

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DATANET LLC,

Plaintiff,

v.

DROPBOX, INC.,

Defendant.

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Civil Action No. 6:22-cv-01142-OLG

Jury Trial Demanded

DEFENDANT’S PROPOSED CLAIM CONSTRUCTIONS

In accordance with the Court’s Scheduling Order (Dkt. 27), Defendant Dropbox Inc. (“Dropbox”) hereby submits its proposed constructions for terms identified by any party from the asserted claims of the asserted patents.

Dropbox reserves the right to supplement, revise, modify, and/or otherwise finalize its proposed constructions, including without limitation by (i) adding or removing surrounding words, (ii) combining two proposed terms into a single proposed term, or (iii) splitting a proposed term into two or more proposed terms.

Dropbox also reserves the right to supplement, revise, modify, and/or otherwise finalize its proposed constructions in response to, without limitation (i) any proposed constructions by Datanet LLC, (ii) any evidence or supporting materials identified by Datanet LLC, (iii) any argument by Datanet LLC, and (iv) any expert or fact testimony offered by Datanet LLC.

U.S. Patent Nos. 8,473,478 and 9,218,348			
	Term or Phrase	Claim Number(s)	Proposed Construction
1	“temporary first storage location” / “first temporary storage location” / “temporary storage location”	’478: 1, 8-11 ’348: 1, 8, 12-15, 23, 24	storage device, buffer, folder, directory or designated area or location on a storage device that serves as the first storage location to which the archive file is temporarily moved after its creation
2	“temporally proximate”	’478: 1, 8-11 ’348: 1, 8, 12-15	Indefinite. Alternatively, “just before and/or just after”
3	“event”	’478: 1, 8-11 ’348: 1, 8, 12-15, 26, 27	a triggering notification or message about a storage device status or the status of an operation performed on a file
4	“final destination”	’478: 1 ’348: 1	a location to which the archive file is last moved
5	“intermediate storage location”	’478: 1 ’348: 1, 8, 12-15, 27, 28, 30	’478: storage device, buffer, folder, directory or designated area or location on a storage device to which the archive file is moved after the first temporary storage location and before a final destination

<u>U.S. Patent Nos. 8,473,478 and 9,218,348</u>			
	Term or Phrase	Claim Number(s)	Proposed Construction
			'348: storage device, buffer, folder, directory or designated area or location on a storage device that is a non-permanent storage location to which the archive file is moved after the first temporary storage location and before a final destination
6	"article of manufacture"	'478: 6 '348: 6	Plain and ordinary meaning
7	"timer"	'478: 8, 9 '348: 13, 14, 26, 27	device or component that measures and reports time intervals
8	"searching the first temporary storage location for the archive file responsive to the occurrence of a first event"	'478: 1, 8-11	searching the storage device, buffer, folder, directory or designated area or location on a storage device that serves as the first storage location to which the archive file is temporarily moved after its creation for the archive file in response to the occurrence of a first triggering notification or message about a storage device status or the status of an operation performed on a file
9	"identifying presence of the archive file"	'348: 1, 8, 12-15	determining whether the archive file is present

<u>U.S. Patent Nos. 8,473,478 and 9,218,348</u>			
	Term or Phrase	Claim Number(s)	Proposed Construction
10	“computing device”	’478: 1, 8 ’348: 1, 8, 12-15, 30	a personal computer, a laptop or notebook computer, a server, a hand-held computing device, a PDA or a PAL. The term computing device is not specific to the kind of operating system being run on Such computing device, and includes devices running Microsoft operating systems, Apple Macintosh operating systems, UNIX operating systems, Linux operating systems, and other operating systems
11	“operation”	’478: 1, 8-11 ’348: 1, 8, 12-15, 17, 18	an action resulting from an instruction, including a read, write, save, rename, delete, copy, move, open, or close action
12	“resident program”	’348: 16, 17, 26	an operating system (OS) or other program that has control over file operations such as ‘read’, ‘write’, ‘save’, ‘rename’, ‘delete’, ‘copy’, ‘move’, ‘open’, ‘close’, etc.
13	“operating file”	’478: 1, 8-11 ’348: 1, 8, 12-15, 17, 19-20, 26	a system or user file
14	“archive file”	’478: 1, 8-11 ’348: 1, 8, 12-15, 20, 26	a file containing all of the data of an operating file in a native or altered format and/or a file containing at

