

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

RULE 14 LLC,	§	
	§	Case No.: 2:23-CV-0627-JRG-RSP
<i>Plaintiff,</i>	§	
	§	DEMAND FOR JURY TRIAL
v.	§	
	§	
UIPATH INC.,	§	
	§	
<i>Defendant.</i>	§	

[CORRECTED] JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to Local Patent Rule 4-3 and the Docket Control Order (Dkt. 21), Plaintiff Rule 14 LLC (“Plaintiff” or “Rule 14”) and Defendant UiPath Inc. (“Defendant” or “UiPath”) (collectively, “the Parties”) respectfully submit the following Joint Claim Construction and Prehearing Statement.

I. AGREED CLAIM CONSTRUCTIONS (P.R. 4-3(a)(1))

The Parties have identified one agreed claim construction.

Term, phrases, or clauses for construction	Patents/Claims	Agreed Construction
“at not publically accessible”	’977 Patent, claims 6, 15 ’712 Patent, claims 6, 15	“are not publically accessible”

II. DISPUTED CLAIM CONSTRUCTIONS (P.R. 4-3(a)(2))

The Parties’ proposed constructions of disputed terms are provided in the chart below. The Parties’ proposed constructions are also set forth in the attached Exhibit A, along with the intrinsic and extrinsic evidence on which the Parties intend to rely.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction	UiPath's Proposed Construction
"that matches the query"	'977 Patent, claims 1, 10, 19	"matches the query" Not indefinite	Indefinite
[generating/generate], via a first user, a query based at least in part on a topic of interest	'977 Patent, claims 1, 10, 19	No construction necessary, plain and ordinary meaning. Not indefinite, not subject to § 112(f) If subject to § 112(f) , then: Function: generating, via a first user, a query based at least in part on a topic of interest Structure: "query setup module 402," "query module 400," "query generator," and "electronic hardware, computer software, or combinations of both" implementing the algorithm described in the '977 patent at 4:9-15.	Subject to § 112(f) and indefinite if interpreted as Rule 14 contends to cover queries generated by a computer instead of a user, as the only structure in the specification for such query generation is a "query generator", which is nothing more than a general purpose computer or processor. Function: [generating/generate] a query Structure: "query generator" without algorithmic support and, therefore, indefinite. If the "query setup module 402," "query module 400," "query generator," and/or "electronic hardware, computer software, or combinations of both" are also considered structure, the structure remains nothing more than a general purpose computer or processor and the term is still indefinite for lack of algorithmic support.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction	UiPath's Proposed Construction
[expanding/expand] search terms of the query	'977 Patent, claims 1, 10, 19 '712 Patent, claims 1, 10, 19 '679 Patent, claims 6	No construction necessary, plain and ordinary meaning. Not indefinite.	"applying a lexicon to add additional terms to the search query," otherwise, Indefinite
accuracy threshold[s]	'977 Patent, claims 1, 10, 19 '712 Patent, claims 1, 10, 19 '679 Patent, claim 6	No construction necessary, plain and ordinary meaning. Not indefinite.	Indefinite
a query for non-textual data	'712 Patent, claims 1, 10, 19	No construction necessary, plain and ordinary meaning.	"A query for data that is not text, such as an image, audio, or an object within the image/audio that is not text."
extractors	'977 Patent, claims 9, 18 '712 Patent, claims 9, 18 '679 Patent, claim 8	No construction necessary, plain and ordinary meaning.	"applications that monitor and extract data from user-specified locations or sources of interest (e.g., data source)"
[establishing/establish] a . . . communication channel	'977 Patent, claims 1, 10, 19 '712 Patent, claims 1, 10, 19 '679 Patent, claims 1, 11, 16	No construction necessary, plain and ordinary meaning.	"Set up a communication channel for later communication with a user or user device"

