Filed by Vringo, Inc.
Pursuant to Rule 425 under the
Securities Act of 1933 (the "Securities Act") and
deemed filed pursuant to Rule 14a-12 under the
Securities Exchange Act of 1934 (the "Exchange Act")
Securities Act File Number: 333-180609
Subject Company: Vringo, Inc.
Exchange Act File Number: 001-34785

Set forth below is the presentation made by counsel to I/P Engine, Inc., a wholly-owned subsidiary of Innovate/Protect, Inc., at the *Markman* hearing on June 4, 2012 in connection with the lawsuit captioned *I/P Engine, Inc. v. AOL Inc. et al.*, Civ. Action No. 2:11-cv-512, filed in United States District Court for the Eastern District of Virginia, Norfolk Division on September 15, 2011.

I/P ENGINE

MARKMAN HEARING

June 4, 2012

Patents-in-Suit

LYCOS®

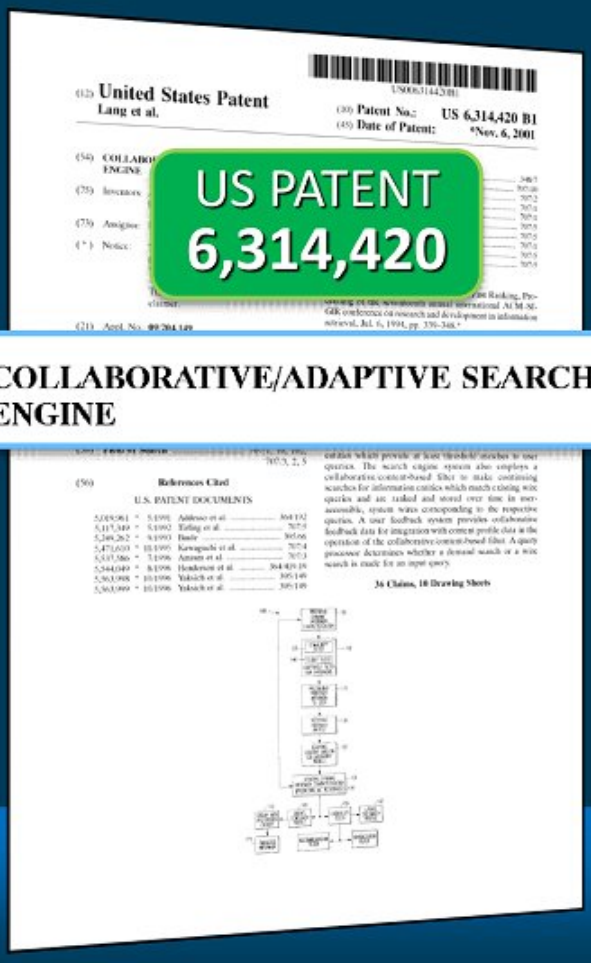
Mr. Lang
CTO (Lycos)
CTO/CEO (I/P Engine)

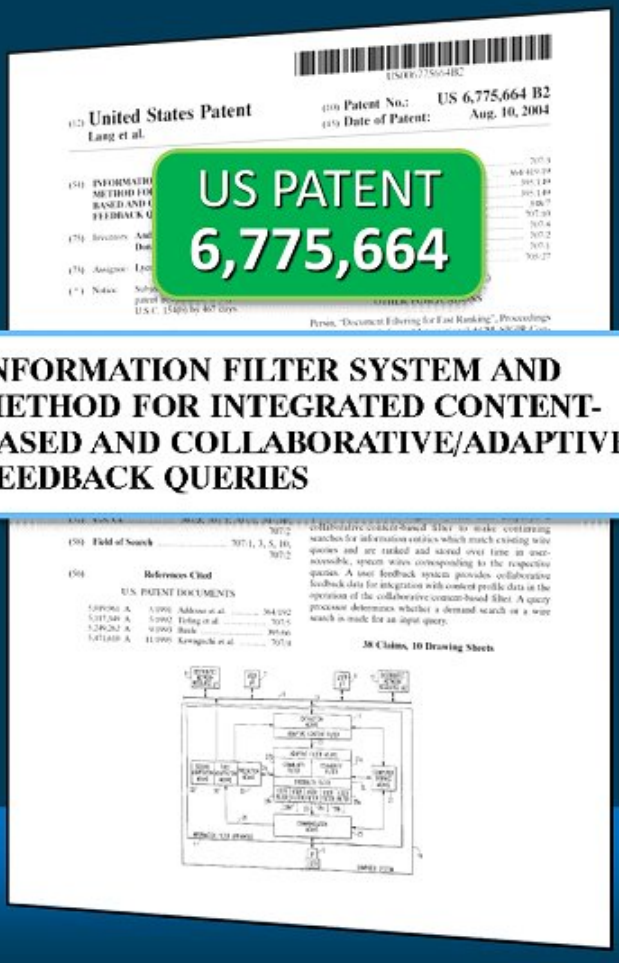
Mr. Kosak
Director of Engineering/CTO (Lycos)
Technical Consultant (I/P Engine)

1998, Lycos.com - #7 Most visited website

1998 – 2002, Lycos buys over two dozen web entities, including: Tripod, Gamesville, WhoWhere, Wired Digital, Quote.com, Angelfire, Matchmaker.com, Raging Bull

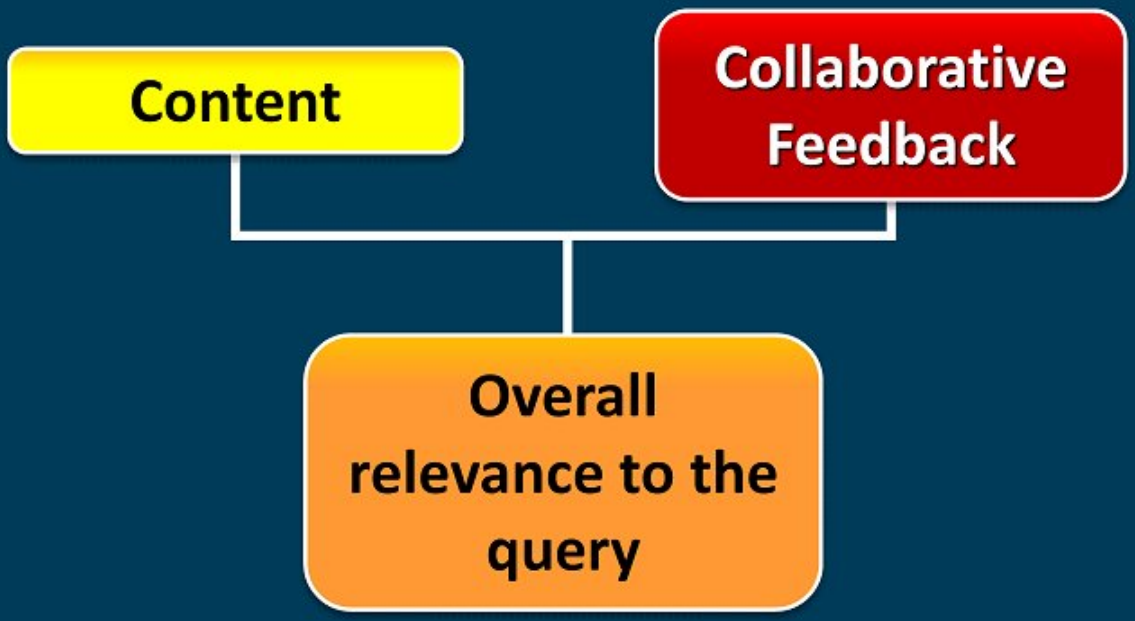
2000, Terra Networks acquires Lycos for over $12 billion


US PATENT
6,314,420
COLLABORATIVE/ADAPTIVE SEARCH ENGINE

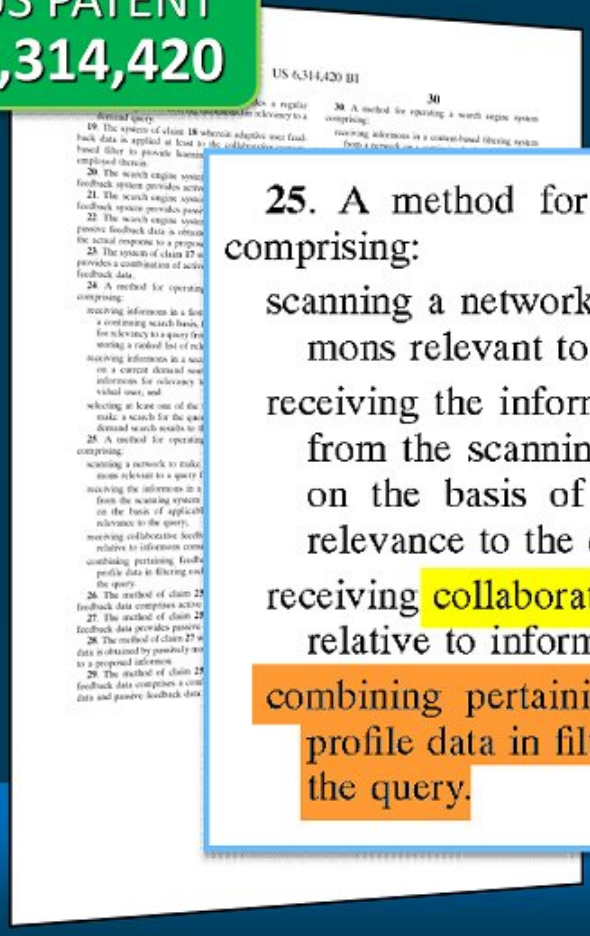

US PATENT
6,775,664
INFORMATION FILTER SYSTEM AND METHOD FOR INTEGRATED CONTENT-BASED AND COLLABORATIVE/ADAPTIVE FEEDBACK QUERIES

Patents-In-Suit

Filtering on the basis of:



