United States District Court,
S.D. California.

DATAQUILL LIMITED,
Plaintiff.
v.
KYOCERA WIRELESS CORP,
Defendant.

Civil No. 01CV2302B (BLM)

May 11, 2005.

David Powers Berten, Gregory John Smith, Kelly Eberspecher, Rhett Dennerline, Competition Law Group, Chicago, IL, Gregory S. Markow, Hecht Solberg Robinson and Goldberg, San Diego, CA, for Plaintiff.

Anthony J. Dain, Procopio Cory Hargreaves and Savitch, San Diego, CA, for Defendant.

CLAIM CONSTRUCTION ORDER FOR UNITED STATES PATENT NUMBER 6,058,304

RUDI M. BREWSTER**, District Judge.**

Pursuant to Markman v. Westview Instruments, Inc., 517 U.S. 370, 116 S.Ct. 1384, 134 L.Ed.2d 577 (1996), on May 3-5, 2005, the Court conducted a Markman hearing in the above-titled patent infringement action regarding construction of the disputed claim terms for U.S. Patent Number 6,058,304 ("the '304 patent"). Plaintiff Dataquill Limited ("Dataquill") was represented by the Competition Law Group, and Defendant Kyocera Wireless Corp. ("Kyocera") was represented by the law firm Procopio Cory Hargreaves & Savitch LLP.

At the Markman hearing, the Court, with the assistance of the parties, analyzed claim terms in order to prepare jury instructions interpreting the pertinent claims at issue in the '304 patent. Additionally, the Court and the parties prepared a "case glossary" for terms found in the claims and the specification for the '304 patent considered to be technical in nature which a jury of laypersons might not understand clearly without specific definition.

After careful consideration of the parties' arguments and the applicable statutes and case law, the Court **HEREBY CONSTRUES** the claims in dispute in the '304 patent and **ISSUES** the relevant jury instructions as written in Exhibit A, attached hereto. Further, the Court **HEREBY DEFINES** all pertinent technical terms as written in Exhibit B, attached hereto.

IT IS SO ORDERED.

EXHIBIT A

VERBATIM CLAIM LANGUAGE	*COURT'S CLAIM INTERPRETATION*
Claim 1	
A data entry device for use in a data entry system, said data entry device comprising:	A data entry device for use in a data entry system, said data entry device comprising:
a reading sensor responsive to commands and/or sensed commands and data to produce input signals;	a *reading sensor* [*a structure capable of detecting external stimuli*] *responsive* [*giving response or reaction*] to *commands and/or sensed commands and data* [*instructions and factual information*] to produce *input signals* [*output of the reading sensor to be received by a controller*];
a controller coupled to said reading sensor to receive and process said input signals;	a *controller* [*a microprocessor or other processing circuitry*] *coupled* [*connected or linked*] to said reading sensor to receive and *process* [*to subject to examination or analysis*] said input signals;
said controller coupled to a communications interface to selectively control transmission over said communications interface of command and/or data signals as determined by said input signals processed by said controller; said communications interface being operable directly to connect said data entry device to a wireless telecommunications network; and	said controller coupled to a *communications interface* [*a device which enables communication between two or more devices*] to selectively control transmission over said communications interface of command and/or data signals as determined by said input signals processed by said controller; said communications interface being operable *directly to connect* [*connect without an intervening agency or step between the data entry device and the wireless telecommunications network*] said data entry device to a wireless telecommunications network; and
a display coupled to said controller to display commands and/or information under control of said input signals processed by said controller;	a *display* [*an electronic element that provides a visual representation*] coupled to said controller to *display* [*show*] commands and/or information under control of said input signals processed by said controller;
wherein said reading sensor, controller and display comprise a unitary assembly and said communications interface is a cellular telephone network interface and said wireless telecommunications network is a cellular telephone network, and wherein said controller is responsive to a said command to cause downloading of information from a remote processing center as required for updating information previously stored in said data entry device.	wherein said reading sensor, controller and display *comprise* [*are*] a unitary assembly and said communications interface is a cellular telephone network interface and said wireless telecommunications network is a cellular telephone network, and wherein said controller is responsive to a said command to cause *downloading* [*transferring from one place to storage at another*] of information from a remote processing center as required for updating information previously stored in said data entry device.
Claim 2	
A data entry device for use in a data entry system, said data entry device comprising:	A data entry device for use in a data entry system, said data entry device comprising:
a reading sensor responsive to commands and/or	a reading sensor responsive to commands and/or

