

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

SURFCAST, INC.,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

Case No. 2:12-CV-00333-DBH

**DEFENDANT MICROSOFT CORPORATION'S SECOND SUPPLEMENTAL
OBJECTIONS AND RESPONSES TO PLAINTIFF'S FIRST SET OF
INTERROGATORIES PROPOUNDED ON DEFENDANT MICROSOFT
CORPORATION**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendant Microsoft Corporation ("Microsoft"), by counsel, hereby supplements its objections and responses to Plaintiff Surfcast, Inc.'s ("Surfcast") First Set of Interrogatories Propounded on Defendant Microsoft Corporation ("the Interrogatories") as follows:

GENERAL STATEMENT AND OBJECTIONS

1. Microsoft expressly incorporates its General Statement and Objections set forth in its Objections and Responses to SurfCast's First Set of Interrogatories.

SPECIFIC OBJECTIONS AND RESPONSES

Subject to the foregoing General Statements, General Objections, and reservation of rights, as well as the specific objections set forth below, Microsoft supplements its response to Plaintiff SurfCast, Inc.'s First Set of Interrogatories Propounded On Defendant Microsoft Corporation.

INTERROGATORY NO. 3:

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State all facts that support Microsoft’s contention that any claim of the Patent-in-Suit is invalid, including by providing, on a claim-by-claim basis, a chart including an identification of any and all Prior Art that you allege invalidates each claim and, an element-by-element comparison of the identified claims and any allegedly invalidating Prior Art, with specific references to any and all applicable portions of the Prior Art, including but not limited to source code file names and functions.

RESPONSE TO INTERROGATORY NO. 3:

In addition to and without limiting the foregoing General Objections, which are incorporated by reference as though fully set forth herein, Microsoft objects to this Interrogatory to the extent it seeks the disclosure of information protected by the attorney-client privilege, work product doctrine, or other applicable privilege or immunity against disclosure. Microsoft objects to this Interrogatory on the grounds that, to the extent it calls for Microsoft to “State all facts,” it is vague, overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft further objects to this Interrogatory to the extent that it constitutes multiple interrogatories and causes SurfCast to exceed the number of interrogatories permitted under the Federal Rules. Microsoft objects to this Interrogatory to the extent that it calls for expert opinions and legal conclusions. Microsoft further objects to this Interrogatory as premature on the grounds that SurfCast has not yet identified which claims it asserts are infringed by Microsoft. Moreover, the Court has not yet construed the claims. Until Microsoft receives necessary discovery from SurfCast, this Interrogatory is, and will continue to be, premature.

Subject to and without waiving the foregoing specific objections and General Statement and Objections, Microsoft responds as follows: the asserted claims of the ‘403 patent are invalid at least because they fail to comply with the requirements of 35 U.S.C. §§ 101, 102, 103, 112, 113, and 133 thereof, or the Rules and Regulations of the Patent & Trademark Office relating thereto. For instance, the claims of the ’403 patent do not represent a patentable advance over

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the prior art, and accordingly are anticipated by and/or obvious, taken alone or in combination, in view of at least the references below. Microsoft's search for and analysis of prior art is ongoing. Microsoft will supplement its response to this Interrogatory as additional prior is identified.

WO 99/26127 (filed 11/13/1998 and published 5/27/1999) discloses partitioning a display into active tiles (*e.g.*, “panes”) for displaying information from a plurality of information sources (*e.g.*, “netchannels”). *See, e.g.*, claim 1, pages 2, 3, 5, 6, 11-13 and/or FIG. 5 of WO 99/26127. Information for each tile is updated and displayed in accordance with a refresh rate that is set for the particular tile. *See, e.g.*, pages 2, 4, 8, 16, 20, 21, 30 of WO 99/26127. In particular, the information can be either “pushed” or “pulled” in accordance with a user-configured refresh rate. *See, e.g.*, pages 2, 4, 16, 20, and/or 21 of WO 99/26127. Information from a plurality of information sources can be updated and displayed simultaneously by having a plurality of tiles within the display. *See, e.g.*, pages 5, 6, 11-14 and/or FIG. 5 of WO 99/26127.

US 6,456,334 (filed 6/29/1999, issued 9/24/2002) discloses partitioning a display into active tiles (*e.g.*, “video images”) for displaying information from a plurality of information sources (*e.g.*, “channels”). *See, e.g.*, claims 1, 3, 17, 1:29-32, 2:27-43, 3:1-6, 3:42-46, FIGs. 1 and/or 2 of US 6,456,334. Information for each tile is updated and displayed in accordance with a refresh rate that is set for the particular tile. *See, e.g.*, claim 1, 6, 9, 10, 3:10-41 and/or 4:56-62 of US 6,456,334. Information from a plurality of information sources can be updated and displayed simultaneously by having a plurality of tiles within the display. *See, e.g.*, claim 1, 1:20-24, 3:10-22, and/or FIG. 1 of US 6,456,334.

US 5,432,932 (filed 10/23/1992, issued 7/11/1995) discloses partitioning a display into active tiles (*e.g.*, “instruments”) for displaying information from a plurality of information sources. *See, e.g.*, 5:14-23, 8:26-31, 11:7-10, 16:6-9, 23:5-34, 27:56-58 and/or FIGs. 12C-12E of

US 5,432,932. Information for each tile is updated and displayed in accordance with a refresh rate that is set for the particular tile. *See, e.g.*, 41:57-60, 42:3-8, and/or 82:13-22 of US 5,432,932. Information from a plurality of information sources can be updated and displayed simultaneously by having a plurality of tiles within the display. *See, e.g.*, 23:6-9, 53:23-26, 32:1-3 and/or FIG. 12D of US 5,432,932.

US 6,278,448 (filed 2/17/1998, issued 8/21/2001) discloses partitioning a display into active tiles (*e.g.*, “desktop components” or “floating frames”) for displaying information from a plurality of information sources. *See, e.g.*, 2:44-46, 4:13-24, 7:21-41, 11:1-15, 12:61-65, 13:14-21 and/or FIG. 3A of US 6,278,448. Information for each tile is updated and displayed in accordance with a refresh rate that is set for the particular tile. *See, e.g.*, claims 2, 3, 3:40-43, 6:33-41, 13:1-8, and/or 14:12-18 of US 6,278,448. Information from a plurality of information sources can be updated and displayed simultaneously by having a plurality of tiles within the display. *See, e.g.*, 2:54-65, 4:13-24, and/or FIG. 3A of US 6,278,448.

US 6,807,558 (filed 6/2/1998, issued 10/19/2004) discloses partitioning a display into active tiles (*e.g.*, “SmartScreens”) for displaying information from a plurality of information sources. *See, e.g.*, 1:57-60, 2:57-61, 11:31-42, 17:60-18:7, 44:35-54, 46:57-58, FIGs. 6 and/or 21 of US 6,807,558. Information for each tile is updated and displayed in accordance with a refresh rate that is set for the particular tile. *See, e.g.*, claims 10, 27, 1:62-2:5, 8:66- 9:9, 9:57-66, 10:7-15, 45:21-46:27, 55:42-48, and/or FIG. 39 of US 6,807,558. Information from a plurality of information sources can be updated and displayed simultaneously by having a plurality of tiles within the display. *See, e.g.*, 1:62-2:5, 6:27-30, 8:59-9:9, 9:57-66, 10:7-15, 12:60-63, 17:60-18:7, 44:49-54, 45:21-46:27 and/or FIG. 6 of US 6,807,558.

US 5,819,284 (filed 3/24/1995, issued 10/6/1998) discloses partitioning a display into

active tiles (*e.g.*, “screen areas 401-406 of FIG. 4.) for displaying information from a plurality of information sources. *See, e.g.*, Abstract, 3:60-65, 6:41-63, 6:41-65, and/or FIG. 4 of US 5,819,284. Information for each tile is updated and displayed in accordance with a refresh rate that is set for the particular tile. *See, e.g.*, Abstract, 1:59-64, and/or 6:41-63 of US 5,819,284. Information from a plurality of information sources can be updated and displayed by having a plurality of tiles within the display. *See, e.g.*, Abstract, 2:38-57, and/or 6:41-63 of US 5,819,284.

US 5,959,621 (filed 12/6/1996, issued 9/28/1999) discloses partitioning a display into active tiles (*e.g.*, “data items” 150, 152, 154, and 156 of FIG. 3) for displaying information from a plurality of information sources. *See, e.g.*, Abstract, 2:48-55, 3:20-26, 3:41-51, 4:21-24, 4:44-48, 8:14-22, 9:10-14, 9:37-42, 12:47-60, FIGs. 3 and/or 10 of US 5,959,621. Information for each tile is updated and displayed in accordance with a refresh rate that is set for the particular tile. *See, e.g.*, 9:4-5, 13:18-20, 14:15-24, 12:67-13:17, 14:32-35 of US 5,959,621. Information from a plurality of information sources can be updated and displayed simultaneously by having a plurality of tiles within the display. *See, e.g.*, 2:30-41, 3:18-26, 3:32-37, 8:36-37, 14:23-66, and/or FIG. 19 of US 5,959,621.

Microsoft Internet Explorer Resource Kit (published in 1998 by Microsoft Press) discloses partitioning a display into an array of tiles. *See, e.g.*, Microsoft Internet Explorer Resource Kit at 183 (“Active Desktop items” are placed “on a 3 by 2 grid.”); *id.* at xxx (“Active Desktop items” are “miniature Web pages”); *id.* at 176 (Active Desktop items are displayed “in borderless frames”); *see also id.* at xxx, 174, 177, 213. The disclosed tiles display information from a plurality of information sources. *See, e.g., id.* at 180 (“You can add any graphic, URL, or HTML file to your desktop as an Active Desktop item”); *see also* 211, 213-214. Information for each tile is updated and displayed in accordance with a refresh rate that is set for the particular

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tile. *See, e.g.*, id. at 177 (“For example, a user’s Active Desktop can display three different desktop items: an inventory ticker that is updated every 15 minutes, a workgroup home page that is updated once a day, and a newsletter that is updated once a week..”); *see also* 176, 188, 223.

The claims of the asserted patent are also invalid at least for failure to satisfy the description requirement of 35 U.S.C. § 112 by including, for example and without limitation, the following language which appears in some or all of the claims of the asserted patent: “simultaneously”.

As another example, the claims of the asserted patent are invalid at least for failure to satisfy the enablement requirement of 35 U.S.C. § 112 by including, for example and without limitation, the following language which appears in some or all of the asserted claims: “simultaneously.”

As another example, the claims of the asserted patent are invalid at least for failure to satisfy the definiteness requirement of 35 U.S.C. § 112 by including, for example and without limitation, the following language which appears in some or all of the asserted claims: “simultaneously,” and “tiles.”

The bases provided herein are preliminary and should not be construed as limiting in any way the invalidity defenses that Microsoft may present in this litigation. Microsoft reserves the right to supplement its response to this Interrogatory as discovery continues.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 3:

Microsoft incorporates, as though fully set forth herein, its general objections and its previous objections and responses to Surfcaster’s Interrogatory No. 3. Subject to the foregoing, Microsoft supplements its response as follows:

Claim charts identifying illustrative disclosures in the prior art that anticipate and/or

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render obvious the asserted claims of the '403 patent,¹ on an element-by-element basis, are attached as Exhibits 1-8. These charts demonstrate that the asserted claims of the '403 patent are unpatentable over the prior art.

The bases provided in these exhibits are preliminary and should not be construed as limiting in any way the invalidity defenses that Microsoft may present in this litigation. Discovery is ongoing and Microsoft reserves the right to supplement its response to this Interrogatory as discovery continues. Moreover, if Surfcaster contends that Microsoft infringes claims other than 1, 2, 3, 6, 8, 11, 12, 17, 19, 20, 21, 22, 25, 27, 28, 30, 34, 37, 38, 39, 40, 46, and 47 of the '403 patent, Microsoft explicitly reserves its right to supplement its response to this interrogatory to show that such other claims are also unpatentable over the prior art.

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Respectfully submitted,

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¹ In its response to Microsoft's Interrogatory No. 1, Surfcaster has asserted infringement of the following claims: 1, 2, 3, 6, 8, 11, 12, 17, 19, 20, 21, 22, 25, 27, 28, 30, 34, 37, 38, 39, 40, 46, and 47.

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CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2013, a true copy of the foregoing document was served upon the following counsel of record in the manner indicated.

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EXHIBIT 1

Exhibit 1

U.S. Patent No. 6,724,403	Illustrative disclosures from Microsoft Internet Explorer Resource Kit (MSIE Kit)¹
Claim 1	
(a) A method executed by a device under the control of a program, said device including a memory for storing said program, said method comprising:	<i>See, e.g.</i> , MSIE Kit at xv; 4.
(b) selecting a plurality of information sources;	<i>See, e.g.</i> , MSIE Kit at xxxi; 174; 180; 190-91 and 213-24
(c) partitioning a visual display of the device into an array of tiles, wherein each tile in said array of tiles is associated with an information source in said plurality of information sources;	<p><i>See, e.g.</i>, MSIE Kit at xxx; 174; 176-177; 180; 183; 213</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13; 23:35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2, 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations.</p>

¹ MSIE Kit was published at least as early as February, 1998. MSIE Kit is prior art to the ’403 patent at least under §§ 102(a) and 102(b).

