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## Exhibit "A"

Petitioner's Exhibit 1011 Page 1

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

MIRROR IMAGING LLC;	§	
	§	
Plaintiff,	§	
	§	
V.	§	CIVIL ACTION NO. 2:08-cv-295
	§	
SUNTRUST BANKS, INC.; SUNTRUST	§	JURY TRIAL DEMANDED
BANK; BB&T CORPORATION; BRANCH	§	
BANKING AND TRUST COMPANY;	§	
COMPASS BANCSHARES, INC.;	§	
COMPASS BANK; FIRST HORIZON	§	
NATIONAL CORPORATION; FIRST	§	
TENNESSEE BANK NATIONAL	§	
ASSOCIATION; HSBC NORTH AMERICA	§	
HOLDINGS INC.; HSBC USA INC.; HSBC	§	
BANK USA, NATIONAL ASSOCIATION;	§	
HSBC NATIONAL BANK USA; ZIONS	§	
BANCORPORATION; ZIONS FIRST	§	
NATIONAL BANK; and AMEGY BANK	§	
NATIONAL ASSOCIATION	§	
	§	
Defendants.	§	

## **REVISED P.R. 4-5(d) JOINT CLAIM CONSTRUCTION CHART**

Pursuant to P.R. 4-5(d) and the Court's Docket Control Order, the parties hereby submit the following Revised Joint Claim Construction Chart for United States Patent Nos. 6,963,866 and 7,552,118 that incorporates and reflects the agreements reached by the parties prior to and during the *Markman* hearing conducted on February 11, 2010:

Claim Language from	Disputed Terms	Plaintiff's	Defendants'	Court's
Asserted Claims	and Phrases	Construction	Construction	Construction
United States Patent No.	a computer	a [computer	the financial	
<u>6,963,866</u>	terminal	terminal] <sup>2</sup> which	institution	
0,703,800	associated with	has access to the	provides the	
1 A method of obtaining an	the financial	financial	computer terminal	
1. A method of obtaining an	institution and	v	*	
electronically-stored		institution's	that is connected	
<b>financial document</b> from a	connected to the	computer	to the on-site and	
first storage system	off-site and on-	network and is	off-site storage	
remotely-located from a	site storage	[connected] to	systems through a	
second storage system	systems through a	the [off-site	processing unit	
wherein the first and second	processing unit	storage system]		
storage systems each include		and the [on-site		
a plurality of financial	'866 Claim 23;	storage system]		
documents stored therein and	'118 Claim 23	through a		
wherein each of the financial		[processing unit]		
documents include at least				
one specific document	associating the	AGREED	AGREED	the financial
parameter, said method	financial			institution
comprising the steps of:	institution with			provides the on-
comprising the steps of.	the on-site storage			site storage
[ <b>A</b> ] <sup>1</sup> storing a plurality of	system			system
financial documents in a first	system			system
fixed medium at the <b>first</b>	'866 Claim 45			
	800 Ciaiiii 43			
storage system when the				
specific document parameter	an interlinked	AGREED	AGREED	a single
of the financial document is	computer			computer
greater than a predetermined	program			program
parameter;				comprised of
	'118 Claim 26			two or more
<b>[B]</b> storing a plurality of				integrated
financial documents in a				computer
second fixed medium at the				programs
second storage system when	categorizing the	AGREED	AGREED	putting the
the specific document	request			request into a
parameter of the financial				category
document is less than or equal	'118 Claim 32			- and going
to the predetermined	sequence number	AGREED	AGREED	a sequentially
parameter;		AUNEED	AUNELD	incrementing
parameter,	4110 Claim 22			Ũ
	'118 Claim 33			identification

<sup>&</sup>lt;sup>1</sup> Some claim steps are denoted with capital letters to aid in the identification of specific steps with respect to the proper ordering of the claim steps below. <sup>2</sup> Please note that terms or phrases which are bracketed in Plaintiff's proposed constructions indicate terms or

phrases which are construed elsewhere or the meanings have already been agreed to by the parties.

