

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PALTALK HOLDINGS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 16-1240-JFB-SRF
	)	
RIOT GAMES, INC.,	)	
	)	
Defendant.	)	

**PALTALK’S PROPOSED TERMS AND CONSTRUCTIONS**

Plaintiff PalTalk Holdings, Inc., pursuant to the Court’s scheduling order provides the following identification of claim terms, phrases and clauses, and their corresponding constructions, that should be addressed by the Court as part of claim construction proceedings for Plaintiff’s patents-in-suit, 5,822,523 (the “’523 Patent”) and U.S. Patent Nos. 6,226,686 (the “’686 Patent”).

The inclusion of any such claim term, phrase, or clause is not intended to imply, and should not be construed, to mean that any such term, phase, or clause has a special or uncommon meaning. Moreover, this list is preliminary and Plaintiff reserves the right to modify, add to or delete from these lists based upon, without limitation, the identifications propounded by the Defendant (including in the related Riot Games case), any meet and confer sessions, or any information learned through the course of discovery. Plaintiff reserves the right to refine these lists by combining or dividing identified terms, phrases or clauses (or omitting them altogether) in an effort to resolve any dispute that may arise as to the proper disposition of the listed terms, phrases or clauses.

Exhibit A contains Plaintiff’s proposed terms and constructions for the ‘523 Patent. Exhibit B contains Plaintiff’s proposed terms and constructions for the ‘686 Patent.

ASHBY & GEDDES

*/s/ Andrew C. Mayo*

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*Attorneys for Plaintiff*

Dated: January 30, 2018

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 Defendant. )

**NOTICE OF SERVICE**

The undersigned hereby certifies that on the 30<sup>th</sup> day of January, 2018, **PALTALK'S PROPOSED TERMS AND CONSTRUCTIONS** were served upon the following counsel of record at the address and in the manner indicated:

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Dated: January 30, 2018

## EXHIBIT A

### PLAINTIFF’S IDENTIFIED TERMS AND PROPOSED CONSTRUCTIONS FOR U.S. PAT. NO. 5,822,523 (THE “523 PATENT”)

TERM	PROPOSED CONSTRUCTION
aggregated message	one or more messages containing destination data and data items from an aggregated payload
aggregated message/aggregated payload/server message	one or more messages/payloads
aggregating, by said server in a time interval determined in accordance with a predefined criterion, said payload portions of said messages to create an aggregated payload	The group messaging server forms an aggregated payload by aggregating at least one data item from the payloads of all the claimed messages it receives from the claimed plurality of host computers within a certain time period. The data items may be aggregated in any order and the time period is certain in that it must arise from criteria specified prior to the beginning of the time interval
aggregating/aggregated	<ul style="list-style-type: none"> <li>• to collect two or more data items together as a unit, however, where each data item retains its identity and may be extracted from the unit</li> <li>• it is not necessary for the GMS to aggregate the entire payload portion of each message it receives from the host computers</li> </ul>
create message	A message creating a message group
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.

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