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction	UiPath's Proposed Construction
[generating/to generate], by an entity, a query based at least in part on a topic of interest	'679 Patent, claims 1, 11, 16	No construction necessary, plain and ordinary meaning. Not indefinite, not subject to § 112(f) If subject to § 112(f) , then: Function: generating, via a first user, a query based at least in part on a topic of interest Structure: “query setup module 402,” “query module 400,” “query generator,” and “electronic hardware, computer software, or combinations of both” implementing the algorithm described in the '977 patent at 4:14-20.	Subject to § 112(f) and indefinite if interpreted as Rule 14 contends to cover queries generated by a computer instead of an entity, as the only structure in the specification for such query generation is a “query generator”, which is nothing more than a general purpose computer or processor. Function: [generating/generate] a query Structure: “query generator” without algorithmic support and, therefore, indefinite. If the “query setup module 402,” “query module 400,” “query generator,” and/or “electronic hardware, computer software, or combinations of both” are also considered structure, the structure remains nothing more than a general purpose computer or processor and the term is still indefinite for lack of algorithmic support.
entity	'679 Patent, claims 1, 10–11, 16	No construction necessary, plain and ordinary meaning. Not indefinite.	“a separate organization such as businesses or police, not a user” otherwise, Indefinite

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction	UiPath's Proposed Construction
determine[e/ing] an extraction rate for extracting the data, the extraction rate indicating an amount of the data that is extracted over a first time period	'679 Patent, claims 1, 11, 16	No construction necessary, plain and ordinary meaning. Not indefinite.	Indefinite
determine[e/ing] a first processing rate for processing the extracted data with a number of parallel processors, the first processing rate indicating an amount of extracted data that is processed over a second time period;	'679 Patent, claims 1, 11, 16	No construction necessary, plain and ordinary meaning. Not indefinite.	Indefinite
[to] dynamically adjust the number of parallel processors for analyzing the extracted data based on the extraction rate to obtain a second processing rate that is greater than the first processing rate;	'679 Patent, claims 1, 11, 16	No construction necessary, plain and ordinary meaning. Not indefinite.	Indefinite

III. ANTICIPATED LENGTH OF TIME NEEDED FOR THE CLAIM CONSTRUCTION HEARING (P.R. 4-3(a)(3))

The Parties estimate that two and a half hours will be needed for the claim construction hearing. The Parties agree that each side will be allocated half of the total time permitted for the hearing.

IV. PROPOSED WITNESSES TO BE USED AT THE CLAIM CONSTRUCTION HEARING (P.R. 4-3(a)(4))

Rule 14 intends to rely on a submitted expert declaration from Mr. Chris Thompson regarding identified claim construction issues. UiPath intends to rely on a submitted expert declaration from Dr. Jonathan Krein regarding identified claim construction issues. The Parties do not otherwise propose calling any live witnesses at the claim construction hearing unless requested by the Court.

V. OTHER ISSUES TO BE ADDRESSED PRIOR TO THE CLAIM CONSTRUCTION HEARING (P.R. 4-3(a)(3))

The Parties are not currently aware of any other issues that they propose need to be taken up at a prehearing conference prior to the claim construction hearing.

Dated: January 16, 2025

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service, including counsel for Rule 14, are being served on January 16, 2025 with a copy of this document via the Court's CM/ECF system.

/s/ Andy Tindel
Andy Tindel

[CORRECTED] EXHIBIT A: Proposed Constructions and Supporting Intrinsic and Extrinsic Evidence

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
"that matches the query"	'977 Patent, claims 1, 10, 19	"matches the query" Not indefinite <u>Intrinsic Evidence</u> Figures 1, 2, 3, 4, 5, 6, 7, 10A-C, 11, 12 (and related portions of the specifications) Abstract 1:16–2:55¹ 3:16–4:8 4:54-67 5:25-39 6:45–7:54 8:45–9:23 14:56–20:10 Claims 5, 14, 21 <u>'712 Patent:</u> Abstract 5:27-40 7:48-64 10:40-51	<u>Construction:</u> Indefinite <u>Evidence:</u> '977 Patent, Abstract, 2:14-15, 2:25-26, 2:38-39, 4:35-37, 4:60-64, 6:56-59, 7:14-18, 7:46-48, 10:64-11:7, 18:24-28 Claims 1, 5, 10, 14, 19, 21. Expert Testimony of Jonathan Krein. Any evidence cited to by Rule 14.

