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

SOFTWARE RIGHTS ARCHIVE, LLC	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
	§	Civil Action No. 2:07-CV-511 (CE)
GOOGLE INC., YAHOO! INC.,	§	
IAC SEARCH & MEDIA, INC., AOL LLC,	§	
and LYCOS, INC.	§	
	§	JURY TRIAL DEMANDED
Defendants.	§	
	§	
	§	

**PARTIES' LOCAL PATENT RULE 4-3
JOINT CLAIM CONSTRUCTIONS AND SUPPORTING EVIDENCE**

Pursuant to Patent Rule 4-3 of the Rules of Practice for Patent Cases and the Court's
Docket Control Order as amended by the Court's Order Granting Unopposed Motion to Further
Extend Certain Scheduling Deadline dated June 23rd, 2010, the parties hereby submit this Joint
Claim Construction and Prehearing Statement.

A.   PATENT L.R. 4-3(a): UNDISPUTED CLAIM TERMS, PHRASES, OR CLAUSES

The parties have agreed that certain phrases (identified by the phrase "AGREED
CONSTRUCTION") should be construed as proposed by the parties in the chart attached hereto
as **Exhibit A**. The parties further agree that any claim terms, phrases, or clauses for which no
construction is provided should be given their ordinary meaning as understood by a person of
ordinary skill in the respective art of each patent and do not require construction by the Court.

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EXHIBIT 2022
Facebook, Inc. et al.
v.

B.   **PATENT L.R. 4-3(b): PROPOSED CONSTRUCTION OF DISPUTED CLAIM TERMS, PHRASES, OR CLAUSES**

Exhibit B details disputed patent claim terms, phrases, or clauses for which Plaintiff and Defendants propose different constructions. The parties request construction of these claim terms, phrases, or clauses by the Court. The parties have set forth in **Exhibits C** and **D** the intrinsic and extrinsic evidence they each may rely on in support of their respective proposed constructions.[1] Plaintiff may submit expert declarations in support of its claim construction positions or in rebuttal to Defendants' claim construction evidence, and Defendants are considering submitting rebuttal expert declarations in support of their claim construction positions. The parties reserve their right to depose any expert who provides a declaration.

C.   **PATENT L.R. 4-3(c): ANTICIPATED LENGTH OF CLAIM CONSTRUCTION HEARING**

Plaintiff proposes that the parties receive 180 minutes per side for oral argument on claim construction issues, or no more than 6 hours total for the Claim Construction Hearing on November 10, 2010. Defendants suggest that approximately 4 hours, or 2 hours per side, will be needed for the hearing.

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[1]   Each party also reserves the right to rely on the intrinsic and/or extrinsic evidence cited by any other party in support of its proposed constructions. In addition, because Plaintiff has requested from Defendants, but have not yet received, specific categories of materials that may be relevant to claim construction. Plaintiff reserves the right to revise, supplement, and/or amend this Claim Construction and Prehearing Statement after these materials have been produced. In addition, because Defendants have requested, and have not yet received, certain discovery from Plaintiff, Defendants also reserve the right to revise, supplement, and/or amend this Claim Construction and Prehearing Statement after these materials have been produced.

D.   **PATENT L.R. 4-3(d): WITNESSES TO BE CALLED AT THE CLAIM**

CONSTRUCTION HEARING

The parties anticipate that witnesses, including, but not limited to, expert witnesses, will

not be called at the Claim Construction Hearing.

E.   **PATENT L.R. 4-3(e): ISSUES FOR A PREHEARING CONFERENCE**

The parties agree that there are no other issues that need to be taken up at a prehearing

conference prior to the Claim Construction Hearing.

DATED: July 16, 2010   Respectfully Submitted,

/s/ Andrew G. DiNovo
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all

counsel of record via electronic mail on this 16th day of July, 2010.

/s/ Andrew G. DiNovo
Andrew G. DiNovo

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EXHIBIT A: AGREED CONSTRUCTIONS

U.S. Patent No. 5,544,352

Claim	Claim Term	Agreed Construction
All	relationships	non-semantic references between objects
All	direct relationships	relationship where one object cites to another object
All	indirect relationships	relationship where at least one intermediate object exists between two objects and wher objects connect the two objects through a chain of citations. (For example, if A cites B have an indirect relationship).
All	euclidean distances	the straight line distance between two points
28	chronological data	data representing temporal characteristics of an object in the database
28	matrix searching	searching values arranged in at least one column and at least one row
28	vectors	A vector is a set of values arranged in a one column matrix or a one row matrix
30	occur before	precede in time
31	occurs before	precedes in time
33	interim vector	a vector that is created in the process of calculating another value
39	marked pool	the group of objects previously marked
40	pool importance	determining the importance of an object in relation to other objects in a pool
40	pool similarity	determining the similarity of an object in relation to other objects in a pool

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