLC

v.

ZYNGA, INC.

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Case No. 2:12-CV-68-JRG-RSP

PROVISIONAL CLAIM CONSTRUCTION ORDER

On April 17, 2013, the Court held a claim construction hearing. After considering the arguments made by the parties at the hearing and in the parties' claim construction briefing, the Court issues this Provisional Claim Construction Order concerning U.S. Patent Nos. 7,734,251; 7,797,717; 7,860,131; and 7,908,638.

The Court's provisional claim constructions are set forth in the attached appendix. A memorandum order that explains the Court's claim constructions will issue in due course, and the Court may modify these provisional constructions when it issues the memorandum order. Objections need not be filed until the Court issues the memorandum order.

SIGNED this 15th day of August, 2013.



ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE

APPENDIX

Term No.	Claim Term(s)	Court's Provisional Construction
A.	"subscriber"	The Court construes "subscriber" to mean "one who arranges to receive information."
B.	"video" and "video image"	<p>The Court construes "video" to mean "visual presentation that is capable of showing change or movement."</p> <p>The Court finds that no additional construction of "video image" is necessary. A video image may include a single graphic.</p>
C.	"processor" and "processing"	The Court construes "processor" to mean "any device capable of performing operations on data" and "processing" to mean "performing operations on data."
D.	"complete programming," "programming comprising a computer program and a portion to be completed by accessing prestored data at said station of a particular kind," and "mass medium programming"	<p>The Court construes "programming" to mean "everything that is transmitted electronically to entertain, instruct or inform, including television, radio, broadcast print, and computer programming, at least a portion designed for multiple recipients."</p> <p>The Court finds that no additional construction is necessary for "complete programming" as the term is given meaning by the remaining claim language.</p> <p>The Court construes "mass medium programming" to mean "everything that is transmitted electronically to entertain, instruct or inform, including television, radio, broadcast print, and computer programming as well as combined medium programming, designed for multiple recipients."</p>
E.	"control signal" and "instruct signals"	The Court finds that "control signal" and "instruct signals" require no construction.
F.	"remote data source," "remote video source," and "remote station(s)"	The Court construes "remote data source" to mean "a separate data source," construes "remote video source" to mean "a separate video source" and construes "remote station(s)" to mean "separate station(s)."
G.	"locally generated image" and "locally generated video image"	The Court construes "locally generated image" to mean "image brought into existence locally" and construes "locally generated video image" to mean "video image brought into existence locally."

Term No.	Claim Term(s)	Court's Provisional Construction
H.	"said information content and said benefit datum explain a benefit of acquiring said product or service specific to said subscriber"	The Court finds that no additional construction is necessary.
I.	"combined medium presentation includes (i) at least one of an image and a sound received at said subscriber station from a remote transmitter station and (ii) a portion of said second data" and "combined medium presentation including (i) at least one of an image and a sound received at said subscriber station from a remote source and (ii) a portion of said second subscriber specific data"	The Court finds that the combined medium presentation terms in dispute do not need further construction.
J.	"commercial"	The Court rejects the contention that a commercial must be broadcasted. No further construction is necessary.
K.	"remotely originated data to serve as a basis for displaying said video presentation"	The Court finds that no further construction is necessary.
L.	"receiving, at said audio receiver, audio which describes information displayed in said video presentation"	The Court rejects the contention that "audio which describes" is limited to words which describe. No further construction necessary.
M.	"said step of delivering is performed based on a schedule"	At the hearing, both parties acknowledged that a schedule may relate to a sequence or order. Further, it was agreed that predetermined means something is in existence before being used as opposed to being ad hoc. Given that the parties' dispute relate more to the meaning of the proposed constructions, rather than the term itself, and that the parties have expressed agreement as to those surrounding disputes, the Court finds that the term needs no further construction.
N.	"peripheral device"	The Court construes "peripheral device" to mean "external device."