United States District Court,
E.D. Texas, Marshall Division.

VISTO CORPORATION,
Plaintiff.
v.
SEVEN NETWORKS, INC,
Defendant.

Civil Action No. 2:03-CV-333 (TJW)

April 18, 2006.

Samuel Franklin Baxter, McKool Smith, Marshall, TX, Gary Scott Kitchen, Theodore Stevenson, III, William Ellsworth Davis, III, Kristi Jean Thomas, McKool Smith, Dallas, TX, for Plaintiff.

Henry Charles Bunsow, Howrey Simon Arnold & White, San Francisco, CA, Sidney Calvin Capshaw, III, Elizabeth L. Derieux, Capshaw Derieux, LLP, Longview, TX, Andrew Y. Piatnicia, Daniel T. Shvodian, James Charles Pistorino, James F. Valentine, Jason T. Anderson, Matthew E. Hocker, Howrey LLP, East Palo Alto, CA, Chris Kao, Kirkland & Ellis, San Francisco, CA, Christopher L. Kelley, David L. Bilsker, Howrey Simon Arnold & White, Menlo Park, CA, Korula T. Cherian, Howrey LLP, San Francisco, CA, Louis L. Campbell, Finnegan Henderson Farabow Garrett & Dunner, Palo Alto, CA, Thomas C. Mavrakakis, Winston & Strawn, San Francisco, CA, for Defendant.

ORDER

T. JOHN WARD**, District Judge.**

Before the Court are supplemental claim construction briefs offered by the parties. The Court incorporates its prior Claim Construction Order in this case as if fully set forth herein and construes the following terms in accordance with said prior Claim Construction Order and Phillips v. AWH, 415 F.3d 1303 (Fed.Cir.2005):

1. "HTTP port and SSL port" means "any port that is used to transfer information or communicate using Hyper Text Transfer Protocol (HTTP) and any port that is used to transfer information or communicate using Secure Sockets Layer (SSL) protocol"

2. "smart phone" is construed to mean "a telephone device that that integrates computing capabilities and telephone capabilities."

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