

# APPENDIX A

**APPENDIX A: PROPOSED CONSTRUCTIONS**

No.	Claim Term/Phrase	Patent/ Claims	Plaintiff's Construction	Defendants' Construction	P C C
1.	a data transmission means that facilitates the transmission of electronic files between said PDA/cell phones in different locations	'970 Patent: claim 2	Governed by 35 U.S.C. § 112(6). Function: "facilitating the transmission of electronic files between said PDA/cell phones in different locations"  Structure: "communications network server using TCP/IP or other digital transmission means; and equivalents thereof"	Governed by 35 U.S.C. § 112(6) Function: "facilitating the transmission of electronic files between said PDA/cell phones in different location"  Structure: "a PDA/cell phone programmed to implement transmission of a forced message alert using TCP/IP or another communications protocol, and equivalents thereof"	G § F tr fil pl lo S n T tr ec
2.	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 and requiring the forced message alert software on said recipient PDA/cell phone to transmit an automatic acknowledgment to the sender	'970 Patent: claim 2	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 and requiring the forced message alert software on said recipient PDA/cell phone to	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 and requiring the forced message alert software on said recipient PDA/cell	G § F fo so te fo tr P re sa so li re

**APPENDIX A: PROPOSED CONSTRUCTIONS**

No.	Claim Term/Phrase	Patent/ Claims	Plaintiff's Construction	Defendants' Construction	Pa C C
	PDA/cell phone as soon as said forced message alert is received by the recipient PDA/cell phone		<p>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”</p> <p>Structure: “a PC or PDA/cell phone configured to implement the algorithm disclosed in the ’970 Patent at 7:8–8:36; and equivalents thereof”</p>	<p>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”</p> <p>Structure: “a PDA/cell phone configured to perform a portion of the forced-message alert software application program that allows a user to create a message, select recipients of that message, select a default or new response list to be sent with the message, and then send the message to the recipients. (See ’970 patent, 2:7– 16, 7:8–20, 7:43–63, 8:25–30, FIG. 3A).”</p>	fo so Pl an ac se so al re St Pl to di at th
3.	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 Patent: claim 2	<p>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”</p>	<p>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”</p>	G § F re fr re re

**APPENDIX A: PROPOSED CONSTRUCTIONS**

No.	Claim Term/Phrase	Patent/ Claims	Plaintiff's Construction	Defendants' Construction	P C C
			Structure: "a PC or PDA/cell phone configured to implement the algorithm disclosed in the '970 Patent at 8:37-57; and equivalents thereof"	Structure: "forced-message alert software-application program on the recipient PDA/cellular phone that causes the message and manual response list to be displayed on the screen of the recipient PDA/cellular phone and clears the forced alert text data when a response is selected from the manual response list. (See '970 patent, 8:39-46, FIG. 4)."	fr di St P to di at th
4.	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	'970 Patent: claim 2	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 message alert"  Structure: "PDA/cell phone hardware including display 16 and a wireless receiver and/or	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 message alert"  Structure: "hardware on the sender's PDA/cell phone including a display, such as	G § F di re ha ac m re ha ac m  St ha

**APPENDIX A: PROPOSED CONSTRUCTIONS**

No.	Claim Term/Phrase	Patent/ Claims	Plaintiff's Construction	Defendants' Construction	Plaintiff's Construction
			transceiver; and equivalents thereof”	display 16, and a wireless receiver and/or transceiver that receives electronic transmissions with acknowledgement receipts. (See '970 patent, 4:7–11, 8:1–5, 8:12–15, FIG. 1)”	16 an ec
5.	means for periodically resending said forced message alert to said recipient PDA/cell phones that have not automatically acknowledged the forced message alert	'970 Patent: claim 2	Governed by 35 U.S.C. § 112(6). Function: “periodically resending said forced message alert to said recipient PDA/cell phones that have not automatically acknowledged the forced message alert”  Structure: “a PC or PDA/cell phone configured to implement the algorithm disclosed in the '970 Patent at 7:64-67 and 8:6- 8; and equivalents thereof”	Governed by 35 U.S.C. § 112(6) Function: “periodically resending said forced message alert to said recipient PDA/cell phones that have not automatically acknowledged the forced message alert”  Structure: “the forced-message alert software-application program on the sender PDA/cell phone that will ‘periodically resend the forced message alert to the PDA/cell phone that have [sic] not acknowledged receipt.’ (’970 patent, 8:6–8, FIG. 3B).”	G §  F re m re th ac m  S P to di at ec
6.	means for receiving and displaying a listing of which recipient PDA/cell phones have transmitted a manual	'970 Patent: claim 2	Governed by 35 U.S.C. § 112(6). Function: “receiving and displaying a listing of which	Governed by 35 U.S.C. § 112(6) Function: “receiving and displaying a listing of which	G §

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.