¹ Because the patents share similar specifications, citations are to portions of the '977 Patents unless otherwise identified; all '977 Patent citations are also intended to disclose the equivalent portions of the '712 and '679 Patents. Rule 14 reserves the right to rely on the intrinsic and extrinsic evidence cited by UiPath for its claim construction positions.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		11:4–12:52 (including Figures 5A and 5B) 21:65–30:15 (including Figure 13) Claims 1, 5, 10, 14, 19 <u>'679 Patent:</u> Abstract 19:21–25:34 Claims 1, 3, 11, 13, 16, 17 '977 patent file history, May 4, 2015 Amendment/Request for Reconsideration after Non-Final Rejection '679 patent file history, January 12, 2016 Preliminary Amendment <u>Extrinsic Evidence</u> Expert Testimony from Mr. Chris Thompson	
[generating/generate], via a first user, a query based at least in part on a topic of interest	'977 Patent, claims 1, 10, 19	No construction necessary, plain and ordinary meaning. Not indefinite, not subject to § 112(f) If subject to § 112(f) , then:	<u>Construction:</u> Subject to § 112(f) and indefinite if interpreted as Rule 14 contends to cover queries generated by a computer instead of a user, as the only structure in the specification for such query generation is a “query generator”, which is

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		Function: generating, via a first user, a query based at least in part on a topic of interest Structure: “query setup module 402,” “query module 400,” “query generator,” and “electronic hardware, computer software, or combinations of both” implementing the algorithm described in the '977 patent at 4:9-15. <u>Intrinsic Evidence</u> Figures 1, 2, 3, 4, 5, 6, 7, 8, 10A-C, 11, and 12 (and related portions of the specification) 1:16–2:67 3:16–4:8 4:9-16 5:25-39 5:40–7:7 8:45–9:23 9:24-39 9:48–10:57 14:56–20:10 Claims 7, 16 <u>'712 Patent:</u> 6:22-26 7:48-64	nothing more than a general purpose computer or processor. Function: [generating/generate] a query Structure: “query generator” without algorithmic support and, therefore, indefinite. If the “query setup module 402,” “query module 400,” “query generator,” and/or “electronic hardware, computer software, or combinations of both” are also considered structure, the structure remains nothing more than a general purpose computer or processor and the term is still indefinite for lack of algorithmic support. <u>Evidence:</u> '977 Patent, Abstract, 1:20-25, 2:6-10, 2:27-33, 2:29-33, 2:66-67, 4:10-16, 4:17-26, 5:10-16, 5:40-50, 5:61-67, 6:1-2, 6:15-26, 6:36-39, 6:50-59, 6:60-65, 8:29-38, 9:17-39, 9:40-47, 10:47-57, 10:64-11:3, 11:59-62, 12:3-19, 12:20-24, 12:52-57, 15:48-55, 15:62-66, 16:2-7, 17:45-56, 17:56-59, 17:65-

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		10:40-51 11:4–12:52 (including Figures 5A and 5B) 13:1-7 13:30-53 15:24-38 18:41–19:18 19:46-58 21:65–30:15 (including Figure 13) Claims 1, 7, 10, 14, 16, 19 <u>'679 Patent:</u> 19:21–25:34 Claims 1, 5, 11, 16 <u>Extrinsic Evidence</u> Expert Testimony from Mr. Chris Thompson regarding the meaning of the claim term to one of skill in the art.	18:5, 19:5-20, FIGs. 1, 2, 4, 6, 7, Claims 1, 10, and 19 '977 Patent Prosecution History, 6/26/2013 Claims, 2/3/15 Non-Final Rejection, 4/8/2015 Agenda for Examiner Interview, 5/4/2015 Applicant Reply to 2/3/15 Office Action. Expert Testimony of Jonathan Krein. Any evidence cited to by Rule 14.
[expanding/expand] search terms of the query	'977 Patent, claims 1, 10, 19 '712 Patent, claims 1, 10, 19 '679 Patent, claims 6	No construction necessary, plain and ordinary meaning. Not indefinite. <u>Intrinsic Evidence</u> Figures 1, 2, 3, 4, 5, 6, 7, 8, 10A-C, 11, 12 (and related portions of the specifications)	<u>Construction:</u> “applying a lexicon to add additional terms to the search query,” otherwise, Indefinite <u>Evidence:</u> '977 Patent, Abstract, 2:8-9, 2:20-21, 2:33-34, 4:17-34, 4:54-67, 6:15-26, 6:32-39, 6:40-44, 6:45-59, 9:32-10:42, 10:52-57, 15:48-

