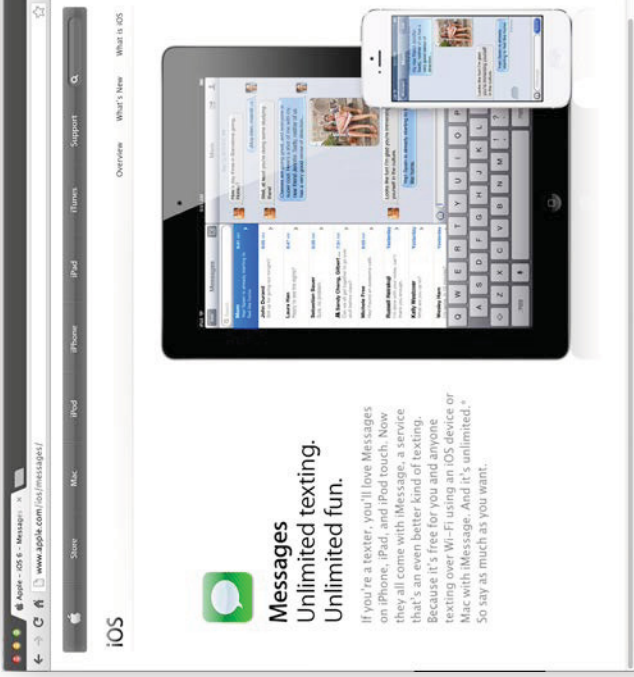


APPENDIX C

Apple, Inc.

Claim Chart¹ for U.S. Patent No. 5,894,506²

| Claim 8 | Apple, Inc. |
|---|---|
| <p>8. A method of communicating messages between subscribers to an electronic messaging network, comprising the steps of:</p> | <p>Apple practices this method with its calendar, iChat, Messages, iMessage and email services (e.g., iCloud, MobileMe). Subscribers include for example, iMessage, iCloud, and MobileMe customers (and customers of any analogous service provided by Apple).</p>  <p>The image is a screenshot of the Apple website's Messages page. At the top, there's a navigation bar with links for Store, Mac, iPod, iPhone, iPad, iTunes, Support, and What's New. Below the navigation bar, the text reads 'iOS' and 'Messages Unlimited texting. Unlimited fun.' followed by a paragraph: 'If you're a texter, you'll love Messages on iPhone, iPad, and iPod touch. Now they all come with iMessage, a service that's an even better kind of texting. Because it's free for you and anyone texting over Wi-Fi using an iOS device or Mac with iMessage. And it's unlimited.* So say as much as you want.' To the right of the text is a large image showing a tablet and a smartphone displaying the Messages app interface with various text messages and photos.</p> |

¹ MTel provides these infringement contentions for Apple, Inc. (“Apple”). Unless otherwise noted each element of the asserted claim is literally present. These contentions contain diagrams, screenshots, and other documentary evidence by way of example and not by way of limitation. The contentions are based on publicly available information; in the absence of complete discovery as to all of the relevant and material facts, no claim construction position is represented by these infringement contentions or by any of the examples provided herein. MTel reserves the right to amend these infringement contentions as discovery progresses, in response to Defendant’s defenses, and in response to any claim construction rulings.

² The “’506 Patent.”

Claim 8

Apple, Inc.

The screenshot shows a web browser window displaying the Apple Messages website. The browser's address bar shows "www.apple.com/ios/messages/". The page content includes:

- Text one. Text all.** Send a message to one person or to many friends at once — along with photos, videos, or links you like. When someone replies, everyone sees it. With more people you'll get more replies. **Message** — iMessage. So every text is free over Wi-Fi.
- Exchange words. Or photos. Or Videos.** iMessage lets you send messages back and forth with anyone you want, even those who aren't using Mountain Lion. Send photos, videos, locations, and contacts, too. If you have more than one Apple device, iMessage keeps the conversation going across all of them. And you can text and send photos and videos via MMS to other mobile phones over cellular networks. Even ask Siri to help you find what you're looking for. Siri writes your message and fires it off.

The background of the page features images of an iPhone, an iPad, and a Mac laptop, all displaying the Messages app interface with various messages, photos, and video thumbnails.