<b>[C]</b> utilizing a computer terminal connected to the first and second storage systems through a <b>processing unit</b> ;				number associated with a financial document
<ul><li>[D] receiving a request for at least one of the stored financial documents;</li><li>[E] inputting the request into</li></ul>	first storage system '866 Claim 1; '118 Claim 1	a first [storage system]	offsite storage system	
<ul><li>the computer terminal;</li><li>[F] comparing the specific document parameter of the requested financial document to the predetermined</li></ul>	second storage system '866 Claim 1; '118 Claim 1	a second [storage system]	on-site storage system	
parameter to determine if the specific document parameter is greater than, less than, or equal to the predetermined parameter after the request has been inputted;	<b>fixed medium</b> '866 Claim 1; '118 Claims 1, 9, 37	AGREED	AGREED	a medium in which stored information does not change unless intentionally altered
<b>[G]</b> automatically accessing the first storage system through the <b>processing unit</b> when the specific document parameter is greater than the predetermined parameter and	first fixed medium '866 Claim 1; '118 Claim 1	AGREED	AGREED	a first [fixed medium]
automatically accessing the second storage system through the <b>processing unit</b> when the specific document parameter is less than or equal to the predetermined	second fixed medium '866 Claim 1; '118 Claims 1, 9	AGREED	AGREED	a second [fixed medium]
parameter; and [H] retrieving the requested financial document, as defined by the inputted request, in the first fixed medium when the specific document parameter is greater than the predetermined parameter and	electronically storing the plurality of financial documents in a fixed electronic medium '118 Claim 4	using a computer system to store the [financial documents] in a medium in which stored information does not change unless intentionally	Term is indefinite.	

when a specific document		is designed to be		
parameter of the financial		accessed by a		
document is less than or equal		computer		
to the predetermined		computer		
parameter.	an electronically-	a [financial	Term is indefinite	
parameter.	stored financial	-0	<i>Term is indefinite</i>	
		document] that		
	document	has been stored		
23. A method for a financial		by a computer		
institution to obtain a stored	'866 Claim 1; '118			
financial document from an	Claim 1			
off-site storage system				
remotely-located from an	remotely-located	AGREED	AGREED	located at a
on-site storage system				different, site or
wherein the financial	'866 Claims 1, 23,			address than the
document includes at least	45; '118 Claims 1,			second or on-site
one specific document	43, 118 Claims 1, 23			
-	23			storage system
parameter with the specific				
document parameter being				(Court's
defined as a specific				Preliminary
document age, said method				<b>Construction</b> )
comprising the steps of:	reproducing the	Plaintiff agrees	generating a hard	
	requested	with the Court's	copy of the	
[A] maintaining the financial	financial	Preliminary	requested financial	
document in the off-site	document	Construction:	document	
storage system when the		<i>"creating a</i>		
specific document age of the	'118 Claim 26	physical or		
financial document is greater		digital copy of		
than a predetermined age;				
than a predetermined age,		the requested		
[D] maintaining the financial		financial		
<b>[B]</b> maintaining the financial		document"		
document in the on-site	requestor	AGREED	AGREED	a person or legal
storage system when the				entity requesting
specific document age of the	'866 Claim 45			a financial
financial document is less				document
than or equal to the	retrieving the	PARTIES	PARTIES	N/A
predetermined age;	requested	AGREE THAT	AGREE THAT	
	financial	THIS TERM	THIS TERM	
[C] utilizing a computer	document	DOES NOT	DOES NOT	
terminal associated with the	aocument	NEED TO BE	NEED TO BE	
financial institution and	1066 Claima 1 02			
connected to the off-site and	'866 Claims 1, 23,	CONSTRUED	CONSTRUED	
	45; '118 Claim 1,			
on-site storage systems	23, 26	-		
through a processing unit;	submitting a	entering a	an operator	
	e	•	-	
	request into	request	manually enters	
[D] receiving a request for the financial document;	e	•	-	

