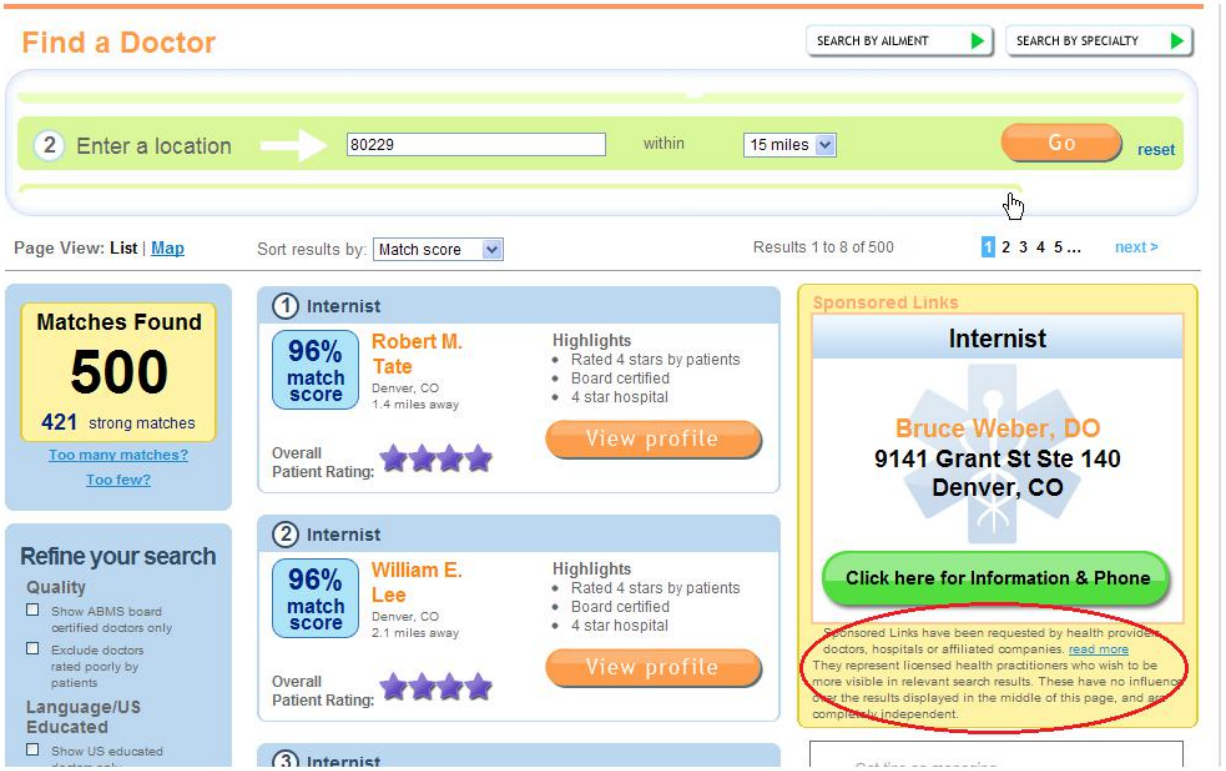
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
9. The method as defined in claim 7, further comprising: determining from the results list whether a particular healthcare provider is a member of the company managing the Web site;		MDx determines which doctors are sponsors, or members, based on whether the physician has paid a fee to MDx. *See* Screenshot No. 31 (circled portion providing that MDx determines physicians based on whether the physician has chosen to be a sponsor). Screenshot No. 31 

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and if the particular healthcare provider is a member of the company managing the Web site, providing enhanced services for the member healthcare provider on the Web site.		MDx provides the enhanced service of prominently displaying a member physician. Consider Dr. Bruce Weber displayed at the top of the results list. *See* Screenshot No. 31, *supra*. Absent a sponsored link, MDx would not have displayed Dr. Bruce's information until the user scrolled through the first 291 doctors (page 37 of the results list). *See* Screenshot No. 32. By becoming a sponsor, MDx provided Dr. Weber with prominence among all doctors; he is at the top of every page of the results list. Screenshot No. 32