	<i>See e.g.</i> , US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).
(d) assigning a first refresh rate to a first tile of said array of tiles and a second refresh rate to a second tile of said array of tiles;	<i>See, e.g.</i> , MSIE Kit at xxx; 176; 177; 183; 188; 201-202; 223
(e) updating information from a first information source in said plurality of information sources presented to said first tile in accordance with said first refresh rate; and	<i>See, e.g.</i> , MSIE Kit at xxx; 176; 177; 180; 183; 188; 201-202; 223
(f) simultaneously updating information from a second information source in said plurality of information sources presented to said second tile in accordance with said second refresh rate.	<i>See, e.g.</i> , MSIE Kit at xxx, 177 and 183. <i>See also</i> claim 1(e).
Claim 2	
The method of claim 1	<i>See</i> claim 1.
wherein said partitioning includes partitioning said array of tiles in accordance with a user-defined array size.	<p><i>See, e.g.</i>, MSIE Kit at xxx; 180; 183.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:17-23; 29:16-41; US 6,118,493 at FIG. 2, 1:59-61; 3:30-34; 4:17-23; 2:62-3:5; US 5,371,847 at 1:57-2:16; FIGs. 1, 4, 6, 8B; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in grid of with user-defined array size. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display</p>

	<p>at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 3	
The method of claim 1	<i>See</i> claim 1.
wherein said partitioning includes partitioning said array of tiles in a non-overlapping configuration wherein each tile of said array of tiles is a uniform size and shape.	<p><i>See, e.g.</i>, MSIE Kit at 176; 183 and 224.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a regular grid with tiles of uniform size and shape. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly</p>

	provides motivations. <i>See e.g.</i> , US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).
Claim 6	
The method of claim 1	<i>See</i> claim 1.
wherein said first refresh rate is different from said second refresh rate.	<i>See, e.g.</i> , MSIE Kit at 177. <i>See also</i> claim 1(d).
Claim 8	
The method of claim 1	<i>See</i> claim 1.
wherein said array comprises more than one row and more than one column.	<p><i>See, e.g.</i>, MSIE Kit at 183.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e ; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2;1:59-61; 2:62-3:5;3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid with more than one row and column. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids with more than one row and more than one column illustrated</p>

	by the '847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).
Claim 11	
The method of claim 1	<i>See</i> claim 1.
wherein said first refresh rate is assigned automatically.	<i>See, e.g.</i> , MSIE Kit at 188 and 223.
Claim 12	
The method of claim 1	<i>See</i> claim 1.
wherein said array comprises a grid wherein each of said tiles occupies a fixed position on said grid.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in fixed positions on a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int'l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the '847 patent defines as windows, into the regular grids illustrated by the '847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 17	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a mobile telephone.	To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the

	<p>charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 19	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a computer.	<i>See, e.g.</i> , MSIE Kit at xv.
Claim 20	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a personal digital assistant.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is</p>

	<p>independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 21	
The method of claim 1	<i>See</i> claim 1.
wherein said plurality of information sources comprises at least two information sources selected from the group consisting of: analog signal; video signal; audio signal; text; an e-mail program; a world-wide-web page; streaming video; streaming audio; and graphics.	<i>See, e.g.</i> , MSIE Kit xxx, 174, 177, 213, 419-20.
Claim 22	
(a) An electronic readable memory to direct an electronic device to function in a specified manner, comprising:	<i>See, e.g.</i> , MSIE Kit at xv and 4.
(b) a first set of	<i>See, e.g.</i> , MSIE Kit at xxx; xxxi; 174; 177; 180; 183; 190-191; 211;

instructions to control simultaneous communication with a plurality of information sources;	213-214
(c) a second set of instructions to arrange a display into an array of tiles;	<p><i>See, e.g.</i>, MSIE Kit at xxx, 176-177, 183.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 26:58-60; 29:16-41; 35-37; US 6,118,493 at FIG. 2, 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B, 1:57-2:16; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
(d) a third set of instructions to associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said	<i>See, e.g.</i> , MSIE Kit at xxx, 174, 176, 177, 180, 213.

plurality of information sources to a second tile of said array of tiles;	
(e) a fourth set of instructions to retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	<i>See, e.g.</i> , MSIE Kit at xxx, 176, 177, 180, 183, 188, 201-202 223.
a fifth set of instructions to present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , MSIE Kit at 180, 223. <i>See also</i> claim 22(e).
Claim 25	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a mobile telephone.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006)) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the</p>

	<p>prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 27	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a computer.	<i>See, e.g.</i> , MSIE Kit at xv.
Claim 28	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a personal digital assistant.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d</p>

	<p>ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 30	
The electronic readable memory of claim 22	See claim 22.
wherein said second set of instructions produce an array of non-overlapping tiles wherein each tile has a uniform size and shape.	<p>See, e.g., MSIE Kit at 183; 224 and 176.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. See, e.g., US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a regular grid with tiles of uniform size and shape. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. See <i>KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. See e.g., US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ’847 patent improves efficiency over systems where users would need arrange the windows into those</p>

	grids manually).
Claim 34	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver selected textual content from said first information source to said first tile.	<i>See, e.g.</i> , MSIE Kit at 177, 213.
Claim 37	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver information from a network document to a selected tile of said array of tiles.	<i>See, e.g.</i> , MSIE Kit at xv and 180.
Claim 38	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver a web page to a selected tile of said array of tiles.	<i>See, e.g.</i> , MSIE Kit at xv and 180.
Claim 39	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said first retrieval rate is different from said second retrieval rate.	<i>See, e.g.</i> , MSIE Kit at 177. <i>See also</i> claim 1(d).
Claim 40	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said array comprises more than one row and more than one column.	MSIE Kit at 183. To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-e ; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2;1:59-61; 2:62-3:5;3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48;

	<p>1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid with more than one row and column. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids with more than one row and more than one column illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 46	
A system for facilitating the organization and management of multiple data sources, comprising:	<i>See, e.g.</i> , MSIE Kit at xxxi and 174.
a device that includes a processor configured to execute instructions, a memory connected to said processor to store at least one program that includes a graphical user interface, and an input device, wherein said processor executes instructions to:	<i>See, e.g.</i> , MSIE Kit at xv and 4.
control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , MSIE Kit at xxx; xxxi; 174; 177; 180; 183; 190-91; 211; 213-24.

<p>arrange a display into an array of tiles;</p>	<p><i>See, e.g.,</i> MSIE Kit at xxx; 176-177; 183.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.,</i> US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 26:58-60; 29:16-41; 35-37; US 6,118,493 at FIG. 2, 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B, 1:57-2:16; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.,</i> US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
<p>associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;</p>	<p><i>See, e.g.,</i> MSIE Kit at xxx; 174; 176; 177; 180; 213.</p>
<p>retrieve information from said first information source in accordance with</p>	<p><i>See, e.g.,</i> MSIE Kit at xxx; 176; 177; 180; 183; 188; 201-202; 223.</p>

a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	
present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g., MSIE Kit at 180, 223. See also claim 22(e).</i>
Claim 47	
The system of claim 46	<i>See claim 46.</i>
wherein said array comprises more than one row and more than one column.	<i>See, e.g., MSIE Kit at 183.</i>

EXHIBIT 2

Exhibit 2

U.S. Patent No. 6,724,403	Illustrative disclosures from US 6,278,448¹
Claim 1	
(a) A method executed by a device under the control of a program, said device including a memory for storing said program, said method comprising:	<i>See, e.g.,</i> US 6,278,448 at 4:52-5:44; 6:3-5; 6:33-41; 11:29-13:44;
(b) selecting a plurality of information sources;	<i>See, e.g.,</i> US 6,278,448 at 2:44-46; 3:25-30; 4:13-24; 11:1-15.
(c) partitioning a visual display of the device into an array of tiles, wherein each tile in said array of tiles is associated with an information source in said plurality of information sources;	<p><i>See, e.g.,</i> US 6,278,448 at FIG. 3A; FIG. 6; 7:21-41; 8:11-17; 8:51-53; 10:9-16; 11:1-21; 12:61-65; 12:51-57; 13:1-21; ;</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.,</i> US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 26:58-60; 29:16-41; 35-37; US 6,118,493 at FIG. 2, 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B, 1:57-2:16; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S.</p>

¹ US 6,278,448 was filed on February 17, 1998 and issued on August 21, 2001. The ’448 is prior art to the ’403 patent at least under § 102(e). The ’448 patent incorporates by reference the disclosures of Inside Dynamic HTML, (Microsoft Press Oct 30, 1997) that describe CDF files. ’448 patent at 13:10-13. Moreover, those CDF disclosures evidences how one of ordinary skill in the art would read the ’448 patent. Furthermore, 13:10-13 of the ’448 patent provides an express suggestion to one of ordinary skill in the art to combine the CDF disclosures with the disclosures of the ’448 patent.

	<p>398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
<p>(d) assigning a first refresh rate to a first tile of said array of tiles and a second refresh rate to a second tile of said array of tiles;</p>	<p><i>See, e.g.</i>, US 6,278,448 at 3:40-48;13:1-13; <i>Inside Dynamic HTML</i> at Companion CD (menu path: “Delivering Content to the Web,” “CDF Reference,” “CDF Reference for Active Channels”).</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,807,558 at 1:62-2:5; 44:49-54, 45:21 – 46:27; 55:42-48; Microsoft Internet Explorer Resource Kit at xxx; 176; 177; 183; 188; 201-202; 223.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme where different refresh rates are assigned with each corresponding to the rate at which information is retrieved from sources and presented in a rectangular region of a display. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Microsoft Internet Explorer Resource Kit at 176-77.</p>
<p>(e) updating information from</p>	<p><i>See, e.g.</i>, US 6,278,448 at 3:40-48; 13:1-13; 7:21-24.</p>

a first information source in said plurality of information sources presented to said first tile in accordance with said first refresh rate; and	
(f) simultaneously updating information from a second information source in said plurality of information sources presented to said second tile in accordance with said second refresh rate.	<i>See, e.g.</i> , US 6,278,448 at 3:40-48; 13:1-13; 7:21-24.
Claim 2	
The method of claim 1	<i>See</i> claim 1.
wherein said partitioning includes partitioning said array of tiles in accordance with a user-defined array size.	<p><i>See, e.g.</i>, US 6,278,448 at 7:21-25; 8:11-17; 8:51-53; 0:9-16; 11:1-21; 1.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:17-23; 29:16-41; US 6,118,493 at FIG. 2, 1:59-61; 3:30-34; 4:17-23; 2:62-3:5; US 5,371,847 at 1:57-2:16; FIGs. 1, 4, 6, 8B; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in grid of with user-defined array size. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of</p>

	“rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).
Claim 3	
The method of claim 1	<i>See</i> claim 1.
wherein said partitioning includes partitioning said array of tiles in a non-overlapping configuration wherein each tile of said array of tiles is a uniform size and shape.	<p>US 6,278,448 at 7:21-25; 8:11-17; 8:51-53, 10:9-16.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.,</i> US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a regular grid with tiles of uniform size and shape. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.,</i> US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 6	
The method of claim 1	<i>See</i> claim 1.
wherein said first refresh rate is	<i>See, e.g.,</i> US 6,278,448 at FIG. 3A; 7:21-41; <i>Inside Dynamic</i>

different from said second refresh rate.	<p><i>HTML</i> at Companion CD (menu path: “Delivering Content to the Web,” “CDF Reference,” “CDF Reference for Active Channels).</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.,</i> US 6,807,558 at 1:62-2:5; 44:49-54, 45:21 – 46:27; 55:42-48; Microsoft Internet Explorer Resource Kit at xxx; 176; 177; 183; 188; 201-202; 223.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme where different refresh rates are assigned with each corresponding to the rate at which information is retrieved from sources and presented in a rectangular region of a display. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.,</i> Microsoft Internet Explorer Resource Kit at 176-77.</p>
Claim 8	
The method of claim 1	<i>See</i> claim 1.
wherein said array comprises more than one row and more than one column.	<p><i>See, e.g.,</i> US 6,278,448 at 7:21-25.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.,</i> US 5,432,932 at FIGs. 12c-e ; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2;1:59-61; 2:62-3:5;3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p>

	<p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid with more than one row and column. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids with more than one row and more than one column illustrated by the ’847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 11	
The method of claim 1	<i>See</i> claim 1.
wherein said first refresh rate is assigned automatically.	<p><i>See, e.g.</i>, US 6,278,448 at 13:1-8; <i>Inside Dynamic HTML</i> at Companion CD (menu path: “Delivering Content to the Web,” “CDF Reference,” “CDF Reference for Active Channels”)</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,807,558 at 1:62-2:5; 44:49-54, 45:21 – 46:27; 55:42-48; Microsoft Internet Explorer Resource Kit at xxx; 176; 177; 183; 188; 201-202; 223.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme where refresh rates are assigned automatically. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple</p>