US PATENT
6,314,420



25. A method for operating a search engine system comprising:

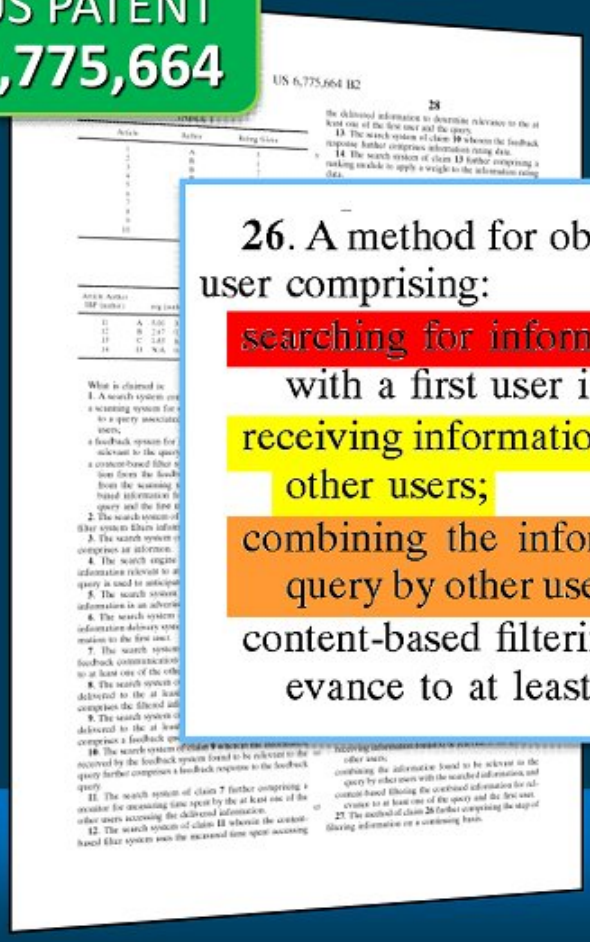
scanning a network to make a demand search for informons relevant to a query from an individual user;

receiving the informons in a content-based filter system from the scanning system and filtering the informons on the basis of applicable content profile data for relevance to the query;

receiving collaborative feedback data from system users relative to informons considered by such users; and

combining pertaining feedback data with the content profile data in filtering each informon for relevance to the query.

US PATENT
6,775,664



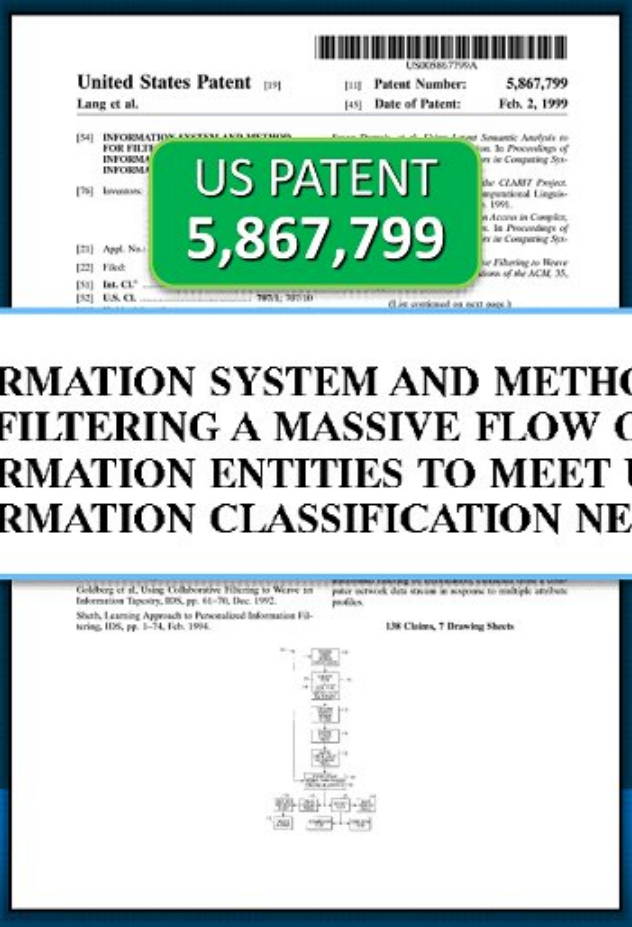
26. A method for obtaining information relevant to a first user comprising:

searching for information relevant to a query associated with a first user in a plurality of users;

receiving information found to be relevant to the query by other users;

combining the information found to be relevant to the query by other users with the searched information; and

content-based filtering the combined information for relevance to at least one of the query and the first user.


US005867799A
United States Patent [19]
Lang et al.
[11] Patent Number: 5,867,799
[45] Date of Patent: Feb. 2, 1999
US PATENT
5,867,799
INFORMATION SYSTEM AND METHOD FOR FILTERING A MASSIVE FLOW OF INFORMATION ENTITIES TO MEET USER INFORMATION CLASSIFICATION NEEDS
138 Claims, 7 Drawing Sheets