<u>U.S. Patent Nos. 8,473,478 and 9,218,348</u>			
	Term or Phrase	Claim Number(s)	Proposed Construction
			least some of the data of an operating file and including references to the location of the remainder of the data of the operating file
15	“storage location”	’478: 1, 2, 3, 5, 8-11 ’348: 1-5, 8, 10-15, 23, 24, 27, 28, 30, 31	any storage device, or a buffer, folder, directory or designated area on a storage device
16	“network attached storage device”	’478: 1, 8 ’348: 1, 8, 12-15, 30	any storage device connected directly to a network to which a first computing device is also temporarily or permanently connected, or any storage device connected to a second computing device that is also temporarily or permanently connected to the network to which the first computing device is temporarily or permanently connected
17	“Internet storage area network”	’478: 3 ’348: 3, 10	any storage area (device, collection of devices, etc.) that can be accessed by the computing device when the computing device is temporarily or permanently connected to the Internet
18	“a peer-to-peer storage device”	’348: 4, 28	any storage area (device, collection of devices, etc.) that can be accessed by the computing device

<u>U.S. Patent Nos. 8,473,478 and 9,218,348</u>		
	Term or Phrase	Claim Number(s)
19	“personal attached storage device”	’478: 2 ’348: 28
		Proposed Construction
		when it is sharing resources with other network or internet accessible computers
		any internal or external storage device connected to a computing device

<u>U.S. Patent No. 10,585,850</u>		
	Term or Phrase	Claim Number(s)
1	“A method of restoring a file to a previous version of the file, a current version of the file being available at a local storage location”	1, 10, 18
2	“information for a collection of one or more previous versions of the file”	1, 10, 18
3	“information indicative of at least one or more of previous versions of the file”	1, 10, 18
4	“remote storage location”	1, 6, 10, 14, 18
5	“restorable representation”	1, 6, 8, 10, 14, 16, 18
		Proposed Construction
		Preamble is limiting
		Plain and ordinary meaning
		information that points out or shows at least one or more of the previous versions of the file
		storage device, or a buffer, folder, directory or designated area on a storage device that is not the local storage location
		a portrayal, depiction or denotation of a version, such as an image,

U.S. Patent No. 10,585,850			
	Term or Phrase	Claim Number(s)	Proposed Construction
			picture, symbol, or sign that may be restored to a prior version of the file
6	“information required for recovering the version”	1, 10, 18	Plain and ordinary meaning
7	“a selection to preview a selected previous version of the file” / “previewing selected revision of said file” / “previewing selected another revision of said file”	1, 10, 18, 19	a selection to view the content of a selected previous version of the file before restoration / viewing the content of the selected revision of said file before restoration / viewing the selected another revision of said file before restoration
8	“presenting a presentable representation” / “presenting a second presentable representation ...”	1, 6, 10, 14, 18	displaying a portrayal, depiction or denotation of a version of a file, such as an image, picture, symbol, or sign
9	“with the current version being accessible”	1, 10, 18	with the current version being accessible at a local storage location
10	“presentable representation”	1, 2, 10, 14, 18	a portrayal, depiction or denotation of a version of a file, such as an image, picture, symbol, or sign that may be displayed
11	“information required for presenting at least a portion of the selected previous version”	1, 6, 10, 14, 18	information sufficient to present at least some content of the selected previous version of the file
12	“restore the selected previous version”	1, 10, 18	Plain and ordinary meaning

<u>U.S. Patent No. 10,585,850</u>			
	Term or Phrase	Claim Number(s)	Proposed Construction
13	“retrieving the restorable representation”	1, 6, 10, 14, 18	search, locate and return the portrayal, depiction or denotation of a version, such as an image, picture, symbol, or sign that may be restored to a prior version of the file
14	“restore” / “restoring”	1, 6, 10, 14, 18	Plain and ordinary meaning
15	“storing the selected previous version ... as the current version on the local storage location” / “storing the second selected previous version ... as the current version on the local storage location”	1, 6, 10, 14, 18	Plain and ordinary meaning
16	“operation”	9, 17	an action resulting from an instruction, including a read, write, save, rename, delete, copy, move, open, or close action
17	“the information”	4, 12	Indefinite
18	“responsive to a selection to not restoring the previous version”	6, 14	Indefinite
19	“substantially imperceptible impact”	9, 17	Indefinite
20	“optionally, decrypting said selected revision of said file prior to step (d) and decrypting said selected another revision of said file prior to step (f)”	19	Indefinite
21	“computational machine”	1, 18	a personal computer, a laptop or notebook computer, a server, a

<u>U.S. Patent No. 10,585,850</u>			
	Term or Phrase	Claim Number(s)	Proposed Construction
			hand-held computing device, a PDA or a PAL
22	“file”	1, 4, 5, 8, 10, 12, 13, 16, 18	Plain and ordinary meaning
23	“storage location”	1, 6, 10, 14, 18	any storage device, or a buffer, folder, directory or designated area on a storage device
24	“network attached storage device”	1, 18	any storage device connected directly to a network to which a first computing device is also temporarily or permanently connected, or any storage device connected to a second computing device that is also temporarily or permanently connected to the network to which the first computing device is temporarily or permanently connected

Dated: July 7, 2023

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on July 7, 2023, a true and correct copy of the foregoing document was served via electronic mail on counsel of record per Local Rule CV-5.

/s/ Karon N. Fowler
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