sensed commands and data to produce input signals;	sensed commands and data to produce input signals;
a controller coupled to said reading sensor to receive and process said input signals;	a controller coupled to said reading sensor to receive and process said input signals;
said controller coupled to a communications interface to selectively control transmission over said communications interface of command and/or data signals as determined by said input signals processed by said controller; said communications interface being operable directly to connect said data entry device to a wireless telecommunications network; and	said controller coupled to a communications interface to selectively control transmission over said communications interface of command and/or data signals as determined by said input signals processed by said controller; said communications interface being operable directly to connect said data entry device to a wireless telecommunications network; and
a display coupled to said controller to display commands and/or information under control of said input signals processed by said controller;	a display coupled to said controller to display commands and/or information under control of said input signals processed by said controller;
wherein said reading sensor, controller and display comprise a unitary assembly and said communications interface is a cellular telephone network interface and said wireless telecommunications network is a cellular telephone network and said data entry device is integral with a cellular telephone, and wherein said controller is responsive to a said command to cause downloading of information from a remote processing center as required for updating information previously stored in said data entry device.	wherein said reading sensor, controller and display comprise a unitary assembly and said communications interface is a cellular telephone network interface and said wireless telecommunications network is a cellular telephone network and said data entry device is *integral with* [*formed as a unit with one or more parts*] with a cellular telephone, and wherein said controller is responsive to a said command to cause downloading of information from a remote processing center as required for updating information previously stored in said data entry device.
Claim 4	
A data entry device according to any of claims 1, 2 or 3, wherein said communications interface includes a modem.	A data entry device according to any of claims 1, 2 or 3, wherein said communications interface includes a modem [*a device that converts data from one form to another*].
Claim 5	
A data entry device according to any of claims 1, 2 or 3, wherein said reading sensor, controller and display comprise a hand holdable unit.	A data entry device according to any of claims 1, 2 or 3, wherein said reading sensor, controller and display comprise a hand holdable [*can be held by one hand in normal use*] unit.
Claim 6	
A data entry device according to any of claims 1, 2 or 3, wherein said data entry device includes a rechargeable power source, means being provided for, recharging said power source.	A data entry device according to any of claims 1, 2 or 3, wherein said data entry device includes a rechargeable power source, means being provided for recharging said power source.
Claim 7	
A data entry device according to any of claims 1, 2 or 3, wherein said data entry device comprises one or two manually operable switches for scrolling said display in a first and/or second direction for selectively displaying said commands and/or information.	A data entry device according to any of claims 1, 2 or 3, wherein said data entry device comprises one or two *manually operable switches* [*devices for making, breaking, or changing the connections in an electrical circuit, which can be operated by hand*] for *scrolling said display* [*stepping through text or graphics*