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		1:16–2:55 3:16–4:8 4:16–59 5:25–39 6:1–7:2 7:63–8:11 8:45–9:23 9:40–10:57 14:56–20:10 Claims 4, 13 <u>'712 Patent:</u> 7:48–64 10:40–51 11:4–12:52 (including Figures 5A and 5B) 13:30–53 15:24–38 18:41–19:18 19:46–58 21:65–30:15 (including Figure 13) Claims 4, 13 <u>'679 Patent:</u> 19:21–25:34 Claim 7 <u>Extrinsic Evidence</u>	55, 15:56–61, FIG. 1, Claims 1, 4, 10, 13, 19. '712 Patent, Abstract, 1:65–66, 2:12–17, 2:35–36, 2:55–56, 4:51–60, 4:61–65, 5:29–32, 6:58–7:2, 7:9–21, 10:40–51, 10:32–11:13, 12:28–32, 12:61–66, 18:12–20, 18:41–52, 18:62–19:2, 26:47–59, FIG. 1, Claims 1, 4, 10, 13, 19. '679 Patent, Abstract, 2:10–12, 2:23–24, 2:36–37, 4:21–30, 4:59–5:5, 6:19–30, 6:37–44, 6:45–49, 9:43–10:56, 10:66–11:4, 16:1–9, 24:1–13, FIG. 1, Claims 6 and 7. '977 Patent Prosecution History, 6/26/2013 Claims. '712 Patent Prosecution History, 12/20/2018 Claims. '679 Patent Prosecution History, 12/4/2015 Claims, 1/12/2016 Claims. Merriam-Webster's Collegiate Dictionary, 11th Ed., 2011. Pg. 715.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		Expert Testimony from Mr. Chris Thompson regarding the meaning of the claim term to one of skill in the art.	The American Heritage College Dictionary, Fourth Edition, 2010. Pg. 797. Expert Testimony of Jonathan Krein. Any evidence cited to by Rule 14.
accuracy threshold[s]	'977 Patent, claims 1, 10, 19 '712 Patent, claims 1, 10, 19 '679 Patent, claim 6	No construction necessary, plain and ordinary meaning. Not indefinite. <u>Intrinsic Evidence</u> Figures 1, 2, 3, 4, 5, 6, 7, 8, 10A-C, 11, 12 (and related portions of the specifications) 1:16–2:55 3:16–4:8 4:54-67 5:25-39 5:40–7:18 8:45–9:23 9:40–10:57 10:63–11:62 14:56–20:10	<u>Construction:</u> Indefinite <u>Evidence:</u> '977 Patent, 6:45-59, 6:60-7:2, 10:24-29, 10:38-39, 11:31-47, 16:58-61, Claims 1, 10, 19. '712 Patent, 2:1-4, 2:18-22, 2:38-42, 2:58-62, 7:29-32, 7:45-47, 7:62-64, 11:37-39, 11:56-67, 12:27-31, 13:60-62, 21:20-23, 26:50-59, 27:4-8, Claims 1, 10, 19. '679 Patent, 6:57-64, 7:6-8, 10:13-15, 10:33-36, 11:51-56, 16:12-15, 24:4-13, Claim 6. '977 Patent Prosecution History, 6/26/2013 Claims, 2/3/15 Non-