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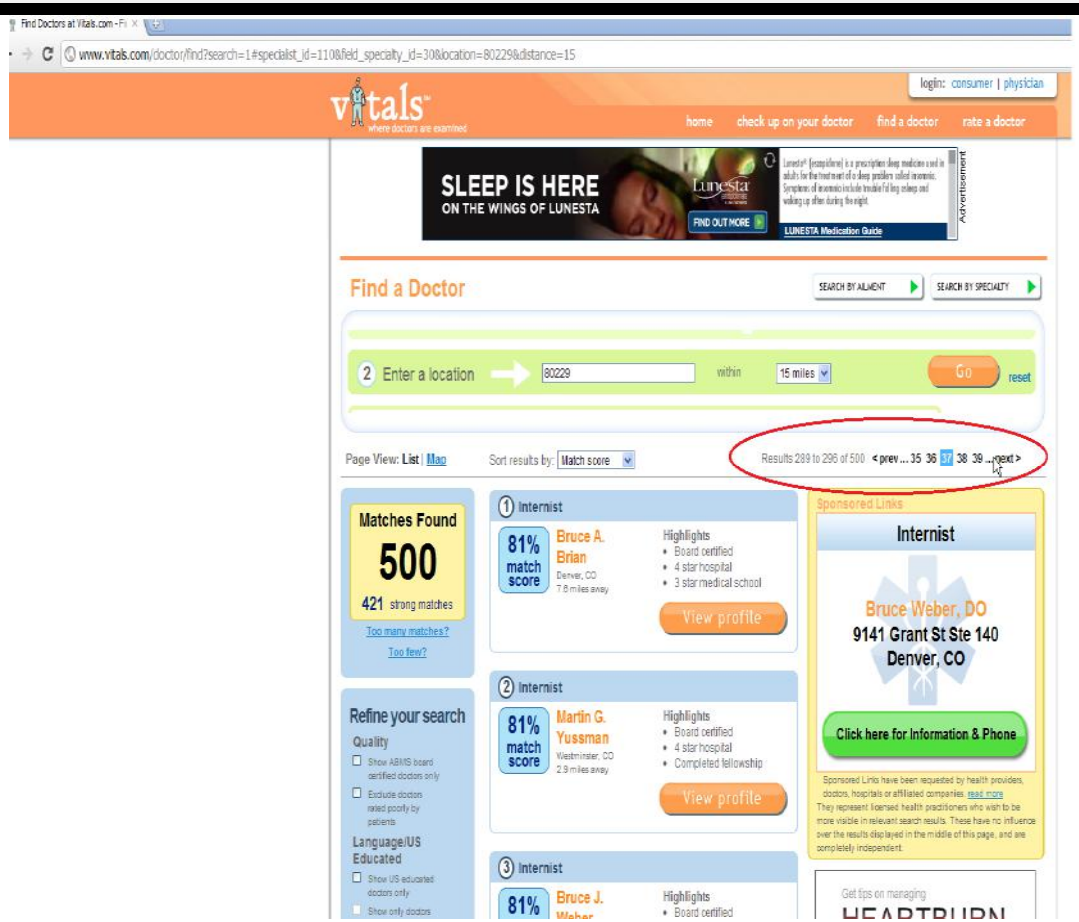
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		