1996

US PATENT
5,867,799

1998

US PATENT
6,314,420

VisiWire

LYCOS®

US PATENT
6,314,420

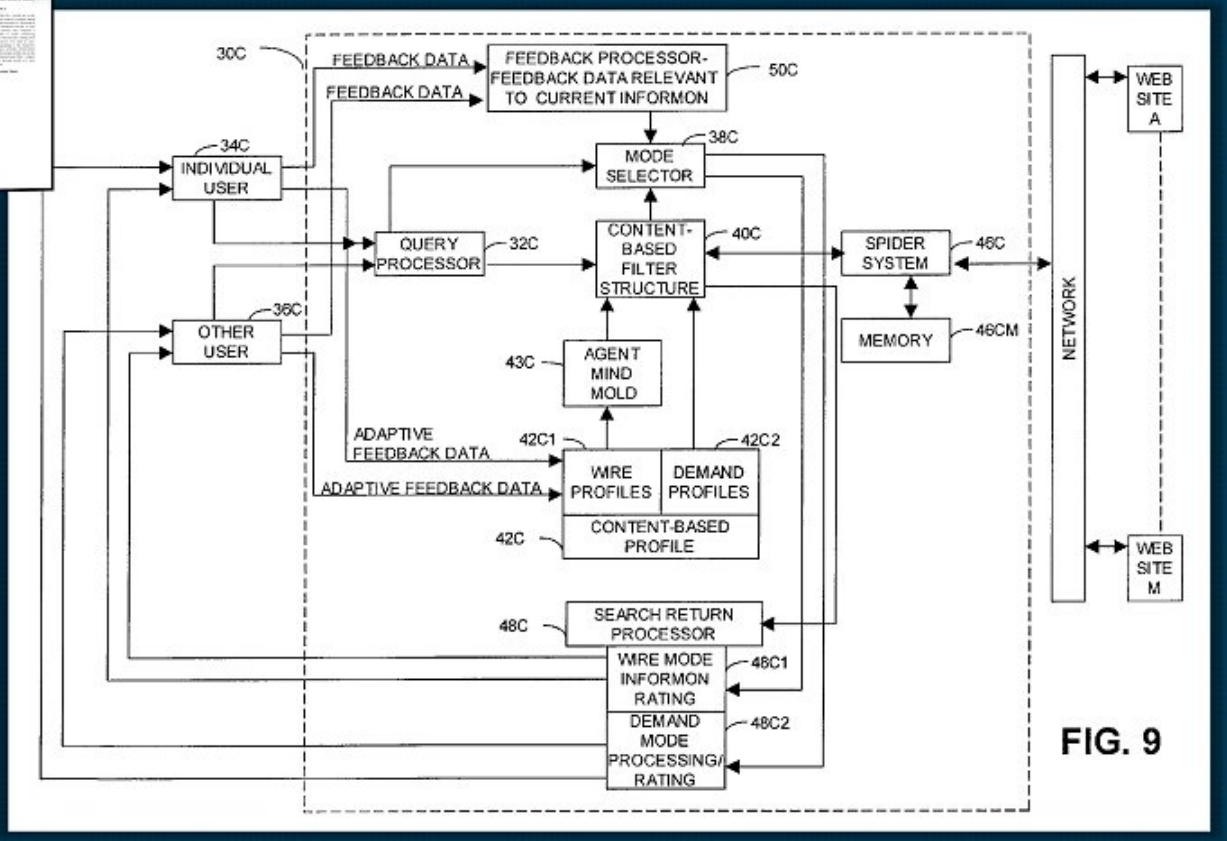
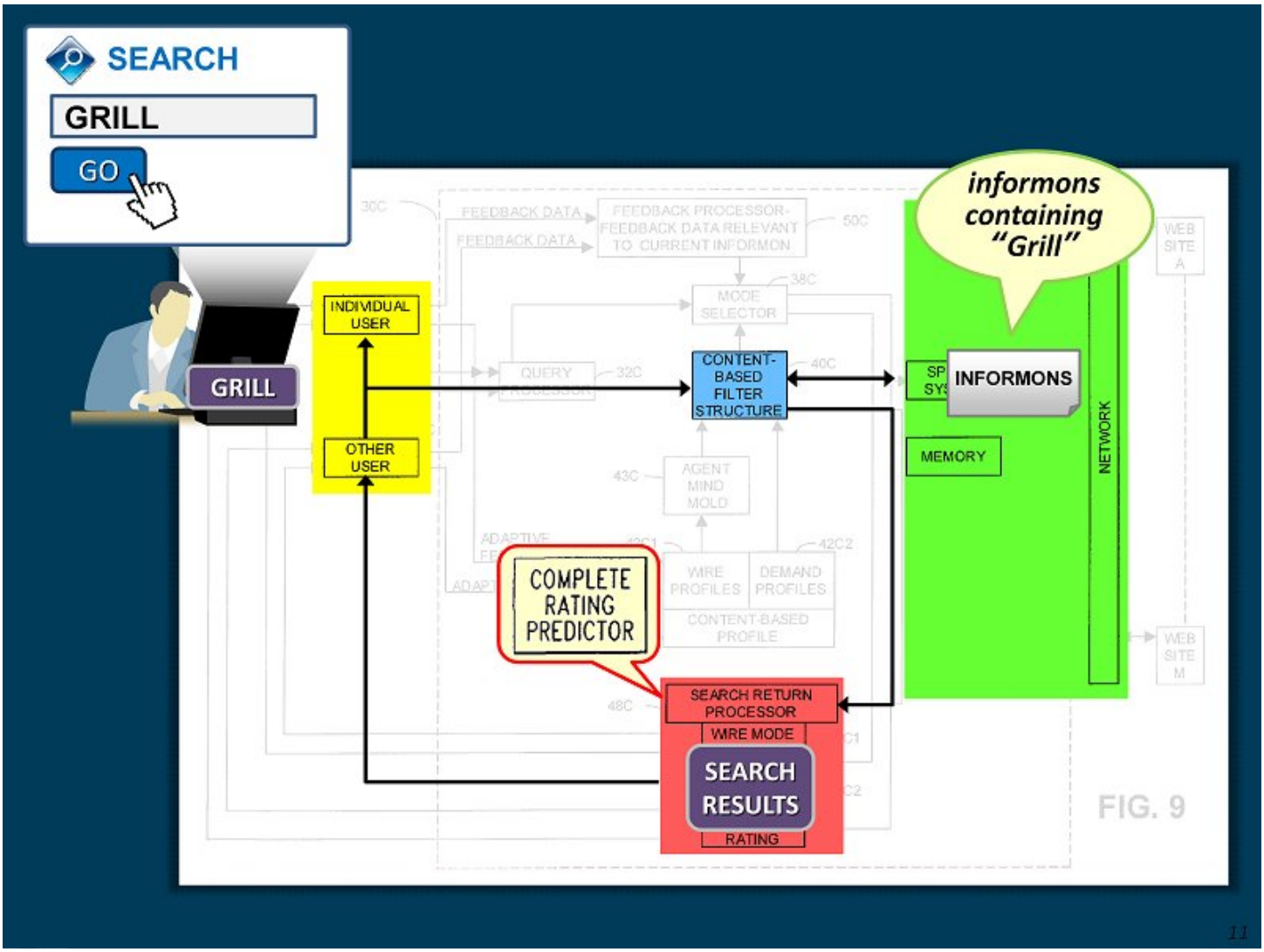
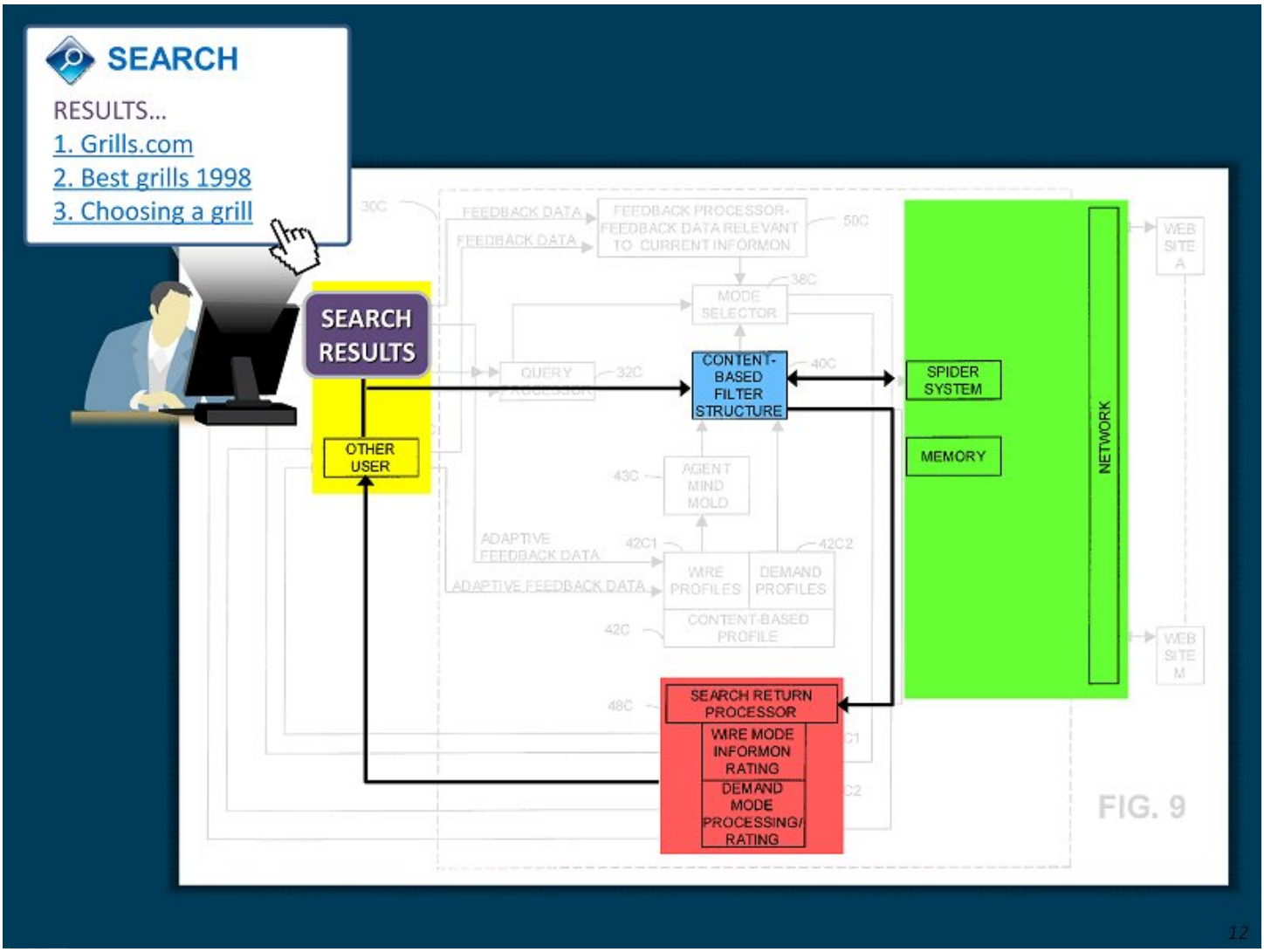


FIG. 9


SEARCH
GRILL
GO
GRILL
INDIVIDUAL USER
OTHER USER
informons containing "Grill"
INFORMONS
MEMORY
NETWORK
CONTENT-BASED FILTER STRUCTURE
COMPLETE RATING PREDICTOR
SEARCH RETURN PROCESSOR
WIRE MODE
SEARCH RESULTS
RATING
FEEDBACK DATA
FEEDBACK PROCESSOR-FEEDBACK DATA RELEVANT TO CURRENT INFORMON
MODE SELECTOR
QUERY
AGENT MIND MOLD
WIRE PROFILES
DEMAND PROFILES
CONTENT-BASED PROFILE
WEB SITE A
WEB SITE M
FIG. 9


SEARCH
RESULTS...
1. Grills.com
2. Best grills 1998
3. Choosing a grill
SEARCH RESULTS
OTHER USER
30C
FEEDBACK DATA
FEEDBACK DATA
FEEDBACK PROCESSOR-FEEDBACK DATA RELEVANT TO CURRENT INFORMON
50C
38C
MODE SELECTOR
QUERY
32C
CONTENT-BASED FILTER STRUCTURE
40C
SPIDER SYSTEM
MEMORY
NETWORK
WEB SITE A
WEB SITE M
43C
AGENT MIND MOLD
ADAPTIVE FEEDBACK DATA
42C1
42C2
ADAPTIVE FEEDBACK DATA
WIRE PROFILES
DEMAND PROFILES
42C
CONTENT-BASED PROFILE
48C
SEARCH RETURN PROCESSOR
WIRE MODE INFORMON RATING
DEMAND MODE PROCESSING/ RATING
FIG. 9

