Invalidity of U.S. Patent No. 6,748,317 by
U.S. Patent No. 6,067,502 to Hayashida ("Hayashida")

I have provided below a claim chart comparing the disclosures of Hayashida to the '317 Asserted Claims, as well
Hayashida and JPH10-197277 to Maruyama et al. ("Maruyama").

Hayashida was filed August 21, 1997 and issued May 23, 2000. Hayashida therefore qualifies as prior art with regar
under 35 U.S.C. § 102(e) (pre-AIA).

Maruyama was published on July 31, 1998 and therefore qualifies as prior art with regard to the '317 Patent under
102(a).

U.S. Patent No. 6,748,317	Hayashida
Claim 1	
1[P]. A portable terminal, comprising:	To the extent the preamble is limiting, Hayashida discloses a portable termina "carrying-type navigation device." *This invention is related to a map display device to guiding and search movement route of a vehicle based on a map information, especially invention is relate with the improvement of the display of the map informa* *Hayashida* at 1:5-8. *Then this navigation processing can be also executed by this computer de if the device which can detect the present position by GPS reception devi and this information memory part 37 are connected with the* ***carrying computer device.*** *Moreover this invention can be applied as the vehicle e the car and the navigation device of the shipping, the aircraft and the which is used for the navigation may be a chart and a submarine map a on in addition to the road map.* ***Moreover again this invention may be ap to the carrying-type navigation device*** *in addition to the navigation a which is attached to the movement bodies such as the car. In other words invention may be applied to the small navigation device which ca*

	accompanied by the human and which is used in a cycling, a trav mountaineering, a hike, a fishing or so on. *Hayashida* at 76:5-20.
[1(a)] a device for getting location information denoting a resent[1] place of said portable terminal;[2]	Under the Court's construction of this limitation, Hayashida discloses the fu location information denoting a present place of said portable terminal using wireless or cellular antenna, a GPS, a PHS, or the like; a data receiver; and a C received data; or equivalents thereof. For example, Hayashida discloses a devic present position detector 20, including GPS receiver unit 25 and beacon rece perform the claimed function of getting location information denoting a pres portable terminal. *FIG. 1 illustrates the overall circuitry of the navigation device. A ce processor 1 controls the operation of the whole navigation device. The ce processor 1 is comprised with a **CPU 2**, a flush memory 3, a RAM 5, a RO a sensor input interface 7, a communication interface 8, an image (pic processor 9, a image (picture) memory 10, a voice processor 11 and a (clock generator) 6. **The CPU 2 and the devices through up to the clock connected together through a CPU local bus 15, and the data are excha among these devices.*** *Hayashida* at 2:46-55. *The sensor input interface 7 comprises an A/D converter circuit or a b circuit. The sensor input interface 7 receives analog or digital sensor data the sensors 21 to 24 of a present position detector 20. The present pos*

[1] Based on Plaintiff's Infringement Contentions and subsequent claim limitations referring to a present place, Def this to mean "present."

[2] The Court construed this element as:

"**Function**: getting location information denoting a present place of said portable terminal

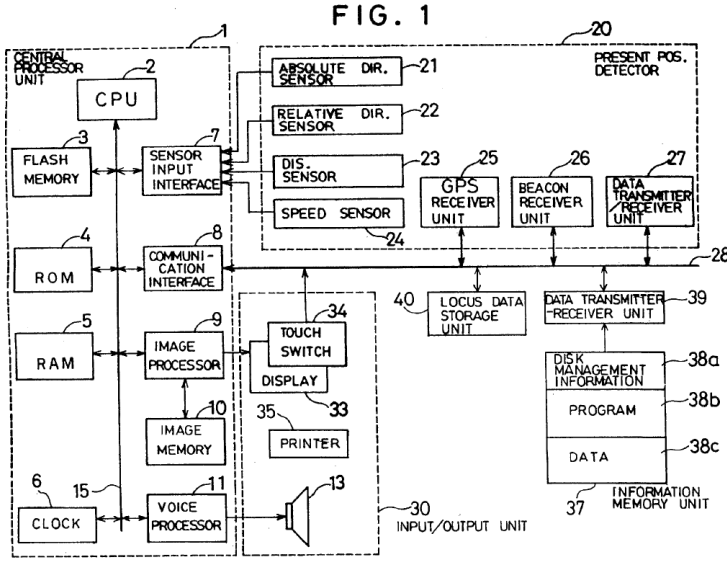
Structure: a wireless or cellular antenna, a GPS, a PHS, or the like; a data receiver; and a CPU for analyzin equivalents thereof"