	<p>rectangular portions of a display at the same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Microsoft Internet Explorer Resource Kit at 176-77.</p>
Claim 12	
The method of claim 1	<i>See</i> claim 1.
wherein said array comprises a grid wherein each of said tiles occupies a fixed position on said grid.	<p><i>See, e.g.</i>, US 6,278,448 at 8:11-17; 8:51-53; 10:9-16.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in fixed positions on a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art</p>

	explicitly provides motivations. <i>See e.g.</i> , US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).
Claim 17	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a mobile telephone.	<p><i>See, e.g.</i>, US 6,278,448 at 4:44-49.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within</p>

	ordinary skill in the art.
Claim 19	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a computer.	<i>See, e.g.</i> , US 6,278,448 at 2:54-57; 4:32-34, 44-49; 4:55-5:24.
Claim 20	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a personal digital assistant.	<p><i>See, e.g.</i>, US 6,278,448 at 4:44-49.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>

Claim 21	
The method of claim 1	<i>See</i> claim 1.
wherein said plurality of information sources comprises at least two information sources selected from the group consisting of: analog signal; video signal; audio signal; text; an e-mail program; a world-wide-web page; streaming video; streaming audio; and graphics.	<i>See, e.g.</i> , US 6,278,448 at 2:14-28, 36-44; 7:26-33.
Claim 22	
An electronic readable memory to direct an electronic device to function in a specified manner, comprising:	<i>See, e.g.</i> , US 6,278,448 at 4:52-5:24; 6:3-5; 6:33-41; 11:29-13:44;
a first set of instructions to control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , US 6,278,448 at 2:44-46; 3:25-30; 4:13-24; 11:1-15.
a second set of instructions to arrange a display into an array of tiles;	<p><i>See, e.g.</i>, US 6,278,448 at FIG. 3A; 7:21-41; 8:11-17; 10:9-16; 11:1-21; 12:51-57; 12:61-65; , 51-53; 13:1-21.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 26:58-60; 29:16-41; 35-37; US 6,118,493 at FIG. 2, 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B, 1:57-2:16; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464</p>

	<p>F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
<p>a third set of instructions to associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;</p>	<p><i>See, e.g.</i>, US 6,278,448 at FIG. 6; 7:21-24; 11:1-21; 12:51-57; 13:14-21; 13:1-13.</p>
<p>a fourth set of instructions to retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and</p>	<p><i>See, e.g.</i>, US 6,278,448 at 3:40-48, 13:1-13; <i>Inside Dynamic HTML</i> at Companion CD (menu path: “Delivering Content to the Web,” “CDF Reference,” “CDF Reference for Active Channels).</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,807,558 at 1:62-2:5; 44:49-54, 45:21 – 46:27; 55:42-48; Microsoft Internet Explorer Resource Kit at xxx; 176; 177; 183; 188; 201-202; 223.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme where different refresh rates are assigned with each corresponding to the rate at which information is retrieved from sources and presented in a rectangular region of a display. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v.</i></p>

	<i>Teleflex Inc.</i> , 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i> , 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. See e.g., Microsoft Internet Explorer Resource Kit at 176-77.
a fifth set of instructions to present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , US 6,278,448 at 3:40-48; 13:1-13.
Claim 25	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a mobile telephone.	<p><i>See, e.g.</i>, US 6,278,448 at 4:44-49.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to</p>

	<p>have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 27	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a computer.	US 6,278,448 at 2:54-57; 4:32-34, 44-49; 4:55-5:24.
Claim 28	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a personal digital assistant.	<p><i>See, e.g.</i>, US 6,278,448 at 4:44-49.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art</p>

	<p>explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 30	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions produce an array of non-overlapping tiles wherein each tile has a uniform size and shape.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a regular grid with tiles of uniform size and shape. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ‘847 patent improves efficiency over</p>

	systems where users would need arrange the windows into those grids manually).
Claim 34	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver selected textual content from said first information source to said first tile.	<i>See, e.g.</i> , US 6,278,448 at 2:14-28.
Claim 37	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver information from a network document to a selected tile of said array of tiles.	<i>See, e.g.</i> , US 6,278,448 at 2:13-28; 5:45-6:8; 7:36-39.
Claim 38	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver a web page to a selected tile of said array of tiles.	<i>See, e.g.</i> , US 6,278,448 at 2:13-28; 5:45-6:8; 7:36-39; 11:22-24.
Claim 39	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said first retrieval rate is different from said second retrieval rate.	<p><i>See, e.g.</i>, US 6,278,448 at FIG. 3A; 7:21-41; <i>Inside Dynamic HTML</i> at Companion CD (menu path: “Delivering Content to the Web,” “CDF Reference,” “CDF Reference for Active Channels).</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,807,558 at 1:62-2:5; 44:49-54, 45:21 – 46:27; 55:42-48; Microsoft Internet Explorer Resource Kit at xxx; 176; 177; 183; 188; 201-202; 223.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme where different refresh rates are assigned with each corresponding to the rate at which information is retrieved from sources and presented in a rectangular region of a display. This motivation is</p>

	<p>independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Microsoft Internet Explorer Resource Kit at 176-77.</p>
Claim 40	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said array comprises more than one row and more than one column.	<p><i>See, e.g.</i>, US 6,278,448 at 7:21-25</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e ; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2;1:59-61; 2:62-3:5;3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid with more than one row and column. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is</p>

	flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i> , US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids with more than one row and more than one column illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).
Claim 46	
A system for facilitating the organization and management of multiple data sources, comprising:	<i>See, e.g.</i> , US 6,278,448 at 2:54-57; 4:55-5:44
a device that includes a processor configured to execute instructions, a memory connected to said processor to store at least one program that includes a graphical user interface, and an input device, wherein said processor executes instructions to:	<i>See, e.g.</i> , US 6,278,448 at FIG. 1; 2:44-46; 3:25-30; 4:13-24; 4:52-5:37; 6:3-5; 6:33-41; 11:1-15; 11:29-13:44.
control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , US 6,278,448 at 2:44-46; 3:25-30; 4:13-24; 11:1-15
arrange a display into an array of tiles;	<p><i>See, e.g.</i>, US 6,278,448 at FIG. 3A, 6; 7:21-41; 8:11-17; 8:51-53; 10:9-16; 11: 1-21; 12:51-57, 61-65 13:1-21;</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 26:58-60; 29:16-41; 35-37; US 6,118,493 at FIG. 2, 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B, 1:57-2:16; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a</p>

	<p>display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. See <i>KSR Int'l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. See e.g., US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	<p>See, e.g., US 6,278,448 at FIG. 6; 7:21-24; 11:1-21; 12:51-57; 13:1-8; 13:1-21.</p>
retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	<p>See, e.g., US 6,278,448 at 3:40-48, 13:1-13; <i>Inside Dynamic HTML</i> at Companion CD (menu path: “Delivering Content to the Web,” “CDF Reference,” “CDF Reference for Active Channels).</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. See, e.g., US 6,807,558 at 1:62-2:5; 44:49-54, 45:21 – 46:27; 55:42-48; Microsoft Internet Explorer Resource Kit at xxx; 176; 177; 183; 188; 201-202; 223.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme where different refresh rates are assigned with each corresponding to the rate at which information is retrieved from sources and presented in a rectangular region of a display. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the</p>

	<p>same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int'l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. See e.g., Microsoft Internet Explorer Resource Kit at 176-77.</p>
present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , US 6,278,448 at 3:40-48; 13:1-13.
Claim 47	
The system of claim 46	<i>See</i> claim 46.
wherein said array comprises more than one row and more than one column.	<p><i>See, e.g.</i>, US 6,278,448 at 7:21-25; 8:11-17; 8:51-53; 10:9-16;</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e ; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2;1:59-61; 2:62-3:5;3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid with more than one row and column. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int'l v.</i></p>

	<p><i>Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids with more than one row and more than one column illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
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EXHIBIT 3

Exhibit 3

U.S. Patent No. 6,724,403	Illustrative disclosures from WO 99/26127¹
Claim 1	
(a) A method executed by a device under the control of a program, said device including a memory for storing said program, said method comprising:	<i>See, e.g.</i> , WO 99/26127 at pages 11, 13.
(b) selecting a plurality of information sources;	<i>See, e.g.</i> , WO 99/26127 at Title, Abstract, and pages 2, 3, 5, 12, 21.
(c) partitioning a visual display of the device into an array of tiles, wherein each tile in said array of tiles is associated with an information source in said plurality of information sources;	WO 99/26127 at FIG. 5 and pages 5, 6, and 11-13.
(d) assigning a first refresh rate to a first tile of said array of tiles and a second refresh rate to a second tile of said array of tiles;	<i>See, e.g.</i> , WO 99/26127 at pages 2, 4, and 20.
(e) updating information from a first information source in said plurality of information sources presented to said first tile in accordance with said first refresh rate; and	<i>See, e.g.</i> , WO 99/26127 at pages 8, 16, 20, 21, and 30-31.
(f) simultaneously updating information from a second information source in said plurality of information sources presented to said second tile in accordance with said second refresh rate.	<i>See, e.g.</i> , WO 99/26127 at Abstract and pages 5, 6, 11, 12, 16, 20, 21, and 30-31.
Claim 2	
The method of claim 1	<i>See</i> claim 1.
wherein said partitioning includes partitioning said array of tiles in accordance with a user-defined array size.	<i>See, e.g.</i> , WO 99/26127 at page 13. To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:17-23; 29:16-41; US 6,118,493 at FIG. 2, 1:59-61; 3:30-34; 4:17-23; 2:62-3:5; US 5,371,847 at 1:57-2:16;

¹ WO 99/26127 was published on May 27, 1999. WO 99/26127 is prior art to the '403 patent at least under § 102(a).

	<p>FIGs. 1, 4, 6, 8B; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in grid of with user-defined array size. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 3	
The method of claim 1	<i>See</i> claim 1.
wherein said partitioning includes partitioning said array of tiles in a non-overlapping configuration wherein each tile of said array of tiles is a uniform size and shape.	<p><i>See, e.g.</i>, WO 99/26127 at pages 11, 13, and 14, FIG. 5.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-</p>

	<p>34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48;1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a regular grid with tiles of uniform size and shape. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 6	
The method of claim 1	<i>See claim 1.</i>
wherein said first refresh rate is different from said second refresh rate.	<i>See, e.g.</i> , WO 99/26127 at page 20.
Claim 8	
The method of claim 1	<i>See claim 1.</i>
wherein said array comprises more than one row and more than one column.	<p><i>See, e.g.</i>, WO 99/26127 at FIG. 5 and page 13.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation,</p>

	<p>this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e ; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2;1:59-61; 2:62-3:5;3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid with more than one row and column. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids with more than one row and more than one column illustrated by the ’847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 11	
The method of claim 1	<i>See claim 1.</i>
wherein said first refresh rate is assigned automatically.	<i>See, e.g.</i> , US 6,807,558 at 9:57-66; 45:24-27.
Claim 12	

The method of claim 1	<i>See</i> claim 1.
wherein said array comprises a grid wherein each of said tiles occupies a fixed position on said grid.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in fixed positions on a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 17	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a mobile telephone.	To the extent that the charted reference is

	<p>determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 19	
The method of claim 1	<i>See</i> claim 1.

wherein said device is a computer.	WO 99/26127 at pages 3 and 11
Claim 20	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a personal digital assistant.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form</p>

	factor was within ordinary skill in the art.
Claim 21	
The method of claim 1	<i>See</i> claim 1.
wherein said plurality of information sources comprises at least two information sources selected from the group consisting of: analog signal; video signal; audio signal; text; an e-mail program; a world-wide-web page; streaming video; streaming audio; and graphics.	<i>See, e.g.</i> , WO 99/26127 at page 11.
Claim 22	
An electronic readable memory to direct an electronic device to function in a specified manner, comprising:	<i>See, e.g.</i> , WO 99/26127 at pages 11 and 13.
a first set of instructions to control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , WO 99/26127 at Title, Abstract, and pages 2, 3, 5, 12, and 21.
a second set of instructions to arrange a display into an array of tiles;	<i>See, e.g.</i> , WO 99/26127 at FIG. 5; pages 5, 6, 11, and 13.
a third set of instructions to associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	<i>See, e.g.</i> , WO 99/26127 at pages 11-13.
a fourth set of instructions to retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	<i>See, e.g.</i> , WO 99/26127 at pages 2, 16, and 20.
a fifth set of instructions to present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , WO 99/26127 at page 23.
Claim 25	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a mobile telephone.	To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i> , US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.

	<p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 27	
The electronic readable memory of claim 22 wherein said second set of instructions arrange said array of tiles on a display of a computer.	<p><i>See</i> claim 22.</p> <p>WO 99/26127 at pages 3 and 11.</p>
Claim 28	
The electronic readable memory of claim 22	<i>See</i> claim 22.