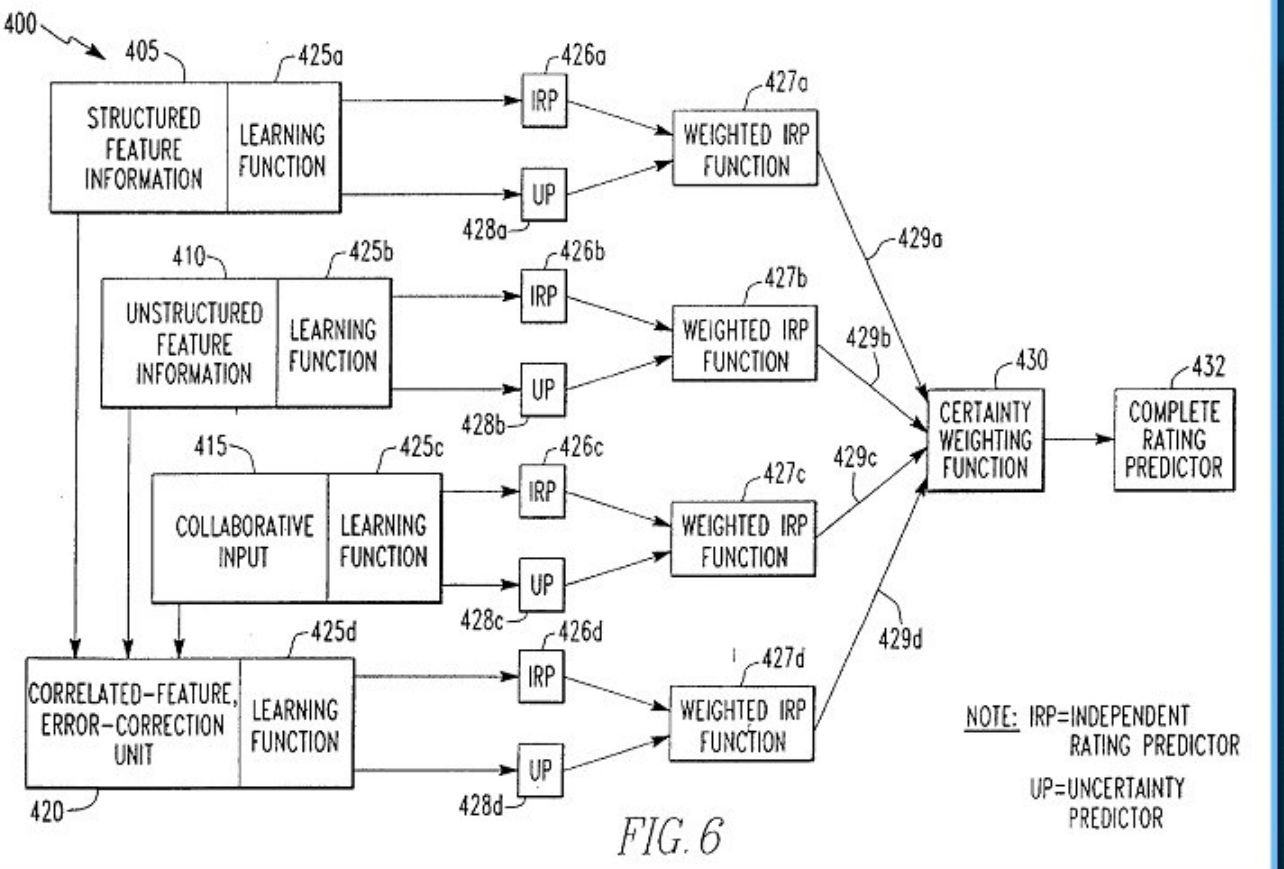

400
405
STRUCTURED FEATURE INFORMATION
LEARNING FUNCTION
425a
426a
IRP
UP
428a
427a
WEIGHTED IRP FUNCTION
429a
410
UNSTRUCTURED FEATURE INFORMATION
LEARNING FUNCTION
425b
426b
IRP
UP
428b
427b
WEIGHTED IRP FUNCTION
429b
415
COLLABORATIVE INPUT
LEARNING FUNCTION
425c
426c
IRP
UP
428c
427c
WEIGHTED IRP FUNCTION
429c
CORRELATED-FEATURE, ERROR-CORRECTION UNIT
LEARNING FUNCTION
425d
426d
IRP
UP
428d
427d
WEIGHTED IRP FUNCTION
429d
420
430
CERTAINTY WEIGHTING FUNCTION
432
COMPLETE RATING PREDICTOR
NOTE: IRP=INDEPENDENT RATING PREDICTOR
UP=UNCERTAINTY PREDICTOR

FIG. 6

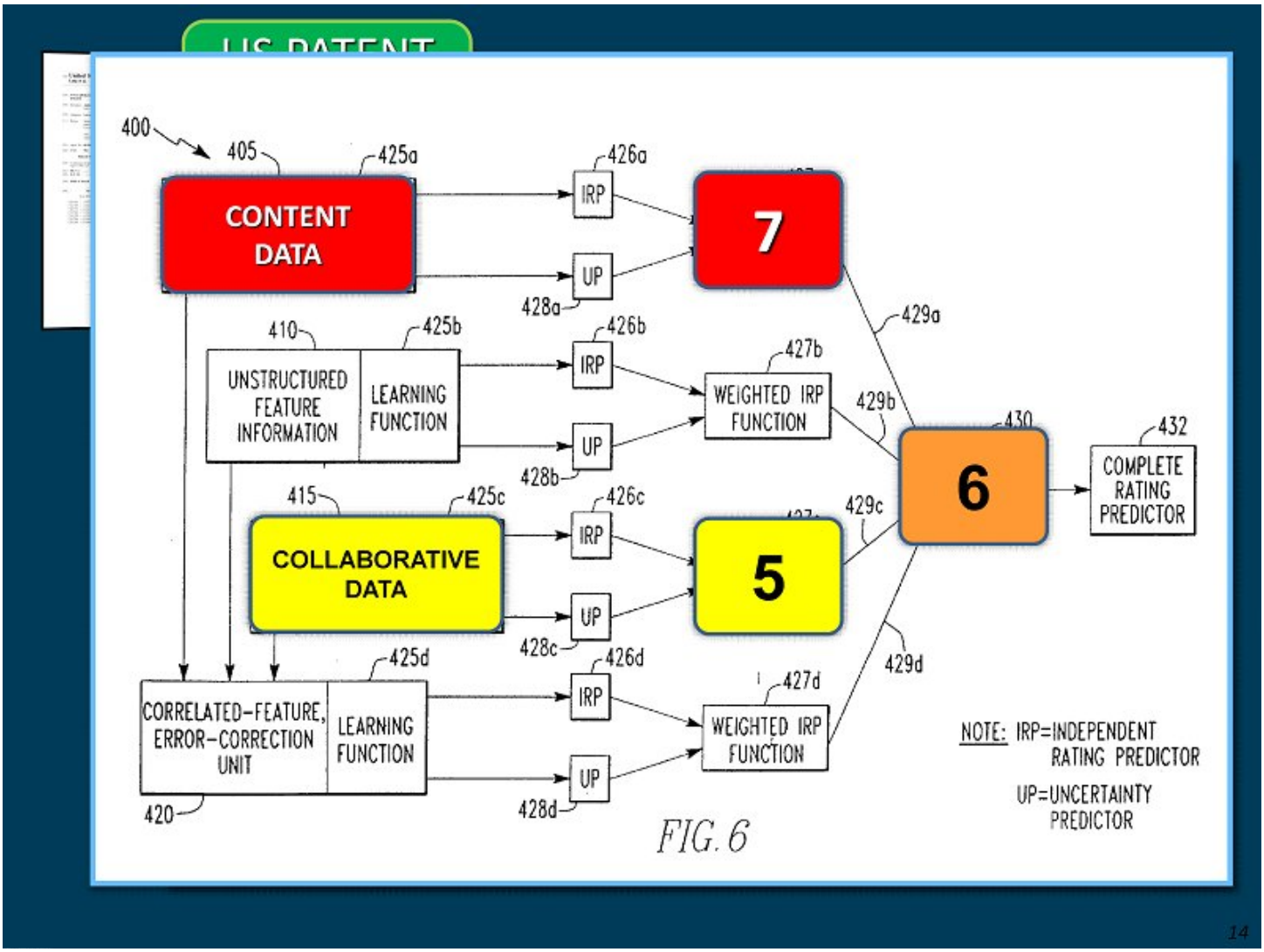

US PATENT
400
405
425a
CONTENT DATA
426a
IRP
UP
428a
7
429a
410
425b
UNSTRUCTURED FEATURE INFORMATION
LEARNING FUNCTION
426b
IRP
UP
428b
427b
WEIGHTED IRP FUNCTION
429b
430
6
432
COMPLETE RATING PREDICTOR
415
425c
COLLABORATIVE DATA
426c
IRP
UP
428c
5
429c
425d
CORRELATED-FEATURE, ERROR-CORRECTION UNIT
LEARNING FUNCTION
420
426d
IRP
UP
428d
427d
WEIGHTED IRP FUNCTION
429d
NOTE: IRP=INDEPENDENT RATING PREDICTOR
UP=UNCERTAINTY PREDICTOR

