United States District Court, S.D. California.

LUCENT TECHNOLOGIES, INC,

Plaintiff.

v.

GATEWAY, INC. and Gateway Country Stores LLC; and, Microsoft Corporation; and, Dell, Inc, Defendants.

Civil No. 02CV2060-B(WMc), 03CV0699-B(WMc), 03CV1108-B(WMc)

Oct. 14, 2005.

David A. Hahn, Attorney at Law, San Diego, CA, Edward Charles Donovan, Gregory F. Corbett, Karen Michelle Robinson, Kirkland and Ellis, Washington, DC, Elizabeth T. Bernard, James E. Marina, Jeanne M. Heffernan, John M. Desmarais, Jonas Reale McDavit, Jordan N. Malz, Michael P. Stadnick, Paul A. Bondor, Robert A. Appleby, Tamir Packin, Kirkland and Ellis LLP, New York, NY, Eric D. Hayes, Kirkland and Ellis, Chicago, IL, Kenneth H. Bridges, Kirkland and Ellis, San Francisco, CA, for Plaintiff.

Joseph A. Micallef, Scott M. Border, John L. Newby, Arnold & Porter LLP, Washington, DC, Ryan M. Nishimoto, Arnold & Porter LLP, Los Angeles, CA, for Defendants.

ORDER CONSTRUING CLAIMS FOR UNITED STATES PATENT NUMBER 4,582,956

RUDI M. BREWSTER, District Judge.

Before the Court is the matter of claims construction for U.S. Patent Number 4,582,956 ("the '956 Patent") in the above titled cases for patent infringement. FN1 Pursuant to Markman v. Westview Instruments, Inc., 517 U.S. 370, 116 S.Ct. 1384, 134 L.Ed.2d 577 (1996), the Court conducted a Markman hearing regarding construction of the disputed claim terms for the '956 Patent on July 12 and 13, and September 14, 2005. Plaintiff Lucent Technologies, Inc. ("Lucent") was represented by the Kirkland & Ellis law firm, Defendant Gateway Inc. ("Gateway") was represented by the Dewey Ballantine law firm, Defendant Microsoft Corporation ("Microsoft") was represented by the law firm of Fish and Richardson and Defendant Dell, Inc. ("Dell") was represented by the Arnold and Porter law firm.

The purpose of the Markman hearing was for the Court, with the assistance of the parties, to prepare jury instructions interpreting the pertinent claims for all claim terms at issue in the '956 Patent. Additionally, the Court and the parties prepared a "case glossary" for terms found in the claims and the specification for the '956 Patent, considered to be technical in nature and which a jury of laypersons would not understand clearly without specific definition. As the case advances, the parties may request additional terms to be added to the glossary as to further facilitate the jury's understanding of the disputed claims.

After careful consideration of the parties' arguments and the applicable statues and case law, the Court

HEREBY CONSTRUES all claim terms in dispute in the '956 Patent and **ISSUES** the relevant jury instructions as written in exhibit A, attached hereto. Further, the Court **HEREBY DEFINES** all pertinent technical terms as written in exhibit B, attached hereto.

IT IS SO ORDERED.

