

EXHIBIT B

Exhibit B
Joint Claim Construct Chart – Agreed Terms and Constructions

Claim Terms	Intertrust's Proposed Construction	Defendants' Proposed Construction	Court's Construction
1. "electronic object" Appears in Claims:¹ <u>53</u>, <u>65</u>, <u>69</u>, <u>74</u>, <u>80</u>, <u>84</u>, <u>85</u>, <u>86</u>, <u>95</u>, <u>99</u>, 100 of the '157 Patent. <u>Language of Disputed Claims:</u> ['157] <u>53</u>. An electronic appliance comprising: a first processing unit; a second processing unit, the second processing unit comprising a microprocessor, internal memory, and internal memory interface logic for impeding unauthorized access to the internal memory by the first processing unit; and computer-readable media external to the second processing unit, the computer-readable media storing at least (a) a piece of electronic content; (b) one or more electronic objects received by the electronic appliance separately from the piece of electronic content and via separate delivery, the one or more electronic objects specifying one or	[Agreed]	[Agreed]	plain and ordinary meaning

¹ The parties have listed all claims in which the agreed term appears. The asserted claims are in bold and underlined.

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more permitted or prohibited uses of the piece of electronic content; and (c) software configured for execution by the first processing unit, the software comprising programming for controlling usage of pieces of electronic content such as the first piece of electronic content in accordance with electronic objects such as the one or more electronic objects, the software further comprising programming for causing the second processing unit to access information required for usage of pieces of electronic content. [157] 65. The electronic appliance of claim 53, in which at least one of the one or more electronic objects specifies at least one condition associated with a permitted use of the piece of electronic content. [157] 69. A method performed by an electronic appliance comprising a processor and a memory encoded with program instructions that, when executed by the processor, cause the electronic appliance to perform the method, the method comprising: receiving, by the electronic appliance, a first piece			

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of electronic content, the first piece of electronic content being encrypted at least in part; receiving, by the electronic appliance, separately from the first piece of electronic content, a first key, the first key being associated with the first piece of electronic content, and the first key being encrypted at least in part; decrypting, by the electronic appliance, the first key using (a) a second key and (b) a secure processing unit running on the electronic appliance, the second key being stored in memory of the secure processing unit; decrypting, by the electronic appliance, the first piece of electronic content using, at least in part, the first key; receiving, by the electronic appliance, separately from the first piece of electronic content, and via separate delivery, a first electronic object, the first electronic object specifying one or more permitted or prohibited uses of the first piece of electronic content; receiving, by the electronic appliance, a request to use the first piece of electronic content; and			

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selectively granting, by the electronic appliance, the request in accordance with the first electronic object. [157] <u>74</u>. The method of claim 69, in which selectively granting the request in accordance with the first electronic object includes decrypting the first piece of electronic content using, at least in part, the first key. [157] <u>80</u>. The method of claim 69, in which the first electronic object specifies at least one condition associated with a permitted use of the first piece of electronic content. [157] <u>84</u>. The method of claim 69, further comprising: receiving, separately from the first piece of electronic content and the first electronic object, a second piece of electronic content; receiving a request to use the second piece of electronic content; and selectively granting the request in accordance with the first electronic object. [157] <u>86</u>. A method for governing usage of			

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electronic content performed by an electronic appliance, the electronic appliance comprising a processor and a memory encoded with program instructions that, when executed by the processor, cause the electronic appliance to perform the method, the method comprising: receiving, by the electronic appliance, a first piece of electronic content, the first piece of electronic content being encrypted at least in part; receiving, by the electronic appliance, separately from the first piece of electronic content, and via separate delivery, a first electronic object, the first electronic object specifying one or more permitted or prohibited uses of the first piece of electronic content; receiving, by the electronic appliance, a request from a user of the electronic appliance to use the first piece of electronic content; and selectively granting, by the electronic appliance, the request in accordance with the first electronic object; wherein the electronic appliance comprises hardware and/or software operable to impede the user from tampering with performance of said			