FIG. 6

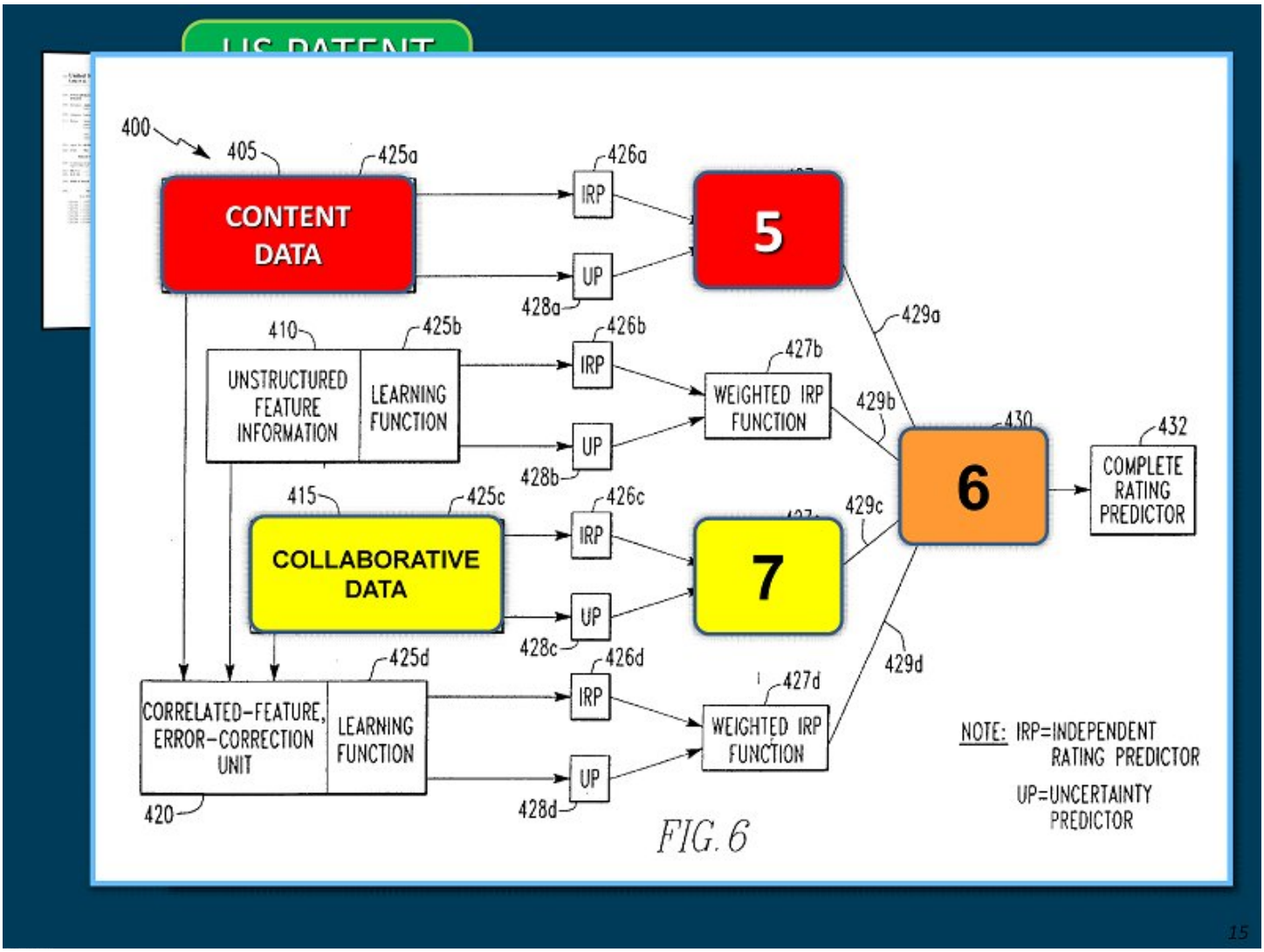

400
405
425a
CONTENT DATA
426a
IRP
UP
428a
5
429a
410
425b
UNSTRUCTURED FEATURE INFORMATION
LEARNING FUNCTION
426b
IRP
UP
428b
427b
WEIGHTED IRP FUNCTION
429b
430
6
432
COMPLETE RATING PREDICTOR
415
425c
COLLABORATIVE DATA
426c
IRP
UP
428c
7
429c
425d
CORRELATED-FEATURE, ERROR-CORRECTION UNIT
LEARNING FUNCTION
420
426d
IRP
UP
428d
427d
WEIGHTED IRP FUNCTION
429d
NOTE: IRP=INDEPENDENT RATING PREDICTOR
UP=UNCERTAINTY PREDICTOR

FIG. 6

Agreed-upon Claim Terms

Agreed-upon Claim Terms

“query”	“request for search results.”
“informons”	“information entities of potential or actual interest to an [individual/first] user.”
“user”	“an individual in communication with [the/a] network.”
“relevance”	“how well an informon satisfies the [individual/first] user’s information need in the query.”

Disputed Claim Terms

"collaborative feedback data"

I/P Engine's Proposed Construction	Defendants' Proposed Construction
information concerning what informons other users with similar interests or needs found to be relevant	data from users with similar interest or needs regarding what informons such users found to be relevant

"collaborative feedback data"

I/P Engine's Proposed Construction

information concerning what informons other users with similar interests or needs found to be relevant

relevance. Collaborative filtering, on the other hand, is the process of filtering informons, e.g., documents, by determining what informons other users with similar interests or needs found to be relevant.

'420 Patent, col. 4, ll. 26-29

"collaborative feedback data"

I/P Engine's Proposed Construction
information concerning what informons other users with similar interests or needs found to be relevant

Specification	Plaintiff's Proposal	Defendants' Proposal
determining [A] what informons other users with similar interests or needs found to be relevant	information concerning [A] what informons other users with similar interests or needs found to be relevant	data [B] from users with similar interests or needs regarding [A] what informons such users found to be relevant

"collaborative feedback data"

Defendants' Proposed Construction

data from users with similar interest or needs regarding what informons such users found to be relevant

a feedback system for receiving collaborative feedback data from system users relative to informons considered by such users;

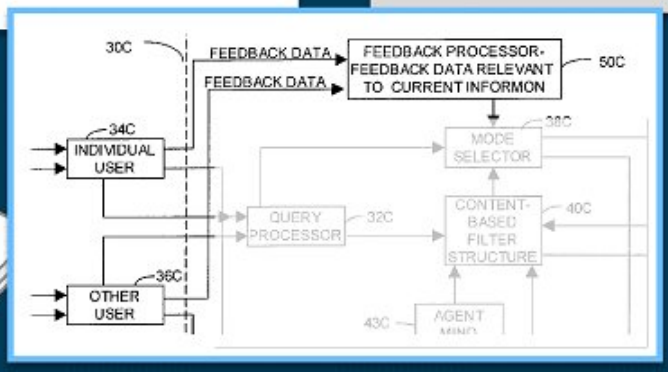
'420 Patent, Claim 10

receiving collaborative feedback data from system users relative to informons considered by such users; and

'420 Patent, Claim 25

"[feedback system for] receiving information found to be relevant to the query by other users"

I/P Engine's Proposed Construction	Defendants' Proposed Construction
No construction necessary - or - [feedback system for] receiving information concerning what other users found to be relevant to the query	[system using a process of filtering information by] determining what information other users with similar interests or needs found to be relevant



'420 Patent, FIG. 9

"[feedback system for] receiving information found to be relevant to the query by other users"

Defendants' Proposed Construction

[system using a process of filtering information by] determining what information other users with similar interests or needs found to be relevant

1. "receiving" = "determining"?

2. "other users" = "other users with similar interest or needs"

"[informons/information] relevant to a query"

I/P Engine's Proposed Construction	Defendants' Proposed Construction
[informons/information] having relevance to a query	[informons/information] that satisfy the individual user's information need expressed in the query

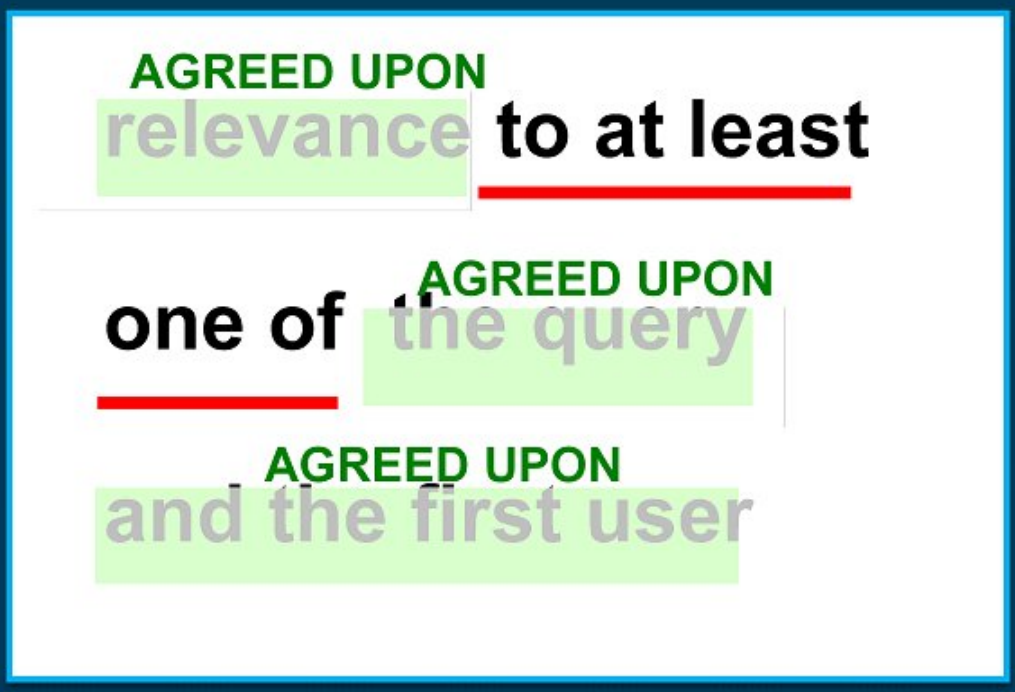
The "relevance" of a particular informon broadly describes how well it satisfies the user's information need.

'420 Patent, col. 4, ll. 5-6

"relevance to at least one of the query and the first user"

I/P Engine's Proposed Construction	Defendants' Proposed Construction
No further construction necessary beyond other terms	how well information satisfies the information need of at least one of the query and the first user

"relevance to at least one of the query and the first user"



"demand search"

I/P Engine's Proposed Construction	Defendants' Proposed Construction
one-time search performed upon a user request	search engine query

"demand search"

I/P Engine's Proposed Construction

one-time search performed upon a user request

internet. The search engine system employs a regular search engine to make one-shot or demand searches for information entities which provide at least threshold matches to user queries. The search engine system also employs a

'420 Patent, Abstract

"demand search"

Defendants' Proposed Construction
search engine query

Wire = ongoing, continuous

Demand Search = on demand, one time

"individual user"/"first user"

I/P Engine's Proposed Construction (for both terms)	Defendants' Proposed Construction (for both terms)
no construction necessary	"particular user"

"individual user"/"first user"

"individual user"

10. A search engine system comprising:
a system for scanning a network to make a demand search for informons relevant to a query from an particular user
a content-based filter system for receiving the informons from the scanning system and for filtering the informons on the basis of applicable content profile data for relevance to the query; and
a feedback system for receiving collaborative feedback data from system users relative to informons considered by such users;
the filter system combining pertaining feedback data from the feedback system with the content profile data in filtering each informon for relevance to the query.

'420 Patent, Claim 10

"first user"

1. A search system comprising:
a scanning system for searching for information relevant to a query associated with a particular user in a plurality of users;
a feedback system for receiving information found to be relevant to the query by other users; and
a content-based filter system for combining the information from the feedback system with the information from the scanning system and for filtering the combined information for relevance to at least one of the query and the particular user.

'664 Patent, Claim 1

Antecedent Basis

I/P Engine's Proposed Construction

Where it is required under the law to apply the same claim meaning to a claim term based on antecedent basis, I/P Engine agrees that the law requires the parties to do so.
Thus,
"informons" provides antecedent basis for "the informons";
"users" provides antecedent basis for "such users";
"a query" provides antecedent basis for "the query";
"a feedback system" provides antecedent basis for "the feedback system";
"a scanning system" provides antecedent basis for "the scanning system";
"a first user" provides antecedent basis for "the first user" and
"a content-based filter system" provides antecedent basis for "the content-based filter system."