[E] inputting the request into the computer terminal;	'118 Claim 1, 23			
1	through	AGREED	AGREED	by means or
<b>[F]</b> comparing the specific	0			instrumentality
document age of the	'866 Claims 1, 23,			of
requested financial document	45; '118 Claims 1,			
to the predetermined age to	23			
determine if the specific	computer	AGREED	AGREED	a device having a
document age is greater than,	terminal			display (e.g., a
less than, or equal to the				monitor) and a
predetermined age after the	'866 Claims 1, 23,			data entry
request has been inputted;	45; '118 Claims 1,			mechanism (e.g.,
	23, 27			a keyboard
[G] automatically accessing				and/or a mouse)
the off-site storage system	processing unit	Not subject to 35	Subject to 35	
through the <b>processing unit</b>		U.S.C. § 112, ¶6.	U.S.C. § 112, ¶6.	
when the specific document	'866 Claim 1, 23,	0 / 11	0 / 11	
age is greater than the	45; '118 Claims 1,	Plaintiff's	Recited Functions:	
predetermined age and	23, 27	proposed	automatically	
automatically accessing the	,	construction of	accessing the first	
on-site storage system		this term is: a	/ off-site storage	
through the <b>processing unit</b>		computer	system and	
when the specific document		1	automatically	
age is less than or equal to the			accessing the	
predetermined age; and			second / on site	
			storage system.	
[H] automatically retrieving				
the requested financial			Disclosed	
<b>document</b> from the accessed			structure:	
storage system as defined by			"mainframe	
the inputted request.			computer 12" is	
			the disclosed	
45. A method for a financial			structure for the	
institution to obtain a stored			term "processing	
financial document from an			unit" in the '866	
off-site storage system			patent, and	
remotely-located from an			"computer	
on-site storage system			terminal 11" is the	
wherein the financial			disclosed structure	
document includes at least			for the term	
one specific document			"processing unit"	
parameter with the specific			in the '118 patent	
document parameter being	automatically	AGREED	AGREED	without human
defined as a specific				intervention
document age, said method	'866 Claims 1, 23,			

comprising the steps of:	45; '118 Claims 1,			
	23			
[A] providing an outsourcing				
institution associated with the	connected	AGREED	AGREED	joined or linked
off-site storage system and a				by means of a
requestor;	'866 Claim 1, 23,			communication
	45; '118 Claims 1,			circuit
[B] associating the financial institution with the on-site	23			
storage system wherein the	financial	AGREED	AGREED	a document of a
outsourcing institution,	document			financial nature
requestor, and financial				including, but
institution are different from	'866 Claims 1, 23,			not limited to,
each other;	45; '118 Claims 1,			checks, checking
	9, 23, 26, 34, 37			account
[C] maintaining the financial				statements, and
document with the				documents
outsourcing institution in the				related to check
off-site storage system when				and checking
the specific document age of				account
the financial document is				statements
greater than a predetermined	image reference	AGREED	AGREED	a specific series
age;	number			of numbers
				assigned to an
<b>[D]</b> maintaining the financial	'118 Claim 34			image of a
document with the financial				financial
institution in the on-site				document
storage system when the				that uniquely
specific document age of the				identifies the
financial document is less				image
than or equal to the	off-site	AGREED	AGREED	located remote
predetermined age;				from the on-site
<b>IF</b> ] utilizing a computer	'866 Claims 23,			location
[E] utilizing a computer terminal located at the	45; '118 Claims			
financial institution and	23, 37			
connected to the off-site and	•			1, 1, 1
on-site storage systems	on-site	AGREED	AGREED	located at the
through a <b>processing unit</b> ;	(0)(( C) : 22			financial
unough a processing unit,	'866 Claims 23,			institution
[ <b>F</b> ] receiving a request from	45; '118 Claims			
the <b>requestor</b> for the	23, 37			
financial document at the		ACDEED		malatad assessment
financial institution;	storage system	AGREED	AGREED	related computer
	'966 Claim 1. 110			hardware and software that
[G] inputting the request into	'866 Claim 1; '118 Claim 1			
L-J mp and and request into				electronically