	detector 20 includes an absolute direction sensor 21, a relative direction s *22, a distance sensor 23 and a vehicle speed sensor 24.* *Hayashida* at 7:24-30. *An I/O data bus 28 is connected to the communication interface 8 of the c* *processor 1. To the I/O data bus 28 are connected the* ***GPS receiver un*** ***the beacon receiver unit 26 and the data transmitter/receiver unit 27 a*** ***present position detector 20.*** *To the I/O data bus 28 are further connec* *touch switch 34 and a printer 35 of the input/output unit 30, and an inform* *memory unit 37. That is, a variety of data are exchanged between the ex* *accessory equipment and the CPU local bus 15 through the communic* *interface 8.* *The present position detector 20 outputs data for detecting the present po* *of the car. In other words, the absolute direction sensor 21 detects the ab* *direction. The relative direction sensor 22 detects the relative direction* *respect to the absolute direction. Furthermore, the distance sensor 23 d* *the distance travelled. The vehicle speed sensor 24 detects the running sp* *the car. The GPS receiver unit 25 receives GPS (Global Positioning Sy* *signals to detect position data such as longitude and latitude of the ca* *GPS signals are microwaves transmitted from a plurality of satellites or* *round the earth.* *Similarly the beacon receiver unit 26 receives beacon from a data of* *system such as VICS (Vehicle Information and Communication System)* *like, and the received data and the corrected data of GPS are output to t* *data bus 28.* *The data transmitter/receiver unit 27 exchanges a variety of information r* *to the present position or the road conditions near the car relative to t* *directional present position information offering system or the ATIS (adv* *traffic information service), etc. by utilizing a cellular phone, FM mu* *signals or a telephone circuit. These information are used as a dete*

information of the car position or a support information of movement beacon receiver unit 26 and the data transmitter/receiver unit 27 may provided. As for this data sending and the data transmitter/receiver unit radio receiver, a television receiver, a carrying telephone, a pager or the radio communication machine are used.

Hayashida at 7:50-8:21.

FIG. 1



Id. at Fig. 1.

FIG. 3 illustrates some of a group of data stored in the RAM 5. The p position data MP represent the present position of the vehicle and are de by a present position detector 20. The absolute direction data ZD repre the south-north direction relying upon the terrestrial magnetism and are based upon the data from an absolute direction sensor 21. The re direction angle data Dθ represent an angle of the direction in which the v

	is traveling with respect to the absolute position data ZD and are found upon the data from a relative direction sensor 22. *The traveled distance data ML represent a distance traveled by the vehicl are found based on the data from a distance sensor 23. The present po data PI are related to the present position and are input from a beacon rec 26 or the data transmitter-receiver 27. The VICS data VD and ATIS da are input from the beacon receiver 26 or the data transmitter-receiver 2 VICS data VD are used for correcting an error in the position of the v detected by a GPS receiver 25. The ATIS data AD are used for determ traffic regulations and traffic jamming in the areas.* *Hayashida* at 10:55-11:8. *Then a processing for detecting the present position (step SA2) an subsequent processing are executed. The processing for detecting the pr position (step SA2) detects the geographical coordinates (latitude, long altitude, etc.) of an overland moving body, i.e., of a vehicle mountin navigation device. That is, a GPS receiver 25 receives signals from a plu of satellites orbiting around the earth, detects coordinate positions o satellites, times at which the electromagnetic waves are emitted fro satellites and the time at which the electromagnetic waves are received b GPS receiver 25, and calculates the distances to the satellites. The coord position of the vehicle is calculated from the distances to the satellites, to o the present position of the vehicle. The thus found geographical coordinat of the vehicle are stored in the RAM 5 as present position data MP. The pr position data MP are often corrected by the data input through a be receiver 26 or the data transmitter/receiver 27.* *Hayashida* at 13:16-33; *see also id.* at Fig. 5.
[1(b)] a device for getting a direction information	Under the Court's construction of this limitation, Hayashida discloses the f direction information denoting an orientation of said portable terminal usin compass, gyroscope, and/or sensor such as a clinometer in conjunction with a C

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