	displayed on a display] in a first and/or second direction for selectively displaying said commands and/or information.
Claim 8	
A data entry device according to any of claims 1, 2 or 3, wherein said data entry device comprises one or two manually operable switches for scrolling said display in a first and/or second direction for selectively displaying said commands and/or information, and wherein operation of said first and/or second switches in predetermined operational states of said data entry device causes predetermined functions other than scrolling functions to be performed.	A data entry device according to any of claims 1, 2 or 3, wherein said data entry device comprises one or two manually operable switches for scrolling said display in a first and/or second direction for selectively displaying said commands and/or information, and wherein operation of said first and/or second switches in predetermined operational states of said data entry device causes predetermined functions other than scrolling functions to be performed.
Claim 9	
A data entry device according to any of claims 1, 2 or 3, wherein said display screen comprises a touch sensitive screen forming a said reading sensor, said controller being arranged to be responsive to a location at which said screen is touched for user input.	A data entry device according to any of claims 1, 2 or 3, wherein said display screen comprises a *touch sensitive screen* [*screen which reacts to touch by producing a signal*] *forming* [*assuming the function of*] a said reading sensor, said controller being arranged to be responsive to a location at which said screen is touched for user input.
Claim 10	
A data entry device according to any of claims 1, 2 or 3 wherein a said reading, sensor is for reading coded data such as fingerprints or signatures or written text, wherein said controller is arranged to access stored information for selectable items to determine natural language characters or images corresponding to the coded data for display.	A data entry device according to any of claims 1, 2 or 3 wherein a said reading sensor is for reading *coded data* [*data having a recognizable pattern or structure*] such as fingerprints or *signatures* [*a characteristic or mark distinctively identifying a person*] or written text, wherein said controller is arranged to access stored information [*information previously saved*] for selectable items to determine natural language characters or images corresponding to the coded data for display.
Claim 12	
A data entry device according to any of claims 1, 2 or 3, wherein a said reading sensor is a motion detector or a scanning device.	A data entry device according to any of claims 1, 2 or 3, wherein a said reading sensor is a *motion detector* [*a device that is sensitive to movement*] or a scanning device.
Claim 18	
A data entry device according to any of claims 1, 2 or 3 comprising rewritable storage and wherein programs in said data entry device are updateable remotely from a processing center.	A data entry device according to any of claims 1, 2 or 3 comprising *rewritable storage* [*storage in which the stored information can be written over*] and wherein *programs* [*coded instructions that a computer follows to perform a desired sequence of operations*] in said data entry device are updateable remotely from a processing center.
Claim 20	

A data entry device according to any of claims 1, 2 or 3, comprising a carrier or a display for a plurality of data and/or command codes for association with means for displaying a plurality of selectable items, wherein said carrier carries a plurality of codes, each for a respective one of a plurality of natural language and/or numeric characters and a plurality of commands for controlling operation of said visual representation of the corresponding natural language or numeric character or command and/or of a graphical representation thereof.	A data entry device according to any of claims 1, 2 or 3, comprising a *carrier* [*a medium which carries one or more data and/or command code, character, image, or graphical or alphanumeric data representation*] or a display for a plurality of data and/or command codes for association with means for displaying a plurality of selectable items, wherein said carrier carries a plurality of codes, each for a respective one data entry device or a merchandising of a plurality of natural language and/or system, each code being associated with a numeric characters and a plurality of commands for controlling operation of said data entry device or a merchandising system, each code being associated with a visual representation of the corresponding natural language or numeric character or command and/or of a graphical representation thereof.
	This is a **means-plus-function** claim. The function of the above means is: displaying a plurality of selectable items. The structure to perform this function is: cols. 2:13-29; 6:51-7:9; 12:65-13:21, and their equivalents.
Claim 21	
A data entry device according to any of claims 1, 2 or 3, comprising a carrier or a display for a plurality of data and/or command codes for association with means for displaying a plurality of selectable items, wherein said carrier carries a plurality of codes, each for a respective one of a plurality of natural language and/or numeric characters and a plurality of commands for controlling operation of said data entry device or a merchandising system, each code being associated with a visual representation of the corresponding natural language or numeric character or command and/or of a graphical representation thereof, wherein said codes are bar and/or dot codes and/or other product identifications.	A data entry device according to any of claims 1, 2 or 3, comprising a carrier or a display for a plurality of data and/or command codes for association with means for displaying a plurality of selectable items, wherein said carrier carries a plurality of codes, each for a respective one of a plurality of natural language and/or numeric characters and a plurality of commands for controlling operation of said data entry device or a merchandising system, each code being associated with a visual representation of the corresponding natural language or numeric character or command and/or of a graphical representation thereof, wherein said codes are bar and/or dot codes and/or other product identifications.
Claim 22	
A data entry device according to claim [sic] any of claims 1, 2 or 3 wherein a key on said data entry device can be used for entry of a said command and/or data.	A data entry device according to any of claims 1, 2 or 3 wherein a *key* [*a manual switch*] on said data entry device can be used for entry of a said command and/or data.
Claim 23	
A merchandising system comprising a data entry device according to any of claims 1, 2 or 3, wherein:	A merchandising system comprising a data entry device according to any of claims 1, 2 or 3, wherein:
said device is programmable with information relating to user selectable merchandisable items; and	said device is programmable with information relating to user selectable merchandisable items; and