Defendants' Proposed Construction

For the seven term dyads for which antecedent basis law applies, the second term in each dyad must be the same as the first term in the dyad

Antecedent Basis

Defendants' Proposed Construction

For the seven term dyads for which antecedent basis law applies, the second term in each dyad must be the same as the first term in the dyad

"informons" and "the informons" are the same informons

"scanning a network"

I/P Engine's Proposed Construction	Defendants' Proposed Construction
looking for items on two or more connected computers	spider[ing] or crawl[ing] a network

The phrase is made up of two familiar and readily understandable English words

"scanning a network"

Scan a beach for a red umbrella

Scan a page to find a word

"scanning a network"

I/P Engine's Proposed Construction

looking for items on two or more connected computers

scan (skăn) *v.* **scanned, scan·ning, scans.** —*tr.* **1.** To examine closely. **2.** To look over quickly and systematically: *scanning the horizon for signs of land.* **3.** To look over or leaf through hastily: *scanned the morning papers while eating breakfast.* **4.** To analyze (verse) into metrical patterns. **5.** *Electronics.* **a.** To move a finely focused beam of light or electrons in a systematic pattern over (a surface) in order to reproduce or sense and subsequently transmit an image. **b.** To move a radar beam in a systematic pattern over (a sector of sky) in search of a target. **6.** *Computer Science.* To search (stored data) automatically for specific data. **7.** *Medicine.* To examine (a body or a body part) with a CAT scanner or similar scanning apparatus. —*intr.* **1.** To analyze verse into metrical patterns. **2.** To conform to a metrical pattern. **3.** *Electronics.* To undergo electronic scanning. —**scan** *n.* **1.** The act or an instance of scanning. **2.** Scope or field of vision. **3.a.** Examination of a body or bodily part by a CAT scanner or similar scanning apparatus. **b.** A picture or an image produced by this means. **4.** A single sweep of the beam of electrons across a television screen. [Middle English *scanden, scannen,* to scan a verse, from Latin *scandere,* to climb, scan a verse. See **skand-** in Appendix.] —**scan'na·ble** *adj.* —**scan'ner** *n.*

American Heritage Dictionary, 3rd ed., 1992

"scanning a network"

I/P Engine's Proposed Construction

looking for items on two or more connected computers

scan (skan), *v.*, **scanned, scan·ning,** *n.* —*v.t.* **1.** to examine the particulars or points of minutely; scrutinize. **2.** to glance at or over or read hastily: *to scan a page.* **3.** to peer out at or observe repeatedly or sweepingly, as a large expanse; survey. **4.** to analyze (verse) as to its prosodic or metrical structure; read or recite (verse) so as to indicate or test the metrical form. **5.** to read (data) for use by a computer or computerized device, esp. using an optical scanner. **6.** *Television.* to traverse (a surface) with a beam of light or electrons in order to reproduce or transmit a picture. **7.** *Radar.* to traverse (a region) with a beam from a radar transmitter. **8.** *Med., Biol.* to examine (a body, organ, tissue, or other biologically active material) with a scanner. —*v.i.* **9.** to examine the meter of verse. **10.** (of verse) to conform to the rules of meter. **11.** *Television.* to scan a surface or the like. —*n.* **12.** an act or instance of scanning; close examination. **13.** a visual examination by means of a television camera, as for the purpose of making visible or relaying pictures from a remote place: *a satellite scan of the dark side of the moon; video scans of property listings available to customers.* **14.** a particular image or frame in such video observation or a photograph made from it. **15.** *Med., Biol.* **a.** examination of the body or an organ or part, or a biologically active material, by means of a technique such as computed axial tomography, nuclear magnetic resonance, ultrasonography, or scintigraphy. **b.** the image or display so obtained. [1350–1400; ME *scannen,* var. of **scanden* < LL *scandere* to scan verse, L: to climb (see ASCEND)] —**scan′na·ble,** *adj.*
—**Syn. 1.** study, investigate, inspect, search. **2.** skim.

Random House Unabridged Dictionary, 2nd ed., 1993

No Reference to point-by-point or sequential

"scanning a network"

I/P Engine's Proposed Construction

looking for items on two or more connected computers

A spider system **46**C scans a network **44**C to find informons for a current demand search, and to find informons

'420 Patent, col. 25, ll. 39-40

"scanning a network"

Defendants' Proposed Construction

spider[ing] or crawl[ing] a network

A spider system **46**C scans a network **44**C to find informons for a current demand search, and to find informons

'420 Patent, col. 25, ll. 39-40

"scanning system"

I/P Engine's Proposed Construction	Defendants' Proposed Construction
a system used to search for information	a system used to scan a network

"scanning system"

I/P Engine's Proposed Construction

a system used to search for information

a scanning system for searching for information relevant to a query associated with a first user in a plurality of

'664 Patent, col. 27, ll. 28-29

"scanning system"

Defendants' Proposed Construction

a system used to scan a netw 2

'664 Patent, Claim 1

1. A search system comprising: 1
a scanning system for searching for information relevant to a query associated with a first user in a plurality of users;

'664 Patent, Claim 24

24. The search system of claim **1** wherein the scanning system further comprises scanning a network upon a demand search request. 2

"combining"

I/P Engine's Proposed Construction	Defendants' Proposed Construction
uniting into a single number or expression	plain meaning; alternatively, bringing together

"combining"

Combining yellow and red paint makes orange

Combing ingredients to make a cake

"combining"

I/P Engine's Proposed Construction

uniting into a single number or expression

¹com·bine \kəm-'bīn\ *vb* **com·bined; com·bin·ing** [ME, fr. MF *combiner*, fr. LL *combinare*, fr. L *com-* + *bini* two by two — more at BIN-] *vt* (15c) **1 a :** to bring into such close relationship as to obscure individual characters : MERGE **b :** to cause to unite into a chemical compound **c :** to unite into a single number or expression ⟨~ fractions and simplify⟩ **2 :** INTERMIX, BLEND **3 :** to possess in combination ~ *vi* **1 a :** to become one **b :** to unite to form a chemical compound **2 :** to act together *syn* see JOIN — **com·bin·able** \-'bī-nə-bəl\ *adj* — **com·bin·er** *n*

Merriam-Webster's Collegiate Dictionary, 10th ed., 1998

"combining"

I/P Engine's Proposed Construction

uniting into a single number or expression

com•bine (*v.* kəm bīn′ *for 1, 2, 6,* kom′bīn *for 3, 7; n.* kom′bīn), *v.*, **-bined, -bin•ing,** *n.* —*v.t.* **1.** to bring into or join in a close union or whole; unite: *to combine the ingredients for a cake.* **2.** to possess or exhibit in union: *a plan that combines practicality and originality.* **3.** to harvest (grain) with a combine. —*v.i.* **4.** to unite; coalesce: *The clay and water combined into a thick paste.* **5.** to unite for a common purpose; join forces: *Two factions combined to defeat the proposal.* **6.** to enter into chemical union. **7.** to use a combine in harvesting. —*n.*

Random House Webster's College Dictionary, 2nd ed., 1999

"combining"

I/P Engine's Proposed Construction

uniting into a single number or expression

mode of the latter, and includes an informon rating system which is like that of FIG. **6**. The informon rating system combines content-based filtering data with collaborative feedback rating data, from users through a feedback proces-

'420 Patent, col. 25, ll. 56-59

"combining"

associated predictors. Typically, regarding the structure of a profile **400**, the information input into the structure can be divided into three broad categories: (1) Structured Feature Information (SFI) **405**; (2) Unstructured Feature Information (UFI) **410**; and (3) Collaborative Input (CI) **415**. Fea-

'420 Patent, col. 14, ll. 41-45

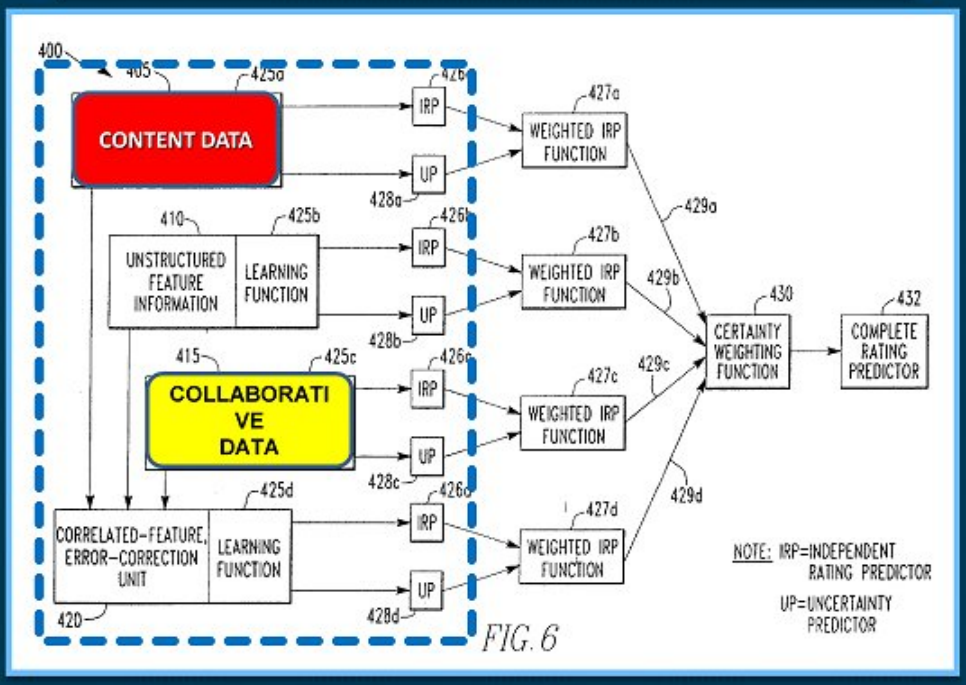


FIG. 6

"combining"

426*a–d* is, the higher its weight. Each weighted IRP **429***a–d* is brought together with other IRPs **429***a–d* in a combination function **427***a–d*. This combination function **427***a–d* can be from a simple, weighted, additive function to a far more complex neural network function. The results from this are