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selectively granting step. ['157] 95. The method of claim 86, in which the first electronic object specifies at least one condition associated with a permitted use of the first piece of electronic content. ['157] 99. The method of claim 86, further comprising: receiving, separately from the first piece of electronic content and the first electronic object, a second piece of electronic content; receiving a request to use the second piece of electronic content; and selectively granting the request in accordance with the first electronic object.			
2. "receiving...separately" / "receiving, separately" Appears in Claims: 24 of the '304 Patent; 69, 84, 85, 86, 99, 100 of the '157 Patent; and 17, 19 of the '106 Patent. <u>Language of Disputed Claims:</u>	[Agreed]	[Agreed]	receiving over different paths, or from different sources, or at different times

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Claim Terms	Intertrust's Proposed Construction	Defendants' Proposed Construction	Court's Construction
[304] 24. A method for monitoring use of a digital file at a computing system, the method comprising: receiving the digital file; receiving a first entity's control information separately from the digital file; using the first entity's control information to govern, at least in part, a use of the digital file at the computing system; and reporting information relating to the use of the digital file to the first entity; wherein at least one aspect of the computing system is designed to impede the ability of a user of the computing system to tamper with at least one aspect of the computing system's performance of one or more of said using and reporting steps. [157] 69. A method performed by an electronic appliance comprising a processor and a memory encoded with program instructions that, when executed by the processor, cause the electronic appliance to perform the method, the method comprising: receiving, by the electronic appliance, a first piece			

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of electronic content, the first piece of electronic content being encrypted at least in part; receiving, by the electronic appliance, separately from the first piece of electronic content, a first key, the first key being associated with the first piece of electronic content, and the first key being encrypted at least in part; decrypting, by the electronic appliance, the first key using (a) a second key and (b) a secure processing unit running on the electronic appliance, the second key being stored in memory of the secure processing unit; decrypting, by the electronic appliance, the first piece of electronic content using, at least in part, the first key; receiving, by the electronic appliance, separately from the first piece of electronic content, and via separate delivery, a first electronic object, the first electronic object specifying one or more permitted or prohibited uses of the first piece of electronic content; receiving, by the electronic appliance, a request to use the first piece of electronic content; and			

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selectively granting, by the electronic appliance, the request in accordance with the first electronic object. [157] 84. The method of claim 69, further comprising: receiving, separately from the first piece of electronic content and the first electronic object, a second piece of electronic content; receiving a request to use the second piece of electronic content; and selectively granting the request in accordance with the first electronic object. [157] 85. The method of claim 69, further comprising: receiving, separately from the first piece of electronic content and the first electronic object, a second electronic object, the second electronic object specifying one or more permitted or prohibited uses of the first piece of electronic content; receiving a request to use the first piece of electronic content; and			

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selectively granting the request in accordance with the first electronic object and the second electronic object. [157] 86. A method for governing usage of electronic content performed by an electronic appliance, the electronic appliance comprising a processor and a memory encoded with program instructions that, when executed by the processor, cause the electronic appliance to perform the method, the method comprising: receiving, by the electronic appliance, a first piece of electronic content, the first piece of electronic content being encrypted at least in part; receiving, by the electronic appliance, separately from the first piece of electronic content, and via separate delivery, a first electronic object, the first electronic object specifying one or more permitted or prohibited uses of the first piece of electronic content; receiving, by the electronic appliance, a request from a user of the electronic appliance to use the first piece of electronic content; and selectively granting, by the electronic appliance,			

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the request in accordance with the first electronic object; wherein the electronic appliance comprises hardware and/or software operable to impede the user from tampering with performance of said selectively granting step. [‘157] <u>99</u>. The method of claim 86, further comprising: receiving, separately from the first piece of electronic content and the first electronic object, a second piece of electronic content; receiving a request to use the second piece of electronic content; and selectively granting the request in accordance with the first electronic object. [‘157] <u>100</u>. The method of claim 86, further comprising: receiving, separately from the first piece of electronic content and the first electronic object, a second electronic object, the second electronic object specifying one or more permitted or prohibited uses of the first piece of electronic			

