

['319, '510, '614] PATENT CLAIM TERMS FOR CONSTRUCTION

No.	Patent	Claim Language	Claim(s) of Patent Implicated	Plaintiff's Proposed Construction and Evidence in Support	Defendants' Proposed Construction and Evidence in Support
1	'319 Patent / '510 Patent	"client device"	'319 Patent Claims 1, 2, 14, 17, 22, 24, and 25; '510 Patent Claims 1, 2, 8, 10, 13, 15, 18, and 19.	<p>Proposed Construction: "Consumer computer" or, in the alternative, "plain and ordinary meaning"</p> <p>Intrinsic Evidence¹: Figs. 1, 2, 3, 6 and associated discussion in specification; 2:8-23; 2:44-46; 2:40-52; 4:41-5:7; 5:21-41; 5:49-57; 9:12-9:50; 12:33-12:56; 12:62-13:3; 14:62-15:11; '319 Patent claim 1, 26; LUM-00149131-149135; '510 Patent claims 1, 22;</p> <p>Extrinsic Support:</p> <p>Expert declaration/testimony;</p> <p>Tesonet Claim Construction Order (Luminati Networks Ltd. v. UAB Tesonet and UAB Metacluster LT, Case No. 2:18-cv-299, "Tesonet," ECF 121): Construction of "Device": A physical device.</p> <p>Tesonet Claim Construction Order (ECF 121): Construction of "Client Device": A device that is operating in the role of a client by requesting services, functionalities, or resources from other devices.</p> <p>PC Mag Encyclopedia: Definition of "computing device": "Any electronic equipment controlled by a CPU, including desktop and laptop computers, smartphones and tablets. It usually refers to a general-purpose device that can</p>	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Evidence:² Figure 3; 4:44-5:7, 5:52-63, 6:5-7:3, 9:20-26, 16:21-28, Claim 1 ('319 and '510 Patents), Claim 15 ('319 Patent), Claim 11 ('510 Patent).</p> <p>Extrinsic Support:</p> <p>Expert declaration/testimony; RFC 2616₁ (including § 1.3 (definition of client as "A program that establishes connections for the purpose of sending requests"));</p> <p>ECF No. 28 (19-cv-395 case) at 15-16; ECF No. 46-1 (18-cv-299 case) at 10-11;</p> <p>International Electrotechnical Commission IEV 732-01-13 definition of client: "functional unit that requests and receives services from a server" http://www.electropedia.org/iev/iev.nsf/display?op=enform&ievref=732-01-13;</p> <p>RFC 1392 – Definition of Client: A computer system or process that requests a service of another computer system or process. A workstation requesting the contents of a file from a file server is a client of the file server. See also: client-server model, server. https://tools.ietf.org/html/rfc1392</p>

¹ Unless specified otherwise, with regard to the references to the common specification of the '319 and '510 Patent for each of the below claim terms in both patents, these citations will be to the '319 specification and will be understood to also include the same respective citation to the '510 Patent.

² The '319 and '510 Patents share a common specification. Citations to intrinsic evidence herein, for terms relating to the '319 and/or '510 Patent, are to the specification of the '319 Patent.

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Exhibit A - Proposed Constructions