<p>wherein said second set of instructions arrange said array of tiles on a personal digital assistant.</p>	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
<p>Claim 30</p>	

The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions produce an array of non-overlapping tiles wherein each tile has a uniform size and shape.	<p><i>See, e.g.</i>, WO 99/26127 at FIG. 5; pages 11, 13, and 14.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a regular grid with tiles of uniform size and shape. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the</p>

	windows into those grids manually).
Claim 34	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver selected textual content from said first information source to said first tile.	<i>See, e.g.</i> , WO 99/26127 at pages 11, 30, and 31.
Claim 37	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver information from a network document to a selected tile of said array of tiles.	<i>See, e.g.</i> , WO 99/26127 at Abstract and pages 1, 5, and 11.
Claim 38	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver a web page to a selected tile of said array of tiles.	<p><i>See, e.g.</i>, WO 99/26127 at 20.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 2:13-28; 5:45-6:8; 7:36-39; 11:22-24; Microsoft Internet Explorer Resource Kit at xv and 180.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme web pages are retrieved and presented to a rectangular region of a display. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006)</p>

	<p>(“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. See e.g., Microsoft Internet Explorer Resource Kit at xxx-xxxi.</p>
Claim 39	
The electronic readable memory of claim 22	See claim 22.
wherein said first retrieval rate is different from said second retrieval rate.	See, e.g., WO 99/26127 at page 20.
Claim 40	
The electronic readable memory of claim 22	See claim 22.
wherein said array comprises more than one row and more than one column.	<p>See, e.g., WO 99/26127 at page 13 and FIG. 5.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. See, e.g., US 5,432,932 at FIGs. 12c-e ; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid with more than one row and column. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. See <i>KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006)) (“There is flexibility in our obviousness</p>

	jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i> , US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids with more than one row and more than one column illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).
Claim 46	
A system for facilitating the organization and management of multiple data sources, comprising:	<i>See, e.g.</i> , WO 99/26127 at Title, Abstract, and page 5.
a device that includes a processor configured to execute instructions, a memory connected to said processor to store at least one program that includes a graphical user interface, and an input device, wherein said processor executes instructions to:	<i>See, e.g.</i> , WO 99/26127 at pages 1, 2, 11, and 13.
control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , WO 99/26127 at Title, Abstract, and pages 2, 3, 5, and 12.
arrange a display into an array of tiles;	<i>See, e.g.</i> , WO 99/26127 at FIG. 5; pages 5, 6, 11, and 13.
associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	<i>See, e.g.</i> , WO 99/26127 at pages 11-13.
retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	<i>See, e.g.</i> , WO 99/26127 at pages 2, 16, and 20.
present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , WO 99/26127 at page 23.
Claim 47	
The system of claim 46	<i>See claim 46.</i>
wherein said array comprises more than one	<i>See, e.g.</i> , WO 99/26127 at page 13 and FIG. 5.

<p>row and more than one column.</p>	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e ; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2;1:59-61; 2:62-3:5;3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid with more than one row and column. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids with more than one row and more than one column illustrated by the ’847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
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EXHIBIT 4

Exhibit 4

U.S. Patent No. 6,724,403	Illustrative disclosures from US 5,321,750¹
Claim 1	
A method executed by a device under the control of a program, said device including a memory for storing said program, said method comprising:	<i>See, e.g.</i> , US 5,321,750 at Figs. 25, 26, 27, 28, 29; 33:51-53; 38:51-60; 38:24 – 58:51.
selecting a plurality of information sources;	<i>See, e.g.</i> , US 5,321,750 at Figs. 16, 29; 3:27-37; 8:24-32; 11:18-26, 54-68; 41:33-43; 42:50-55; 55:26-29.
partitioning a visual display of the device into an array of tiles, wherein each tile in said array of tiles is associated with an information source in said plurality of information sources;	<i>See, e.g.</i> , US 5,321,750 at FIG. 13; 4:39-53; 5:29-40; 7:50-51; 9:28-30; 11:54-68; 15:15-18; 15:64-16:68.
assigning a first refresh rate to a first tile of said array of tiles and a second refresh rate to a second tile of said array of tiles;	<i>See, e.g.</i> , US 5,321,750 at Fig. 13; 8:28-37; 11:18-24; 16:6-16; 32:12-15; 40:15-21; 50:7-13.
updating information from a first information source in said plurality of information sources presented to said first tile in accordance with said first refresh rate; and	<i>See, e.g.</i> , US 5,321,750 at 16:6-16 and 32:12-15.
simultaneously updating information from a second information source in said plurality of information sources presented to said second tile in accordance with said second refresh rate.	<i>See, e.g.</i> , US 5,321,750 at 3:58-66, 16:6-16; and 32:12-15.
Claim 2	
The method of claim 1	<i>See claim 1.</i>
wherein said partitioning includes partitioning said array of tiles in accordance with a user-defined array size.	<i>See, e.g.</i> , US 5,321,750 at 5:35-40 and 16:55-56.
Claim 3	
The method of claim 1	<i>See claim 1.</i>
wherein said partitioning includes partitioning said array of tiles in a non-overlapping configuration wherein each tile of said array of tiles is a uniform size and shape.	<i>See, e.g.</i> , US 5,321,750 at FIG. 13; 5:35-40, 7:50-51; 14:35-38; 17:4-6.

¹ US 5,321,750 was filed on May 8, 1992 and issued on June 14, 1994. US 5,321,750 is prior art to the '403 patent at least under §§ 102(a), 102(b), and 102(e).

Claim 6	
The method of claim 1	<i>See</i> claim 1.
wherein said first refresh rate is different from said second refresh rate.	<i>See, e.g.</i> , US 5,321,750 at 16:1-52, 45:21 – 46:27.
Claim 8	
The method of claim 1	<i>See</i> claim 1.
wherein said array comprises more than one row and more than one column.	US 5,321,750 at FIG. 13 and 7:50-51.
Claim 11	
The method of claim 1	<i>See</i> claim 1.
wherein said first refresh rate is assigned automatically.	US 5,321,750 at 5:21-24 and 50:7-13.
Claim 12	
The method of claim 1	<i>See</i> claim 1.
wherein said array comprises a grid wherein each of said tiles occupies a fixed position on said grid.	<p><i>See, e.g.</i>, US 5,321,750 at 14:35-38 and 15:15-24.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in fixed positions on a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006))</p>

	<p>(“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ’847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 17	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a mobile telephone.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides</p>

	<p>motivations. <i>See e.g.</i>, Ben Schneiderman, Designing the User Interface at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 19	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a computer.	US 5,321,750 at 10:3-16.
Claim 20	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a personal digital assistant.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness</p>

	<p>jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 21	
The method of claim 1	<i>See</i> claim 1.
wherein said plurality of information sources comprises at least two information sources selected from the group consisting of: analog signal; video signal; audio signal; text; an e-mail program; a world-wide-web page; streaming video; streaming audio; and graphics.	<i>See, e.g.</i> , US 5,321,750 at 3:27-37; 6:1-5; 16:1-52; 55:26-29.
Claim 22	
An electronic readable memory to direct an electronic device to function in a specified manner, comprising:	<i>See, e.g.</i> , US 5,321,750 at 33:51-53, 38:51-60 and Title.
a first set of instructions to control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , US 5,321,750 at 3:27-37; 11:54-68; 55:26-29.
a second set of instructions to arrange a display into an array of tiles;	<i>See, e.g.</i> , US 5,321,750 at FIG. 13; 7:50-51; 11:54-68; 15:15-18, 35-40; 16:1-52.
a third set of instructions to associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	<i>See, e.g.</i> , US 5,321,750 at 4:39-53; 5:29-35.
a fourth set of instructions to retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said	<i>See, e.g.</i> , US 5,321,750 at 16:1-52 and 32:12-15.

second information source in accordance with a second retrieval rate; and	
a fifth set of instructions to present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , US 5,321,750 at 40:17-21.
Claim 25	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a mobile telephone.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p>

	<p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 27	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a computer.	<i>See, e.g.</i> , US 5,321,750 at 10:3-16.
Claim 28	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a personal digital assistant.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006)) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine</p>

	<p>...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 30	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions produce an array of non-overlapping tiles wherein each tile has a uniform size and shape.	<i>See, e.g.</i> , US 5,321,750 at FIG. 13; 5:35-40; 7:50-51; 14:35-38; 17:4-6.
Claim 34	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver selected textual content from said first information source to said first tile.	<i>See, e.g.</i> , US 5,321,750 at 6:1-5 and 16:6-15.
Claim 37	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver information from a network document to a selected tile of said array of tiles.	<i>See, e.g.</i> , US 5,321,750 at 1:48-54 and 4:7-12.
Claim 38	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver a web page to a selected tile of said array of tiles.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 2:13-28; 5:45-6:8; 7:36-39; 11:22-24; Microsoft Internet Explorer Resource Kit at xv and 180.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these</p>

	<p>references with the charted reference to arrive at a scheme in which web pages are retrieved and presented to a rectangular region of a display. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Microsoft Internet Explorer Resource Kit at xxx-xxxi.</p>
Claim 39	
The electronic readable memory of claim 22 wherein said first retrieval rate is different from said second retrieval rate.	<p><i>See</i> claim 22.</p> <p><i>See, e.g.</i>, US 5,321,750 at 16:1-52.</p>
Claim 40	
The electronic readable memory of claim 22 wherein said array comprises more than one row and more than one column.	<p><i>See</i> claim 22.</p> <p><i>See, e.g.</i>, US 5,321,750 at FIG. 13 and 7:50-51.</p>
Claim 46	
A system for facilitating the organization and management of multiple data sources, comprising:	<i>See, e.g.</i> , US 5,321,750 at Title.
a device that includes a processor configured to execute instructions, a memory connected to said processor to store at least one program that includes a graphical user interface, and an input device, wherein said processor executes instructions to:	<i>See, e.g.</i> , US 5,321,750 at FIG. 5; 7:13-15; 33:51-53; 38:51-60; 39:28-38; 42:42-46.

control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , US 5,321,750 at 3:27-37; 11:54-68, 55:26-29.
arrange a display into an array of tiles;	<i>See, e.g.</i> , US 5,321,750 at FIG. 13; 5:35-40; 7:50-51; 11:54-68; 15:15-18; 16:1-52.
associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	<i>See, e.g.</i> , US 5,321,750 at 4:39-53 and 5:29-35.
retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	<i>See, e.g.</i> , US 5,321,750 at 16:1-52 and 32:12-15.
present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , US 5,321,750 at 40:17-21.
Claim 47	
The system of claim 46	<i>See</i> claim 46.
wherein said array comprises more than one row and more than one column.	<i>See, e.g.</i> , US 5,321,750 at FIG. 13 and 7:50-51

EXHIBIT 5

Exhibit 5

U.S. Patent No. 6,724,403	Illustrative disclosures from US 6,118,493¹
Claim 1	
(a) A method executed by a device under the control of a program, said device including a memory for storing said program, said method comprising:	<i>See, e.g.</i> , US 6,118,493 at FIG. 1; 2:10-19; 2:57-3:5.
(b) selecting a plurality of information sources;	<i>See, e.g.</i> , US 6,118,493 at 1:46-53; 3:7-18.
(c) partitioning a visual display of the device into an array of tiles, wherein each tile in said array of tiles is associated with an information source in said plurality of information sources;	<i>See, e.g.</i> , US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23.
(d) assigning a first refresh rate to a first tile of said array of tiles and a second refresh rate to a second tile of said array of tiles;	<i>See, e.g.</i> , US 6,118,493 at Abstract; FIGs. 4-6; 3:9-41; 3:44-46; 4:13-38; 4:56-63; 5:31-43.
(e) updating information from a first information source in said plurality of information sources presented to said first tile in accordance with said first refresh rate; and	<i>See, e.g.</i> , US 6,118,493 at FIGs. 4-6; 3:14-18; 3:44-46; 4:13-38; 4:52-63; 5:31-43
(f) simultaneously updating information from a second information source in said plurality of information sources presented to said second tile in accordance with said second refresh rate.	<i>See, e.g.</i> , US 6,118,493 at FIGs. 2, 4-6; 3:14-18; 3:44-46; 4:13-38; 4:52-63; 5:31-43.
Claim 2	
The method of claim 1	<i>See claim 1.</i>
wherein said partitioning includes partitioning said array of tiles in accordance with a user-defined array size.	To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:17-23; 29:16-41; US 6,118,493 at FIG. 2, 1:59-61; 3:30-34; 4:17-23; 2:62-3:5; US 5,371,847 at 1:57-2:16; FIGs. 1, 4, 6, 8B; 1:23-48; 3:13-22, 3:32-39.

¹ US 6,118,493 was filed on April 1, 1997 and issued on September 12, 2000. US 6,118,493 is prior art to the '403 patent at least under § 102(e).