Claim 8

Apple, Inc.



| Claim 8 | Apple, Inc. |
|--|---|
| <p>maintaining, at a network operation center, a first file of canned messages and message codes respectively assigned to the canned messages;</p> | <p>Apple maintains canned messages (e.g., ☺, Jane Boss) and message codes (e.g., voice data for smiley face, my boss (respectively)) assigned to the canned messages within its infrastructure (e.g., voice recognition server, Siri server).</p> <p>Apple updates and maintains iMessage application servers, iCloud Calendar servers and related files, thereby maintaining the first file of canned messages and message codes.</p> <p><i>“Siri and Dictation. The Siri and Dictation features of the iOS Software may not be available in all languages or regions and features may vary by region. To the extent that your iOS Device supports all or some of Siri and/or Dictation, these features may allow you to make requests, give commands and/or dictate text to your device using your voice. When you use Siri or Dictation, the things you say will be recorded and sent to Apple in order to convert what you say into text and, for Siri, to also process your requests. Your device will also send Apple other information, such as your first name and nickname; the names, nicknames, and relationship with you (e.g., “my dad”) of your address book contacts; and song names in your collection (collectively, your “User Data”). All of this data is used to help Siri and Dictation understand you better and recognize what you say. It is not linked to other data that Apple may have from your use of other Apple services. By using Siri or Dictation, you agree and consent to Apple’s and its subsidiaries’ and agents’ transmission, collection, maintenance, processing, and use of this information, including your voice input and User Data, to provide and improve Siri, Dictation, and other Apple products and services.”³</i></p> <p>On all voice recognition enabled units (e.g., iPhone), with iMessage or SMS capability (i.e., Accused Products) that rely on Apple infrastructure for voice recognition processing, the Apple infrastructure (e.g. voice recognition servers) include memory having a file of canned messages and for storing canned messages and codes for canned messages. For example without limitation, voice recognition services provided by Apple store :-) as the canned message corresponding to voice data “smiley face.” The canned messages and codes can be provided as responses and</p> |

³ Ex. 1, <http://images.apple.com/legal/sla/docs/ios51.pdf> (last visited 9/13/2013).

| | |
|-----------------------|---|
| <p>Claim 8</p> | <p style="text-align: center;">Apple, Inc.</p> <p>accordingly are also multiple response options and codes.</p> <p>Apple updates and maintains voice data and related files, thereby maintaining the first file of canned messages and message codes.</p> <p>For all Siri enabled Accused Products, canned messages and message codes, and multiple response options and response codes, are stored in Apple's infrastructure.</p> <p>Apple updates and maintains Siri data and related data, thereby maintaining the first file of canned messages and message codes.</p> <p><i>"Siri ships everything you say to her to a big data center in Maiden, North Carolina. And the story of what really happens to all of your Siri-launched searches, e-mail messages and inappropriate jokes is a bit of a black box."</i>⁴</p> <p><i>"Apple's iPhone Software License Agreement spells this out: "in order to convert what you say into text," Apple says. Siri collects a bunch of other information -- names of people from your address book and other unspecified user data, all to help Siri do a better job."</i>⁵</p> <p><i>"The complex software required by Siri to decipher users' natural language cannot be accomplished on the iPhone 4S alone, which is why the service uses Apple's servers to help understand commands and questions. Answers can be provided from a number of places including Google, Bing, Wolfram Alpha, Wikipedia, Yelp and more."</i>⁶</p> <p><i>"For those with a capped data plan who must keep an eye on their iPhone usage, the testing done by Jacqui Cheng of ArsTechnica may come as a relief, as it shows using Siri will not consume a great deal of bandwidth for most users. For example, someone who uses Siri 10 to 15 times per day would use a total of 18.5MB to 27.7MB in one month.</i></p> <p><i>The average of 63KB was found by doing 11 different tasks: six of them</i></p> |
|-----------------------|---|

⁴ Ex. 2, <http://www.cnn.com/2012/05/23/tech/mobile/ibm-siri-ban> (last visited 9/13/2013).

⁵ Ex. 2, <http://www.cnn.com/2012/05/23/tech/mobile/ibm-siri-ban> (last visited 9/13/2013).

⁶ Ex. 3, <http://forums.appleinsider.com/t/135191/tests-find-apples-siri-uses-average-of-63kb-in-data-per-query> (last visited 9/13/2013).

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.