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		<u>'712 Patent:</u> 7:48-64 10:40-51 11:4–12:52 (including Figures 5A and 5B) 13:1-53 18:41–19:18 19:46-58 21:65–30:15 (including Figure 13) <u>'679 Patent:</u> 19:21–25:34 '679 patent file history, September 29, 2017 Amendment/Request for Reconsideration after Non-Final Rejection '679 patent file history, December 29, 2017 Non-Final Rejection and related response <u>Extrinsic Evidence</u> Expert Testimony from Mr. Chris Thompson regarding the meaning of the claim term to one of skill in the art. Dictionary of Computer and Internet Terms definition of “Threshold;” Merriam-Webster Dictionary definition of “Threshold;” Google definition	Final Rejection, 4/8/2015 Agenda for Examiner Interview, 5/4/2015 Applicant Reply to 2/3/15 Office Action. '712 Patent Prosecution History, 3/1/2021 Notice of Allowance. '679 Patent Prosecution History, 1/12/2016 Claims, 6/30/17 Non-Final Rejection, 9/29/2017 Applicant Reply to 6/30/17 Office Action. Expert Testimony of Jonathan Krein. Any evidence cited to by Rule 14.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		(from Oxford English Dictionary) of "Threshold."	
a query for non-textual data	'712 Patent, claims 1, 10, 19	No construction necessary, plain and ordinary meaning. <u>Intrinsic Evidence</u> Figures 1, 2, 3, 4, 5, 6, 7, 8, 10A-C, 11, and 12 (and related portions of the specification) 1:16–2:55 3:16–4:8 4:9-16 5:25-39 5:40–7:7 8:45–9:23 9:24-39 9:48–10:57 14:56–20:10 <u>'712 Patent:</u> 6:22-26 7:48-64 10:40-51 11:4–12:52 (including Figures 5A and 5B) 13:1-53 15:24-38 18:41–19:18	<u>Construction:</u> "A query for data that is not text, such as an image, audio, or an object within the image/audio that is not text." <u>Evidence:</u> '712 Patent, Abstract, 2:4-9, 2:13-15, 2:22-27, 2:54-55, 2:62-66, 4:44-50, 4:61-65, 6:22-26, 26:60-67; 27:9-20, Fig. 13, Claims 1, 7, 10, 16, 19. '712 Patent Prosecution History, 3/1/2021 Notice of Allowance. Any evidence cited to by Rule 14.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		19:46-58 21:65–30:15 (including Figure 13) Claims 2, 3, 7, 8, 16, 17 <u>'679 Patent:</u> 19:21–25:34	
extractors	'977 Patent, claims 9, 18 '712 Patent, claims 9, 18 '679 Patent, claim 8	No construction necessary, plain and ordinary meaning. <u>Intrinsic Evidence</u> Figures 1, 2, 3, 4, 5, 6, 7, 8, 10A-C, 11, 12 (and related portions of the specifications) 1:16–2:55 3:16–4:8 4:54-67 5:25-39 6:45–7:62 8:45–9:23 10:43-63 13:57–14:55 14:56–20:10 Claims 1, 2, 3, 10, 11, 12, 19, 20 <u>'712 Patent:</u> 13:1-53 15:24-38 19:46-58	<u>Construction:</u> “applications that monitor and extract data from user-specified locations or sources of interest (e.g., data source)” <u>Evidence:</u> '977 Patent, 4:54-67, 6:50-59, 7:3-4, 7:8-18, 7:19-28, 7:29-45, 7:46-54, 10:49-57, 13:57-62, 13:63-67, 15:17-25, 15:58-60, 18:24-28, FIG. 2, Claims 9 and 18. '712 Patent, 5:30-37, 7:27-29, 7:65-66, 8:3-13, 8:14-24, 8:25-41, 8:42-43, 12:53-67, 16:20-25, 16:26-30, 17:47-55, 18:23-26, 21:32-36, 27:13-20, FIGs. 2 and 12, Claims 9 and 18. '679 Patent, 4:65-5:5, 6:55-57, 7:9-13, 7:14-22, 7:25-35, 7:41-52, 7:53-62, 10:63-11:4, 14:7-12,