	<p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in grid of with user-defined array size. This motivation is independently provided in several way. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 3	
The method of claim 1	<i>See claim 1.</i>
wherein said partitioning includes partitioning said array of tiles in a non-overlapping configuration wherein each tile of said array of tiles is a uniform size and shape.	<i>See, e.g.</i> , US 6,118,493 at FIG. 2; 3:30-34.
Claim 6	
The method of claim 1	<i>See claim 1.</i>
wherein said first refresh rate is different from said second refresh rate.	<p><i>See, e.g.</i>, US 6,118,493 at 3:44-46; 4:26-38.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation,</p>

	<p>this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,456,334 at 4:56-5:2.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme in multiple tiles are updated at the same time at different refresh rates. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying video information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 6,456,334 at 1:5-45.</p>
Claim 8	
The method of claim 1	<i>See claim 1.</i>
wherein said array comprises more than one row and more than one column.	<i>See, e.g.</i> , US 6,118,493 at 3:30-34.
Claim 11	
The method of claim 1	<i>See claim 1.</i>
wherein said first refresh rate is assigned automatically.	<i>See, e.g.</i> , US 6,118,493 at 4:23-26
Claim 12	
The method of claim 1	<i>See claim 1.</i>
wherein said array comprises a grid wherein each of said tiles occupies a fixed position on said grid.	<i>See, e.g.</i> , US 6,118,493 at FIG. 2; 3:30-34.
Claim 17	
The method of claim 1	<i>See claim 1.</i>
wherein said device is a mobile telephone.	To the extent that the charted reference is

	<p>determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several way. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 19	

The method of claim 1	<i>See</i> claim 1.
wherein said device is a computer.	<i>See, e.g.</i> , US 6,118,493 at Fig. 3; 1:6-10; 3:22-28.
Claim 20	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a personal digital assistant.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several way. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on</p>

	one of these form factors on a different form factor was within ordinary skill in the art.
Claim 21	
The method of claim 1	<i>See</i> claim 1.
wherein said plurality of information sources comprises at least two information sources selected from the group consisting of: analog signal; video signal; audio signal; text; an e-mail program; a world-wide-web page; streaming video; streaming audio; and graphics.	<i>See, e.g.</i> , US 6,118,493 at 2:62-3:5.
Claim 22	
An electronic readable memory to direct an electronic device to function in a specified manner, comprising:	<i>See, e.g.</i> , US 6,118,493 at FIG. 1; 2:10-19; 2:57-3:5.
a first set of instructions to control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , US 6,118,493 at 2:34-42; 3:7-18.
a second set of instructions to arrange a display into an array of tiles;	<i>See, e.g.</i> , US 6,118,493 at FIG. 2; 1:59-61; 3:30-34.
a third set of instructions to associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	<i>See, e.g.</i> , US 6,118,493 at 4:17-23.
a fourth set of instructions to retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	<i>See, e.g.</i> , US 6,118,493 at FIG. 2; 3:14-18; 3:44-46; 4:17-23.
a fifth set of instructions to present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , US 6,118,493 at 3:22-28; 4:17-23.
Claim 25	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a mobile telephone.	To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior

	<p>art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several way. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 27	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a computer.	<i>See, e.g.</i> , US 6,118,493 at 1:6-10; 3:22-28.

Claim 28	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a personal digital assistant.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several way. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form</p>

	factor was within ordinary skill in the art.
Claim 30	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions produce an array of non-overlapping tiles wherein each tile has a uniform size and shape.	<i>See, e.g.</i> , US 6,118,493 at FIG. 2; 3:30-34.
Claim 34	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver selected textual content from said first information source to said first tile.	<p>One of ordinary skill in the art would understand “video” to include textual content, including advertising, close captioning and the like.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 2:13-28; 5:45-6:8; 7:36-39; 11:22-24; Microsoft Internet Explorer Resource Kit at xv and 180.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme in which textual content is retrieved and presented to a rectangular region of a display. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness</p>

	jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i> , Microsoft Internet Explorer Resource Kit at xxx-xxxi.
Claim 37	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver information from a network document to a selected tile of said array of tiles.	<i>See, e.g.</i> , US 6,118,493 at 3:7-18.
Claim 38	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver a web page to a selected tile of said array of tiles.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 2:13-28; 5:45-6:8; 7:36-39; 11:22-24; Microsoft Internet Explorer Resource Kit at xv and 180.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme in which web pages are retrieved and presented to a rectangular region of a display. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness</p>

	jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i> , Microsoft Internet Explorer Resource Kit at xxx-xxxi.
Claim 39	
The electronic readable memory of claim 22 wherein said first retrieval rate is different from said second retrieval rate.	<p><i>See</i> claim 22.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,456,334 at 4:56-5:2.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme in multiple tiles are updated at the same time at different refresh rates. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying video information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 6,456,334 at 1:5-45.</p>
Claim 40	
The electronic readable memory of claim 22 wherein said array comprises more than one row and more than one column.	<p><i>See</i> claim 22.</p> <p><i>See, e.g.</i>, US 6,118,493 at 3:30-34.</p>
Claim 46	

A system for facilitating the organization and management of multiple data sources, comprising:	<i>See, e.g.</i> , US 6,118,493 at Title; 4:2-5.
a device that includes a processor configured to execute instructions, a memory connected to said processor to store at least one program that includes a graphical user interface, and an input device, wherein said processor executes instructions to:	<i>See, e.g.</i> , US 6,118,493 at FIG. 1; 2:10-19; 2:42-3:5; 4:26-32.
control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , US 6,118,493 at 2:34-42; 3:7-18.
arrange a display into an array of tiles;	<i>See, e.g.</i> , US 6,118,493 at FIG. 2; 1:59-61; 3:30-34.
associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	<i>See, e.g.</i> , US 6,118,493 at 4:17-23.
retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	<i>See, e.g.</i> , US 6,118,493 at FIG. 2; 3:14-18; 3:44-46; 4:17-23
present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , US 6,118,493 at 3:22-28; 4:17-23.
Claim 47	
The system of claim 46	<i>See claim 46.</i>
wherein said array comprises more than one row and more than one column.	<i>See, e.g.</i> , US 6,118,493 at 3:30-34.

EXHIBIT 6

Exhibit 6

U.S. Patent No. 6,724,403	Illustrative disclosures from US 6,456,334¹
Claim 1	
(a) A method executed by a device under the control of a program, said device including a memory for storing said program, said method comprising:	<i>See, e.g.</i> , US 6,456,334 at 7:42-50
(b) selecting a plurality of information sources;	<i>See, e.g.</i> , US 6,456,334 at 1:20-24; 1:29-32; 2:63-3:8.
(c) partitioning a visual display of the device into an array of tiles, wherein each tile in said array of tiles is associated with an information source in said plurality of information sources;	<i>See, e.g.</i> , US 6,456,334 at FIG. 1; 1:29-32; 2:27-43; 3:1-6; 3:42-46.
(d) assigning a first refresh rate to a first tile of said array of tiles and a second refresh rate to a second tile of said array of tiles;	<i>See, e.g.</i> , US 6,456,334 at Abstract; 3:10-41; 4:56-66.
(e) updating information from a first information source in said plurality of information sources presented to said first tile in accordance with said first refresh rate; and	<i>See, e.g.</i> , US 6,456,334 at Abstract; 4:63-5:2.
(f) simultaneously updating information from a second information source in said plurality of information sources presented to said second tile in accordance with said second refresh rate.	<i>See, e.g.</i> , US 6,456,334 at Abstract; 1:20-24; 3:10-22; 4:63-5:2.
Claim 2	
The method of claim 1	<i>See claim 1.</i>
wherein said partitioning includes partitioning said array of tiles in accordance with a user-defined array size.	<i>See, e.g.</i> , US 6,456,334 at 3:41-48; 6:47-57. To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:17-23; 29:16-41; US 6,118,493 at FIG. 2, 1:59-61; 3:30-34; 4:17-23; 2:62-3:5; US 5,371,847 at 1:57-2:16;

¹ US 6,456,334 was filed on June 29, 1999 and issued on September 24, 2002. US 6,456,334 is prior art to the '403 patent at least under § 102(e).

	<p>FIGs. 1, 4, 6, 8B; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in grid of with user-defined array size. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006)) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 3	
The method of claim 1	<i>See claim 1.</i>
wherein said partitioning includes partitioning said array of tiles in a non-overlapping configuration wherein each tile of said array of tiles is a uniform size and shape.	<i>See, e.g.</i> , US 6,456,334 at FIG. 1; 2:27-31.
Claim 6	
The method of claim 1	<i>See claim 1.</i>
wherein said first refresh rate is different from said second refresh rate.	<i>See, e.g.</i> , US 6,456,334 at 4:56-5:2.

Claim 8	
The method of claim 1	<i>See</i> claim 1.
wherein said array comprises more than one row and more than one column.	<i>See, e.g.</i> , US 6,456,334 at FIG. 1; 2:27-31.
Claim 11	
The method of claim 1	<i>See</i> claim 1.
wherein said first refresh rate is assigned automatically.	<p><i>See, e.g.</i>, US 6,456,334 at 3:28-33.</p> <p>One of ordinary skill would have known that the refresh rate specified by the video standard in use could be used as the refresh rate for full-motion video, and that a default refresh rate for the preview mode could be provided.</p>
Claim 12	
The method of claim 1	<i>See</i> claim 1.
wherein said array comprises a grid wherein each of said tiles occupies a fixed position on said grid.	<p><i>See, e.g.</i>, US 6,456,334 at FIG. 1; 2:27-31; 3:10-41; 6:37-62.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in fixed positions on a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex</i></p>

	<p><i>Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 17	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a mobile telephone.	<p><i>See, e.g.</i>, US 6,456,334 at 2:16-18; 2:23-27.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness</p>

	<p>jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 19	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a computer.	<i>See, e.g.</i> , US 6,456,334 at 2:16-18; 2:23-27.
Claim 20	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a personal digital assistant.	<p><i>See, e.g.</i>, US 6,456,334 at 2:5-9; 2:23-27; 3:5-8; 4:26-46; 7:57-64.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and</p>

	<p>engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 21	
The method of claim 1	<i>See claim 1.</i>
wherein said plurality of information sources comprises at least two information sources selected from the group consisting of: analog signal; video signal; audio signal; text; an e-mail program; a world-wide-web page; streaming video; streaming audio; and graphics.	<i>See, e.g.</i> , US 6,456,334 at 2:5-9; 3:5-8; 4:26-46; 7:57-64.
Claim 22	
An electronic readable memory to direct an electronic device to function in a specified manner, comprising:	<i>See, e.g.</i> , US 6,456,334 at 7:42-50.
a first set of instructions to control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , US 6,456,334 at 1:20-24; 1:29-32; 2:63-3:8.
a second set of instructions to arrange a display into an array of tiles;	<i>See, e.g.</i> , US 6,456,334 at FIG. 1; 1:29-32; 2:27-43; 3:1-6; 3:42-46.
a third set of instructions to associate a first information source of said plurality of information sources to a first tile of said	<i>See, e.g.</i> , US 6,456,334 at 2:27-43; 3:1-6.

array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	
a fourth set of instructions to retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	<i>See, e.g.</i> , US 6,456,334 at Abstract; 3:10-41; 4:56-5:2.
a fifth set of instructions to present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , US 6,456,334 at Abstract; 3:10-41.
Claim 25	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a mobile telephone.	<p><i>See, e.g.</i>, US 6,456,334 at 2:23-27.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006)) (“There is flexibility in our obviousness</p>

	<p>jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 27	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a computer.	<i>See, e.g.</i> , US 6,456,334 at 2:16-18; 2:23-27.
Claim 28	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a personal digital assistant.	<p><i>See, e.g.</i>, US 6,456,334 at 2:23-27.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of</p>

	<p>user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int'l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 30	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions produce an array of non-overlapping tiles wherein each tile has a uniform size and shape.	<i>See, e.g.</i> , US 6,456,334 at FIG. 1; 2:27-31.
Claim 34	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver selected textual content from said first information source to said first tile.	<p>One of ordinary skill in the art would understand “video” to include textual content, including advertising, close captioning and the like.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 2:13-28; 5:45-6:8; 7:36-39; 11:22-24; Microsoft Internet Explorer Resource Kit at xv and 180.</p>

	<p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme in which textual content is retrieved and presented to a rectangular region of a display. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Microsoft Internet Explorer Resource Kit at xxx-xxxi.</p>
Claim 37	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver information from a network document to a selected tile of said array of tiles.	<i>See, e.g.</i> , US 6,456,334 at 3:6-9. US 6,456,334 at 7:58-64.
Claim 38	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver a web page to a selected tile of said array of tiles.	To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i> , US 6,278,448 at 2:13-28; 5:45-6:8; 7:36-39; 11:22-24; Microsoft Internet Explorer Resource Kit at xv and 180.

	<p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme in which web pages are retrieved and presented to a rectangular region of a display. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time and regularly retrieving updated information. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Microsoft Internet Explorer Resource Kit at xxx-xxxi.</p>
Claim 39	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said first retrieval rate is different from said second retrieval rate.	<i>See, e.g.</i> , US 6,456,334 at 4:56-5:2.
Claim 40	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said array comprises more than one row and more than one column.	<i>See, e.g.</i> , US 6,456,334 at FIG. 1; 2:27-31.
Claim 46	
A system for facilitating the organization and management of multiple data sources, comprising:	<i>See, e.g.</i> , US 6,456,334 at 1:20-24;1:29-32.
a device that includes a processor configured to execute instructions, a memory connected to said processor to store at least one program that includes a graphical user interface, and an input	<i>See, e.g.</i> , US 6,456,334 at FIG. 11; 7:42-50.

device, wherein said processor executes instructions to:	
control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , US 6,456,334 at 1:20-24; 1:29-32; 2:63-3:8.
arrange a display into an array of tiles;	<i>See, e.g.</i> , US 6,456,334 at FIG. 1; 1:29-32; 2:27-43; 3:1-6; 3:42-46.
associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	<i>See, e.g.</i> , US 6,456,334 at 2:27-43; 3:1-6.
retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	<i>See, e.g.</i> , US 6,456,334 at Abstract; 3:10-41; 4:56-5:2.
present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , US 6,456,334 at Abstract, 3:10-41, 4:56-62.
Claim 47	
The system of claim 46	<i>See</i> claim 46.
wherein said array comprises more than one row and more than one column.	<i>See, e.g.</i> , US 6,456,334 at FIG. 1; 2:27-31.

