

EXHIBIT 4A

Patent No. 10,257,224

This chart is provided pursuant to the Court’s Default Order Governing Proceedings – Patent Case, and it is subject to all reservations, objections, and disclaimers in Defendant’s Preliminary Invalidity Contentions and any amendment, supplement, or modification thereof, which are incorporated herein by reference in their entirety.

U.S. Publication No. US 2011/0321166 A1 to Capalik et al. (“Capalik”) was filed on June 17, 2011 and published on December 29, 2011. It constitutes prior art under at least 35 U.S.C. §102(a)(2). To the extent it is found that Capalik does not expressly disclose certain limitations in the asserted claims, such limitations are at least implicitly or inherently disclosed. Moreover, to the extent that it is found that Capalik does not anticipate an asserted claim, Capalik renders obvious the asserted claim, either alone or in combination with other prior art identified in the cover pleading or herein, and/or in combination with the general knowledge of a person having ordinary skill in the art.

The following chart provides Kaspersky’s preliminary contentions regarding the invalidity of the U.S. Patent 10,257,224 (“the ‘224 Patent”) under 35 U.S.C. §102(a)(2) and/or §103 based on Capalik and under 35 U.S.C. §103 based on Capalik in combination with U.S. Publication No. US 2007/0016953 A1 to Morris et al (“Morris”), U.S. Publication No. US 2011/0067101 A1 to Seshadri et al. (“Seshadri”), U.S. Patent No. 8,087,087 to Oorschot et al. (“Oorschot”), and/or non-patent literature Trend Micro Control Manger: Patch 2 Administrator’s Guide, published February 2013 (hereinafter Trend Micro) identified in this chart and in Kaspersky’s invalidity contentions. The cited evidence is merely illustrative. Kaspersky has not attempted to identify every portion of the references that supports its contentions, but has made a good faith effort to identify portions that will make its preliminary invalidity contentions clear. Kaspersky intends to rely on the entirety of the references cited in this chart to show that the asserted claims are invalid.

Plaintiff’s preliminary infringement contentions apply inappropriately broad interpretations of the asserted claims. To the extent Kaspersky may apply the same inappropriately broad constructions for the purpose of these contentions, Kaspersky does not concede that any such constructions are correct. Further, the Court has not yet construed any terms of the asserted claims, and Kaspersky reserves the right to amend and supplement its contentions once a claim construction order issues.

--	--