said interface is coupleable to a remote processing center for initiating processing of user orders of said selectable merchandisable items.	said interface is coupleable to a remote processing center for initiating processing of user orders of said selectable merchandisable items.
Claim 26	
A data entry system comprising a hand holdable data entry unit, said hand holdable unit comprising:	A data entry system comprising a hand holdable data entry unit, said *hand holdable* [*can be held by one hand in normal use*] unit comprising:
a reading sensor for sensing commands and/or data and for producing input signals in response to said sensed commands and/or data;	a reading sensor for sensing commands and/or data and for producing input signals in response to said sensed commands and/or data;
rewritable storage programmable with information relating to a plurality of items, user selectable by means of said reading sensor;	rewritable storage programmable with information relating to a plurality of items, user selectable by means of said reading sensor;
a controller connected to receive and process said input signals from said sensor, said controller being arranged to respond to commands and/or sensed commands to control said hand holdable unit and to said data to select a said item; and	a controller connected to receive and process said input signals from said sensor, said controller being arranged to respond to commands and/or sensed commands to control said hand holdable unit and to said data to select a said item; and
a display screen for displaying a user readable representation of said commands and said stored information for said selected item; and	a display screen for displaying a user readable representation of said commands and said stored information for said selected item; and
said system further comprising: a telecommunications interface for telephonic transmission of information relating to a selected item or items from said storage to a remote processing center via a telecommunications network and for telephonic reception of information relating telephonic reception of information relating to selectable items from said remote processing center to said storage via said telecommunications network, said controller being responsive to a said command to cause downloading of information from said remote processing center as required for updating information previously stored in said rewritable storage for one or more of said selectable items, wherein said hand holdable unit includes a speaker and a microphone permitting said hand holdable unit to be used as a telephone handset.	said system further comprising: a telecommunications interface for telephonic transmission of information relating to a selected item or items from said storage to a remote processing center via a telecommunications network and for to selectable items from said remote processing center to said storage via said telecommunications network, said controller being responsive to a said command to cause downloading of information from said remote processing center as required for updating information previously stored in said rewritable storage for one or more of said selectable items, wherein said hand holdable unit includes a speaker and a microphone permitting said hand holdable unit to be used as a telephone handset.
Claim 27	
A data entry system comprising a hand holdable data entry unit, said hand holdable unit comprising:	A data entry system comprising a hand holdable data entry unit, said hand holdable unit comprising:
a reading sensor for sensing commands and/or data and for producing input signals in response to said sensed commands and/or data;	a reading sensor for sensing commands and/or data and for producing input signals in response to said sensed commands and/or data;
rewritable storage programmable with information relating to selectable items;	rewritable storage programmable with information relating to selectable items;
a controller connected to receive and process said	a controller connected to receive and process said