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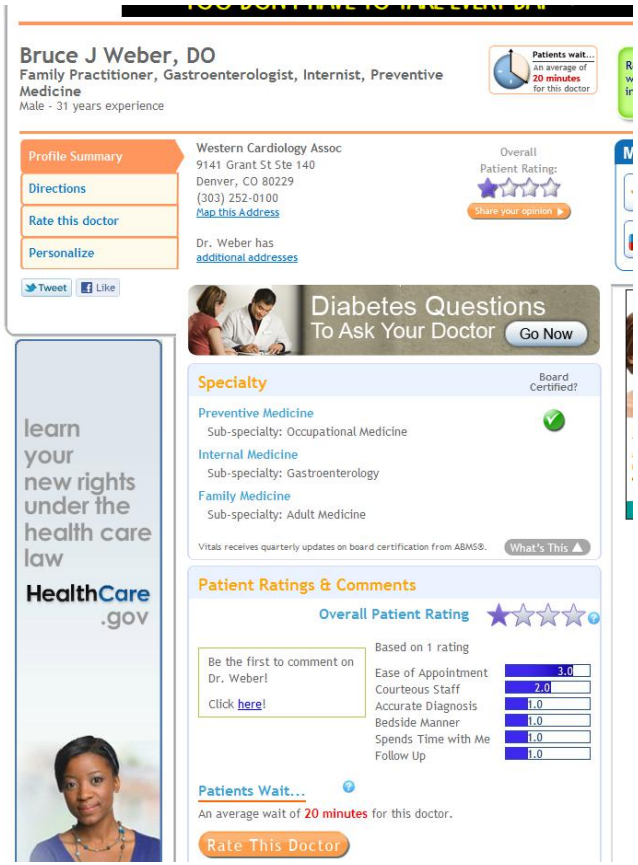
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		Screenshot No. 33 

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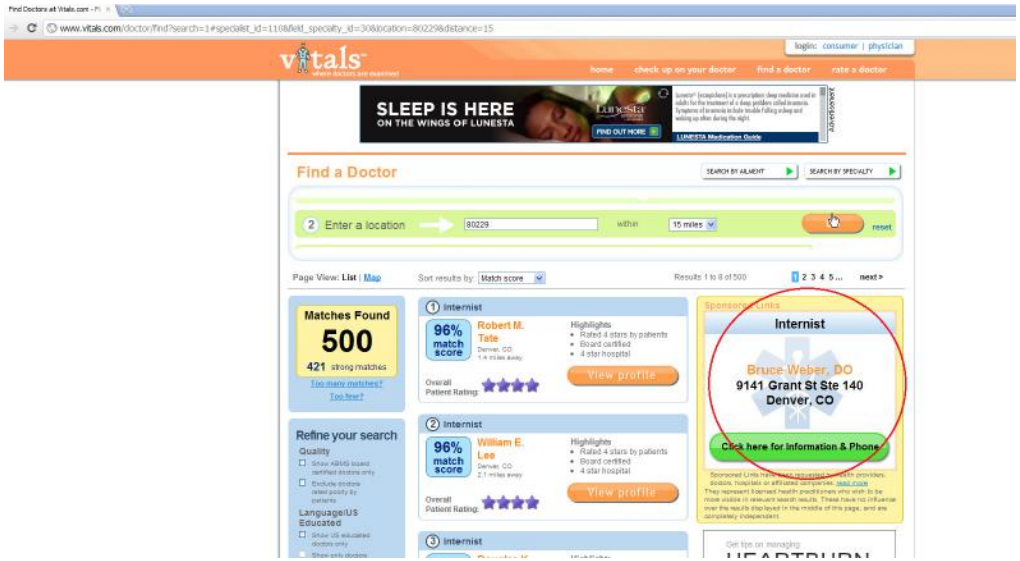
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		MDx allows doctors to become members of its website, wherein these doctors pay a fee to MDx if patients are directed to the doctor by MDx.
11. The method as defined in claim 9, wherein the enhanced services comprise favorable positioning in the results list.		MDx displays the member doctor in a prominent position. *See* Screenshot No. 34 (circled portion showing favorable position of member doctor). Screenshot No. 34 
14. The		MDx provides reports on physicians. *See* Screenshot No. 35 (displaying a report for an

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method as defined in claim 1, wherein the first healthcare provider is a physician.		internist). Screenshot No. 35 

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
15. An on-line information system for connecting healthcare providers with potential patients, the system comprising:		MDx provides an online information system for connecting healthcare providers with potential patients. MDx's homepage displays a tagline that reads "Relief . . . is knowing it's easy to find a doctor right for you on Vitals." *See* Screenshot No. 36 (tagline circled in red). MDx's homepage is accessible via the internet. *See* Screenshot No. 36 (web address circled in purple). Screenshot No. 36