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		21:65–30:15 (including Figure 13) Claims 1, 2, 3, 10, 11, 12, 19, 20 <u>'679 Patent:</u> 19:21–25:34 Claims 1, 2, 8, 11, 12, 16 '679 patent file history, March 29, 2018 Amendment/Request for Reconsideration after Non-Final Rejection	14:14-17, 15:36-54, 16:12-15, 18:53-57, FIG. 2, Claim 8. Any evidence cited to by Rule 14.
[establishing/establish] a . . . communication channel	'977 Patent, claims 1, 10, 19 '712 Patent, claims 1, 10, 19 '679 Patent, claims 1, 11, 16	No construction necessary, plain and ordinary meaning. <u>Intrinsic Evidence</u> Figures 1, 2, 3, 4, 5, 6, 7, 8, 9, 10A-C, 11, 12 (and related portions of the specifications) 1:16–2:55 3:16–4:8 5:1-24 5:25-39 8:20-44 8:45–9:23 10:63–13:56 14:56–20:10 Claims 2, 11, 20	<u>Construction:</u> “Set up a communication channel for later communication with a user or user device” <u>Evidence:</u> '977 Patent, 5:1-16, 5:18-24, 8:20-28, 8:39-42, Claims 1, 2, 10, 11, 19, 20. '712 Patent, 2:9-11, 2:27-29, 2:47-50, 2:66-3:2, 5:41-56, 5:57-63, 9:17-25, 9:32-35, 9:36-42, 27:17-20, 27:21-30, FIG. 13, Claims 1, 2, 10, 11, 19.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		<u>'712 Patent:</u> 11:4–12:52 (including Figures 5A and 5B) 13:1-53 15:24-38 18:41–19:18 19:46-58 21:65–30:15 (including Figure 13) Claims 11, 20 <u>'679 Patent:</u> 19:21–25:34 Claims 9, 15, 20 '679 patent file history, March 23, 2017 Applicant Initiated Interview Summary '679 patent file history, April 3, 2017 Applicant Initiated Interview Summary '679 patent file history, April 10, 2017 Filing of Continued Prosecution Application/Request for Continued Examination '679 patent file history, September 29, 2017 Amendment/Request for	'679 Patent, 5:6-21, 5:22-28, 8:29-37, 8:44-47, Claims 1, 11, 16. '977 Patent Prosecution History, 2/3/2015 Non-Final Rejection, 4/8/2015 Agenda for Examiner Interview, 5/4/2015 Applicant Reply to 2/3/15 Office Action. '679 Patent Prosecution History, 1/12/2016 Claims, 7/29/2016 Non-Final Rejection, 9/14/2016 Agenda for Interview, 10/31/2016 Reply to 7/29/2016 Office Action, 2/9/2017 Final Rejection, 3/9/2017 Agenda for Interview, 4/10/2017 Reply to 2/9/2017 Office Action, 6/30/2017 Non-Final Rejection, 9/29/2017 Reply to 6/30/2017 Office Action, 12/29/2017 Non-Final Rejection, 3/29/2018 Reply to 12/29/2017 Office Action. Concise Oxford English Dictionary, 12th Ed., Edited by Angus Stevenson & Maurice Waite, 2011. Pg. 488.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		Reconsideration after Non-Final Rejection '679 patent file history, December 29, 2017 Non-Final Rejection '679 patent file history, March 29, 2018 Amendment/Request for Reconsideration after Non-Final Rejection	Merriam-Webster's Collegiate Dictionary, 11th Ed., 2011. Pg. 427. The American Heritage College Dictionary, Fourth Edition, 2010. Pg. 478. Any evidence cited to by Rule 14.
[generating/to generate], by an entity, a query based at least in part on a topic of interest	'679 Patent, claims 1, 11, 16	No construction necessary, plain and ordinary meaning. Not indefinite, not subject to § 112(f) If subject to § 112(f) , then: Function: generating, via a first user, a query based at least in part on a topic of interest Structure: “query setup module 402,” “query module 400,” “query generator,” and “electronic hardware, computer software, or combinations of both” implementing the algorithm described in the '977 patent at 4:14-20. <u>Intrinsic Evidence</u>	<u>Construction:</u> Subject to § 112(f) and indefinite if interpreted as Rule 14 contends to cover queries generated by a computer instead of an entity, as the only structure in the specification for such query generation is a “query generator”, which is nothing more than a general purpose computer or processor. Function: [generating/generate] a query Structure: “query generator” without algorithmic support and, therefore, indefinite. If the “query setup module 402,” “query module 400,” “query generator,”