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content; receiving a request to use the first piece of electronic content; and selectively granting the request in accordance with the first electronic object and the second electronic object. [106] 17. A method for managing the use of electronic content at a computing device, the method including: receiving a piece of electronic content; receiving, separately from the piece of electronic content, data specifying one or more conditions associated with rendering the piece of electronic content, the one or more conditions including a condition that the piece of electronic content be rendered by a rendering application associated with a first digital certificate; executing a rendering application on the computing device, the rendering application being associated with at least the first digital certificate, the first digital certificate having been generated by a first entity based at least in part on a determination that the rendering application will handle electronic			

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content with at least a predefined level of security; requesting, through a rights management engine executing on the computing device, permission for the rendering application to render the piece of electronic content; determining, using the rights management engine, whether the one or more conditions specified by the data have been satisfied; decrypting the piece of electronic content; rendering the decrypted piece of electronic content using the rendering application.			
3. "received[ing]...separately...and via separate delivery" <u>Appears in Claims:</u> 1, 33, <u>53</u> , <u>69</u> , <u>86</u> of the '157 Patent. <u>Language of Disputed Claims:</u> ['157] <u>53</u> . An electronic appliance comprising: a first processing unit; a second processing unit, the second processing unit comprising a microprocessor, internal	[Agreed]	[Agreed]	received[ing] through a different path

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memory, and internal memory interface logic for impeding unauthorized access to the internal memory by the first processing unit; and computer-readable media external to the second processing unit, the computer-readable media storing at least (a) a piece of electronic content; (b) one or more electronic objects received by the electronic appliance separately from the piece of electronic content and via separate delivery, the one or more electronic objects specifying one or more permitted or prohibited uses of the piece of electronic content; and (c) software configured for execution by the first processing unit, the software comprising programming for controlling usage of pieces of electronic content such as the first piece of electronic content in accordance with electronic objects such as the one or more electronic objects, the software further comprising programming for causing the second processing unit to access information required for usage of pieces of electronic content.			

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Claim Terms	Intertrust's Proposed Construction	Defendants' Proposed Construction	Court's Construction
[157] 69. A method performed by an electronic appliance comprising a processor and a memory encoded with program instructions that, when executed by the processor, cause the electronic appliance to perform the method, the method comprising: receiving, by the electronic appliance, a first piece of electronic content, the first piece of electronic content being encrypted at least in part; receiving, by the electronic appliance, separately from the first piece of electronic content, a first key, the first key being associated with the first piece of electronic content, and the first key being encrypted at least in part; decrypting, by the electronic appliance, the first key using (a) a second key and (b) a secure processing unit running on the electronic appliance, the second key being stored in memory of the secure processing unit; decrypting, by the electronic appliance, the first piece of electronic content using, at least in part, the first key; receiving, by the electronic appliance, separately from the first piece of electronic content, and via			

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separate delivery, a first electronic object, the first electronic object specifying one or more permitted or prohibited uses of the first piece of electronic content; receiving, by the electronic appliance, a request to use the first piece of electronic content; and selectively granting, by the electronic appliance, the request in accordance with the first electronic object. [157] 86. A method for governing usage of electronic content performed by an electronic appliance, the electronic appliance comprising a processor and a memory encoded with program instructions that, when executed by the processor, cause the electronic appliance to perform the method, the method comprising: receiving, by the electronic appliance, a first piece of electronic content, the first piece of electronic content being encrypted at least in part; receiving, by the electronic appliance, separately from the first piece of electronic content, and via separate delivery, a first electronic object, the first electronic object specifying one or more permitted or prohibited uses of the first piece of electronic			

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content; receiving, by the electronic appliance, a request from a user of the electronic appliance to use the first piece of electronic content; and selectively granting, by the electronic appliance, the request in accordance with the first electronic object; wherein the electronic appliance comprises hardware and/or software operable to impede the user from tampering with performance of said selectively granting step. 4. "receiving...independently...via separate delivery" <u>Appears in Claim: 4</u> of the '158 Patent. <u>Language of Disputed Claims:</u> [158] 4. A method utilizing an electronic appliance comprising a processor and a memory encoded by with program instructions that, when executed by the processor, cause the processor to perform the method, the method comprising: receiving, at the electronic appliance, an electronic content item, the electronic content item being	[Agreed]	[Agreed]	receiving through a different path

