

INFRINGEMENT OF U.S. PATENT NO. 5,978,594

Exhibit A: '594 Infringement Chart Against ServiceNow Discovery

Claim 1	ServiceNow Discovery
A method of determining whether a resource is present on a computer system, comprising the steps of:	<p data-bbox="508 303 1906 407">ServiceNow's Discovery product implements a method of determining whether a resource is present on a computer system.¹ The ServiceNow Discovery application finds computers and other devices connected to an enterprise's network, and also locates other resources running on a computer system by using probes.</p> <div data-bbox="520 451 1894 711" style="border: 1px solid black; padding: 5px;"><p data-bbox="529 457 1890 704">The ServiceNow Discovery application finds computers and other devices connected to an enterprise's network. When Discovery finds a computer or device, it explores the device's configuration, provisioning, and current status and updates the CMDB accordingly. On computer systems, Discovery also identifies the software that is running and any TCP connections between computer systems. Discovery creates all the relationships between computer systems (such as an application on one server that uses a database on another server).</p></div> <p data-bbox="508 737 1638 769">http://wiki.servicenow.com/index.php?title=Getting Started with Agentless Discovery</p> <div data-bbox="520 797 1894 992" style="border: 1px solid black; padding: 5px;"><p data-bbox="529 803 1881 985">Discovery finds out about the existence of any device connected to the network by using the <i>Shazzam</i> probe to determine what TCP ports are open, and whether the device responds to SNMP queries. From this information, Discovery infers what kind of device is at that IP address – a Unix server, a Windows computer, network switch, and so on.</p></div> <p data-bbox="508 1018 1638 1050">http://wiki.servicenow.com/index.php?title=Getting Started with Agentless Discovery</p>

¹ These infringement contentions are prepared with publically available information. BMC's investigation is ongoing and discovery has not yet begun. BMC reserves the right to amend or supplement these contentions after further investigation and discovery. BMC further reserves the right to accuse different products, or find alternative literal and/or equivalent infringing elements in ServiceNow's products, based on further investigation and discovery, the claim construction process before the Court, or other circumstances so meriting. Such supplemental information may include, but is not limited to, source code, data sheets, design specifications, deposition testimony, testing information, reference designs, implementation and utilization information, and/or schematics. In addition, ServiceNow has not yet advised BMC of any non-infringement arguments, as to this or any other claim limitation. If and when it does so, BMC will address such arguments, including by providing any appropriate additional discussion pertaining to the application of the doctrine of equivalents with respect to ServiceNow's argument concerning non-infringement.

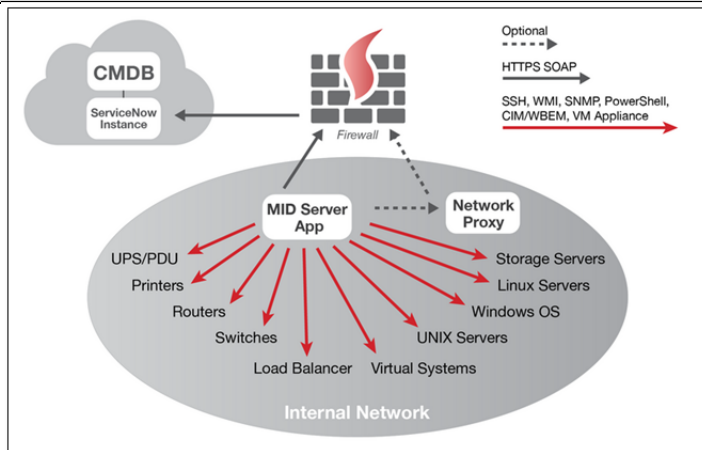
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	<p>As such, ServiceNow infringes this limitation when Discovery is performed. ServiceNow further infringes because the claimed method is automatically performed by ServiceNow's Discovery product.</p>
<p>reading, from a storage device coupled to the computer system, discovery information about how to determine whether the resource is present on the computer system;</p>	<p>The discovery process performed by ServiceNow's Discovery product reads, from a storage device coupled to the computer system, discovery information about how to determine whether the resource is present on the computer system. ServiceNow's MID Server reads discovery information (e.g., probes) from a storage device that is coupled to the computer system. The probes are information about how to determine whether a resource is present on the computer system.</p> <div data-bbox="514 560 1885 768" style="border: 1px solid black; padding: 5px;"><ul style="list-style-type: none">▪ Discovery is the process of extracting information out of devices and recording it in a uniform way.▪ The Discovery process uses your ServiceNow instance and one or more MID Servers.▪ The MID Server is a light-weight (small and simple) agent that runs on a server in your network.▪ The MID Server needs ranges of IP Addresses and credentials (user names and passwords) before it can begin discovering.▪ The MID Server gathers information (using probes) and passes it to the instance to be processed (using sensors).</div> <p>http://wiki.servicenow.com/index.php?title=Discovery_Made_Easy</p> <div data-bbox="514 831 1894 1052" style="border: 1px solid black; padding: 5px;"><p>Discovery uses special server processes (called MID Servers), that are installed on each enterprise network that has computers or devices to be discovered. Each MID server is a lightweight Java process that can run on a Linux, Unix, or Windows server. A dedicated server is not required, as the MID server's resource consumption is quite low (and is controllable). The MID server's job during Discovery is simply to execute probes and return the results back to the ServiceNow instance for processing; it does not retain any information. In effect, a MID server is a remote extension of the ServiceNow instance, on an enterprise network.</p></div> <p>http://wiki.servicenow.com/index.php?title=Getting_Started_with_Agentless_Discovery</p>

