

# EXHIBIT M

**Exhibit A22**

**U.S. Pat. Pub. No. 2006/0199612 published September 7, 2006 (“Beyer ’612”)**

U.S. Pat. Pub. No. 2006/0199612 (“Beyer ’612”) is entitled “Method of Providing a Cellular Phone/PDA Communication System.” Beyer ’612 was published on September 7, 2006 from an application filed on April 17, 2006. Beyer ’612 discloses and/or renders obvious Claims 2 and 10-13 of U.S. Patent No. 8,213,970 alone and/or in combination with other references, as set forth in the chart below. Defendants incorporate in this chart all applicable qualifications, clarifications, and other statements made in Defendants’ Invalidity Contentions. This invalidity claim chart is based on Defendants’ present understanding of Claims 2 and 10-13 and AGIS’s apparent construction of the claims, as set forth in AGIS’s Infringement Contentions. Defendants are not adopting AGIS’s apparent constructions, nor do Defendants admit the accuracy of any particular construction. To the extent the Court finds that this reference does not expressly disclose certain limitations in the asserted claims, such limitations would have been inherent and/or obvious. By mapping claim language to this reference, Defendants do not imply or admit that the claim language satisfies 35 U.S.C. § 112. To the extent any cell lacks citations to the charted reference, this should not be taken as an admission that the reference does not disclose the corresponding limitation but rather indicates that Defendants do not presently intend to rely on the reference as disclosing the limitation based on Defendants’ present understanding of the claim limitation.

U.S. Patent No. 8,213,970	Beyer '612
<p>[2.pre] A communication system for transmitting, receiving, confirming receipt, and responding to an electronic message, comprising;</p>	<p>Beyer '612 discloses and renders obvious a communication system for transmitting, receiving, confirming receipt, and responding to an electronic message, comprising:</p> <p><i>See e.g., Beyer '612</i> at Abstract (“A cellular, PDA communication device and communication system for allowing a plurality of cellular phone users to monitor each other’s locations and status, to initiate cellular phone calls by touching a symbol on the touch screen display.”).</p> <p><i>See also e.g., id.</i> at ¶ 2 (“A communications system is generally comprised of three basic elements: transmitter, information channel, and receiver.”).</p> <p><i>See also e.g., id.</i> at ¶ 3 (“Digital Smart Message Service (SMS) and TCP/IP messages can be transmitted using cellular technology such as various versions of GSM and CDMA or via a WiFi local area network . . . Another implementation permits the cellular phone users to also view the location of other GPS equipped units.”).</p> <p><i>See also e.g., id.</i> at ¶ 21 (“[T]he present invention is shown generally at 10 that includes a small handheld cellular phone that includes a personal digital assistant (PDA) and a global positioning system receiver (GPS) communications device in housing 12 that includes . . . an LCD display 16.”).</p> <p><i>See also e.g., id.</i> at ¶ 21 (“The GPS system including a receiver in housing 12 is capable of determining the latitude and longitude and through SMS, TCP/IP, WiFi or other digital messaging software, to also transmit this latitude and longitude information of housing 12 to other cellular phones in the communication network via cellular communications, WiFi or radio.”)</p> <p><i>See also e.g., id.</i> at ¶ 1 (“This invention generally relates to an integrated communications system using a plurality of cellular/PDA/GPS phones for the management of a group of people through the use of a communications net, and specifically to provide each user with a cellular/PDA/GPS/phone that has software application programs and databases that permit all users to continuously know each other’s locations and status.”).</p>
<p>[2.a] a predetermined</p>	<p>Beyer '612 discloses and renders obvious a predetermined network of participants, wherein each participant has a similarly equipped</p>

<p>network of participants, wherein each participant has a similarly equipped PDA/cell phone that includes a CPU and a touch screen display a CPU and memory;</p>	<p>PDA/cell phone that includes a CPU and a touch screen display a CPU and memory.</p> <p><i>See</i> Beyer '612 at FIG. 4, ¶ 48 (“In FIG. 4, information flow associated with the communications cellular phone system of the present invention is shown. The satellites 40 provide global positioning system (GPS) signals to each of the cellular phones 42, 44, 46, and 48 distributed throughout the communication area. Each of the cellular phones 42, 44, 46 and 49 automatically transmit each location data over the internet communications 52 that is provided by the cellular phone company. The data is sent to the command communication website server 54 which subsequently retransmits the data to all other common communication units or if specifically addressed data is received to the addressed specific communication unit such as cellular phones 42, 44, 46, and 48.”) (“Another method for shifting between high speed and internet is as follows. . . instead of sending the SMS messages to the other participants, the phone transmits the data in GPRS/EDGE/1XEVDO or WiFi to all the other participants. Location, status and text data from the other participants is then retransmitted by the Server to the phone in SMS.”).</p>
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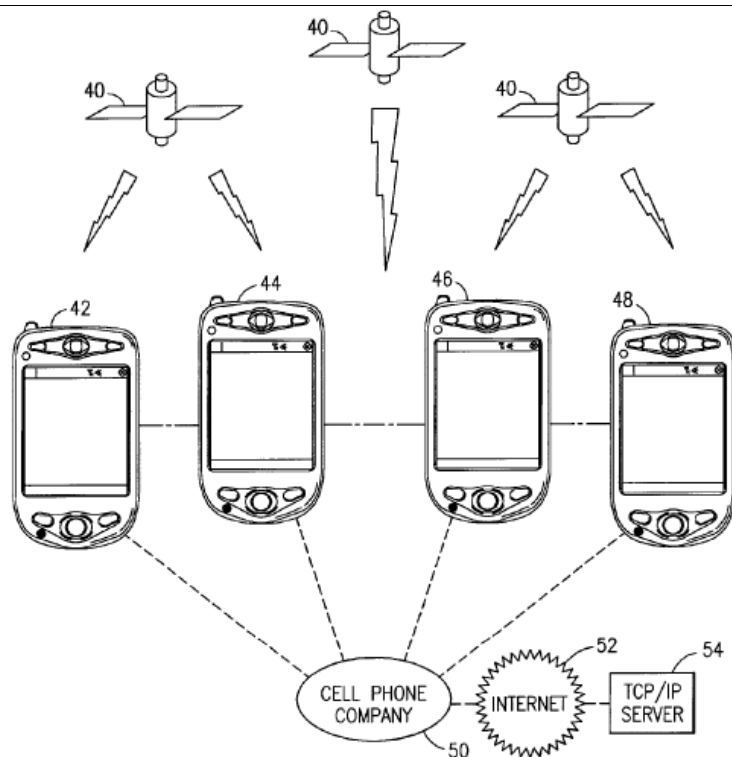


FIG. 4

*See also e.g., id.* at ¶ 38 (“The present cell phone/PDA/GPS device to create the communication network where all of the participants have the same communication device described herein also includes the ability of a specific operator device to provide polling in which other cellular phones using SMS, internet or WiFi report periodically . . . The operator can manually poll any or all of the cell phone devices that are used by all of the participants in the communication network having the same device as described herein for the invention. The receiving cellular phone application code responds to the polling device with the receiving cellular phone’s location and status which could include battery level, GPS status, signal strength, and entered track data.”).

*See also e.g., id.* at FIG. 1, ¶ 23 (“The bottom right side of the display 16c is a multifunction insert area that can contain a variety of information including: . . . applicable status information.”).

*See also e.g., id.* at ¶ 32 (“[E]ach of the network units reports its identity, location and status to the other participant’s device.”).

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