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encrypted at least in part; storing the electronic content item in memory of the electronic appliance; receiving, at the electronic appliance, independently from the electronic content item via separate delivery and protected separately from the electronic content item, a rule specifying one or more permitted uses of the electronic content item; receiving, at the electronic appliance, a request to use the electronic content item; determining that the requested use of the electronic content item corresponds to a permitted use of the electronic content item specified in the rule; and using, at least in part, a decryption key to decrypt the electronic content item, the decryption key being stored in a secure processing unit contained in the electronic appliance.			
5. "associated digital signature" <u>Appears in Claims: 2, 29</u> of the '721 Patent. <u>Language of Disputed Claims:</u>	[Agreed]	[Agreed]	a digital value, verifiable with a public key, that can be used to determine the source and integrity of the load module/executable

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[721] <u>9</u>. A method of distinguishing between trusted and untrusted load modules comprising: (a) receiving a load module, (b) determining whether the load module has an associated digital signature, (c) if the load module has an associated digital signature, authenticating the digital signature using at least one public key secured behind a tamper resistant barrier and therefore hidden from the user; and (d) conditionally executing the load module based at least in part on the results of authenticating step (c). [721] <u>29</u>. A method of distinguishing between trusted and untrusted executables comprising: (a) receiving an executable, (b) determining whether the executable has an associated digital signature, (c) if the executable has an associated digital signature, authenticating the digital signature using at least one public key secured behind a			

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tamper resistant barrier and therefore hidden from the user; and (d) conditionally executing the executable based at least in part on the results of authenticating step (c).			
6. "application program" <u>Appears in Claims: 1, 2, 9, 10, 12, 13, 15 of the '342 Patent.</u> <u>Language of Disputed Claims:</u> ['342] 1. A method for managing the use of electronic content at a user's computing device, the method including: executing an application program on the user's computing device, the application program being capable of rendering electronic content, the application program having at least a first digital certificate associated therewith, the first digital certificate being generated by or on behalf of a first entity comprising an association of one or more content providers, the first digital certificate being associated with the application program if the application program meets certain predefined criteria set by the association, the predetermined criteria including that the application program	[Agreed]	[Agreed]	computer program that performs a specific task

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will handle the electronic content with at least a predefined level of security; requesting the application program to render a piece of electronic content, the piece of electronic content having at least a second digital certificate associated therewith, the second digital certificate being generated by or on behalf of a second entity different from the first entity, and the piece of electronic content further having associated therewith at least one electronic rule, the at least one electronic rule including data specifying one or more conditions associated with rendering the piece of electronic content, the one or more conditions including a condition that the piece of electronic content may be rendered by an application program having the first digital certificate associated therewith; verifying, at the user's computing device, the association of the second digital certificate with the piece of electronic content; using a rights management program running on the user's computing device to examine the data included in the at least one electronic rule and to determine that the piece of electronic content may be rendered by an application program having the first digital certificate associated therewith;			

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verifying the association of the first digital certificate with the application program using the rights management program; and rendering the piece of electronic content using the application program, wherein the piece of electronic content comprises an authorizing document, and the second entity associates the second digital certificate with the authorizing document if the authorizing document originated from a certified entity. [342] 12. The method as in claim 1, wherein the step of verifying the association of the second digital certificate with the piece of electronic content is performed during or after the step of verifying the association of the first digital certificate with the application program. 7. "wherein at least one aspect of the computing system is designed to impede the ability of a user of the computing system to tamper with at least one aspect of the computing system's performance of one or more of said using and reporting steps" <u>Appears in Claim: 24</u> of the '304 Patent.	[Agreed]	[Agreed]	Clause is limiting