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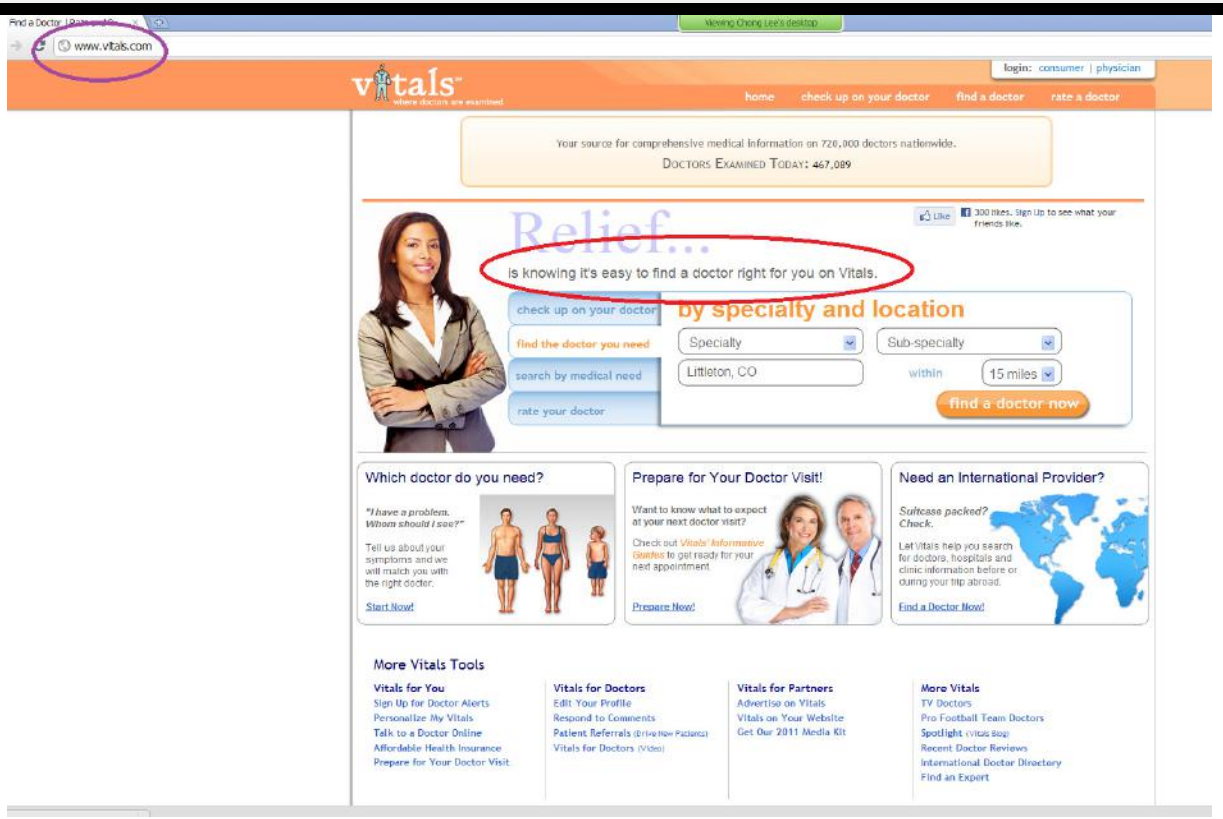
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		
at least one computer processor; and		MDx uses a web server program, which is housed on a web server machine, to deliver its webpage to a potential patient's web browser. A web server machine is a computer, and all computers have computer processors.

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memory coupled with and readable by the at least one computer processor and comprising a series of instructions that, when executed by the at least one computer processor, cause the at least one computer processor to:		MDx's web server machine, like any computer, has memory readable by at least one computer processor.
receive a request for information regarding a first healthcare provider;	First Healthcare Provider: a particular healthcare provider about whom information is requested and a report is produced."	See "receiving" element of claim 1 above. MDx's web server receives a request for information regarding a first healthcare provider from a potential patient's web browser. *See, e.g.*, Screenshot 2 and Screenshot 3. The Court's Markman Order defines the first healthcare provider as "a particular healthcare provider about whom information is requested and a report is produced." (Markman Order at 23.) MDx literally infringes this element as construed by the Court in its Markman Order. For