input signals from said sensor, said controller being arranged to respond to commands and/or sensed commands to control said hand holdable unit and to said data to select a said item;	input signals from said sensor, said controller being arranged to respond to commands and/or sensed commands to control said hand holdable unit and to said data to select a said item;
a display screen for displaying a user. readable representation of said commands and said stored information for said selected item; and	a display screen for displaying a user readable representation or said commands and said stored information for said selected item; and
a telecommunications interface for telephonic transmission of information relating to a selected item or items from via a telecommunications network and for telephonic reception of information relating to said selectable items from said remote processing center to said storage via said telecommunications network, wherein said telecommunications interface is a telecommunications line interface integral to said hand holdable unit and directly connects said hand-holdable unit to said telecommunications network, and wherein said hand holdable unit includes a speaker and a microphone permitting said hand holdable unit to be used as a telephone handset.	a telecommunications interface for telephonic transmission of information relating to a selected item or items from said storage to a remote processing center via a telecommunications network and for telephonic reception of information relating to said selectable items from said remote processing center to said storage via said telecommunications network, wherein said telecommunications interface is a *telecommunications line interface* [*a device that enables telephonic communication between two or more devices by wire or cable*] integral said hand holdable unit and directly connects said hand holdable unit includes a speaker and a microphone permitting said hand said telecommunications network, and handset.
Claim 28	
A data entry system comprising a hand holdable data entry unit, said hand holdable unit comprising:	A data entry system comprising a hand holdable data entry unit, said hand holdable unit comprising:
a reading sensor for sensing commands and/or data and for producing input signals in response to said sensed commands and/or data;	a reading sensor for sensing commands and/or data and for producing input signals in response to said sensed commands and/or data;
rewritable storage programmable with information relating to selectable items;	rewritable storage programmable with information relating to selectable items;
a controller connected to receive and process said input signals from said sensor, said controller being arranged to respond to commands and/or sensed commands to control said hand holdable unit and to said data to select a said item;	a controller connected to receive and process said input signals from said sensor, said controller being arranged to respond to commands and/or sensed commands to control said hand holdable unit and to said data to select a said item;
a display screen for displaying a user readable representation of said commands and said stored information for said selected item; and	a display screen for displaying a user readable representation of said commands and said stored information for said selected item; and
a telecommunications interface for telephonic transmission of information relating to a selected item or items from said storage to a remote processing center via a wireless telecommunications network and for telephonic reception of information relating to said selectable items from said remote processing center to said storage via said wireless telecommunications network, wherein said telecommunications interface is a telecommunications	a telecommunications interface for telephonic transmission of information relating to a selected item or items from said storage to a remote processing center via a wireless telecommunications network and for telephonic reception of information relating to said selectable items from said remote processing center to said storage via said wireless telecommunications network, wherein said telecommunications interface is a telecommunications line interface integral to said

line interface integral to said hand holdable unit and directly connects said hand-holdable unit to said wireless telecommunications network.	hand holdable unit and directly connects said hand-holdable unit to said wireless telecommunications network.
Claim 29	
A data entry system comprising a hand holdable data entry unit, said hand holdable unit comprising:	A data entry system comprising a hand holdable data entry unit, said hand holdable unit comprising:
a reading sensor for sensing commands and/or data and for producing input signals in response to said sensed commands and/or data;	a reading sensor for sensing commands and/or data and for producing input signals in response to said sensed commands and/or data;
rewritable storage programmable with information relating to a plurality of items, user selectable by means of said reading sensor;	rewritable storage programmable with information relating to a plurality of items, user selectable by means of said reading sensor;
a controller connected to receive and process said input signals from said sensor, said controller being arranged to respond to commands and/or sensed commands to control said hand holdable unit and to said data to select a said item; and	a controller connected to receive and process said input signals from said sensor, said controller being arranged to respond to commands and/or sensed commands to control said hand holdable unit and to said data to select a said item; and
a display screen for displaying a user readable representation of said commands and said stored information for said selected item;	a display screen for displaying a user readable representation of said commands and said stored information for said selected item;
and said system further comprising: a telecommunications interface for telephonic transmission of information relating to a selected item or items from said storage to a remote processing center via a telecommunications network and for telephonic reception of information relating to selectable items from said remote processing center to said storage via said telecommunications network, said controller being responsive to either a said command or a said sensed command to cause downloading of information from said remote processing center as required for updating information previously stored in said rewritable storage for one or more of said selectable items, and wherein said system further comprises a carrier for a plurality of data and/or command codes for association with means for displaying a plurality of said selectable items, wherein said carrier carries a plurality of codes, each for a respective one of a plurality of natural language and/or numeric characters and a plurality of commands for controlling operation of said data entry system or a merchandising system, each code being associated with a visual representation of the corresponding natural language or numeric character or command and/or of a graphical representation thereof.	and said system further comprising: a telecommunications interface for telephonic transmission of information relating to a selected item or items from said storage to a remote processing center via a telecommunications network and for telephonic reception of information relating to selectable items from said remote processing center to said storage via said telecommunications network, said controller being responsive to either a said command or a said sensed command to cause downloading of information from said remote processing center as required for updating information previously stored in said rewritable storage for one or more of said selectable items, and wherein said system further comprises a carrier for a plurality of data and/or command codes for association with means for displaying a plurality of said selectable items, wherein said carrier carries a plurality of codes, each for a respective one of a plurality of natural language and/or numeric characters and a plurality of commands for controlling operation of said data entry system or a merchandising system, each code being associated with a visual representation of the corresponding natural language or numeric character or command and/or of a graphical representation thereof.
Claim 30	