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Claim 1

ServiceNow Discovery



http://wiki.servicenow.com/index.php?title=File:Discovery_Communications_Diagram.png

ServiceNow has tested the MID Server in the following environments:

- Windows Server 2003, 2008, and 2012. All Windows Server 2008 and 2012 editions are supported. Virtual machines and 64-bit systems are supported.
- Linux: Virtual machines and 64-bit systems are supported. On 64-bit Linux systems, you must install the 32-bit [GNU C library](#) (*glibc*). The installation command for CentOS is: `yum install glibc.i686`

The minimum suggested configuration is:

- 4GB of available RAM per application
- 2+GHZ CPU (Multi-core preferred)
- 500MB of disk space per application deployed
- Can *ride-along* with other services (dependent on server utilization and resource availability)

http://wiki.servicenow.com/index.php?title=MID_Server_Requirements

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ServiceNow Discovery

6.2 Dublin

- Administrators can install a 64-bit MID Server on a 64-bit host system.
- Script File synchronization stores all MID Server scripts in the ServiceNow instance to simplify distribution and security. It is no longer necessary to manually unblock MID Server scripts on the host machine.
- Several new business rules ensure that changing a MID Server's name in the configuration parameter also changes the name in MID Server record. See Available Parameters.
- The first MID server to successfully connect with the ServiceNow instance automatically becomes the default MID Server.

http://wiki.servicenow.com/index.php?title=MID_Server

1 Overview

Depending upon how you use the MID Server (for an external integration, Discovery, or Orchestration) and the load placed on it, you might find it necessary to deploy multiple MID Servers in your network. You can install each MID Server on a separate machine or install multiple MID Servers on a single machine (including virtual machines). For instructions on installing the MID Server on multiple machines, see MID Server Installation.

http://wiki.servicenow.com/index.php?title=Deploying_Multiple_MID_Servers

To download and install a MID Server, navigate to **Mid Server > Downloads** on your instance. Select and download the MID Server for the appropriate operating system. If the download does not begin immediately, try the download at a later time as the system may be busy.

Linux	Windows
32 bit	32 bit
64 bit	64 bit

The MID server is regularly tested against Windows Server (2012, 2008) and Linux (RedHat 6, Ubuntu 12, CentOS 6).

MID Server Downloads module

http://wiki.servicenow.com/index.php?title=MID_Server_Installation

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	<p>4.1 Setting MID Server Memory Size</p> <p>In the base ServiceNow system, the MID Server memory is set to 512MB, which can be configured in the <code>agent\conf\wrapper.conf</code> file in the MID Server installation directory. This setting might not be appropriate for the way your organization uses the MID Server. If you want the MID Server to work harder, allocate more resources to it. Or perhaps the MID Server is located in a small branch office with very few devices, and runs in an environment where memory allocation is shared between a print server, mail server, or web proxy server. In this situation, the MID Server memory allocation might have to be reduced.</p> <p>To edit the memory allocation:</p> <ol style="list-style-type: none">1. Navigate to <code>\ServiceNow\<mid name="" server="">\agent\conf</mid></code> and open the <code>wrapper-override.conf</code> file in a text editor. For more information about this file, see Installing Multiple MID Servers on a Single System.2. Locate the following lines in the file: <pre># OPTIONAL: Maximum Java Heap Size (in MB) # wrapper.java.maxmemory=512</pre>3. Edit the memory allocation.4. Remove the comment tag (#) from the memory allocation parameter.5. Save the file.6. Restart the MID Server service. <p>http://wiki.servicenow.com/index.php?title=MID_Server_Configuration</p>

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