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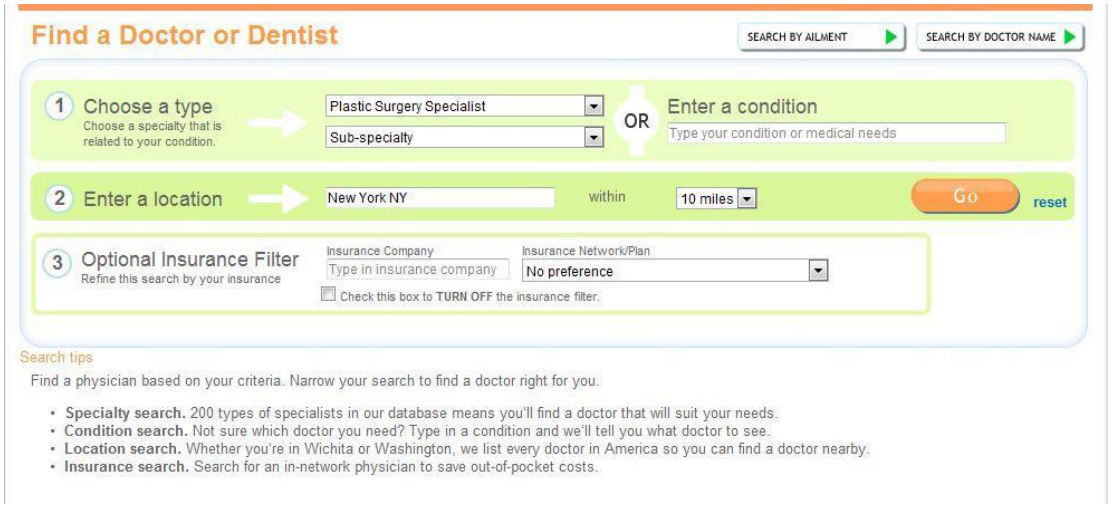
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
	(Markman Order at 23.)	example, on the www.vitals.com website, information can be requested about a particular healthcare provider by performing various searches, which are initiated at the www.vitals.com homepage. Specifically, a potential patient may initiate a search for a particular healthcare provider on MDx's website, which prompts the patient's web browser to send a request for information about the particular doctor the patient is looking for to the MDx's web server, which receives the request for information and then accesses MDx's database to find data that responds to the user's search query. The various kinds of searches offered on www.vitals.com are shown below:  To the extent that the Court's construction of first healthcare provider requires that the request for information be directed to *only* one particular healthcare provider, a position with which Health Grades disagrees, MDx both literally infringes this element and infringes under the doctrine of equivalents. MDx literally infringes this element because the www.vitals.com

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		website is capable of receiving requests for information about only one particular physician. MDx infringes under the doctrine of equivalents because a request for information about multiple particular physicians performs substantially the same function, in substantially the same way, to achieve substantially the same result as a request for one particular physician as shown above. To the extent that the Court's construction of first healthcare provider requires that the potential patient know the identity of the particular physician for whom he or she is requesting information before they request the information, a position with which Health Grades disagrees, MDx both literally infringes this element and infringes under the doctrine of equivalents. MDx literally infringes this element because the www.vitals.com website is capable of receiving requests for information about a particular physician whose identity is known to the requestor before the information is requested. MDx infringes under the doctrine of equivalents because a request for information about a particular physician that has characteristics that meet search criteria (e.g. female, plastic surgeon, in New York, NY) performs substantially the same function, in substantially the same way, to achieve substantially the same result as a request for a particular physician whose identity is known before the search is run.
access healthcare provider-verified information about the first healthcare provider, wherein the healthcare	"First Healthcare Provider: a particular healthcare provider about whom information is requested and a	See "healthcare provider-verified" element of claim 1 above. The Court's Markman Order defines the first healthcare provider as "a particular healthcare provider about whom information is requested and a report is produced." (Markman Order at 23.) MDx's web server accesses healthcare provider-verified information about a particular healthcare provider at the prompting of a potential patient. To display the healthcare provider-