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		Figures 1, 2, 3, 4, 5, 6, 7, 8, 10A-C, 11, and 12 (and related portions of the specification) 1:16–2:67 3:16–4:8 4:9-16 5:25-39 5:40–7:7 8:45–9:23 9:24-39 9:48–10:57 14:56–20:10 Claims 1, 7, 10, 16, 19 <u>'712 Patent:</u> 6:22-26 7:48-64 10:40-51 11:4–12:52 (including Figures 5A and 5B) 13:1-7 13:30-53 15:24-38 18:41–19:18 19:46-58 21:65–30:15 (including Figure 13) Claims 1, 7, 10, 14, 16, 19 <u>'679 Patent:</u>	and/or “electronic hardware, computer software, or combinations of both” are also considered structure, the structure remains nothing more than a general purpose computer or processor and the term is still indefinite for lack of algorithmic support. <u>Evidence:</u> '679 Patent, 2:22-23, 4:14-20, 5:44-54, 6:2-4, 6:31-36, 6:37-44, 9:35-42, 9:51-59, 16:1-9, 19:56-57, 20:9-17, 21:8-14, 21:18-25, 21:26-34, 21:44-47, 23:30-42, 23:43-47, FIGs 1 and 4, Claims 1, 11, 16. '977 Patent, 19:5-20. '679 Patent Prosecution History, 12/04/2015 Claims, 1/12/2016 Claims, 7/29/2016 Non-Final Rejection, 9/14/2016 Agenda for Interview, 10/31/2016 Reply to 7/29/2016 Office Action, 2/9/2017, 2/9/2017 Final Rejection, 3/9/2017 Agenda for Interview, 4/10/2017 Reply to 2/9/2017 Office Action.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		19:21–25:34 Claim 5 <u>Extrinsic Evidence</u> Expert Testimony from Mr. Chris Thompson regarding the meaning of the claim term to one of skill in the art.	Expert Testimony of Jonathan Krein. Any evidence cited to by Rule 14.
entity	'679 Patent, claims 1, 10–11, 16	No construction necessary, plain and ordinary meaning. Not indefinite. <u>Intrinsic Evidence</u> Figures 1, 2, 3, 4, 5, 6, 7, 8, 10A-C, 11, and 12 (and related portions of the specifications) 1:16–2:55 3:16–4:17 5:25-39 8:45–9:23 14:56–20:10 Claims 1, 2, 10, 11, 19, 20 <u>'712 Patent:</u> 11:4–12:52 (including Figures 5A and 5B) 21:65–30:15 (including Figure 13) Claims 1, 2, 10, 11, 19, 20	<u>Construction:</u> “a separate organization such as businesses or police, not a user” otherwise, Indefinite <u>Evidence:</u> '679 Patent, 6:13-18, 15:15-24, Claims 1, 10, 11, 16. '679 Patent Prosecution History, 12/04/2015 Claims, 1/12/2016 Claims, 7/29/2016 Non-Final Rejection, 9/14/2016 Agenda for Interview, 10/31/2016 Reply to 7/29/2016 Office Action, 2/9/2017, 2/9/2017 Final Rejection, 3/9/2017 Agenda for Interview, 4/10/2017 Reply to 2/9/2017 Office Action.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		'679 Patent: 3:21–4:20 19:21–25:34 Claims 1, 10 '679 patent file history, March 23, 2017 Applicant Initiated Interview Summary '679 patent file history, April 3, 2017 Applicant Initiated Interview Summary '679 patent file history, April 10, 2017 Filing of Continued Prosecution Application/Request for Continued Examination '679 patent file history, September 29, 2017 Amendment/Request for Reconsideration after Non-Final Rejection '679 patent file history, December 29, 2017 Non-Final Rejection '679 patent file history, March 29, 2018 Amendment/Request for	Merriam-Webster's Collegiate Dictionary, 11th Ed., 2011. Pg. 417. Expert Testimony of Jonathan Krein. Any evidence cited to by Rule 14.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		Reconsideration after Non-Final Rejection <u>Extrinsic Evidence</u> Expert Testimony from Mr. Chris Thompson regarding the meaning of the claim term to one of skill in the art. Cambridge Dictionary definition of "Entity;" Merriam-Webster Dictionary definition of "Entity;" Google definition (from Oxford English Dictionary) of "Entity."	
determine[e/ing] an extraction rate for extracting the data, the extraction rate indicating an amount of the data that is extracted over a first time period	'679 Patent, claims 1, 11, 16	No construction necessary, plain and ordinary meaning. Not indefinite. <u>Intrinsic Evidence</u> Figures 4, 5, 6, 7, 8, 10A-C, 11, 12 (and related portions of the specifications) 1:16–2:55 3:12–4:8 5:25-39 7:3-54 8:45–9:23 13:57–14:55 14:56–20:10	<u>Construction:</u> Indefinite <u>Evidence:</u> '679 Patent, 14:18-26, 14:37-43, 14:54-65, FIGs 10A-C and 11, Claims 1, 11, 16. '679 Patent Prosecution History, 12/29/2017 Non-Final Rejection, 3/29/2018 Reply to 12/29/2017 Office Action. Expert Testimony of Jonathan Krein.