EXHIBIT A

UNITED STATES PATENT NUMBER 4.582,956-CLAIM CHART VERBATIM CLAIM LANGUAGE COURT'S CLAIM CONSTRUCTION CLAIM 1 CLAIM 1

station special service information during ainformation [data representing, for example, the digits of the calling station directory number, an alpha-numeric message, or any other indication which is intended to be displayed] during a silent interval between ringing signals from a telephone switching system, said system being capable of sending to said selected station a modulated and an unmodulated signal during said silent interval, said modulated signal representing said special service information (intelligence expressed digitally as containing no information; said method comprising the steps of: detecting said unmodulated signal during said silent interval, said modulated signal, receiving said modulated signal, receiving said special service information during said silent interval; and displaying said stored special service information at said selected station during said silent interval; and displaying said stored special service information at said special service information at said special service information during said silent interval; and displaying said stored special service information at said special service information during said silent interval; and displaying said stored special service information at said special service information necludes a message type and wherein said receiving sep includes the step of receiving said silent interval is and special service information includes a message type (ateresid signal representative of said message type during said silent interval after detecting said unmodulated signal.		
silent interval between ringing signals from a telephone switching system, said system being capable of sending to said selected station a modulated an unmodulated signal during said silent interval, said modulated an unmodulated signal during said silent interval, said method comprising the steps of: detecting said unmodulated signal during said silent interval between said ringing signals; responsive to the detection of said unmodulated signal, receiving said silent interval; said special service information during said silent interval; said silent interval between said ringing signals; responsive to the detection of said unmodulated signal, receiving said silent interval; storing said special service information during said silent interval; and displaying said stored special service information at said selected station during said silent interval. storing said special service information during said silent interval; and displaying said stored special service information at said selected station during said silent interval. Storing said special service information during said silent interval; and displaying said stored special service information at said selected station during said silent interval. Storing said special service information includes a message type and wherein said representative of said message type during said silent interval. Storing said special service information includes a message type and wherein said representative of said message type during said silent interval after detecting said unmodulated signal.	A method for displaying at a selected	A method for displaying at a selected station special service
from a telephone switching system, said system being capable of sending to said elected station a modulated and an unmodulated signal during said silent interval, said modulated signal representing said special service information; said method comprising the steps of: detecting said unmodulated signal during said silent interval between naid ringing signals; responsive to the detection of said unmodulated signal, receiving said solent interval; storing said special service information during said silent interval; storing said special service information during said slent interval. CLAIM 4 The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving staid int	station special service information during a	ainformation [data representing, for example, the digits of the
system being capable of sending to said selected station a modulated and an unmodulated signal during said silent interval, said modulated signal representing said special service information; said method comprising the steps of: detecting said unmodulated signal during said silent interval between said ringing signals; responsive to the detection of said unmodulated signal, receiving said special service information during said silent interval; storing said special service information during said silent interval; storing said special service information during said silent interval; storing said special service information during said silent interval; storing said special service information during said silent interval; storing said special service information during said silent interval; storing said special service information during said silent interval; storing said special service information displaying said stored special service information selected station during said silent interval; storing said special service information sid silent interval. The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving step includes the step of receiving staid modulated signal. The method as set forth in claim 1 in which said special service information includes a message type and wherein said	silent interval between ringing signals	calling station directory number, an alpha-numeric message,
selected station a modulated and an unmodulated signal during said silent interval, said method comprising the steps of: detecting said unmodulated signal during said silent interval between said ringing signals; responsive to the detection of said unmodulated signal, receiving said special service information during said special service information during said stored special service information includes a message type and wherein said receiving said modulated signal representative of said message type during said silent interval. Storing said special service information during said special service information during said stored special service information includes a message type and wherein said receiving said modulated signal. signal. said silent interval after detecting said unmodulated signal.	from a telephone switching system, said	or any other indication which is intended to be displayed]
unmodulated signal during said silent interval, said modulated signal representing said special service information; said method comprising the steps of: detecting said unmodulated signal during said silent interval between said ringing signals; responsive to the detection of said unmodulated signal, receiving said special service information during said special service information during said special service information during said selected station during said silent interval; storing said special service information during said selected station during said silent interval; storing said special service information during said selected station during said silent interval; storing said special service information during said selected station during said silent interval. CLAIM 4 The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving said modulated signal representative of said special service information includes a message type and wherein said receiving said special service information includes a message type and wherein said receiving said special service information includes a message type and wherein said receiving said modulated signal representative of said special service information includes a message type and wherein said receiving said special service information includes a message type and wherein said receiving said signal representative of said message type during said silent interval after detecting said unmodulated signal.	system being capable of sending to said	during a silent interval between ringing signals from a telephone
interval, said modulated signal representing said special service information; said method comprising the steps of: detecting said unmodulated signal during said silent interval between said ringing signals; responsive to the detection of said unmodulated signal, receiving said apecial service information during said silent interval; storing said special service information during said silent interval; storing said special service information displaying said stored special service information at said selected station during said silent interval. toring said stored special service information at said selected station during said silent interval. toring said special service information during said stored special service information at said selected station during said silent interval. CLAIM 4 The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving said modulated signal representative of said method comprising the steps of: detecting said special service information includes a message type and wherein said receiving said modulated signal representative of said special service information includes a message type and wherein said receiving said modulated signal representative of said method comprising the step of receiving said modulated signal representative of said special service information includes a message type and wherein said representative of said message type during said silent interval after detecting said unmodulated signal.	selected station a modulated and an	switching system, said system being capable of sending to said
representing said special service information; said method comprising the steps of: detecting said unmodulated signal during said silent interval between said ringing signals; responsive to the detection of said unmodulated signal, receiving said modulated signal, receiving said modulated signal, receiving said special service information during said silent interval; storing said special service information during said silent interval; storing said stored special service information at said selected station during said silent interval. CLAIM 4 The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving said modulated signal representative of said receiving step includes the step of receiving said modulated signal representative of said receiving step includes the step of receiving said modulated signal representative of said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.	unmodulated signal during said silent	selected station a modulated (signal) [a signal carrying
Information; said method comprising the steps of:containing no information (intelligence expressed digitally as countable zeros and ones)] during said silent interval, said modulated signal representing said special service information; said method comprising the steps of:detecting said unmodulated signal during said silent interval between said ringing signals;detecting said unmodulated signal during, said silent interval between said ringing signals;responsive to the detection of said unmodulated signal, receiving said special service information during said special service information during said special service information during said silent interval; and displaying said stored special service information at said selected station during said silent interval.responsive to [responding or reacting to] the detection of said unmodulated signal, receiving said modulated signal representative of said special service information during said silent interval; and displaying said stored special service information at said selected station during said silent interval.CLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving said modulated signal receiving said modulated signal modulated signal representative of said message type during said silent interval after detecting said uring said sile	interval, said modulated signal	information (intelligence expressed digitally as countable