the computer terminal at the				stores and
financial institution after the				permits retrieval
request is received;				of the financial
				documents
<b>[H]</b> comparing the specific	inputting the	AGREED	AGREED	an operator
document age of the	request into the			manually enters
requested financial document	computer			the request into
to the predetermined age to	terminal			the computer
determine if the specific				terminal
document age is greater than,	'866 Claims 1, 23,			
less than, or equal to the	45			
predetermined age after the				
request has been inputted;	a specific	AGREED	AGREED	the amount of
	document age			time in which the
<b>[I]</b> automatically accessing	8			document has
the off-site storage system	'866 Claim 23, 45;			been in
through the <b>processing unit</b>	'118 Claim 23			existence,
when the specific document				calculated by
age is greater than the				subtracting the
predetermined age and				date that the
automatically accessing the				document was
on-site storage system				captured and
through the <b>processing unit</b>				posted or filed at
when the specific document				the financial
age is less than or equal to the				institution from
predetermined age; and				the present date
	predetermined	AGREED	AGREED	a numerical
[J] automatically retrieving	parameter	MORLLD	MORLED	value
the requested financial	parameter			predetermined
<b>document</b> from the accessed	'866 Claim 1; '118			prior to storage
storage system as defined by	Claim 1			of the financial
the inputted request.				document
	receiving a	AGREED	AGREED	the financial
<b>United States Patent No.</b>	request for at		AUNLED	institution is
7,552,118	least one of the			asked by a
	stored financial			customer to
1. A method of obtaining <b>an</b>	documents /			provide a copy
electronically-stored	receiving a			of a financial
<b>financial document</b> from a	request for the			document or
first storage system	financial			financial
remotely-located from a	document			documents
second storage system	uocument			uocuments
wherein the first and second	'866 Claims 1, 23			
storage systems each include	000  Claims 1, 25			
a plurality of financial	anaifia doarrant	AGREED	AGREED	specific
documents stored therein and	specific document	AGREED	AGREED	specific
accuments stored therein and	parameter			numerical

wherein each of the financial				sequence
documents is associated with	'866 Claims 1, 23,			
at least one specific document	45; '118 Claims 1,			
parameter, said method	23			
comprising the steps of:	4' <b>1'</b> '	ACDEED		· ·
[A] storing a plurality of	utilizing	AGREED	AGREED	using
[A] storing a plurality of financial documents in a first	'866 Claims 1, 23,			
fixed medium at the <b>first</b>	45; '118 Claims 1,			
storage system when the	23			
specific document parameter				
of the financial document is	microfiche	AGREED	AGREED	a sheet of
greater than a predetermined				microfilm
parameter;	'118 Claim 9			containing
				images
<b>[B]</b> storing a plurality of	microfilm	AGREED	AGREED	film on which
financial documents in a				materials are
second fixed medium at the	'118 Claim 9			photographed at
second storage system when				a reduced size
the specific document	an outsourcing	AGREED	AGREED	an entity, other
parameter of the financial	institution			than the financial
document is less than or equal				institution or its
to the predetermined	'866 Claim 45			subsidiaries, that
parameter;				provides
[C] utilizing a computer				financial
terminal connected to the first				documents retrieval services
and second storage systems				for financial
though a <b>processing unit</b> ;				institutions
alough a processing ante,	electronically	AGREED	AGREED	using a computer
[D] submitting a request for	locating the	AGREED	AUNLED	system to locate
at least one of the stored	requested			the requested
financial documents into	financial			financial
the computer terminal;	document in the			document in the
	off-site storage			off-site storage
[E] comparing the specific	system			system
document parameter of the				
requested financial document	'866 Claim 35;			
to the predetermined	'118 Claim 35			
parameter to determine if the				
specific document parameter	each of the	AGREED	AGREED	each financial
is greater than, less than, or	financial			document is
equal to the predetermined parameter after the request	documents is			assigned at least
has been inputted;	associated with at			one specific
	least one specific			document
	document			parameter

