

	particular group and (2) receive group messages addressed to that particular group.
“list of message groups”	No construction necessary.
“payload portion”	The part of a message that contains data item(s) conveying information.
“portion for identifying said first message group”	Any part of a message, sent by a host computer to a group messaging server, that identifies the message group of a receiving host computer.
“portion that is used to identify said message group”	Any part of a message, sent by a host computer to a group messaging server, that identifies the message group of a receiving host computer.
“creating . . . said first message group by sending a first control message”	A host computer sends a control message that creates a message group with at least one host computer as a member.
“create message”	A message creating a message group.
“joining . . . said first message group by sending control messages”	The method by which host computers become members of a particular message group by sending control messages.
“join message”	A message causing a host to become a member of a message group.
“session layer protocol”	A protocol for a layer in the OSI reference model on top of the transport layer protocol.
“shared, interactive application”	Software operating on multiple host computers that provides for sufficient interaction to allow users of the hosts to share an application or experience.
“suppressing”	To prevent from reaching.

LPR 4-3(b) Proposed Constructions for Terms in Dispute

See Exhibit A for a chart showing the parties’ proposed constructions with intrinsic and extrinsic evidence supporting such constructions.

LPR 4-3(c) Anticipated Length of Time for Claim Construction Hearing

The parties agree that 90 minutes per side will be sufficient time to present their case. Thus, the parties anticipate the claim construction hearing will last no more than 3 hours.

LPR 4-3(d) Anticipated Witnesses at the Claim Construction Hearing

Neither party currently expects to call any witnesses at the claim construction hearing.

LPR 4-3(e) Other Issues to Be Addressed at Claim Construction Prehearing Conference

The parties are not aware of any other issues at this time that might be appropriately addressed at a prehearing conference prior to the Claim Construction Hearing.

PalTalk objects to Defendants' citation of extrinsic evidence in this PR 4-3 statement because Defendants cited no extrinsic evidence in their PR 4-2 Preliminary Claim Constructions and Extrinsic Evidence. Defendants disagree with PalTalk's objection. Defendants were not aware that they may wish to rely on these materials until after they received PalTalk's preliminary claim constructions, which were inconsistent with PalTalk's prior arguments to this Court and the resulting Claim construction Orders. PalTalk was surely aware of these materials and will suffer no prejudice in addressing its own prior contentions in its opening brief, which is not due for nearly three weeks. Further, Defendants' citations to PalTalk's prior claim construction briefing and this Court's prior Claim Construction Orders are not the type of extrinsic evidence contemplated under PR 4-2(b), and Defendants include such citations only out of an abundance of caution.

DATED: October 25, 2010

By: /s/ Max Tribble (by permission D. Wilson)
Max L. Tribble, Jr.
Texas State Bar No. 20213950
Southern District of Texas Bar No. 10429

Email: mtribble@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1000 Louisiana Street, Suite 5100
Houston, Texas 77002-5096
T: (713) 651-9366

F: (713) 654-6666

Brooke A.M. Taylor
WA State Bar No. 33190
Email: btaylor@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1201 Third Avenue, Suite 3800
Seattle, WA 98101-3000
T: (206) 516-3880
F: (206) 516-3883

Kalpana Srinivasan
CA State Bar No. 237460
Email: ksrinivasan@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1901 Avenue of the Stars, Suite 950
Los Angeles, CA 90067-6029
T: (310) 789-3126
F: (310) 789-3150

Michael F. Heim
Texas State Bar No. 09380923
Southern District of Texas Bar No.: 8790
Email: mheim@hpcllp.com
HEIM, PAYNE & CHORUSH, L.L.P.
600 Travis Street, Suite 6710
Houston, Texas 77002-2912
T: (713) 221-2000
F: (713) 221-2021

Douglas R. Wilson
Texas State Bar No. 24037719
Southern District of Texas Bar No.: 16995
Email: dwilson@hpcllp.com
HEIM, PAYNE & CHORUSH, LLP
9442 Capital of Texas Hwy North
Plaza 1, Suite 500-146
Austin, TX 78759
T: (512) 343-3622

S. Calvin Capshaw
State Bar No. 03783900
Email: ccapshaw@capshawlaw.com
Elizabeth L. DeRieux
State Bar No. 05770585
Email: ederieux@capshawlaw.com

D. Jeffrey Ramin
State Bar No. 00791478
Email: jrambin@capshawlaw.com
CAPSHAW DERIEUX, LLP
1127 Judson Road, Suite 220
P. O. Box 3999 (75606-3999)
Longview, Texas 75601-5157
T: (903) 236-9800
F: (903) 236-8787

T. John Ward, Jr.
Email: jw@jwfirm.com
LAW OFFICE OF T. JOHN WARD, JR. P.C.
111 W. Tyler Street
Longview, Texas 75601
T: (903)757-6400
F: (903) 757-2323

Otis W. Carroll, Jr.
State Bar No. 03895700
Email: fedserv@ickl.com
IRELAND CARROLL & KELLEY, P.C.
6101 S Broadway, Suite 500
Tyler, TX 75703
T: (903) 561-1600
F: (903) 581-1071

Robert Christopher Bunt
State Bar No. 00787165
Email: rcbunt@pbatyler.com
Robert M. Parker
State Bar No. 15498000
Email: rmparker@pbatyler.com
PARKER, BUNT & AINSWORTH, P.C.
100 East Ferguson, Ste. 1114
Tyler, TX 75702
T: (903) 531-3535
F: (903) 533-9687

Attorneys for Plaintiff PalTalk Holdings, Inc.

By: /s/ Elliott Brown (by permission D. Wilson)
Elliott Brown
Morgan Chu

Ellisen S. Turner
Irell & Manella LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067-4276

Samuel Baxter
McKool Smith
104 East Houston St., Suite 300
Marshall, TX 75670
**Attorneys for Activision Blizzard, Inc.,
Activision Publishing, Inc., and Blizzard
Entertainment, Inc.**

By: /s/ Jesse Jenner (by permission D.
Wilson)

Jesse J. Jenner
Gene W. Lee
David S. Chun
Brian P. Biddinger
Ropes & Gray LLP
1211 Avenue of the Americas
New York, NY 10036-8704

Damon M. Young
John M. Pickett
Young Pickett
4122 Texas Blvd.
Texarkana, TX 75504-1897
Attorneys for NCSOFT Corporation

By: /s/ Timothy Meece (by permission
D. Wilson)

Timothy C. Meece
Audra Carol Eidem Heinze
V. Bryan Medlock, Jr.
Banner & Witcoff – Chicago

Ten South Wacker, Suite 3000
Chicago, IL 60606

Ross A. Dannenberg
Banner & Witcoff – DC
1100 13th Street, NW
Suite 1200
Washington, DC 20005-4051

Allen F. Gardner
Michael E. Jones
Potter Minton PC
110 N. College
Suite 500
Tyler, TX 75710-0359
Attorneys for Jagex Limited

By: /s/ Franklin Kang (by permission D.
Wilson)

Franklin D. Kang
Jeff Myung
Robert Steinberg
Latham & Watkins LLP
355 South Grand Avenue
Suite 100
Los Angeles, CA 90071-1560

Clyde Moody Siebman
Siebman Reynolds Burg & Phillips LLP
300 N. Travis St.
Sherman, TX 75090-0070

**Attorneys for Sony Computer
Entertainment America LLC, Sony
Corporation, Sony Corporation of
America, and Sony Online Entertainment
LLC**

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.