steps of:countable zeros and ones)] during said silent interval, said modulated signal representing said special service information; said method comprising the steps of:detecting said unmodulated signal during said silent interval between said ringing signals;detecting said unmodulated signal during, said silent interval between said ringing signals;responsive to the detection of said unmodulated signal, receiving said special service information during said silent interval;responsive to [responding or reacting to] the detection of said unmodulated signal, receiving said special service information during said silent interval;storing said special service information during said silent interval; and displaying said stored special service information at said selected station during said silent interval.storing said special service information during said stored special service information at said selected station during said silent interval.The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said uring said silent interval after det	representing said special service	zeros and ones)] and an unmodulated signal [a signal
modulated signal representing said special service information; said method comprising the steps of:detecting said unmodulated signal during, said silent interval between said ringing signals;detecting said unmodulated signal during, said silent interval between said ringing signals;responsive to the detection of said unmodulated signal, receiving said special service information during said silent interval;responsive to [responding or reacting to] the detection of said unmodulated signal, receiving said modulated signal representative of said special service information during said silent interval; and interval; and displaying said stored special service information during said silent interval.responsive to [responding or reacting to] the detection of said unmodulated signal, receiving said modulated signal representative of said special service information displaying said stored special service information displaying said stored special service information during said silent interval.CLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.modulated signal, representative of said representative of said representative of said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type of receiving said silent interval after detecting said uning said silent interval after detecting said unmodulated signal.	information; said method comprising the	containing no information (intelligence expressed digitally as
information; said method comprising the steps of:detecting said unmodulated signal during, said silent interval between said ringing signals;detecting said unmodulated signal during, said silent interval between said ringing signals;responsive to the detection of said unmodulated signal, receiving said special service information during said silent interval;responsive to [responding or reacting to] the detection of said unmodulated signal, receiving said modulated signal representative of said special service information during said silent interval; andstoring said special service information during said silent interval;storing said special service information during said silent interval; andCLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said uning said silent interval after detecting said uning said silent interval after detecting said uring said silent interval after detecting said uning said silent interval after detecting said uring said silent interval after detecting said uring said silent interval after detecting said uring said silent interval after detecting said unmodulated signal.	steps of:	countable zeros and ones)] during said silent interval, said
detecting said unmodulated signal during said silent interval between said ringing signals;detecting said unmodulated signal during, said silent interval between said ringing signals;responsive to the detection of said unmodulated signal, receiving said modulated signal, receiving said special service information during said silent interval;responsive to [responding or reacting to] the detection of said unmodulated signal, receiving said modulated signal representative of said special service information during said special service information during said silent interval; andresponsive to [responding or reacting to] the detection of said unmodulated signal, receiving said modulated signal representative of said special service information displaying said stored special service information at said selected station during said silent interval.storing said special service information during said silent interval; andCLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving said modulated signal representative of said message type during said silent interval after detecting said said silent interval after detecting said said silent interval after detecting said uning said silent interval after detecting said 		modulated signal representing said special service
detecting said unmodulated signal during said silent interval between said ringing signals;detecting said unmodulated signal during, said silent interval between said ringing signals;responsive to the detection of said unmodulated signal, receiving said modulated signal, receiving said special service information during said silent interval;responsive to [responding or reacting to] the detection of said unmodulated signal, receiving said modulated signal representative of said special service information during said special service information during said silent interval; andresponsive to [responding or reacting to] the detection of said unmodulated signal, receiving said modulated signal representative of said special service information displaying said stored special service information at said selected station during said silent interval.storing said special service information during said silent interval; andCLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving said modulated signal representative of said message type during said silent interval after detecting said said silent interval after detecting said said silent interval after detecting said uning said silent interval after detecting said 		
said silent interval between said ringing signals; responsive to the detection of said unmodulated signal, receiving said modulated signal, receiving said special service information during said silent interval; storing said special service information during said silent interval; and displaying said stored special service information at said selected station during said silent interval. CLAIM 4 The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal. between said ringing signals; responsive to [responding or reacting to] the detection of said unmodulated signal, receiving said modulated signal representative of said special service information during said silent interval; and displaying said stored special service information at said selected station during said silent interval. CLAIM 4 The method as set forth in claim 1 in which said special service information includes a message type and wherein said representative of said message type during said silent interval after detecting said unmodulated signal.	detecting said unmodulated signal during	
responsive to the detection of said unmodulated signal, receiving said modulated signal representative of said special service information during said silent interval; storing said special service information during said silent interval; and displaying said stored special service information at said selected station during said silent interval. CLAIM 4 The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal. CLAIM 4	said silent interval between said ringing	
unmodulated signal, receiving said modulated signal representative of said special service information during said silent interval; storing said special service information during said silent interval; and displaying said stored special service information at said selected station during said silent interval. CLAIM 4 The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal. CLAIM 4 The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.		
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special service information during said silent interval;silent interval;storing said special service information during said silent interval; andstoring said special service information during said silent interval; anddisplaying said stored special service information at said selected station during said silent interval.displaying said stored special service information at said selected station during said silent interval.CLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in therval silent interval after detecting said silent interval after detecting said signal.	unmodulated signal, receiving said	
silent interval;storing said special service information during said silent interval; andstoring said special service information during said silent interval; anddisplaying said stored special service information at said selected station during said silent interval.displaying said stored special service information at said selected station during said silent interval.CLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.	modulated signal representative of said	representative of said special service information during said
storing said special service information during said silent interval; andstoring said special service information during said silent interval; anddisplaying said stored special service information at said selected station during said silent interval.displaying said stored special service information at said selected station during said silent interval.CLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The receiving said silent interval after detecting said silent interval after detecting said silent interval after detecting said		
during said silent interval; andinterval; anddisplaying said stored special servicedisplaying said stored special service information at saidinformation at said selected station during said silent interval.displaying said stored special service information at saidCLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.	silent interval;	
during said silent interval; andinterval; anddisplaying said stored special servicedisplaying said stored special service information at saidinformation at said selected station during said silent interval.displaying said stored special service information at saidCLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.	storing said special service information	storing said special service information during said silent
displaying said stored special service information at said selected station during said silent interval.displaying said stored special service information at said selected station during said silent interval.CLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.		
information at said selected station during said silent interval.selected station during said silent interval.CLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.		displaying said stored special service information at said
said silent interval.CLAIM 4CLAIM 4CLAIM 4The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.The method as set forth in claim 1 in which said special service information includes a message type [category of message] and wherein said receiving step includes the step of receiving said silent interval after detecting said unmodulated signal.		
The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.	e e	
The method as set forth in claim 1 in which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.	CLAIM 4	CLAIM 4
which said special service information includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal. information includes a message type [category of message] and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.		The method as set forth in claim 1 in which said special service
includes a message type and wherein said receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal.		-
receiving step includes the step of receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal. side signal. side signal representative of said message type during said silent interval after detecting said unmodulated signal.	-	
receiving said modulated signal representative of said message type during said silent interval after detecting said unmodulated signal. during said silent interval after detecting said unmodulated signal.		
representative of said message type during signal. said silent interval after detecting said unmodulated signal.		
said silent interval after detecting said unmodulated signal.		
unmodulated signal.		0
	e e	
	CLAIM 5	CLAIM 5