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provider-verified information is received from the first healthcare provider and comprises three or more from the group consisting of: specialty information, medical philosophy, gender, age, years in profession, years in practice, awards, honors, professional appointments, professional memberships, publications, languages, and hobbies;	report is produced." (Markman Order at 23.) "Received from the First Healthcare Provider: receipt of information from the first healthcare provider or one of his or her agents, such as an employee, as distinguished from information received from patients or public sources." (Markman Order at 24.) "Although defendant is correct that 'verify' can mean 'to prove,'	verified information in the patient's browser, the server must access the information. Screenshot No. 37 displays the following healthcare provider-verified information: specialty information, gender, and years in practice (information circled in red). Screenshot No. 38 displays hobbies (information circled in red). Screenshot No. 39 displays membership information (information circled in red). Screenshot No. 40 displays publications (information circled in red). Screenshot No. 37

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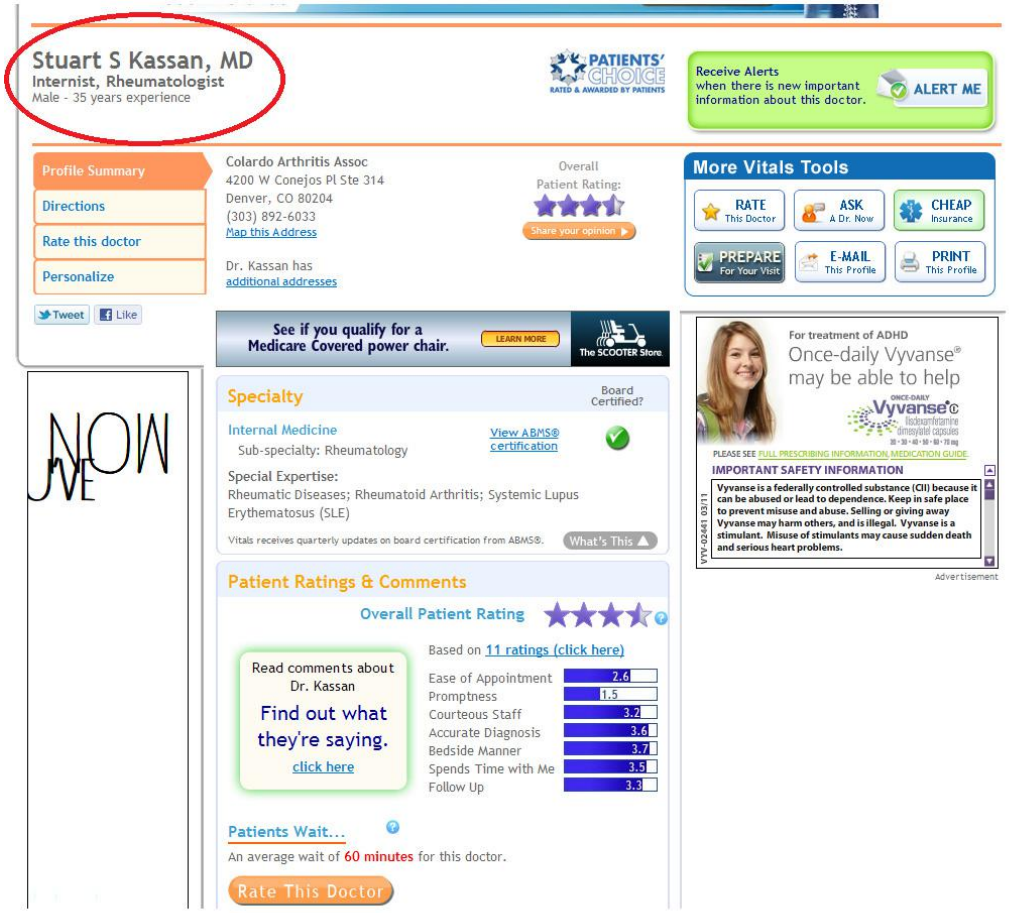
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
	'verify' may also mean, depending on its context, 'confirm' or 'substantiate.' . . . . Here, the specification makes clear that the act of 'verifying' requires only that the website receive confirmation of the information from some other source, in this instance the healthcare provider. Indeed, the confirmation described appears to not extend beyond receipt of such information from the first healthcare	 Screenshot No. 38