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Claim Terms	Intertrust's Proposed Construction	Defendants' Proposed Construction	Court's Construction
<u>Language of Disputed Claims:</u> [304] 24. A method for monitoring use of a digital file at a computing system, the method comprising: receiving the digital file; receiving a first entity's control information separately from the digital file; using the first entity's control information to govern, at least in part, a use of the digital file at the computing system; and reporting information relating to the use of the digital file to the first entity; wherein at least one aspect of the computing system is designed to impede the ability of a user of the computing system to tamper with at least one aspect of the computing system's performance of one or more of said using and reporting steps.			
8. "wherein each error-check value comprises a hash of the portion of the block of data to which it corresponds" <u>Appears in Claims: 25, 40 of the '602 Patent.</u>	[Agreed]	[Agreed]	Clause is limiting

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<u>Language of Disputed Claims:</u> ['602] 25. A method for encoding a block of data in a manner designed to facilitate fault-tolerant authentication comprising: generating a progression of check values, each check value in the progression being derived from a portion of the block of data and from at least one other check value in the progression; generating an encoded block of data, comprising: inserting error-check values into the block of data, each error-check value being inserted in proximity to a portion of the block of data to which it corresponds, and each error-check value being operable to facilitate authentication of a portion of the block of data and of a check value in the progression of check values; transmitting the encoded block of data and the check values to a user's system, whereby the user's system is able to receive and authenticate portions of the encoded block of data before the entire encoded block of data is received, wherein each error-check value comprises a hash of the portion of the block of data to which			

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it corresponds. 9. "wherein the piece of electronic content comprises an authorizing document, and the second entity associates the second digital certificate with the authorizing document if the authorizing document originated from a certified entity" <u>Appears in Claims: 1, 15 of the '342 Patent.</u> <u>Language of Disputed Claims:</u> ['342] 1. A method for managing the use of electronic content at a user's computing device, the method including: executing an application program on the user's computing device, the application program being capable of rendering electronic content, the application program having at least a first digital certificate associated therewith, the first digital certificate being generated by or on behalf of a first entity comprising an association of one or more content providers, the first digital certificate being associated with the application program if the application program meets certain predefined criteria set by the association, the predetermined criteria including that the application program will handle the electronic content with at least a	[Agreed]	[Agreed]	Clause is limiting

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predefined level of security; requesting the application program to render a piece of electronic content, the piece of electronic content having at least a second digital certificate associated therewith, the second digital certificate being generated by or on behalf of a second entity different from the first entity, and the piece of electronic content further having associated therewith at least one electronic rule, the at least one electronic rule including data specifying one or more conditions associated with rendering the piece of electronic content, the one or more conditions including a condition that the piece of electronic content may be rendered by an application program having the first digital certificate associated therewith; verifying, at the user's computing device, the association of the second digital certificate with the piece of electronic content; using a rights management program running on the user's computing device to examine the data included in the at least one electronic rule and to determine that the piece of electronic content may be rendered by an application program having the first digital certificate associated therewith;			

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verifying the association of the first digital certificate with the application program using the rights management program; and rendering the piece of electronic content using the application program, wherein the piece of electronic content comprises an authorizing document, and the second entity associates the second digital certificate with the authorizing document if the authorizing document originated from a certified entity.			
10. "wherein the certified entity is identified by a third digital certificate issued by a third entity different from the first and second entities" <u>Appears in Claim: Z</u> of the '342 Patent. <u>Language of Disputed Claims:</u> [342] <u>Z</u>. The method as in claim 1, wherein the certified entity is identified by a third digital certificate issued by a third entity different from the first and second entities.	[Agreed]	[Agreed]	Clause is limiting
11. "wherein the second entity determines that an authorizing document originated from the	[Agreed]	[Agreed]	Clause is limiting

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certified entity by checking for the presence of the third digital certificate issued by the third entity" Appears in Claim: <u>8</u> of the '342 Patent. Language of Disputed Claims: [342] <u>8</u>. The method as in claim 7, wherein the second entity determines that an authorizing document originated from the certified entity by checking for the presence of the third digital certificate issued by the third entity.			
12. "wherein the step of verifying the association of the second digital certificate with the piece of electronic content is performed during or after the step of verifying the association of the first digital certificate with the application program" Appears in Claim: <u>12</u> of the '342 Patent. Language of Disputed Claims: [342] <u>12</u>. The method as in claim 1, wherein the step of verifying the association of the second digital certificate with the piece of electronic content is performed during or after the step of verifying the association of the first digital	[Agreed]	[Agreed]	Clause is limiting