The method as set forth in a claim 4 in which special services information further includes a message length and wherein said step of receiving said modulated signal representative of said special services information further includes the step of receiving said modulated signal representative of said message length to store said special service information during said silent interval.	step of receiving said modulated signal representative of said special services information further includes the step of receiving said modulated signal representative of said message length to store said special service information during said silent interval.
CLAIM 6	CLAIM 6
The method as set forth in claim 5 in which said special services information further includes a check sum and wherein said step of receiving said modulated signal representative of said special services information further includes the step of receiving said modulated signal representative of said check sum to ascertain errors introduced in sending said special service information during said silent interval.	The method as set forth in claim 5 in which said special services information further includes a check sum [information used for the detection of errors in the transmitted information] and wherein said step of receiving said modulated signal representative of said special services information further includes the step of receiving said modulated signal representative of said check sum to ascertain errors introduced in sending said special service information during said silent interval.
CLAIM 9	CLAIM 9
Apparatus for displaying at a selected station special service information during silent interval between ringing signals from a telephone switching system, said system being capable of sending to said selected station a modulated and an unmodulated signal during said silent interval, said modulated signal representing said special service information; said apparatus comprising	Apparatus for displaying at a selected station special service ainformation during a silent interval between ringing signals from a telephone switching system, said system being capable of sending to said selected station a modulated and an unmodulated signal during said silent interval, said modulated signal representing said special service information; said apparatus comprising
detector means for detecting said unmodulated signal during said silent interval between said ringing signals;	detector means for detecting said unmodulated signal during said silent interval between said ringing signals;
	"Detector means"
	Function:
	The function of this element is detecting said unmodulated signal during said silent interval between said ringing signals.
	Structure:
	Fig. 1, Box 102, Col. 2, Ln. 4-10, Col. 3, Lns. 67-Col. 4, Ln. 4.
receiver means responsive to the	receiver means responsive to the detection of said unmodulated