A data entry system comprising a hand holdable data entry unit, said hand holdable unit comprising:	A data entry system comprising a hand holdable data entry unit, said hand unit comprising:
a reading sensor for sensing commands and/or data and for producing input signals in response to said sensed commands and/or data;	a reading sensor for sensing commands and/or data and for producing input signals in response to said sensed commands and/or data;
rewritable storage programmable with information relating to selectable items;	rewritable storage programmable with information relating to selectable items;
a controller connected to receive and process said input signals from said sensor, said controller being arranged to respond to commands and/or sensed commands to control said hand holdable unit and to said data to select a said item;	a controller connected to receive and process said input signals from said sensor, said controller being arranged to respond to commands and/or sensed commands to control said hand holdable unit and to said data to select a said item;
a display screen for displaying a user readable representation of said commands and said stored information for said selected item; and	a display screen for displaying a user readable representation of said commands and said stored information for said selected item; and
a telecommunications interface for telephonic transmission of information relating to a selected item or items from said storage to a remote processing center via a telecommunications network and for telephonic reception of information relating to said selectable items from said remote processing center to said storage via said telecommunications network, wherein said telecommunications interface is a telecommunications line interface integral to said hand holdable unit and directly connects said hand-holdable unit to said telecommunications network, and wherein said data entry system further comprises a carrier for a plurality of data and/or command codes for association with means for displaying a plurality of said selectable items, wherein said carrier carries a plurality of codes, each for a respective one of a plurality of natural language and/or numeric characters and a plurality of commands for controlling operation of said data system or a merchandising system, each code being associated with a visual representation of the corresponding natural language or numeric character or command and/or of a graphical graphical representation thereof.	a telecommunications interface for telephonic transmission of information relating to a selected item or items from storage to a remote processing center via a telecommunications network and for telephonic reception of information relating to said selectable items from said remote processing center to said storage via said telecommunications network, wherein said telecommunications interface is a telecommunications line interface integral to said hand holdable unit and directly connects said hand-holdable unit to said telecommunications network, and wherein said data entry system further comprises a carrier for a plurality of data and/or command codes for association with means for displaying a plurality of said selectable items, wherein said carrier carries a plurality of codes, each for a respective one of a plurality of natural language and/or numeric characters and a plurality of commands for controlling operation of said data system or a merchandising system, each code being associated with a visual representation of the corresponding natural language or numeric character or command and/or of a graphical graphical representation thereof.
Claim 32	
A data entry system according to claim 26 claim 29, wherein said telecommunications interface is integral to said hand holdable unit and directly connects said hand-holdable unit to said telecommunications network.	A data entry system according to claim 26 or claim 29, wherein said telecommunications interface is integral to said hand holdable unit and *directly connects* [*connect without an intervening agency or step between the hand holdable unit and the telecommunications network*] said hand-holdable unit to said telecommunications network.
Claim 33	

