APPENDIX A: JOINT CLAIM CONTSTRUCTION CHART

Pursuant to Local Patent Rule 4-5(d), Plaintiff AGIS Software Development LLC and Defendants Huawei Device USA Inc.;

Huawei Device Co., Ltd.; Huawei Device (Dongguan) Co., Ltd.; and Apple Inc. ("Defendants") hereby provide a Joint Claim

Construction Chart containing the disputed claim language for the disputed claims for U.S. Patent Nos. 8,213,970, 9,467,838,

9,408,055, 9,445,251, and 9,749,829. The following chart includes claim language for either (1) asserted claims that include disputed

or agreed-upon term(s) or (2) unasserted claims that include disputed or agreed-upon term(s) and from which certain asserted claims

depend. In addition, the parties hereby identify the claim number(s) where the disputed terms appear.

Claim Language (Disputed and Agreed Term(s) For Construction In Bold)	Claim Term	Plaintiff's Construction	Defendants' Construction	Court's Construction
'970 Patent, Claim1 A communication system for transmitting, receiving, confirming receipt, and responding to an electronic message, comprising: a predetermined network of	"a data transmission means that facilitates the transmission of electronic files between said PDA/cell phones in different locations" ('970 Claim 1)	[AGREED]	[AGREED]	Governed by 35 U.S.C. § 112(6). Function: facilitating the transmission of electronic files between said PDA/cell phones in different locations. Structure: communication network server. *See* '970 Patent at 1:39-43; 2:36-43; 4:1-36; Figs. 2, 3A, 3B,

Claim Language (Disputed and Agreed Term(s) For Construction In Bold)	Claim Term	Plaintiff's Construction	Defendants' Construction	Court's Construction
participants,				and 4.
wherein each participant has a similarly equipped PDA/cell phone that includes a CPU and a touch screen display a CPU and memory; **a data transmission means that facilitates the transmission of electronic files between said PDA/cell phones in different locations;** a sender PDA/cell phone and at least one recipient PDA/cell phone for each electronic message; **a forced message**	"means for attaching a forced message alert software packet to a voice or text message creating a forced message alert that is transmitted by said sender PDA/cell phone to the recipient PDA/cell phone, said forced message alert software packet containing a list of possible required responses"/ "means for attaching a forced message alert software packet to a voice or text message creating a forced message alert that is transmitted by said sender PDA/cell	Governed by 35 U.S.C. § 112(6) Function: attaching a forced message alert software packet to a voice or text message creating a forced message alert that is transmitted by said sender PDA/cell phone to the recipient PDA/cell phone. Structure: Algorithm set forth in Fig 2, 3A, 3B. 7:8-63.	Governed by 35 U.S.C. § 112(6). Function: attaching a forced message alert software packet to a voice or text message creating a forced message alert that is transmitted by said sender PDA/cell phone to the recipient PDA/cell phone, said forced message alert software packet containing a list of possible required responses. Indefinite under 35 U.S.C. § 112(b). Structure: No sufficient corresponding structure disclosed. To the extent any structure is disclosed, it is a general purpose PDA or cell phone for implementing an undisclosed algorithm.	

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Claim Language (Disputed and Agreed Term(s) For Construction In Bold)	Claim Term	Plaintiff's Construction	Defendants' Construction	Court's Construction
alert software application program including a list of required possible responses to be selected by a participant recipient of a forced message response loaded on each participating PDA/cell phone;	phone to the recipient PDA/cell phone" ('970 Claim 1)		The disclosures set forth at '970 Patent at Fig 2, 3A, 3B. 7:8-63. '970 File History, Application 12/324,122, Claims, 2008-11-26 do not provide an algorithm that corresponds to the claimed function.	
means for attaching a forced message alert software packet to a voice or text message creating a forced message alert that is transmitted by said sender PDA/cell phone to the recipient PDA/cell phone, said forced message alert software packet	"[means for. . .] requiring the forced message alert software on said recipient PDA/cell phone to transmit an automatic acknowledgment to the sender PDA/cell phone as soon as said forced message alert is received by the recipient PDA/cell phone" ('970 Claim 1)	Plain Meaning – not Governed by 35 U.S.C. § 112(6). In the alternative, AGIS identifies the following structure corresponding to Defendants' proposed function: '970 Patent, Fig 4; 2:7-35; 8:16-62.	Governed by 35 U.S.C. § 112(6). Function: requiring the forced message alert software on said recipient PDA/cell phone to transmit an automatic acknowledgment to the sender PDA/cell phone as soon as said forced message alert is received by the recipient PDA/cell phone. Indefinite under 35 U.S.C. § 112(b). Structure: No sufficient corresponding structure	

Claim Language (Disputed and Agreed Term(s) For Construction In Bold)	Claim Term	Plaintiff's Construction	Defendants' Construction	Court's Construction
containing a list of possible required responses and requiring the forced message alert software on said recipient PDA/cell phone to transmit an automatic acknowledgment to the sender PDA/cell phone as soon as said forced			disclosed. To the extent any structure is disclosed, it is a general purpose PDA or cell phone for implementing an undisclosed algorithm. The disclosures set forth at 970 Patent, Fig 4; 2:7-35; 8:16-62. '970 File History, Application 12/324,122, Claims, 2008-11-26 do not provide an algorithm that corresponds to the claimed function.	
message alert is received by the recipient PDA/cell phone; **means for requiring a required manual response from the response list by the recipient in order to clear recipient's response list from recipient's cell**	"means for requiring a required manual response from the response list by the recipient in order to clear recipient's response list from recipient's cell phone display" ('970 Claim 1)	Governed by 35 U.S.C. § 112(6). Function: requiring a required manual response from the response list by the recipient in order to clear recipient's response list from recipient's cell phone display. Structure: Algorithm set forth in Figure 4 and 8:37-57.	Governed by 35 U.S.C. § 112(6). Function: requiring a required manual response from the response list by the recipient in order to clear recipient's response list from recipient's cell phone display. Indefinite under 35 U.S.C. § 112(b).	

Claim Language (Disputed and Agreed Term(s) For Construction In Bold)	Claim Term	Plaintiff's Construction	Defendants' Construction	Court's Construction
phone display; **means for receiving and displaying a listing of which recipient PDA/cell phones have automatically acknowledged the forced message alert and which recipient PDA/cell phones have not automatically acknowledged the forced message alert;** **means for periodically resending said forced message alert to said recipient PDA/cell phones that have not automatically acknowledged the forced message**			Structure: No sufficient corresponding structure disclosed. To the extent any structure is disclosed, it is a general purpose PDA or cell phone for implementing an undisclosed algorithm. The disclosures set forth at '970 Patent at Figure 4 and 8:16-57; 11:1-21. '970 File History, Application 12/324,122, Claims, 2008-11-26 do not provide an algorithm that corresponds to the claimed function.	
	"means for receiving and displaying a listing of which recipient PDA/cell phones have automatically acknowledged the forced message alert and which recipient PDA/cell phones have not automatically	[AGREED]	[AGREED]	Governed by 35 U.S.C. § 112(6). Function: receiving and displaying a listing of which recipient PDA/cell phones have automatically acknowledged the forced message alert and which recipient PDA/cell phones have not automatically acknowledged the forced

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