			<p>accept software for many purposes in contrast with a dedicated unit of equipment such as a network switch or router.”</p> <p>https://www.pcmag.com/encyclopedia/term/66551/computing-device</p> <p>LUM-00003575</p> <p>RFC 1983 at 11: Definition of “client”: A computer system or process that requests a service of another computer system or process. A workstation requesting the contents of a file from a file server is a client of the file server.</p> <p>https://tools.ietf.org/html/rfc1983</p> <p>RFC 2828 at 39: Definition of “Client”: (I) A system entity that requests and uses a service provided by another system entity, called a ‘server.’</p> <p>https://tools.ietf.org/html/rfc2828</p> <p>W3 Glossary of Terms for Device Independence at 2: Definition of “Client”: The role adopted by an application when it is retrieving and/or rendering resources or resource manifestations.</p> <p>https://www.w3.org/TR/di-gloss/#ref-wca-terms</p> <p>W3 Hypertext Glossary: Definition of “Client”: A program which requests services of another program. Normally the browser is a client of a data server.</p> <p>https://www.w3.org/History/19921103-</p>	<p>Webster dictionary definition of client: “a computer in a network that uses the services (such as access to files or shared peripherals) provided by a server”</p> <p>https://www.merriamwebster.com/dictionary/client</p>
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				<p>hypertext/hypertext/WWW/Terms.html</p> <p>IEV ref 732-01-12 definition of “client”: “functional unit that requests and receives services from a server.”</p> <p>LUM-00003490-3491</p> <p>RFC 2828 at 157: Definition of “Server”: (I) A system entity that provides a service in response to requests from other system entities called client.</p> <p>https://tools.ietf.org/html/rfc2828</p> <p>W3 Glossary of Terms for Device Independence at 4: Definition of “Server”: The role adopted by an application when it is supplying resources or resource manifestations.</p> <p>https://www.w3.org/TR/di-gloss/#ref-wca-terms</p> <p>W3 Hypertext Terms: Definition of “Server”: A program which provides a service to another, known as the client. In a hypertext system, a server will provide hypertext information to a browser.”</p> <p>https://www.w3.org/History/19921103-hypertext/hypertext/WWW/Terms.html</p> <p>Merriam Webster: Definition of “server”: A computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of e-mail) to other computers in the network.</p>	
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2	'319 Patent	“first server”	Claims 1, 21, and 25	<p>Proposed Construction: “web server”</p> <p>Intrinsic evidence: ‘319 Patent Figs. 1, 3 and associated discussion in specification; 4:62-5:7; 5:21-34; 9:27-9:50; 19:16-32; claim 1;</p> <p>Extrinsic Support:</p> <p>Expert declaration/testimony;</p> <p>ATIS: Definition of “web server”: A software program or server computer equipped to offer World Wide Web access. Note: A web server accommodates requests from users, retrieves requested files or applications, and issues error messages.</p> <p>https://glossary.atis.org/glossary/web-server/?search=WEB%20SERVER&page_number=&sort=ASC</p> <p>RFC 1983 at 49: Definition of “server”: A provider or resources (e.g. file servers and name servers).</p>	<p>Proposed Construction: Plain and ordinary meaning</p> <p>Intrinsic Evidence: Figure 3; 4:44-5:7, 5:52-63, 6:5-7:3, 9:20-26, 16:21-28, Claim 1, Claim 15.</p> <p>Extrinsic Support:</p> <p>Expert declaration/testimony; RFC 2616 (including § 1.3 (definition of server as “An application program that accepts connections in order to service requests by sending back responses. Any given program may be capable of being both a client and a server; our use of these terms refers only to the role being performed by the program for a particular connection, rather than to the program's capabilities in general. Likewise, any server may act as an origin server, proxy, gateway, or tunnel, switching behavior based on the nature of each request));</p> <p>ECF No. 28 (19-cv-395 case) at 15-16; ECF No. 46-1 (18-cv-299 case) at 10-11;</p> <p>International Electrotechnical</p>

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				<p>https://tools.ietf.org/html/rfc1983</p> <p>RFC 2828 at 157: Definition of “Server”: (I) A system entity that provides a service in response to requests from other system entities called client.</p> <p>https://tools.ietf.org/html/rfc2828</p> <p>W3 Glossary of Terms for Device Independence at 4: Definition of “Server”: The role adopted by an application when it is supplying resources or resource manifestations.</p> <p>https://www.w3.org/TR/di-gloss/#ref-wca-terms</p> <p>W3 Hypertext Terms: Definition of “Server”: A program which provides a service to another, known as the client. In a hypertext system, a server will provide hypertext information of a browser.”</p> <p>https://www.w3.org/History/19921103-hypertext/hypertext/WWW/Terms.html</p> <p>Merriam Webster: Definition of “server”: A computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of e-mail) to other computers in the network.</p> <p>https://www.merriam-webster.com/dictionary/server</p> <p>LUM-00003579</p> <p>IEV ref 732-01-12 definition of server: “functional unit that provides services to</p>	<p>Commission IEV 732-01-12 definition of server: “functional unit that provides services to workstations, to personal computers or to other functional units in a computer network” http://www.electropedia.org/iev/iev.nsf/display?op=enform&ievref=732-01-12;</p> <p>RFC 1392 – Definition of Server: A provider of resources (e.g., file servers and name servers). See also: client, Domain Name System, Network File System. https://tools.ietf.org/html/rfc1392</p> <p>Webster dictionary definition of server: “a computer in a network that is used to provide services (such as access to files or shared peripherals or the routing of email) to other computers in the network”</p> <p>https://www.merriamwebster.com/dictionary/server</p>
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