detection of said unmodulated signal for receiving said modulated signal representative of said special service information during said silent interval; **signal** for receiving said **modulated signal** representative of said **special service information** during said silent interval;

"Receiver means"

Function:

The function of this element is receiving said **modulated signal** representative of said **special service information** during said silent interval.

Structure:

	SII uciui e.
	Fig. 1, Box 102, Col. 2, Ln. 4-10, Col. 3, Lns. 67-Col. 4, Ln. 4.
memory means for storing said special service information during said silent interval; and	memory means for storing said special service information during said silent interval; and
	"Memory means"
	Function:
	The function of this element is storing said special service information during said silent interval
	Structure:
	Data memory Fig. 1, box 123 (<i>See</i> , <i>e.g.</i> , Col. 4, Lns. 58-61, Col. 4, Ln. 67-Col. 5, Ln. 10), or, in the event the special service information is eight bits or less, then the structure is box 123 and the receive buffer register of the UART Fig. 1, box 125.
display means for displaying said stored special service information at said selected station during said silent interval.	display means for displaying said stored special service information at said selected station during said silent interval.
	"Display means"
	Function:
	The function of this element is displaying said stored special service information at said selected station during said silent interval.
	Structure:
	Display unit 126 (See Col. 5, Lns. 35-38).
CLAIM 15	CLAIM 15
A method for displaying at a selected	A method for displaying at a selected station special service

station special service information during a information during a silent interval between ringing signals