EXHIBIT 7

Exhibit 7

U.S. Patent No. 6,724,403	Illustrative disclosures from US 5,432,932¹
Claim 1	
(a) A method executed by a device under the control of a program, said device including a memory for storing said program, said method comprising:	<i>See, e.g.</i> , US 5,432,932 at 101:31-54.
(b) selecting a plurality of information sources;	<i>See, e.g.</i> , US 5,432,932 at 5:14-23; 23:14-34; 27:56-58; 37:6-9
(c) partitioning a visual display of the device into an array of tiles, wherein each tile in said array of tiles is associated with an information source in said plurality of information sources;	<i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41.
(d) assigning a first refresh rate to a first tile of said array of tiles and a second refresh rate to a second tile of said array of tiles;	<i>See, e.g.</i> , US 5,432,932 at 32:54-58; 33:4-10; 34:30-36; 41:57-60; 42:3-8; 65:13-58; 66:41-67:7.
(e) updating information from a first information source in said plurality of information sources presented to said first tile in accordance with said first refresh rate; and	<i>See, e.g.</i> , US 5,432,932 at 32:26-43; 41:51-42:8.
(f) simultaneously updating information from a second information source in said plurality of information sources presented to said second tile in accordance with said second refresh rate.	<i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-e; 23:5-13; 29:16-41; 32:26-43.
Claim 2	
The method of claim 1	<i>See claim 1.</i>
wherein said partitioning includes partitioning said array of tiles in accordance with a user-defined array size.	<i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-e; 26:65-27:6; 31:11-32:15.
Claim 3	
The method of claim 1	<i>See claim 1.</i>
wherein said partitioning includes partitioning said array of tiles in a non-overlapping configuration wherein each tile of said array of tiles is a uniform size and	<i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-d; 32:1-3.

¹ US 5,432,932 was filed on October 23, 1992 and issued on July 11, 1995. US 5,432,932 is prior art to the '403 patent at least under §§ 102(a), 102(b), and 102(e).

shape.	
Claim 6	
The method of claim 1	<i>See claim 1.</i>
wherein said first refresh rate is different from said second refresh rate.	<i>See, e.g., US 5,432,932 at 16:1-6; 16:30.</i>
Claim 8	
The method of claim 1	<i>See claim 1.</i>
wherein said array comprises more than one row and more than one column.	<i>See, e.g., US 5,432,932 at FIG. 12C; 26:58-60.</i>
Claim 11	
The method of claim 1	<i>See claim 1.</i>
wherein said first refresh rate is assigned automatically.	<i>See, e.g., US 5,432,932 at 24:3-5.</i>
Claim 12	
The method of claim 1	<i>See claim 1.</i>
wherein said array comprises a grid wherein each of said tiles occupies a fixed position on said grid.	<i>See, e.g., US 5,432,932 at FIGs. 12c-d; 31:8 – 32:15.</i>
Claim 17	
The method of claim 1	<i>See claim 1.</i>
wherein said device is a mobile telephone.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g., US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</i></p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v.</i></p>

	<p><i>Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 19	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a computer.	US 5,432,932 at 22:16-19; 101:31-36.
Claim 20	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a personal digital assistant.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And</p>

	<p>motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 21	
The method of claim 1	<i>See</i> claim 1.
wherein said plurality of information sources comprises at least two information sources selected from the group consisting of: analog signal; video signal; audio signal; text; an e-mail program; a world-wide-web page; streaming video; streaming audio; and graphics.	<p><i>See, e.g.</i>, US 5,432,932 at 74:64-75:18.</p> <p>One of ordinary skill would have recognized that multimedia sources, including audio, video, and text, could be used as information sources.</p>
Claim 22	
An electronic readable memory to direct an electronic device to function in a specified manner, comprising:	<i>See, e.g.</i> , US 5,432,932 at 101:31-36.
a first set of instructions to control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 23:5-34; 27:56-58; 29:16-41; 36:56-37:25; 53:23-26.
a second set of instructions to arrange a display into an array of tiles;	<i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-e; 5:14-23; 11:7-10; 23:5-13; 23:35-37; 26:58-60; 29:16-41.
a third set of instructions to associate a first information source of said plurality of information sources to a first tile of said	<i>See, e.g.</i> , US 5,432,932 at 7:40-47; 23:5-13.

array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	
a fourth set of instructions to retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	<i>See, e.g.</i> , US 5,432,932 at 32:26-43; 32:54-58; 33:4-10; 34:30-36; 41:51-42:8; 65:13-58; 66:41-67:7.
a fifth set of instructions to present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , US 5,432,932 at 23:29-32; 32:26-43; 36:58-62.
Claim 25	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a mobile telephone.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006)) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid</p>

	<p>test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 27	
The electronic readable memory of claim 22	<i>See claim 22.</i>
wherein said second set of instructions arrange said array of tiles on a display of a computer.	<i>See, e.g.</i> , US 5,432,932 at 22:16-19; 101:31-36.
Claim 28	
The electronic readable memory of claim 22	<i>See claim 22.</i>
wherein said second set of instructions arrange said array of tiles on a personal digital assistant.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at</p>

	<p>the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 30	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said second set of instructions produce an array of non-overlapping tiles wherein each tile has a uniform size and shape.	<i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-d; 32:1-3.
Claim 34	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver selected textual content from said first information source to said first tile.	<p>US 5,432,932 at 74:64-75:18.</p> <p>One of ordinary skill would have recognized that multimedia sources, including text sources, could be used as information sources.</p>
Claim 37	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver information from a network document to a selected tile of said array of tiles.	<i>See, e.g.</i> , US 5,432,932 at 3:20-38; 4:3-36; 5:14-23; 23:14-34; 37:6-9.
Claim 38	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver a web page to	US 5,432,932 at 74:64 – 75:18.

a selected tile of said array of tiles.	One of ordinary skill would have recognized that multimedia sources, including web pages, could be used as information sources using the network protocols described at 4:38-48 of the 932 patent.
Claim 39	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said first retrieval rate is different from said second retrieval rate.	<i>See, e.g.</i> , US 5,432,932 at 16:1-2; 16:30.
Claim 40	
The electronic readable memory of claim 22	<i>See</i> claim 22.
wherein said array comprises more than one row and more than one column.	<i>See, e.g.</i> , US 5,432,932 at FIG. 12c.
Claim 46	
A system for facilitating the organization and management of multiple data sources, comprising:	<i>See, e.g.</i> , US 5,432,932 at 23:14-34.
a device that includes a processor configured to execute instructions, a memory connected to said processor to store at least one program that includes a graphical user interface, and an input device, wherein said processor executes instructions to:	<i>See, e.g.</i> , US 5,432,932 at 36:2; 101:31-36.
control simultaneous communication with a plurality of information sources;	<i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-e; 5:14-23; 23:5-34; 27:56-58; 29:16-41; 36:56-37:25.
arrange a display into an array of tiles;	<i>See, e.g.</i> , US 5,432,932 at FIGs. 12c-e; 5:14-23; 11:7-10; 23:5-13; 23:35-37; 26:58-60; 29:16-41.
associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	<i>See, e.g.</i> , US 5,432,932 at 7:40-47; 23:5-13.
retrieve information from said first information source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and	<i>See, e.g.</i> , US 5,432,932 at 32:26-43; 32:54-58; 33:4-10; 34:30-36; 41:51-42:8; 65:13-58; 66:41-67:7.
present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.	<i>See, e.g.</i> , US 5,432,932 at 23:29-32; 32:26-43; 36:58-62.
Claim 47	
The system of claim 46	<i>See</i> claim 46.
wherein said array comprises more than one	<i>See, e.g.</i> , US 5,432,932 at FIG. 12c; 26:58-60

row and more than one column.	
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EXHIBIT 8

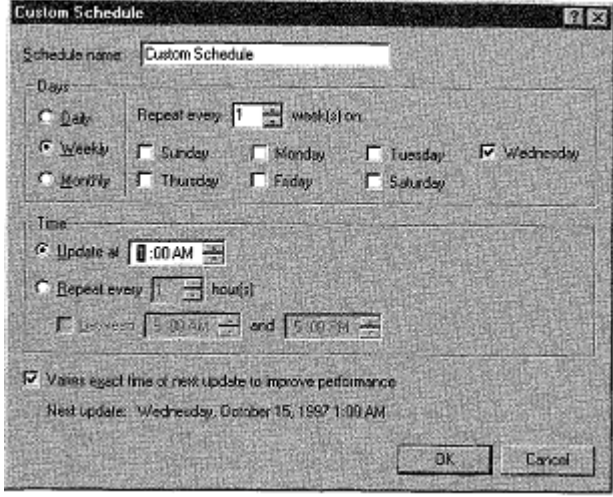
Exhibit 8

U.S. Patent No. 6,724,403	Illustrative functionality of Active Desktop (Active Desktop)¹
Claim 1	
(a) A method executed by a device under the control of a program, said device including a memory for storing said program, said method comprising:	<p>For example,</p> <p>Active Desktop includes software executed by a device under the control of a program. Devices executing Active Desktop functionality in a memory for storing the Active Desktop software.</p>
(b) selecting a plurality of information sources;	<p>For example,</p> <p>Active Desktop allows one to add any graphic, URL, or HTML file to your desktop as an Active Desktop item. Adding a URL will automatically subscribe you to the site you selected. When you subscribe to a URL, site information is automatically cached on your computer for offline viewing, and Internet Explorer will automatically update the desktop item on a schedule you choose. 180.</p> <p>The flexibility of the Active Desktop interface allows intranet administrators to use pull technologies to make information and resources directly accessible from users' desktops, and to customize that information for specific user groups. The Active Desktop turns users' desktops into dynamic, personalized, live Web bulletin boards that regularly update with the latest content, for quick access online or offline. Such custom configurations can be easily managed using the IEAK.</p> <p>Possible desktop item applications include:</p> <ul style="list-style-type: none"> • a ticker showing current stock quotes for a corporation, • a scrolling headline list of announcements or news stories, • a scrolling list of available new software updates. <p>Possible scenarios include channel screen saver from the Human resources department. A corporate attorney subscribes to a fee-</p>

¹ Active Desktop, and products including and implementing its functionality were publicly used, offered for sale, sold at least as early as March 7, 1997. For example, Internet Explorer 4.0, Windows Desktop Update, and Windows 98 included Active Desktop, and were publicly used, offered for sale, and sold at least as early as March 7, 1997. *See, e.g.*, MS_SURFCAS_T_000001844 – MS_SURFCAS_T_000001846; MS_SURFCAS_T_000001847 – MS_SURFCAS_T_000001850; MS_SURFCAS_T_000001882 – MS_SURFCAS_T_000001884. The public use, offer for sale, and sale of such products is prior art, and makes the '403 patent unpatentable, under at least under §§ 102(a) and 102(b).

