

EXHIBIT N

Exhibit A23

U.S. Pat. No. 7,031,728 filed on September 21, 2004 (“Beyer ’728”)

U.S. Pat. No. 7,031,728 (“Beyer ’728”) is entitled “Cellular Phone/PDA Communication System.” Beyer ’728 was issued on April 18, 2006 from an application filed on September 21, 2004. Beyer ’728 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 '728
<p>[2.pre] A communication system for transmitting, receiving, confirming receipt, and responding to an electronic message, comprising;</p>	<p>Beyer '728 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.,</i> Beyer '728 at 7:18-24 (“[T]he present invention is shown generally at 10 that includes a small handheld cellular phone/PDA communications system in housing 12 that includes . . . an LCD display 16. The small area 16a is the Navigation Bar that depicts the telephone, GPS and other status data and the active software.”).</p> <p><i>See also e.g., id.</i> at 7:62-67 (“Mounted inside housing 12 as part of the PDA is the display function screen and the CPU. The CPU includes databases that provide for a geographical map and georeferenced entities that is shown as display portion 16b that includes as part of the display various areas of interest in the particular local map section.”).</p> <p><i>See also e.g., id.</i> at FIG. 1, 8:19-25 (“When looking at FIG. 1, permanent geographical locations and buildings are shown. For example, the police station is shown and when the symbol is touched by the stylus or finger, the latitude and longitude of the symbol’s location, as shown in the display section 16c, is displayed at the bottom left of the screen.”).</p>

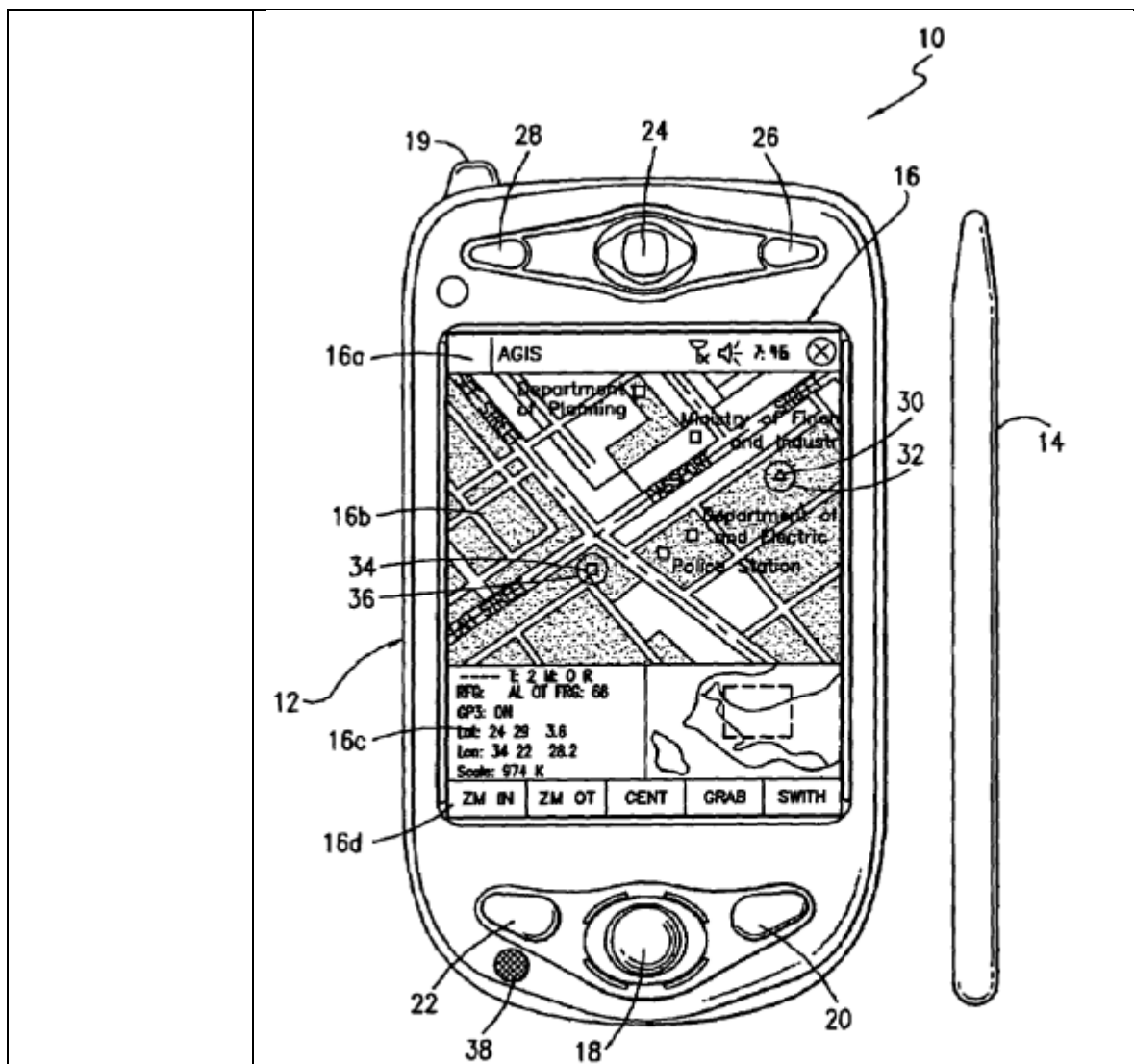


FIG. 1

See also e.g., *id.* at 3:62-4:3 (“To operate the present invention, the operator (“cellular phone one” or “phone one”) starts the system by selecting the software which causes: . . . a map of the geographic area where the operator is located and operator’s own unit symbol to appear at the correct latitude and longitude on the map. . . [and] the locations of people, vehicles, buildings, and the like that are part of the database appear as symbols on the map.”).

[2.a] a predetermined

Beyer '728 discloses and renders obvious a predetermined network of participants, wherein each participant has a similarly equipped

<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 e.g., Beyer '728</i> at 4:39-50 (“To initialize the communications net, the cellular phone one operator selects from a list, the other users (or all of them), that the operator desires to be part of the communications net. The system then polls the selected phones to activate and become part of the communications net. The selected phones then transmit their positions to all the other phones in the established net. Through interaction with one or more other software enabled cellular phones, symbols are generated on the operator’s display based on the participant’s latitude and longitude that is exchanged between the cellular phones.”).</p> <p><i>See e.g., id.</i> at Abstract (“A cellular, PDA communication system for allowing a plurality of cellular phone users to monitor each other’s location and status, to initiate cellular phone calls by touching a symbol on the display screen with a stylus or finger which can also include conference calling.”).</p> <p><i>See also e.g., id.</i> at 1:22-24 (“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 1:37-46 (“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 10:46 (“All the participant’s cellular phones that are a part of the communications net include an integrated or electronically connected GPS navigational system. Each phone can call the other cellular phones and request that they broadcast their latitude and longitude locations and status information.”)</p> <p><i>See also e.g., id.</i> at Figs. 1, 3.</p>
<p>[2.b] a data transmission means that facilitates the transmission of electronic files between said PDA/cell phones</p>	<p><i>Beyer '728</i> discloses and renders obvious a data transmission means that facilitates the transmission of electronic files between said PDA/cell phones in different locations.</p> <p><i>See e.g., Beyer '728</i> at Abstract (“A cellular, PDA communication system for allowing a plurality of cellular phone users to monitor each other’s location and status, to initiate cellular phone calls by</p>

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