silent interval between ringing signals from a telephone switching system, said system being capable of sending to a said selected station a modulated and an unmodulated signal during said silent interval, said modulated signal representing said special service information; said method comprising the steps of:	from a telephone switching system, said system being capable of sending to a said selected station a modulated and an unmodulated signal during said silent interval, said modulated signal representing said special service information; said method comprising the steps of:
	detecting said unmodulated signal after the beginning of said
beginning of said silent interval between	silent interval between said ringing signals;
said ringing signals;	
responsive to the detection of said	responsive to the detection of said unmodulated signal ,
unmodulated signal, receiving said,	receiving said modulated signal representive [sic] of special
modulated signal representive [sic] of	service information during said silent interval;
special service information during said	
silent interval;	
storing said special service information	storing said special service information during said silent
during said silent interval; and	interval; and
displaying said stored special service	displaying said stored special service information at said
information at said selected station during	selected station during said silent interval.
said silent interval.	
CLAIM 16	CLAIM 16
A method for displaying at a selected	A method for displaying at a selected station special service
station special service information	information received during a silent interval between ringing
received during a silent interval between	signals from a telephone switching system, said system being capable of sending to said selected station an input signal during
system, said system being capable of	said silent interval, said input signal comprising a single
	frequency umodulated [sic] frequency shift keyed (FSK)
sending to said selected station an input	frequency umodulated [sic] frequency shift keyed (FSK) signal [an FSK signal containing no information (intelligence
sending to said selected station an input signal during said silent interval, said input	signal [an FSK signal containing no information (intelligence
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated FSK signal, said modulated FSK signal	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)], said modulated FSK signal representing said special service
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated FSK signal, said modulated FSK signal representing said special service information; said method comprising the steps of:	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)], said modulated FSK signal representing said special service information; said method comprising the steps of:
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated FSK signal, said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)], said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated FSK signal, said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)], said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated FSK signal, said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)], said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated signal is
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated FSK signal, said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)], said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated FSK
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated FSK signal, said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated signal is received, detecting said single	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)], said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated signal is received, detecting said single frequency unmodulated FSK signal for a second period of time within said silent interval
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated FSK signal, said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated signal is received, detecting said single frequency unmodulated FSK signal for a	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)], said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated signal is received, detecting said single frequency unmodulated FSK signal for a second period of time within said silent interval between ringing signals, said detecting being independent of a
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated FSK signal, said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated signal is received, detecting said single frequency unmodulated FSK signal for a second period of time within said silent	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)], said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated FSK signal is received, detecting said single frequency unmodulated FSK signal for a second period of time within said silent interval between ringing signals, said detecting being independent of a length of said second period, said single frequency unmodulated
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated FSK signal, said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated signal is received, detecting said single frequency unmodulated FSK signal for a second period of time within said silent interval between ringing signals, said	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)], said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated FSK signal is received, detecting said single frequency unmodulated FSK signal for a second period of time within said silent interval between ringing signals, said detecting being independent of a length of said second period, said single frequency unmodulated FSK signal representing no detectable information;
sending to said selected station an input signal during said silent interval, said input signal comprising a single frequency umodulated [sic] frequency shift keyed (FSK) signal followed by a modulated FSK signal, said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated signal is received, detecting said single frequency unmodulated FSK signal for a second period of time within said silent	signal [an FSK signal containing no information (intelligence expressed digitally as countable zeros and ones)] followed by a modulated FSK signal [an FSK signal carrying information (intelligence expressed digitally as countable zeros and ones)], said modulated FSK signal representing said special service information; said method comprising the steps of: at said selected station, within said silent interval between ringing signals, following a first period of time during which neither said unmodulated nor said modulated FSK signal is received, detecting said single frequency unmodulated FSK signal for a second period of time within said silent interval between ringing signals, said detecting being independent of a length of said second period, said single frequency unmodulated FSK signal representing no detectable information;

unmodulated FSK signal representing no	
detectable information;	following said detecting of said single frequency your advicted
following said detecting of said single frequency unmodulated FSK signal,	following said detecting of said single frequency unmodulated FSK signal, detecting and demodulating [recovering a data
detecting and demodulating said	message from a modulated signal] said modulated FSK signal
modulated FSK signal to produce an	to produce an indication of characters of said special service
indication of characters of said special	information;
service information;	
storing said indication of said special	storing said indication of said special service information
service information during said silent	during said silent interval; and
interval; and	
displaying said stored special service	displaying said stored special service information at said
information at said selected station during	selected station during said silent interval.
said silent interval.	
CLAIM 17	CLAIM 17
	The method of claim 16 wherein said first period of time is at
period of time is at least 300 milliseconds	least 300 milliseconds long.
long.	
CLAIM 18	CLAIM 18
Apparatus for displaying at a selected	Apparatus for displaying at a selected station special service
station special service information	information received during a silent interval between ringing
received during a silent interval between	signals from a telephone switching system, said system being capable of sending to said selected station an input signal during
system, said system being capable of	said silent interval, said input signal comprising a single
sending to said selected station an input	frequency unmodulated frequency shift keyed (FSK) signal
	tand a modulated FSK signal, said modulated FSK signal
signal comprising a single frequency	representing said special service information; said apparatus
unmodulated frequency shift keyed (FSK)	
signal and a modulated FSK signal, said	- omprising.
modulated FSK signal representing said	
special service information; said apparatus	
comprising:	
means for detecting, within said silent	means for detecting, within said silent interval between ringing
interval between ringing signals,	signals, following a first period of time during which neither
following a first period of time during	said unmodulated nor said modulated signal is received, said
which neither said unmodulated nor	single frequency unmodulated FSK signal for a second period
said modulated signal is received, said	of time within said silent interval between ringing signals, said
single frequency unmodulated FSK	detecting being independent of a length of said second period,
signal for a second period of time	said single frequency unmodulated FSK signal representing no
within said silent interval between	detectable information;
ringing signals, said detecting being	
independent of a length of said second	
period, said single frequency	
unmodulated EVV gianal managemetica	
unmodulated FSK signal representing	
no detectable information;	