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		Claims 9, 18 <u>'712 Patent:</u> 21:65–30:15 (including Figure 13) Claims 9, 18 <u>'679 Patent:</u> 19:21–25:34 '679 patent file history, March 29, 2018 Amendment/Request for Reconsideration after Non-Final Rejection <u>Extrinsic Evidence</u> Expert Testimony from Mr. Chris Thompson regarding the meaning of the claim term to one of skill in the art.	Any evidence cited to by Rule 14.
determine[e/ing] a first processing rate for processing the extracted data with a number of parallel processors, the first processing rate indicating an amount of extracted data that is processed over a second time period;	'679 Patent, claims 1, 11, 16	No construction necessary, plain and ordinary meaning. Not indefinite. <u>Intrinsic Evidence</u> Figures 4, 5, 6, 7, 8, 10A-C, 11, 12 (and related portions of the specifications) 1:16–2:55	<u>Construction:</u> Indefinite <u>Evidence:</u> '679 Patent, 14:13-17, 14:18-26, 14:37-43, 14:54-65, FIGs 10A-C and 11, Claims 1, 11, and 16. '679 Patent Prosecution History, 12/29/2017 Non-Final Rejection,

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
		3:12–4:8 5:25–39 7:3–54 8:45–9:23 13:57–14:55 14:56–20:10 Claims 9, 18 <u>'712 Patent:</u> 21:65–30:15 (including Figure 13) Claims 9, 18 <u>'679 Patent:</u> 19:21–25:34 '679 patent file history, March 29, 2018 Amendment/Request for Reconsideration after Non-Final Rejection <u>Extrinsic Evidence</u> Expert Testimony from Mr. Chris Thompson regarding the meaning of the claim term to one of skill in the art.	3/29/2018 Reply to 12/29/2017 Office Action. Expert Testimony of Jonathan Krein Any evidence cited to by Rule 14.
[to] dynamically adjust the number of parallel processors for analyzing the extracted data based on the extraction rate	'679 Patent, claims 1, 11, 16	No construction necessary, plain and ordinary meaning. Not indefinite.	<u>Construction:</u> Indefinite <u>Evidence:</u>

Term, phrases, or clauses for construction	Patents/Claims	Rule 14's Proposed Construction and Supporting Evidence	UiPath's Proposed Construction and Supporting Evidence
to obtain a second processing rate that is greater than the first processing rate;		<u>Intrinsic Evidence</u> Figures 4, 5, 6, 7, 8, 10A-C, 11, 12 (and related portions of the specifications) 1:16–2:55 3:12–4:8 5:25-39 7:3-54 8:45–9:23 13:57–14:55 14:56–20:10 Claims 9, 18 <u>'712 Patent:</u> 21:65–30:15 (including Figure 13) Claims 9, 18 <u>'679 Patent:</u> 19:21–25:34 '679 patent file history, March 29, 2018 Amendment/Request for Reconsideration after Non-Final Rejection <u>Extrinsic Evidence</u> Expert Testimony from Mr. Chris Thompson regarding the meaning of the claim term to one of skill in the art.	'679 Patent, 7:25-35, 9:19-22, 14:13-17, 14:54–57, 14:61-65, Claims 1, 11, 16. '679 Patent Prosecution History, 12/29/2017 Non-Final Rejection, 3/29/2018 Reply to 12/29/2017 Office Action. Expert Testimony of Jonathan Krein Any evidence cited to by Rule 14.