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certificate with the application program.			
13. "wherein the electronic appliance comprises hardware and/or software operable to impede the user from tampering with performance of said selectively granting step" Appears in Claim: 86 of the '157 Patent. <u>Language of Disputed Claims:</u> ['157] 86. A method for governing usage of electronic content performed by an electronic appliance, the electronic appliance comprising a processor and a memory encoded with program instructions that, when executed by the processor, cause the electronic appliance to perform the method, the method comprising: receiving, by the electronic appliance, a first piece of electronic content, the first piece of electronic content being encrypted at least in part; receiving, by the electronic appliance, separately from the first piece of electronic content, and via separate delivery, a first electronic object, the first electronic object specifying one or more permitted or prohibited uses of the first piece of electronic content;	[Agreed]	[Agreed]	Clause is limiting

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receiving, by the electronic appliance, a request from a user of the electronic appliance to use the first piece of electronic content; and selectively granting, by the electronic appliance, the request in accordance with the first electronic object; wherein the electronic appliance comprises hardware and/or software operable to impede the user from tampering with performance of said selectively granting step.			
14. "wherein selectively granting the request includes decrypting the first piece of electronic content using the first key" <u>Appears in Claim: 87</u> of the '157 Patent. <u>Language of Disputed Claims:</u> ['157] 87. The method of claim 86, further comprising: receiving a first key, the first key being encrypted; and decrypting the first key using a second key stored	[Agreed]	[Agreed]	Clause is limiting

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in internal memory of a secure processing unit running on the electronic appliance; wherein selectively granting the request includes decrypting the first piece of electronic content using the first key.			
15. "wherein selectively granting the request includes accessing information stored in internal memory of a secure processing unit running on the electronic appliance" <u>Appears in Claim: 89</u> of the '157 Patent. <u>Language of Disputed Claims:</u> [157] <u>89</u> . The method of claim 86, wherein selectively granting the request includes accessing information stored in internal memory of a secure processing unit running on the electronic appliance.	[Agreed]	[Agreed]	Clause is limiting
16. "wherein extracting the secret information comprises decrypting at least a portion of the secure electronic container to generate unencrypted secret information" <u>Appears in Claims: 1, 10</u> of the '627 Patent.	[Agreed]	[Agreed]	Clause is limiting

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<u>Language of Disputed Claims:</u> [’627] 1. A method performed by a system comprising a processor and a non-transitory computer-readable storage medium storing instructions that, when executed by the processor, cause the system to perform the method, the method comprising: receiving, by a secure control application executing on the system in a protected processing environment, a request to access protected content by a governed application executing on the system in a processing environment separate from the protected processing environment; extracting, by the secure control application, secret information from a secure electronic container, the secret information being configured to be used, at least in part, to decrypt the protected content, wherein extracting the secret information comprises decrypting at least a portion of the secure electronic container to generate unencrypted secret information; and sending, by the secure control application, the unencrypted secret information from the protected processing environment to the governed application executing in the processing			

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environment separate from the protected processing environment.			
17. "wherein the one more requirements comprise at least one security requirement" Appears in Claims: <u>5</u> , 14 of the '627 Patent. <u>Language of Disputed Claims:</u> ['627] <u>5</u> . The method of claim 4, wherein the one more requirements comprise at least one security requirement.	[Agreed]	[Agreed]	Clause is limiting
18. "wherein the one or more requirements comprise at least one requirement for processing the protected content" Appears in Claims: <u>6</u> , 15 of the '627 Patent. <u>Language of Disputed Claims:</u> ['627] <u>6</u> . The method of claim 4, wherein the one or more requirements comprise at least one requirement for processing the protected content.	[Agreed]	[Agreed]	Clause is limiting
19. "wherein the secret information comprises one or more access keys"	[Agreed]	[Agreed]	Clause is limiting

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Appears in Claims: 8, 17 of the '627 Patent. <u>Language of Disputed Claims:</u> ['627] 8. The method of claim 1, wherein the secret information comprises one or more access keys.			