A data entry system according to any of claims 26, 28, 29, 30 or 31, wherein said hand holdable unit includes a rechargeable power source, means being provided for recharging said power source.	A data entry system according to any of claims 26, 28, 29, 30 or 31, wherein said hand holdable unit includes a rechargeable power source, means being provided for recharging said power source.
Claim 34	
A data entry system according to any of claims 26, 27, 29 or 30, wherein said telecommunications interface is a wireless telecommunications network interface.	A data entry system according to any of claims 26, 27, 29 or 30, wherein said telecommunications interface is a wireless telecommunications network interface.
Claim 35	
A data entry system according to any of claims 26, 27, 29, 30 or 31, wherein said telecommunications interface is a cellular telephone network interface.	A data entry system according to any of claims 26, 27, 29, 30 or 31, wherein said telecommunications interface is a cellular telephone network interface.
Claim 37	
A data entry system according to any of claims 26, 27, 28, 29, 30 or 31, wherein. said telecommunications interface includes a modem.	A data entry system according to any of claims 26, 27, 28, 29, 30 or 31, wherein said telecommunications interface includes a modem.
Claim 38	
A data entry system according to any of claims 26, 27, 28, 29, 30 or 31, wherein. said hand holdable unit comprises one or two manually operable switches for scrolling said display in a first and/or second direction for selectively displaying information for respective selectable or selected items from said storage.	A data entry system according to any of claims 26, 27, 28, 29, 30 or 31, wherein said hand holdable unit comprises one or two manually operable switches for scrolling said display in a first and/or second direction for selectively displaying information for respective selectable or selected items from said storage.
Claim 39	
A data entry system according to any of claims 26, 27, 28, 29, 30 or 31 wherein said hand holdable unit comprises one or two manually operable switches for scrolling said display in a first and/or second direction for selectively displaying information for respective selectable or selected items from said storage, and wherein operation of said first and/or second switches in predetermined operational states or said hand holdable unit causes predetermined functions other than scrolling functions to be performed.	A data entry system according to any of claims 26, 27, 28, 29, 30 or 31 wherein said hand holdable unit comprises one or two manually operable switches for scrolling said display in a first and/or second direction for selectively displaying information for respective selectable or selected items from said storage, and wherein operation of said first and/or second switches in predetermined operational states of said hand holdable unit causes predetermined functions other than scrolling functions to be performed.
Claim 40	
A data entry system according to any of claims 26, 27, 28, 29, 30 or 31 wherein said display screen comprises a touch sensitive screen forming a said reading sensor, said controller being arranged to be responsive to a location at which said screen is touched for user input.	A data entry system according to any of claims 26, 27, 28, 29, 30 or 31 wherein said display screen comprises a touch sensitive screen forming a said reading sensor, said controller being arranged to be responsive to a location at which said screen is touched for user input.
Claim 41	
A data entry system according to any of claims 26, 27, 28, 29, 30 or 31 wherein a said reading sensor is for reading coded data, wherein said controller is	A data entry system according to any of claims 26, 27, 28, 29, 30 or 31 wherein a said reading sensor is for reading coded data, wherein said controller is