'420 Patent, col. 14, ll. 56-60

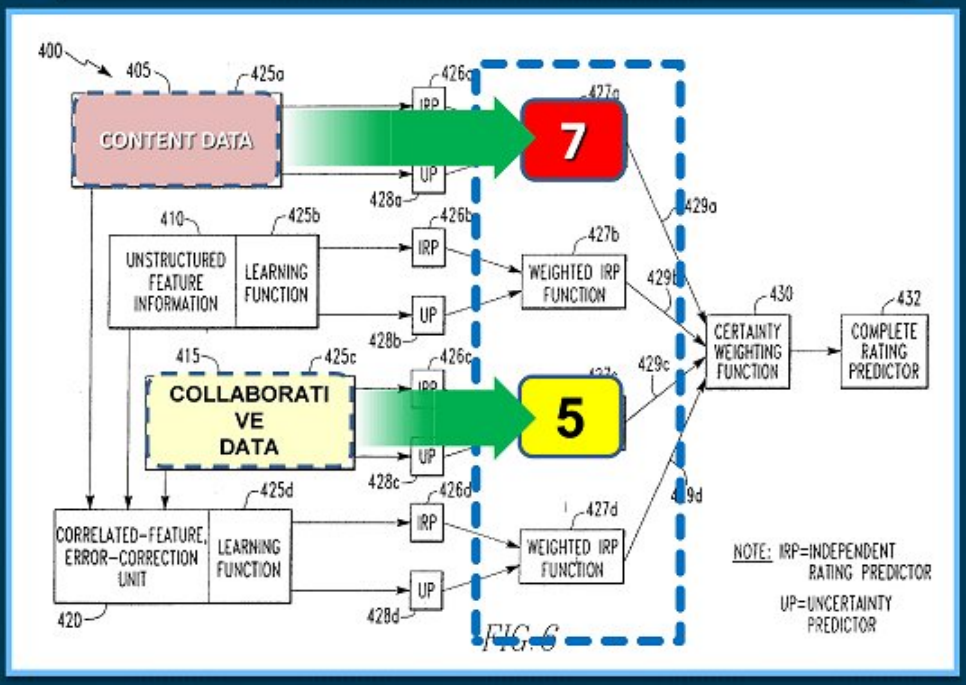


FIG. 6

"combining"

complex neural network function. The results from this are normalized by the total uncertainty across all UPs, from Certain=zero to Uncertain=infinity, and combined using the Certainty Weighting Function (CWF) **430**. Once the CWF **430** has combined the IRPs **426***a–d*, it is preferred that result **432** be shaped via a monotonically increasing function, to map to the range and distribution of the actual ratings. This function is called the Complete Rating Predictor (CRP) **432**.

'420 Patent, col. 14, ll. 60-67

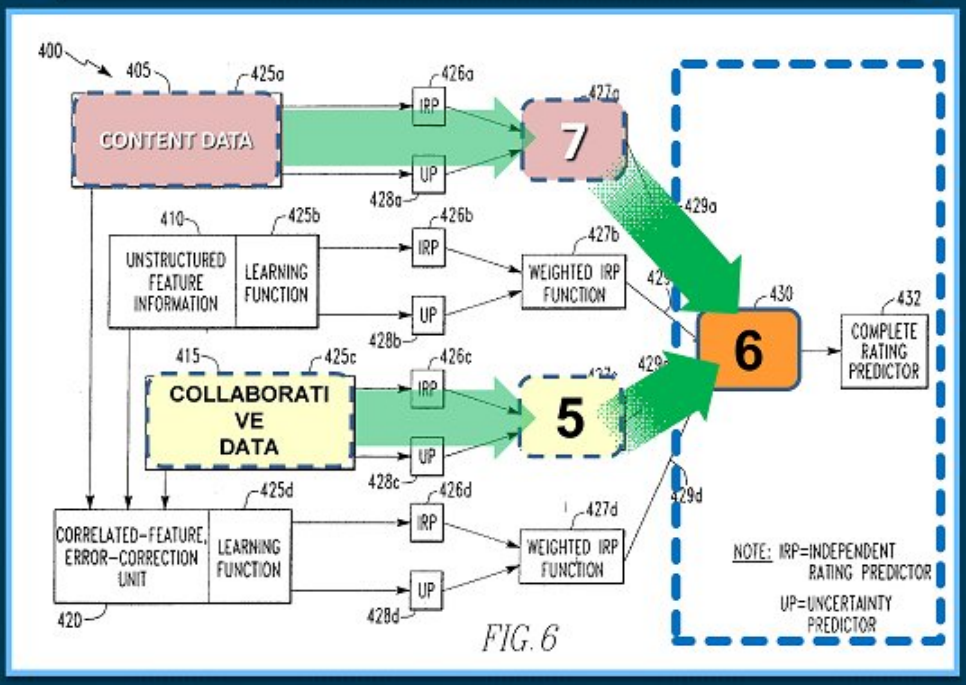


FIG. 6

"combining"

Defendants' Proposed Construction

plain meaning; alternatively, bringing together

bringing together ≠ combining

Defendants assert:

> specification. And while it may be true that items can be brought together without combining them, items cannot be combined without being somehow brought together. Plaintiff itself quotes

Defendants' Claim Construction Brief at 12

"combining"

Defendants' Proposed Construction

plain meaning; alternatively, bringing together

Whip and fedora

Pen and paper

"combining"

Plaintiff's proposal covers all embodiments

Supposed "sequential" embodiment:

Search return processor receives items and includes an informon rating system that combines content-based filtering with collaborative feedback rating data.

'420 Patent, col. 25, ll. 39-61

A spider system **46**C scans a network **44**C to find informons for a current demand search, and to find informons with continued network scanning for existing wires. In selecting available informons for return, the spider system **46**C uses a content threshold derived from the content-based profile for which an informon search is being conducted.

In many instances, it s preferable that the spider system **46**C have a memory system **46**CM which holds an informon data base wherein index information is stored from informons previously collected from the network. In this manner, demand searches can be quickly made from the spider memory **46**CM as opposed to making a time consuming search and downloading in response to a search demand query from the search engine.

A search return processor **48**C receives either demand search informons or wire search informons passed by the content-based filter structure **40**C according to the operating mode of the latter, and includes an informon rating system which is like that of FIG. **6**. The informon rating system combines content-based filtering data with collaborative feedback rating data, from users through a feedback processor **50**C at least in the wire search mode and, if desired, in the demand search mode.

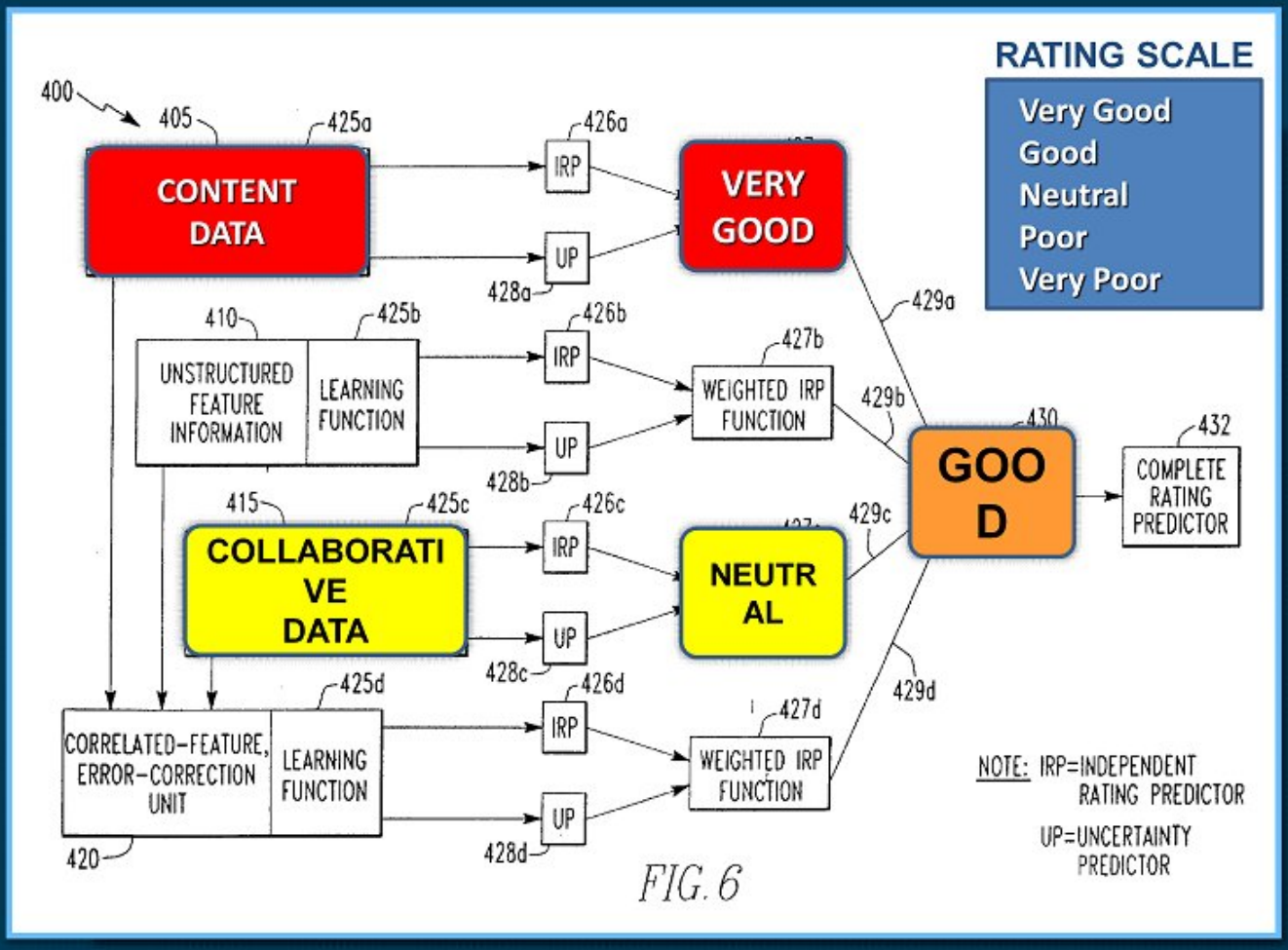

RATING SCALE
Very Good
Good
Neutral
Poor
Very Poor
400
405
425a
CONTENT DATA
426a
IRP
UP
428a
VERY GOOD
429a
410
425b
UNSTRUCTURED FEATURE INFORMATION
LEARNING FUNCTION
426b
IRP
UP
428b
427b
WEIGHTED IRP FUNCTION
429b
415
425c
COLLABORATIVE DATA
426c
IRP
UP
428c
NEUTRAL
429c
430
GOOD
432
COMPLETE RATING PREDICTOR
425d
CORRELATED-FEATURE, ERROR-CORRECTION UNIT
LEARNING FUNCTION
420
426d
IRP
UP
428d
427d
WEIGHTED IRP FUNCTION
429d
NOTE: IRP=INDEPENDENT RATING PREDICTOR
UP=UNCERTAINTY PREDICTOR