	I	1		
[ <b>F</b> ] automatically accessing	parameter			
the first storage system				
through the <b>processing unit</b>	'118 Claim 1			
when the specific document				
parameter is greater than the	feeding the	AGREED	AGREED	transmitting the
predetermined parameter and	request from the			entered request
automatically accessing the	computer			from the
second storage system though	terminal into the			computer
the <b>processing unit</b> when the	processing unit			terminal to the
specific document parameter				processing unit
is less than or equal to the	'866 Claim 27;			1 0
predetermined parameter; and	'118 Claim 32			
F,				
[G] retrieving the requested	the financial	AGREED	AGREED	each financial
financial document, as	document is			document is
defined by the inputted	associated with at			assigned at least
request, in the first fixed	least one specific			one specific
medium when the specific	document			document
document parameter is	parameter			parameter
greater than the	P			
predetermined parameter and	'118 Claim 23			
in the second fixed medium	110 01011 20			
when a specific document	predetermined	AGREED	AGREED	a cut-off age of a
parameter of the financial	age	nonLLD	nonLLD	document that is
document is less than or equal	uge			chosen by the
to the predetermined	'866 Claims 23,			financial
parameter.	45; '118 Claim 23			institution either
r	+5, 110 Claim 25			before or in
2. A method as set forth in				conjunction with
claim 1 wherein the first and				the maintaining
second fixed mediums are				of the document
different from each other.				in a particular
				storage system
4. A method as set forth in				that is used to
claim 2 wherein the step of				determine the
storing a plurality of financial				storage system in
documents in a first fixed				which the
medium is further defined as				document should
electronically storing the				be stored
plurality of financial	as defined by the	AGREED	AGREED	identified by the
documents in a fixed	inputted request	AUNLED	AGNEED	entered request
electronic medium.	inputted request			entered request
	'866 Claims 1, 23,			
9. A method as set forth in	45; '118 Claims 1,			
claim 4 wherein the step of	23			
storing a plurality of financial				
storing a pratancy of financial	1	1		

documents in a second fixed		
medium is further defined as		
storing a plurality of financial		
documents on one of		
microfilm or microfiche.		
interoritin of interoriene.		
23. A method for a financial		
institution to obtain a stored		
financial document from an		
off site storage system		
remotely-located from an		
on-site storage system		
wherein the financial		
document is associated with		
at least one specific document		
parameter with the specific		
document parameter being		
defined as a specific		
document age, said method		
comprising the steps of:		
comprising the steps of.		
[A] maintaining the financial		
document in the off-site		
storage system when the		
specific document age of the		
financial document is greater		
than a predetermined age;		
<b>[B]</b> maintaining the financial		
document in the on-site		
storage system when the		
specific document age of the		
financial document is less		
than or equal to the		
predetermined age;		
<b>[C]</b> utilizing a computer		
terminal associated with the		
financial institution and		
connected to the off-site and		
on-site storage systems		
though a <b>processing unit</b> ;		
mough a processing unit,		
[D] submitting a request for		
the financial document into		
the computer terminal;		

	ſ	1	
<b>[E]</b> comparing the specific document age of the requested financial document to the predetermined age to determine if the specific document age is greater than, less than, or equal to the predetermined age after the request has been inputted;			
<b>[F]</b> automatically accessing the off-site storage system through the <b>processing unit</b> when the specific document age is greater than the predetermined age and automatically accessing the on-site storage system though the <b>processing unit</b> when the specific document age is less than or equal to the predetermined age; and			
[G] automatically retrieving the requested financial document from the accessed storage system as defined by the inputted request.			
24. A method as set forth in claim 23 further including the step of			
[A] processing the request to locate the requested financial document.			
25. A method as set forth in claim 24 further including the step of			
<b>[A]</b> reproducing the requested financial document after the request has been processed and retrieved.			

	Г	
26. A method as set forth in claim 25 wherein the steps of processing the request, <b>retrieving the requested</b> <b>financial document</b> , and <b>reproducing the requested</b> <b>financial document</b> are controlled by <b>an interlinked</b> <b>computer program</b> .		
27. A method as set forth in claim 23 further including the step of feeding the request from the computer terminal into the <b>processing unit</b> .		
32. A method as set forth in claim 27 further including the step of <b>categorizing the request</b> .		
33. A method as set forth in claim 27 further including the step of determining a sequence number of the requested financial document after the request has been inputted.		
34. A method as set forth in claim 33 further including the step of determining an image reference number of the requested financial document.		
37. A method as set forth in claim 23 further including the step of storing the financial document in a fixed medium at one of the off-site and on- site storage systems based on the specific document age of the financial document.		