arranged to access the stored information for selectable items to determine natural language characters or images corresponding to the coded data for display.	arranged to access the stored information for selectable items to determine natural language characters or images corresponding to the coded data for display.
Claim 44	
A data entry system according to any of claims 26, 27, 28, 29, 30 or 31, wherein a said reading sensor is a motion detector or a scanning device.	A data entry system according to any of claims 26, 27, 28, 29, 30 or 31, wherein a said reading sensor is a motion detector or a scanning device.
Claim 45	
A data entry device according to claim 44, wherein said scanning device is a camera.	A data entry device according to claim 44, wherein said scanning device is a camera.
Claim 51	
A data entry system according to any claims 26, 27, 28, 29, 30 or 31, wherein programs in said hand holdable unit are updateable remotely from said processing center.	A data entry system according to any claims 26, 27, 28, 29, 30 or 31, wherein programs in said hand holdable unit are updateable remotely from said processing center.
Claim 53	
A data entry system according to any of claims 26, 27, 28, 29, 30 or 31, comprising a carrier for a plurality of data and/or command codes for association with means for displaying a plurality of selectable items, wherein said carrier carries a plurality of codes, each for a respective one of a plurality of natural language and/or numeric characters and a plurality of commands for controlling operation of said data entry or merchandising system, each code being associated with a visual representation of the corresponding natural language or numeric character or command and/or of a graphical representation thereof.	A data entry system according to any of claims 26, 27, 28, 29, 30 or 31, comprising a carrier for a plurality of data and/or command codes for association with means for displaying a plurality of selectable items, wherein said carrier carries a plurality of codes, each for a respective one of a plurality of natural language and/or numeric characters and a plurality of commands for controlling operation of said data entry or merchandising system, each code being associated with a visual representation of the corresponding natural language or numeric character or command and/or of a graphical representation thereof.
Claim 55	
A data entry system according to claim 53, wherein said carrier comprises a display.	A data entry system according to claim 53, wherein said carrier comprises a display.
Claim 56	
A data entry system according to any of claims 26, 27, 28, 29, 30 or 31, wherein a key on said data entry unit can be used for entry of a said command and/or data.	A data entry system according to any of claims 26, 27, 28, 29, 30 or 31, wherein a key on said data entry unit can be used for entry of a said command and/or data.
Claim 57	
A merchandising system comprising a data entry system according to any of claims 26, 27, 28, 29, 30 or 31, wherein: said selectable items are merchandisable items; and said remote processing center initiates processing of user orders of said selectable merchandisable items.	A merchandising system comprising a data entry system according to any of claims 26, 27, 28, 29, 30 or 31, wherein: said selectable items are merchandisable items; and said remote processing center initiates processing of user orders of said selectable merchandisable items.
Claim 59	

A data entry system according to any of claims 27, 28, 30 or 31, wherein said controller is responsive to a said command to cause downloading of information from said remote processing center as required for updating information previously stored in said rewritable storage for one or more of said selectable items.	A data entry system according to any of claims 27, 28, 30 or 31, wherein said controller is responsive to a said command to cause downloading of information from said remote processing center as required for updating information previously stored in said rewritable storage for one or more of said selectable items.

Claim 60

A data entry system according to any of claims 28, 29, 30 or 31 wherein said hand holdable unit includes a speaker and/or microphone permitting said hand holdable unit to be used as a telephone handset.	A data entry system according to any of claims 28, 29, 30 or 31 wherein said hand holdable unit includes a speaker and/or microphone permitting said hand holdable unit to be used as a telephone handset.

EXHIBIT B

GLOSSARY OF TERMS

TERM	*DEFINITION*
carrier	a medium which carries one or more data and/or command code, character, image, or graphical or alphanumeric data representation
coded data	data having a recognizable pattern or structure
commands and/or sensed commands	instructions
communications interface	a device which enables communication between two or more devices
comprise	are
controller	a microprocessor or other processing circuitry
coupled	connected or linked
data	factual information
directly connects	connect without an intervening agency or step between the hand holdable unit and the telecommunications network
directly to connect	connect without an intervening agency or step between the data entry device and the wireless telecommunications network
display (n.)	an electronic element that provides a visual representation
display (v.)	show
downloading	transferring from one place to storage at another
forming	assuming the function of
hand holdable	can be held by one hand in normal use
input signals	output of the reading sensor to be received by a controller
integral with	formed as a unit with one or more parts
key	a manual switch
manually operable switches	devices for making, breaking, or changing the connections in an electrical circuit, which can be operated by hand
modem	a device that converts data from one form to another

motion detector	a device that is sensitive to movement
process (v.)	to subject to examination or analysis
programs	coded instructions that a computer follows to perform a desired sequence of operations
reading sensor	a structure capable of detecting external stimuli
responsive	giving response or reaction
rewritable storage	storage in which the stored information can be written over
scrolling said display	stepping through text or graphics displayed on a display
signature	a characteristic or mark distinctively identifying a person
storage	part of a computer that accepts and retains information for subsequent use or retrieval
stored information	information previously saved
telecommunications line interface	a device that enables telephonic communication between two or more devices by wire or cable
touch sensitive screen	screen which reacts to touch by producing a signal
updating	changing, adding to, or deleting information in a record to maintain current status

S.D.Cal.,2005.
Dataquill Ltd. v. Kyocera Wireless Corp.

Produced by Sans Paper, LLC.