FIG. 6

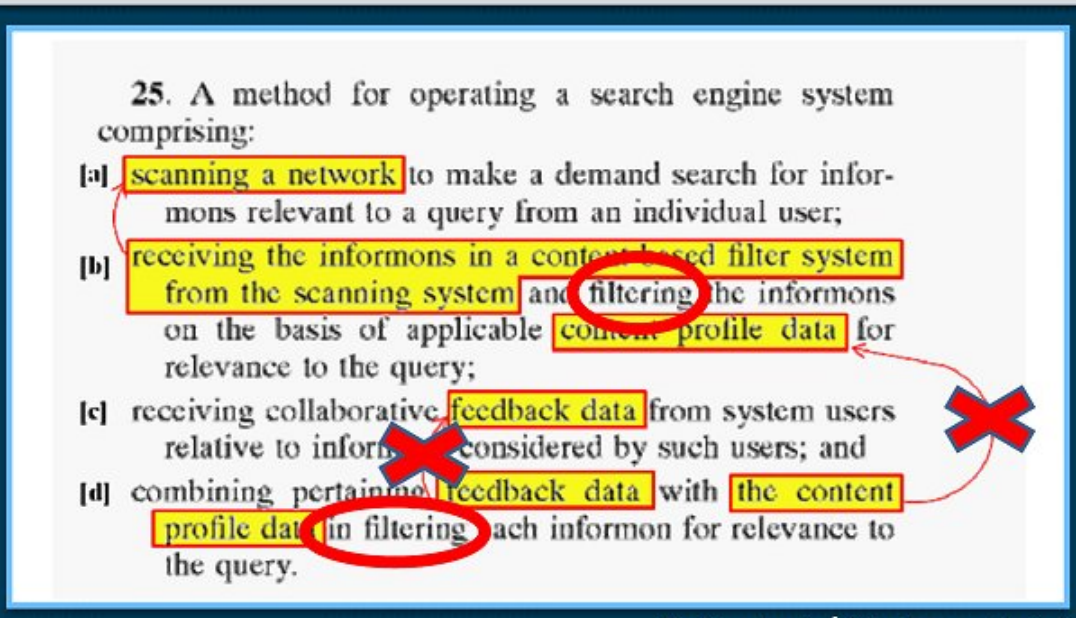
Order of Method Limitations

I/P Engine's Proposed Construction	Defendants' Proposed Construction
No "construction" is necessary; if there is any order, it is reflected in the claim language; otherwise, no order is required.	For '420 Claim 25, Step [a] must be performed before Step [b]; Steps [b] and [c] must be performed before Step [d]. For '664 Claim 26, Step [c]; Step [c1] ("combining") must be performed before Step [c2] ("filtering the combined information")

Order of Method Limitations

Defendants' Proposed Construction

For '420 Claim 25, Step [a] must be performed before Step [b]; Steps [b] and [c] must be performed before Step [d].

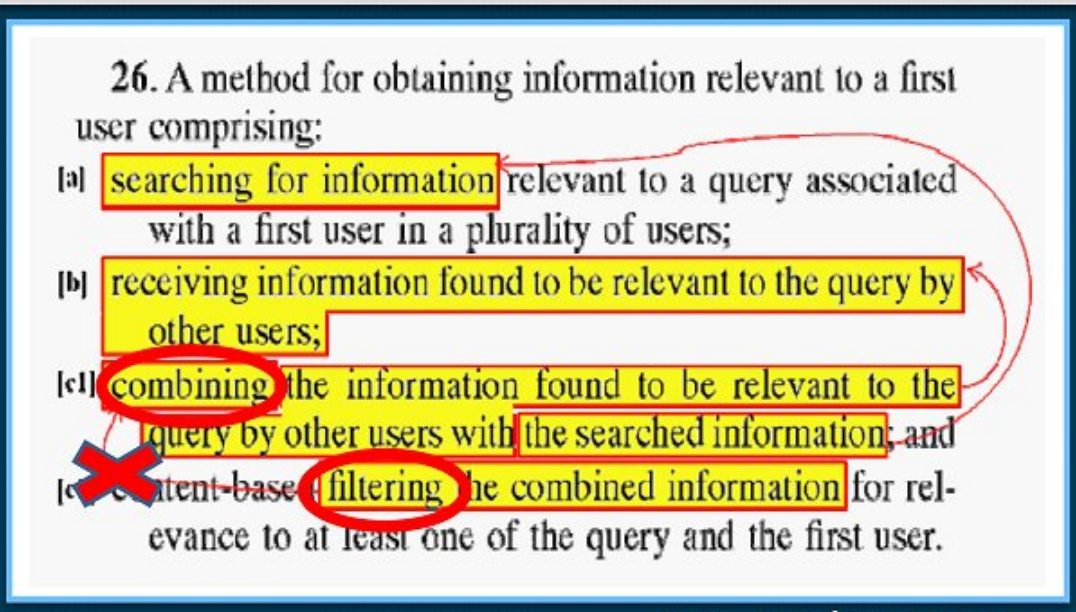


Defendants' Markman Brief

Order of Method Limitations

Defendants' Proposed Construction

For '664 Claim 26, Step [c]; Step [c1] ("combining") must be performed before Step [c2] ("filtering the combined information")



26. A method for obtaining information relevant to a first user comprising:

[a] searching for information relevant to a query associated with a first user in a plurality of users;

[b] receiving information found to be relevant to the query by other users;

[c1] combining the information found to be relevant to the query by other users with the searched information; and

[c2] ~~content-based~~ filtering the combined information for relevance to at least one of the query and the first user.

Defendants' Markman Brief

Different Systems

I/P Engine's Proposed Construction	Defendants' Proposed Construction
The claim language does not require the scanning system, content-based filter system, and feedback system of claim 1 of the '664 patent or the claimed system for scanning, content-based filter system, and feedback system of claim 10 of the '420 patent to be the same or different "systems."	The claimed "system for scanning a network," "content-based filter system," and "feedback system" of '420 Claim 10 must be different systems and the claimed "scanning system," "feedback system," and "content-based filter system" of '664 Claim 1 must be different systems

Different Systems

I/P Engine's Proposed Construction

The claim language does not require the scanning system, content-based filter system, and feedback system of claim 1 of the '664 patent or the claimed system for scanning, content-based filter system, and feedback system of claim 10 of the '420 patent to be the same or different "systems."

> Generally, basic search engine system structures of the invention are preferably embodied with the use of a programmed computer system.

'420 Patent, col. 24, ll. 34-36

Different Systems

I/P Engine's Proposed Construction

The claim language does not require the scanning system, content-based filter system, and feedback system of claim 1 of the '664 patent or the claimed system for scanning, content-based filter system, and feedback system of claim 10 of the '420 patent to be the same or different "systems."

An artisan would recognize that one or more of the processors **52–55** could be combined functionally so that the actual number of processors used in the apparatus **50** could be less than, or greater than, that illustrated in FIG. **2**. For example, in one embodiment of the present invention, first processor **52** can be in a single microcomputer workstation, with processors **53–55** being implemented in additional respective microcomputer systems. Suitable microcomputer

'420 Patent, col. 10, ll. 3-23

Important Additional Information Will Be Filed with the SEC

This communication does not constitute an offer to sell or the solicitation of an offer to buy any securities of Vringo, or Innovate/Protect or the solicitation of any vote or approval. In connection with the proposed transaction, Vringo filed a Registration Statement on Form S-4 with the SEC on April 6, 2012, subsequently amended on May 17, 2012 and June 1, 2012, which includes a preliminary proxy statement/prospectus of Vringo. These materials are not yet final and will be further amended. The proxy statement/prospectus contains important information about Vringo, Innovate/Protect, the transaction and related matters. Vringo will mail or otherwise deliver the proxy statement/prospectus to its stockholders and the stockholders of Innovate/Protect once it is final. **Investors and security holders of Vringo and Innovate/Protect are urged to read carefully the proxy statement/prospectus relating to the merger (including any amendments or supplements thereto) in its entirety when it is available, because it will contain important information about Vringo, Innovate/Protect and the proposed transaction.**

Investors and security holders of Vringo will be able to obtain free copies of the proxy statement/prospectus for the proposed merger (when it is available) and other documents filed with the SEC by Vringo through the website maintained by the SEC at www.sec.gov. In addition, investors and security holders of Vringo and Innovate/Protect will be able to obtain free copies of the proxy statement/prospectus for the proposed merger (when it is available) by contacting Vringo, Inc., Attn.: Cliff Weinstein, VP Corporate Development, at 44 W. 28th Street, New York, New York 10001, or by e-mail at cliff@vringo.com. Investors and security holders of Innovate/Protect will also be able to obtain free copies of the proxy statement/prospectus for the merger by contacting Innovate/Protect, Attn.: Chief Operating Officer, 380 Madison Avenue, 22nd Floor, New York, NY 10017, or by e-mail at info@innovateprotect.com.