## **Ordering of Claim Steps**

Patent No.	Claim No.	Plaintiff's Proposed Ordering of Steps	Defendants' Proposed Ordering of Steps	Court's Ordering of Steps
6,963,866	1	AGREED	AGREED	<ul> <li>Steps [A] &amp; [B] must be performed before all subsequent steps, except step [C], but can be performed sequentially, simultaneously, or in reverse order.</li> <li>Step [C] may occur at any time, so long as it occurs before or simultaneously with steps [F], [G] &amp; [H].</li> <li>Step [D] must occur after steps [A] and [B], but before steps [E] thru [H].</li> <li>Step [E] must occur after step [D], but before steps [F] thru [H].</li> <li>Step [F] must occur after steps [D] and [E], but before steps [G] and [H].</li> <li>Step [G] must occur after steps [D] and [E], but before steps [G] and [H].</li> </ul>
				• Step [H] must occur after step [G].
6,963,866	23	AGREED	AGREED	• Steps [A] & [B] must be performed before all subsequent steps, except step [C], but can be

. <u></u>		Γ	Γ	
				performed sequentially, simultaneously, or in reverse order.
				• Step [C] may occur at any time, so long as it occurs before or simultaneously with steps [F], [G] & [H].
				• Step [D] must occur after steps [A] and [B], but before steps [E] thru [H].
				• Step [E] must occur after step [D], but before steps [F] thru [H].
				• Step [F] must occur after steps [D] and [E], but before steps [G] and [H].
				• Step [G] must occur after step [F], but before step [H].
				• Step [H] must occur after step [G].
6,963,866	45	AGREED	AGREED	<ul> <li>Step [A] must occur before steps [C], [D],</li> <li>[E], [F], [G], [H], [I] and</li> <li>[J].</li> </ul>
				<ul> <li>Step [B] must occur before steps [C], [D], [E], [F], [G], [H], [I] and [J].</li> </ul>
				• Steps [A] and [B] may be done in reverse order, or even simultaneously.
				• Step [C] must occur after step [A] and before steps [E], [F], [G], [H], [I] and [J].

				• Step [D] must occur after step [B] and before steps [E], [F], [G], [H], [I] and [J].
				• Steps [C] and [D] may be done in reverse order, or even simultaneously.
				• Step [E] can occur at anytime, except it must occur after steps [A] and [B].
				• Step [F] must occur after steps [C] and [D] but before steps [G], [H], [I] and [J].
				• Step [G] must occur after step [F] but before steps [H], [I], and [J].
				• Step [H] must occur after step [G] but before steps [I] and [J].
				• Step [I] must occur after step [H] but before step [J].
				• Step [J] occurs after all other steps of the claim have occurred.
7,552,118	1	AGREED	AGREED	• Steps [A] & [B] must be performed before all subsequent steps, except step [C], but can be performed sequentially, simultaneously, or in reverse order.
				• Step [C] may occur at any time, so long as it occurs

				<ul> <li>before or simultaneously with steps [F] &amp; [G].</li> <li>Step [D] must occur after steps [A] &amp; [B], but before steps [E], [F], &amp; [G].</li> <li>Step [E] must occur after steps [A], [B], &amp; [D], but before steps [F] &amp; [G].</li> <li>Step [F] must occur after all preceding steps [steps [A], [B], [C], [D], &amp; [E]], but before step [G]. Step [F] may also occur simultaneously with step [C].</li> <li>Step [G] occurs after all other steps of the claim have occurred. Step [G] may also occur simultaneously with step [C].</li> </ul>
7,552,118	23	AGREED	AGREED	<ul> <li>Steps [A] &amp; [B] must be performed before all subsequent steps, except step [C], but can be performed sequentially, simultaneously, or in reverse order.</li> <li>Step [C] may occur at any time, so long as it occurs before or simultaneously with steps [F] &amp; [G].</li> <li>Step [D] must occur after steps [A] &amp; [B], but before steps [E], [F], &amp; [G].</li> <li>Step [E] must occur after</li> </ul>

				steps [A], [B], & [D], but before steps [F] & [G].
				• Step [F] must occur after all preceding steps [steps [A], [B], [C], [D], & [E]], but before step [G]. Step [F] may also occur simultaneously with step [C].
				• Step [G] occurs after all other steps of the claim have occurred. Step [G] may also occur simultaneously with step [C].
7,552,118	25	AGREED	AGREED	• Step 25[A] must occur after steps 24[A] and 23[G].