"Means for detecting"

Function:

The function of this element is detecting said single frequency **unmodulated FSK signal.**

	Structure:
	Fig. 1, box 112, col. 2, Lns. 4-7
means, responsive to said means for detecting said single frequency unmodulated FSK signal, for detecting and demodulating, following said detection of said single frequency unmodulated FSK signal, said modulated FSK signal to produce an indication of characters of said special service information;	means, responsive to said means for detecting said single frequency unmodulated FSK signal , for detecting and demodulating , following said detection of said single frequency unmodulated FSK signal , said modulated FSK signal to produce an indication of characters of said special service information ;
	"Means for detecting and demodulating"
	Function:
	The function of this element is detecting and demodulating said modulated FSK signal to produce an indication of characters of said special service information.
	Structure:
	Fig. 1, box 102, Col. 2, Lns. 4-10, Col. 3, Ln. 67-Col. 4, Ln.4
means for storing said indication of said special service information during said silent interval; and	means for storing said indication of said special service information during said silent interval; and
	"Means for storing"
	Function:
	The function of this element is storing said indication of said special service information during said silent interval.
	Structure:
	Data memory Fig. 1, box 123 (<i>See, e.g.</i> , Col. 4, Lns. 58-61, Col. 4, Ln. 67-Col. 5, Ln. 10), or, in the event the special service information is eight bits or less, then the structure is box 123 and the receive buffer register of the UART Fig. 1, box 125.
means for displaying said stored special	means for displaying said stored spacial service information at

means for displaying said stored special means for displaying said stored special service information at

service information at said selected station station during said silent interval.

said selected station station during said silent interval.

"Means for displaying"

Function:

The function of this element is displaying said stored **special service information** at said selected station during said silent interval.

Structure:

38)
Display unit 126 (See e.g. Col. 2, Lns. 14-16, Col. 5, Lns. 35-

CLAIM 19

The apparatus of claim 18 wherein said first period of time is at least 300 milliseconds long.

CLAIM 19

The apparatus of claim 18 wherein said first period of time is at least 300 milliseconds long.

EXHIBIT B

GLOSSARY FOR UNITED STATES PATENT NUMBER 4,582,956

TERM	DEFINITION
check sum	information used for the detection of errors in the transmitted information
demodulating	recovering a data message from a modulated signal
frequency shift	a signal that may comprise two carrier frequencies, one of which represents a
keyed (FSK) signal	'zero' and the other of which represents a 'one'
message data	intelligence of the message without any of the protocols that surround it
message type	category of message
modulated signal	a signal carrying information (intelligence expressed digitally as countable zeros
	and ones)
modulated FSK	an FSK signal carrying information (intelligence expressed digitally as countable
signal	zeros and ones)
responsive to	responding or reacting to
special service	data representing, for example, the digits of the calling station directory number,
information	an alpha-numeric message, or any other indication which is intended to be
	displayed
unmodulated signal	a signal containing no information (intelligence expressed digitally as countable
	zeros and ones)
unmodulated	an FSK signal containing no information (intelligence expressed digitally as
FSK signal	countable zeros and ones)

FN1. Lucent originally filed two separate patent infringement actions, one against Defendant Gateway (02CV2060), and a second against Defendant Dell (03CV1108). Microsoft intervened in the action filed by Lucent against Gateway. Microsoft also filed a declaratory judgment action against Lucent (03CV0699) and

Lucent filed counterclaims for patent infringement against Microsoft in that action. On July 7, 2003, the Court entered an order consolidating these three cases. There are a total of 15 different patents involved in these three cases collectively.

S.D.Cal.,2005. Lucent Technologies, Inc. v. Gateway, Inc.

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