	<p>based Active Channel for a legal service; a sales representative receives updated price lists; a purchasing agent gets notification of a supplier's special pricing programs through an Active Desktop item, which updates daily from the supplier's secured Internet site; a credit manager subscribes to an external (fee-based) Active Channel that provides a personalized desktop ticker that delivers news about significant changes in customer credit ratings; an executive subscribes to Active Channels providing industry news.</p>
<p>(c) partitioning a visual display of the device into an array of tiles, wherein each tile in said array of tiles is associated with an information source in said plurality of information sources;</p>	<p>For example,</p> <p>By default, Internet Explorer lays out new Active Desktop items on a 3 by 2 grid.</p> <p>Active Desktop carves the then typical 640x480 display up into 6 tiles in a 3x2 grid. Active Desktop walks the page from top right, down and across to allocate space for added desktop items. The Active Desktop algorithm is designed to prevent desktop items from overlapping.</p> <p>Active Desktop items and Active Desktop wallpaper are, essentially, Web sites that appear directly, in borderless frames, on users' desktops.</p> <p>Desktop items are typically designed to provide summary information in a small amount of screen space.</p> <p>Active Channels may be used as Active Desktop items, which appear directly in borderless frames on users' desktops. Desktop items can contain any standard Web content, including Dynamic HTML, ActiveX controls, VBScript, Java applets, ECMA Script, and Active Server Pages. Desktop items are typically designed to provide summary information in a small amount of screen space.</p> <p>Active Desktop items, which are essentially miniature Web pages that reside on the desktop, complement this functionality. They can be used to provide information such as news headlines, weather, traffic information, and stock quotes.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 26:58-60; 29:16-41; 35-37; US 6,118,493 at FIG. 2, 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B, 1:57-2:16; 1:23-48; 3:13-22, 3:32-39.</p>

	<p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
<p>(d) assigning a first refresh rate to a first tile of said array of tiles and a second refresh rate to a second tile of said array of tiles;</p>	<p>For example,</p> <p>One can configure individual update schedules for each Active Desktop item. For example, a user’s Active Desktop can display three different desktop items: an inventory ticker that is updated every 15 minutes, a workgroup home page that is updated once a day, and a newsletter that is updated once a week. Internet Explorer 4 automatically refreshes the desktop item whenever the update occurs.</p> <p>Using basic Webcasting, users can ‘subscribe’ to any exiting Web site and have Internet Explorer automatically visit and ‘crawl’ the site on a scheduled basis to check for updated content.</p> <p>The user can then choose to ‘subscribe’ to the Web site, and the Active Desktop item or wallpaper will be automatically updated at regularly scheduled times, so that the content will always be up-to-date.</p>

	 <p>Users can check for updates on specific types of content and can accept a publisher's predefined update schedule or specify a custom schedule.</p> <p>Publishers can specify a schedule using the SCHEDULE element as a child element in the first CHANNEL element. All subchannels and items in a CDF file are updated according to this schedule.</p>
(e) updating information from a first information source in said plurality of information sources presented to said first tile in accordance with said first refresh rate; and	<p>For example,</p> <p>When you subscribe to a URL, site information is automatically cached on your computer for offline viewing, and Internet Explorer will automatically update the desktop item on a schedule you choose.</p> <p>Publishers can specify a schedule using the SCHEDULE element as a child element in the first CHANNEL element. All subchannels and items in a CDF file are updated according to this schedule.</p> <p>See claim 1(d).</p>
(f) simultaneously updating information from a second information source in said plurality of information sources presented to said second tile in accordance with said second refresh rate.	<p>See claim 1(e).</p> <p>One skilled in the art would understand that information from a second information source is simultaneously updated in accordance with said second refresh rate because Active Desktop display multiple tiles, which are updated at their respective rates, at the same time.</p>
Claim 2	
The method of claim 1	See claim 1.

<p>wherein said partitioning includes partitioning said array of tiles in accordance with a user-defined array size.</p>	<p>For example,</p> <p>One can add any graphic, URL, or HTML file to your desktop as an Active Desktop item. Adding a URL will automatically subscribe you to the site you selected. When you subscribe to a URL, site information is automatically cached on your computer for offline viewing, and Internet Explorer will automatically update the desktop item on a schedule you choose.</p> <p>By default, Internet Explorer lays out new Active Desktop items on a 3 by 2 grid.</p> <p>Active Desktop items should be authored to be as small as possible to display their desired content. This gives Active Desktop users the maximum flexibility to arrange their desktop as they wish.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:17-23; 29:16-41; US 6,118,493 at FIG. 2, 1:59-61; 3:30-34; 4:17-23; 2:62-3:5; US 5,371,847 at 1:57-2:16; FIGs. 1, 4, 6, 8B; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in grid of with user-defined array size. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would</p>
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	need arrange the windows into those grids manually).
Claim 3	
The method of claim 1	See claim 1.
wherein said partitioning includes partitioning said array of tiles in a non-overlapping configuration wherein each tile of said array of tiles is a uniform size and shape.	<p>For example,</p> <p>By default, Internet Explorer lays out new Active Desktop items on a 3 by 2 grid.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a regular grid with tiles of uniform size and shape. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 6	
The method of claim 1	See claim 1.
wherein said first refresh rate is different from said second refresh rate.	<p>For example,</p> <p>One can configure individual update schedules for each Active</p>

	<p>Desktop item. For example, a user's Active Desktop can display three different desktop items: an inventory ticker that is updated every 15 minutes, a workgroup home page that is updated once a day, and a newsletter that is updated once a week. Internet Explorer 4 automatically refreshes the desktop item whenever the update occurs.</p> <p><i>See also</i> claim 1(d).</p>
Claim 8	
The method of claim 1	<i>See</i> claim 1.
wherein said array comprises more than one row and more than one column.	<p>For example,</p> <p>By default, Internet Explorer lays out new Active Desktop items on a 3 by 2 grid.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e ; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2;1:59-61; 2:62-3:5;3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid with more than one row and column. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int'l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids with more than one row and more than one column illustrated by the ‘847 patent improves efficiency over systems where users</p>

	would need arrange the windows into those grids manually).
Claim 11	
The method of claim 1	See claim 1.
wherein said first refresh rate is assigned automatically.	<p>For example,</p> <p>Publishers can specify a schedule using the SCHEDULE element as a child element in the first CHANNEL element. All subchannels and items in a CDF file are updated according to this schedule.</p> <p>Users can check for updates on specific types of content and can accept a publisher's predefined update schedule.</p>
Claim 12	
The method of claim 1	See claim 1.
wherein said array comprises a grid wherein each of said tiles occupies a fixed position on said grid.	<p>For example,</p> <p>By default, Internet Explorer lays out new Active Desktop items on a 3 by 2 grid.</p> <p>System administrators can place Active Desktop items on users' desktops during configuration by setting them up on the configuration machine prior to running the IEAK Configuration Wizard. Users can be restricted from modifying, adding, and removing Active Desktop items by using the IEAK Configuration Wizard or the IEAK Profile Manager.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in fixed positions on a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at</p>

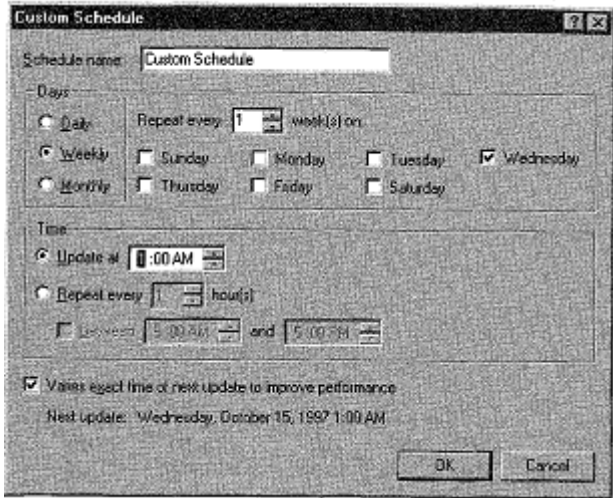
	<p>least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 17	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a mobile telephone.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the</p>

	art.
Claim 19	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a computer.	<i>See</i> claim 1(a).
Claim 20	
The method of claim 1	<i>See</i> claim 1.
wherein said device is a personal digital assistant.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 21	
The method of claim 1	<i>See</i> claim 1.
wherein said plurality of information sources comprises at least two	<p>For example,</p> <p>The ActiveDesktop interface brings the Web right to users’</p>

information sources selected from the group consisting of: analog signal; video signal; audio signal; text; an e-mail program; a world-wide-web page; streaming video; streaming audio; and graphics.	<p>desktops with HTML wallpaper, screen savers and Active Desktop items. Now you can use Webpage as desktop wallpaper or as a screen saver, complete with graphics and links to your favorite files and URLs. ActiveX objects, JavaScript and Visual Basic Scripting Edition (VBScript) can be used to add even more functionality.</p> <p>Internet Explorer 4 automatically enables Webcasting of any existing Web site without requiring modifications to the site. Users can specify Web crawls up to three levels deep from a subscribed Web page. Internet Explorer crawls all Web links to the specified level and can optionally download and cache all linked Web pages to users' computers, including all linked images, audio and video, and ActiveX controls and Java applets.</p> <p>Active Desktop items which are essentially miniature Webpages that reside on the desktop complement this functionality. They can be used to provide information such as news headlines, weather, traffic information and stock quotes. For users adding an Active Desktop item, it can be as simple as pointing and clicking.</p>
Claim 22	
An electronic readable memory to direct an electronic device to function in a specified manner, comprising:	<p>For example,</p> <p>Active Desktop was publicly used, offered for sale, and sold as software on electronic readable memory. That software directs electronic devices to function in a specified manner.</p>
a first set of instructions to control simultaneous communication with a plurality of information sources;	<p>For example,</p> <p>Active Desktop allows one to add any graphic, URL, or HTML file to your desktop as an Active Desktop item. Adding a URL will automatically subscribe you to the site you selected. When you subscribe to a URL, site information is automatically cached on your computer for offline viewing, and Internet Explorer will automatically update the desktop item on a schedule you choose.</p> <p>180.</p> <p>The flexibility of the Active Desktop interface allows intranet administrators to use pull technologies to make information and resources directly accessible from users' desktops, and to customize that information for specific user groups. The Active Desktop turns users' desktops into dynamic, personalized, live Web bulletin boards that regularly update with the latest content, for quick access online or offline. Such custom configurations can be easily managed using the IEAK.</p>

	<p>Possible desktop item applications include:</p> <ul style="list-style-type: none"> • a ticker showing current stock quotes for a corporation, • a scrolling headline list of announcements or news stories, • a scrolling list of available new software updates. <p>Possible scenarios include channel screen saver from the Human resources department. A corporate attorney subscribes to a fee-based Active Channel for a legal service; a sales representative receives updated price lists; a purchasing agent gets notification of a supplier's special pricing programs through an Active Desktop item, which updates daily from the supplier's secured Internet site; a credit manager subscribes to an external (fee-based) Active Channel that provides a personalized desktop ticker that delivers news about significant changes in customer credit ratings; an executive subscribes to Active Channels providing industry news.</p>
a second set of instructions to arrange a display into an array of tiles;	<p>For example,</p> <p>By default, Internet Explorer lays out new Active Desktop items on a 3 by 2 grid.</p> <p>Active Desktop carves the then typical 640x480 display up into 6 tiles in a 3x2 grid. Active Desktop walks the page from top right, down and across to allocate space for added desktop items. The Active Desktop algorithm is designed to prevent desktop items from overlapping.</p> <p>Active Desktop items and Active Desktop wallpaper are, essentially, Web sites that appear directly, in borderless frames, on users' desktops.</p> <p>Desktop items are typically designed to provide summary information in a small amount of screen space.</p> <p>Active Channels may be used as Active Desktop items, which appear directly in borderless frames on users' desktops. Desktop items can contain any standard Web content, including Dynamic HTML, ActiveX controls, VBScript, Java applets, ECMA Script, and Active Server Pages. Desktop items are typically designed to provide summary information in a small amount of screen space.</p> <p>Active Desktop items, which are essentially miniature Web pages that reside on the desktop, complement this functionality. They can be used to provide information such as news headlines, weather, traffic information, and stock quotes.</p> <p>To the extent that the charted reference is determined not to</p>

	<p>anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 26:58-60; 29:16-41; 35-37; US 6,118,493 at FIG. 2, 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B, 1:57-2:16; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
a third set of instructions to associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	<p>For example,</p> <p>Active Desktop allows one to add any graphic, URL, or HTML file to your desktop as an Active Desktop item. Adding a URL will automatically subscribe you to the site you selected.</p>
a fourth set of instructions to retrieve information from said first information source in accordance with a first	<p>For example,</p> <p>One can configure individual update schedules for each Active Desktop item. For example, a user’s Active Desktop can display three different desktop items: an inventory ticker that is updated</p>

<p>retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and</p>	<p>every 15 minutes, a workgroup home page that is updated once a day, and a newsletter that is updated once a week. Internet Explorer 4 automatically refreshes the desktop item whenever the update occurs.</p> <p>Using basic Webcasting, users can ‘subscribe’ to any exiting Web site and have Internet Explorer automatically visit and ‘crawl’ the site on a scheduled basis to check for updated content.</p> <p>The user can then choose to ‘subscribe’ to the Web site, and the Active Desktop item or wallpaper will be automatically updated at regularly scheduled times, so that the content will always be up-to-date.</p>  <p>Users can check for updates on specific types of content and can accept a publisher’s predefined update schedule or specify a custom schedule.</p> <p>Publishers can specify a schedule using the SCHEDULE element as a child element in the first CHANNEL element. All subchannels and items in a CDF file are updated according to this schedule.</p>
<p>a fifth set of instructions to present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval rate.</p>	<p>For example,</p> <p>When you subscribe to a URL, site information is automatically cached on your computer for offline viewing, and Internet Explorer will automatically update the desktop item on a schedule you choose.</p> <p>Publishers can specify a schedule using the SCHEDULE element as a child element in the first CHANNEL element. All subchannels and items in a CDF file are updated according to this schedule.</p>

Claim 25	
The electronic readable memory of claim 22	See claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a mobile telephone.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 27	
The electronic readable memory of claim 22	See claim 22.
wherein said second set of instructions arrange said array of tiles on a display of a computer.	<p>For example,</p> <p>Active Desktop was publicly used, offered for sale, and sold as software installed for execution on a computer. The natural and obvious use of Active Desktop is execution by a computer to arrange Desktop items on the display of the computer.</p>
Claim 28	

