Exhibit A

U.S. Patent No. 7,933,431

Claims	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Construction
['431 Patent Claim 1] 1. A method for controlling a handheld computing device comprising the steps of: holding said device in one hand; moving at least one finger in space in order to signal a command to said device; **electro-optically sensing** light reflected from said at least one finger using a sensing means associated with said device; determining from said sensed light the movement of said finger, and using said sensed finger movement information, controlling said device in accordance with said command.	No construction necessary.	"sensing [light reflected from said at least one finger] by measuring changes to an electric field"	
['431 Patent Claim 1] 1. A method for controlling a handheld computing device comprising the steps of: holding said device in one hand; moving at least one finger in space in order to signal a command to said device;	No construction necessary. Not governed by 35 U.S.C. § 112 ¶ 6. Alternatively, if the Court finds this term is subject to 35 U.S.C. § 112 ¶ 6: **Function:** "electro-optically sensing	This term is governed by 35 U.S.C. § 112 ¶ 6. **Function**: "electro-optically sensing light reflected from said at least one finger" **Structure**: "a camera"	

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electro-optically sensing light reflected from said at least one finger using a **sensing means associated with said device**; determining from said sensed light the movement of said finger, and using said sensed finger movement information, controlling said device in accordance with said command.	light reflected from at least one finger" **Structure:** Electro-optical sensor.		
['431 Patent Claim 2] 2. A method according to claim 1, wherein at least one camera is utilized to effect said **electro-optical sensing.**	No construction necessary.	"sensing light reflected from said at least one finger by measuring changes to an electric field"	
['431 Patent Claim 4] 4. A method according to claim 1, **wherein said movement is sensed in 3 dimensions.**	No construction necessary.	"wherein said movement is determined with respect to three perpendicular axes"	
['431 Patent Claim 7] 7. Handheld computer apparatus comprising: a housing; **a camera means associated with said housing for obtaining an image using reflected light of at least one object**	[Agreed]	[Agreed]	Not governed by 35 U.S.C. § 112 ¶ 6. "a camera associated with said housing for obtaining an image using reflected light of at least one object positioned by a user operating said object"

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Claims	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Construction
positioned by a user operating said object; computer means within said housing for analyzing said image to determine information concerning a position or movement of said object; and means for controlling a function of said apparatus using said information.			

['431 Patent Claim 7]
 	
7. Handheld computer apparatus comprising:
 	
  a housing;
 	
  a camera means associated with said housing for obtaining an image using reflected light of at least one object positioned by a user operating said object;
 	
  computer means within said housing for analyzing said image to determine information concerning a position or movement of said object; and
 	
  means for controlling a function of said apparatus using said information.
	No construction necessary. Not governed by 35 U.S.C. § 112 ¶ 6.
	
	Alternatively, if the Court finds this term is subject to 35 U.S.C. § 112 ¶ 6:
	
	Function: "analyzing said image to determine information concerning a position or movement of an object"
	
	Structure: A computer with at least one microprocessor specially programmed programed to determine information concerning a position
		This term is governed by 35 U.S.C. § 112 ¶ 6.
		
		Function: "analyzing said image to determine information concerning a position or movement of said object [positioned by a user operating said object]"
		
		The dependent claims currently asserted by Plaintiff further add to the function, including: (1) wherein said object is a finger (Claim 8)
		
		Structure: "A computer programmed to (1) scan the pixel elements in a matrix array on which said	

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	or movement of said object.	image is formed, and then calculate the centroid location "x,y" of a target on the object using the moment method disclosed in U.S. Patent No. 4,219,847 to Pinkney, as disclosed at 4:48-62; (2) add or subtract said image from prior images and identify movement blur, as disclosed at 6:64-7:14, 7:22-29; (3) obtain a time variant intensity change in said image from the detected output voltage from the signal conditioning of the camera means or by subtracting images and observing the difference due to such variation, as disclosed at 8:25-38; or (4) detect a change in color reflected from a diffractive, refractive, or interference based element on said object that reflects different colors during movement, as disclosed at 8:60-9:14."	

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