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15 **IN THE UNITED STATES DISTRICT COURT**
16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
17 **OAKLAND DIVISION**

18 **HYPERMEDIA NAVIGATION LLC,**

19 Plaintiff,

20 v.

21 **MICROSOFT CORPORATION,**

22 Defendant.
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Case No. 4:18-cv-00670-HSG

**PLAINTIFF HYPERMEDIA
NAVIGATIONS LLC'S P.L.R. 4-2 CLAIM
CONSTRUCTION & EXTRINSIC
EVIDENCE**

JURY TRIAL DEMANDED

**MICROSOFT CORP.
EXHIBIT 1011**

PLAINTIFF'S P.L.R. 4-2 PRELIMINARY CLAIM CONSTRUCTION & EXTRINSIC EVIDENCE

Pursuant to Patent Local Rule (“P.L.R.”) 4-2, Plaintiff Hypermedia Navigation LLC (“Plaintiff”) hereby provides its list of preliminary claim constructions to Defendant Microsoft Corporation, for construing the asserted claims of U.S. Patent Nos. 7,383,323 (the “’323 Patent”), 7,383,324 (the “’324 Patent”), 7,424,523 (the “’523 Patent”), 7,478,144 (the “’144 Patent”), 7,769,830 (the “’830 Patent”), 8,250,173 (the “’173 Patent”), 9,083,672 (the “’672 Patent”), 8,259,170 (the “’170 Patent”), 7,216,155 (the “’155 Patent”), 9,772,814 (the “’814 Patent”), and 9,864,575 (the “’575 Patent”) (collectively, the “Patents-In-Suit”).

A. PLAINTIFF’S PRELIMINARY CLAIM CONSTRUCTION

Claim Terms, Phrases or Clauses	Proposed for Construction by		Plaintiff’s Proposed Construction	Support Cites refer to ’323 Patent
	Plaintiff	Defendant		
“linear linked sequence”	X		“a sequence wherein each media element has no more than one exclusive forward link and one exclusive backward link”	Figs. 2, 3, 4, 5, 6, 9, 10, 13 1:33-38; 3:13-37; 4:2-11; 4:65-5:14; 6:59-67; 8:46-9:2
“map area”	X	X	“an area displaying at least a portion of the linear path” or, alternatively “linear map program”	Figs. 4, 5, 6 3:57-4:17; 4:56-5:14; 6:4-44.
“search criteria”	X		“input(s) used to determine search results”	Figs. 11, 12, 14. 1:39-48; 7:21-67; 8:13-26
“instructions for ... creating a linear Web tour ...”		X	No construction necessary.	Figs. 2, 3, 4, 5, 6, 9, 10, 13

1	“instructions for ...				1:33-38; 3:13-37;
2	selecting a plurality				4:2-11; 4:65-5:14;
3	of video media				6:59-67; 8:46-9:2
4	elements for				
5	presentation to the				
6	presentation to the				
7	subscriber				
8	station...”				
9	“instructions for ...				
10	providing a				
11	hypermedia				
12	resource program				
13	...”				
14	“linear Web tour”		X	“linear” – “no more	Figs. 2, 3, 4, 5, 6, 9,
15	“linear Web			than one exclusive	10, 13
16	program”			forward link and	1:33-38; 3:13-37;
17	“hypermedia			one exclusive	4:2-11; 4:65-5:14;
18	resource program”			backward link”	6:59-67; 8:46-9:2
19	“linear program”				
20	“icon”		X	No construction	Fig. 4
21				necessary.	3:57-4:17
22	“preview of a first		X	No construction	Fig. 4
23	video media			necessary.	4:18-55; 6:4-31
24	element”				
25	“each of the first		X	No construction	Fig. 4
26	plurality of video			necessary.	4:18-55; 5:15-23;
27	media video				6:4-31
28	elements and the				
29	second plurality of				
30	vide media				
31	elements are				
32	associated with the				
33	Web site”				
34	“a map area in		X	No construction	Fig. 4
35	which information			necessary.	4:18-55; 6:4-31
36	regarding some of				
37	the plurality of				
38	found video media				

PLAINTIFF’S P.L.R. 4-2 PRELIMINARY CLAIM CONSTRUCTION & EXTRINSIC EVIDENCE

1	elements is presented”			
2				
3	“highlight and select”	X	No construction necessary.	Fig. 4 5:3-14
4	“highlighting”			
5				

6 **B. PLAINTIFF’S PRELIMINARY IDENTIFICATION OF EXTRINSIC EVIDENCE**

7 Subject to the above, Plaintiff submits the following preliminary identification of extrinsic
8 evidence, which Plaintiff may rely on in connection with its preliminary constructions.

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10 1. Merriam Webster’s Collegiate Dictionary – Tenth Edition – 1998 – “criteria”

11 Plaintiff further reserves the right to rely on extrinsic evidence produced by Defendant,
12 including testimony and/or declarations of one or more percipients or expert witnesses.

13 Dated: July 20, 2018

14 By: /s/ Hao Ni
Hao Ni

15 **Attorney for Plaintiff Hypermedia
16 Navigation LLC**

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18 **CERTIFICATE OF SERVICE**

19 I certify that all counsel of record is being served via email on July 20, 2018.

20 /s/ Hao Ni

21 _____
HAO NI