The electronic readable memory of claim 22	See claim 22.
wherein said second set of instructions arrange said array of tiles on a personal digital assistant.	<p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 6,278,448 at 4:44-49; US 5,819,284 at 1:8-11; 2:38-57.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme implemented on a handheld device such as a mobile telephone or personal digital assistant. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, Ben Schneiderman, <i>Designing the User Interface</i> at 13 (3d ed. 1998) (desire to have consistent and portable user interfaces that are the same across software and hardware environments).</p> <p>At the time of the purported invention of the ‘403 patent, one of ordinary skill was familiar with the various form factors of computers, and the ability of each to execute computer programs. Implementing a computer program existing on one of these form factors on a different form factor was within ordinary skill in the art.</p>
Claim 30	
The electronic readable memory of claim 22	See claim 22.
wherein said second set of instructions produce an array of non-overlapping tiles wherein each tile has a uniform size and shape.	<p>For example,</p> <p>By default, Internet Explorer lays out new Active Desktop items on a 3 by 2 grid.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US</p>

	<p>5,432,932 at FIGs. 12c-e; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2; 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a regular grid with tiles of uniform size and shape. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 34	
The electronic readable memory of claim 22 further comprising	<i>See</i> claim 22.
a set of instructions to deliver selected textual content from said first information source to said first tile.	<p>For example,</p> <p>The Active Desktop interface brings the Web right to users’ desktops with HTML wallpaper, screen savers and Active Desktop items. Now you can use Webpage as desktop wallpaper or as a screen saver, complete with graphics and links to your favorite files and URLs. ActiveX objects, JavaScript and Visual Basic Scripting Edition (VBScript) can be used to add even more functionality.</p> <p>Internet Explorer 4 automatically enables Webcasting of any existing Web site without requiring modifications to the site Users can specify Web crawls up to three levels deep from a</p>

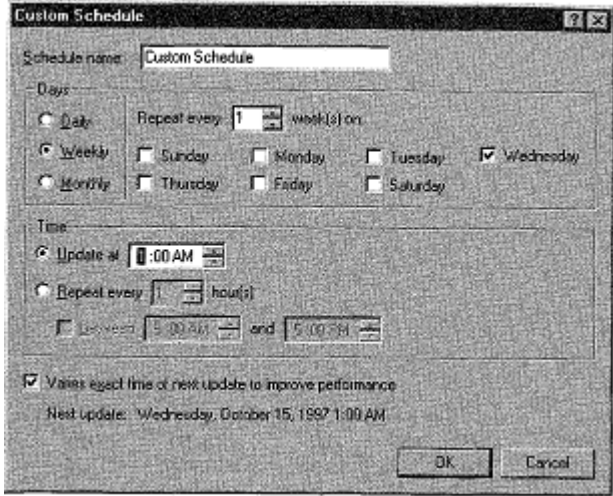
	<p>subscribed Web page. Internet Explorer crawls all Web links to the specified level and can optionally download and cache all linked Web pages to users' computers, including all linked images, audio and video, and ActiveX controls and Java applets.</p> <p>Active Desktop items which are essentially miniature Webpages that reside on the desktop complement this functionality. They can be used to provide information such as news headlines, weather, traffic information, and stock quotes. For users adding an Active Desktop item, it can be as simple as pointing and clicking.</p>
Claim 37	
The electronic readable memory of claim 22 further comprising	<i>See claim 22.</i>
a set of instructions to deliver information from a network document to a selected tile of said array of tiles.	<p>For example,</p> <p>Microsoft Internet Explorer 4 integrates the power of the computer and the exciting content on the Internet to give users a compelling Web experience.</p> <p>One can add any graphic, URL, or HTML file to your desktop as an Active Desktop item. Adding a URL will automatically subscribe you to the site you selected. When you subscribe to a URL, site information is automatically cached on your computer for offline viewing, and Internet Explorer will automatically update the desktop item on a schedule you choose.</p>
Claim 38	
The electronic readable memory of claim 22 further comprising	<i>See claim 22.</i>
a set of instructions to deliver a web page to a selected tile of said array of tiles.	<p>For example,</p> <p>The ActiveDesktop interface brings the Web right to users' desktops with HTML wallpaper, screen savers, and Active Desktop items. Now you can use Webpage as desktop wallpaper or as a screen saver, complete with graphics and links to your favorite files and URLs. ActiveX objects, JavaScript, and Visual Basic Scripting Edition (VBScript) can be used to add even more functionality.</p> <p>Internet Explorer 4 automatically enables Webcasting of any existing Web site without requiring modifications to the site. Users can specify Web crawls up to three levels deep from a subscribed Web page. Internet Explorer crawls all Web links to the specified level and can optionally download and cache all linked Web pages to users' computers, including all linked images, audio and video,</p>

	<p>and ActiveX controls and Java applets.</p> <p>Active Desktop items which are essentially miniature Webpages that reside on the desktop complement this functionality. They can be used to provide information such as news headlines, weather, traffic information, and stock quotes. For users adding an Active Desktop item, it can be as simple as pointing and clicking.</p>
Claim 39	
The electronic readable memory of claim 22	See claim 22.
wherein said first retrieval rate is different from said second retrieval rate.	<p>For example,</p> <p>One can configure individual update schedules for each Active Desktop item. For example, a user's Active Desktop can display three different desktop items: an inventory ticker that is updated every 15 minutes, a workgroup home page that is updated once a day, and a newsletter that is updated once a week. Internet Explorer 4 automatically refreshes the desktop item whenever the update occurs.</p> <p><i>See also</i> claim 1(d).</p>
Claim 40	
The electronic readable memory of claim 22	See claim 22.
wherein said array comprises more than one row and more than one column.	<p>For example,</p> <p>By default, Internet Explorer lays out new Active Desktop items on a 3 by 2 grid.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e ; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2:1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at a scheme in which the rectangular regions of the charted reference are laid out in a grid with more than one row and column. This motivation is independently provided in several ways. For example, the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is</p>

	<p>in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids with more than one row and more than one column illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
Claim 46	
A system for facilitating the organization and management of multiple data sources, comprising:	<p>For example,</p> <p>Active Desktop was used, and provided functionality for, organizing and managing multiple data sources.</p>
a device that includes a processor configured to execute instructions, a memory connected to said processor to store at least one program that includes a graphical user interface, and an input device, wherein said processor executes instructions to:	<p>For example,</p> <p>Active Desktop was publicly used, offered for sale, and sold as software on electronic readable memory. That software directs electronic devices to function in a specified manner.</p>
control simultaneous communication with a plurality of information sources;	<p>For example,</p> <p>Active Desktop allows one to add any graphic, URL, or HTML file to your desktop as an Active Desktop item. Adding a URL will automatically subscribe you to the site you selected. When you subscribe to a URL, site information is automatically cached on your computer for offline viewing, and Internet Explorer will automatically update the desktop item on a schedule you choose. 180.</p> <p>The flexibility of the Active Desktop interface allows intranet administrators to use pull technologies to make information and resources directly accessible from users’ desktops, and to customize that information for specific user groups. The Active Desktop turns users’ desktops into dynamic, personalized, live Web bulletin</p>

	<p>boards that regularly update with the latest content, for quick access online or offline. Such custom configurations can be easily managed using the IEAK.</p> <p>Possible desktop item applications include:</p> <ul style="list-style-type: none"> • a ticker showing current stock quotes for a corporation, • a scrolling headline list of announcements or news stories, • a scrolling list of available new software updates. <p>Possible scenarios include channel screen saver from the Human resources department. A corporate attorney subscribes to a fee-based Active Channel for a legal service; a sales representative receives updated price lists; a purchasing agent gets notification of a supplier's special pricing programs through an Active Desktop item, which updates daily from the supplier's secured Internet site; a credit manager subscribes to an external (fee-based) Active Channel that provides a personalized desktop ticker that delivers news about significant changes in customer credit ratings; an executive subscribes to Active Channels providing industry news.</p>
<p>arrange a display into an array of tiles;</p>	<p>For example,</p> <p>By default, Internet Explorer lays out new Active Desktop items on a 3 by 2 grid.</p> <p>Active Desktop carves the then typical 640x480 display up into 6 tiles in a 3x2 grid. Active Desktop walks the page from top right, down and across to allocate space for added desktop items. The Active Desktop algorithm is designed to prevent desktop items from overlapping.</p> <p>Active Desktop items and Active Desktop wallpaper are, essentially, Web sites that appear directly, in borderless frames, on users' desktops.</p> <p>Desktop items are typically designed to provide summary information in a small amount of screen space.</p> <p>Active Channels may be used as Active Desktop items, which appear directly in borderless frames on users' desktops. Desktop items can contain any standard Web content, including Dynamic HTML, ActiveX controls, VBScript, Java applets, ECMA Script, and Active Server Pages. Desktop items are typically designed to provide summary information in a small amount of screen space.</p> <p>Active Desktop items, which are essentially miniature Web pages that reside on the desktop, complement this functionality. They can</p>

	<p>be used to provide information such as news headlines, weather, traffic information, and stock quotes.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e, 5:14-23; 7:40-47; 11:7-10; 23:5-13, 26:58-60; 29:16-41; 35-37; US 6,118,493 at FIG. 2, 1:59-61; 2:62-3:5; 3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B, 1:57-2:16; 1:23-48; 3:13-22, 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into user-defined grids improves efficiency over systems where users would need arrange the windows into those grids manually).</p>
associate a first information source of said plurality of information sources to a first tile of said array of tiles and a second information source of said plurality of information sources to a second tile of said array of tiles;	<p>For example,</p> <p>Active Desktop allows one to add any graphic, URL, or HTML file to your desktop as an Active Desktop item. Adding a URL will automatically subscribe you to the site you selected.</p>
retrieve information from said first information	<p>For example,</p>

<p>source in accordance with a first retrieval rate and retrieve information from said second information source in accordance with a second retrieval rate; and</p>	<p>One can configure individual update schedules for each Active Desktop item. For example, a user's Active Desktop can display three different desktop items: an inventory ticker that is updated every 15 minutes, a workgroup home page that is updated once a day, and a newsletter that is updated once a week. Internet Explorer 4 automatically refreshes the desktop item whenever the update occurs.</p> <p>Using basic Webcasting, users can 'subscribe' to any exiting Web site and have Internet Explorer automatically visit and 'crawl' the site on a scheduled basis to check for updated content.</p> <p>The user can then choose to 'subscribe' to the Web site, and the Active Desktop item or wallpaper will be automatically updated at regularly scheduled times, so that the content will always be up-to-date.</p>  <p>Users can check for updates on specific types of content and can accept a publisher's predefined update schedule or specify a custom schedule.</p> <p>Publishers can specify a schedule using the SCHEDULE element as a child element in the first CHANNEL element. All subchannels and items in a CDF file are updated according to this schedule.</p>
<p>present information to said first tile in accordance with said first retrieval rate and present information to said second tile in accordance with said second retrieval</p>	<p>For example,</p> <p>When you subscribe to a URL, site information is automatically cached on your computer for offline viewing, and Internet Explorer will automatically update the desktop item on a schedule you choose.</p>

rate.	Publishers can specify a schedule using the SCHEDULE element as a child element in the first CHANNEL element. All subchannels and items in a CDF file are updated according to this schedule.
Claim 47	
The system of claim 46	See claim 46.
wherein said array comprises more than one row and more than one column.	<p>For example,</p> <p>By default, Internet Explorer lays out new Active Desktop items on a 3 by 2 grid.</p> <p>To the extent that the charted reference is determined not to anticipate this claim limitation, this limitation is disclosed by the charted reference in combination with other prior art. <i>See, e.g.</i>, US 5,432,932 at FIGs. 12c-e ; 5:14-23; 7:40-47; 11:7-10; 23:5-13, 35-37; 26:58-60; 29:16-41; US 6,118,493 at FIG. 2;1:59-61; 2:62-3:5;3:30-34; 4:17-23; US 5,371,847 at FIGs. 1, 4, 6, 8B; 1:23-48; 1:57-2:16; 3:13-22; 3:32-39.</p> <p>Persons of ordinary skill in the art would have been motivated to combine the teachings of these references with the charted reference to arrive at scheme in which the rectangular regions of the charted reference are laid out in a grid with more than one row and column. This motivation is independently provided in several ways. For example the prior art references address the same general problem—displaying information in multiple rectangular portions of a display at the same time. Moreover, the references are in the same or related fields of endeavor. Each prior art reference cited is in related if not same field of user interface development, computer science and engineering, and software engineering. And motivation to combine the prior art in this manner is implicitly disclosed by the prior art at least at the points cited above. <i>See KSR Int’l v. Teleflex Inc.</i>, 550 U.S. 398, 421-422 (quoting <i>Alza Corp. v. Mylan Labs., Inc.</i>, 464 F.3d 1286, 1291 (2006) (“There is flexibility in our obviousness jurisprudence because a motivation may be found implicitly in the prior art. We do not have a rigid test that requires an actual teaching to combine ...”). And the prior art explicitly provides motivations. <i>See e.g.</i>, US 5,371,847 at 1:12-16, 1:57 – 2:16 (providing automatic placement of “rectangular areas of [a] display,” which the ‘847 patent defines as windows, into the regular grids with more than one row and more than one column illustrated by the ‘847 patent improves efficiency over systems where users would need arrange the windows into those grids manually).</p>