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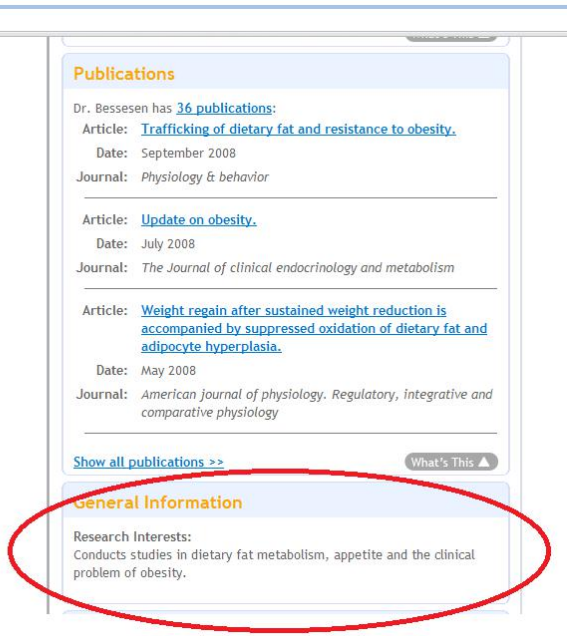
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
	provider." (Markman Order at 15 n.8.) "The phrase ['received from the first healthcare provider'] and the surrounding context contemplate receipt of information from the first healthcare provider or one of his or her agents, such as an employee, as distinguished from information received from patients or public sources." (Markman Order at 16-17.)	ww.vitals.com/doctors/Dr_Daniel_Bessesen.html  Screenshot No. 39

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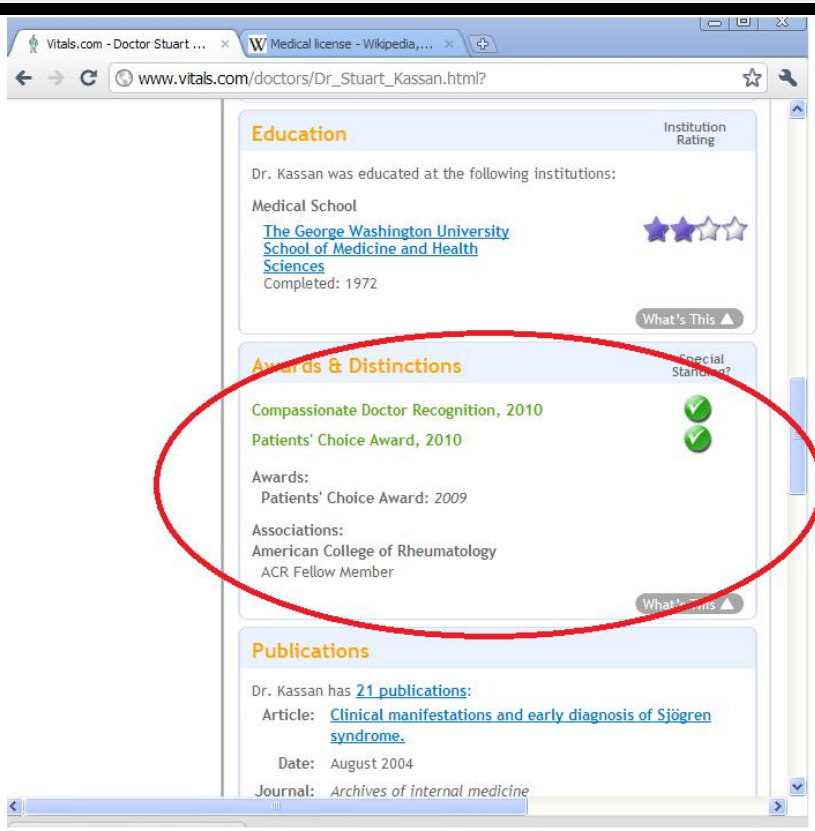
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 Screenshot No. 40

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System

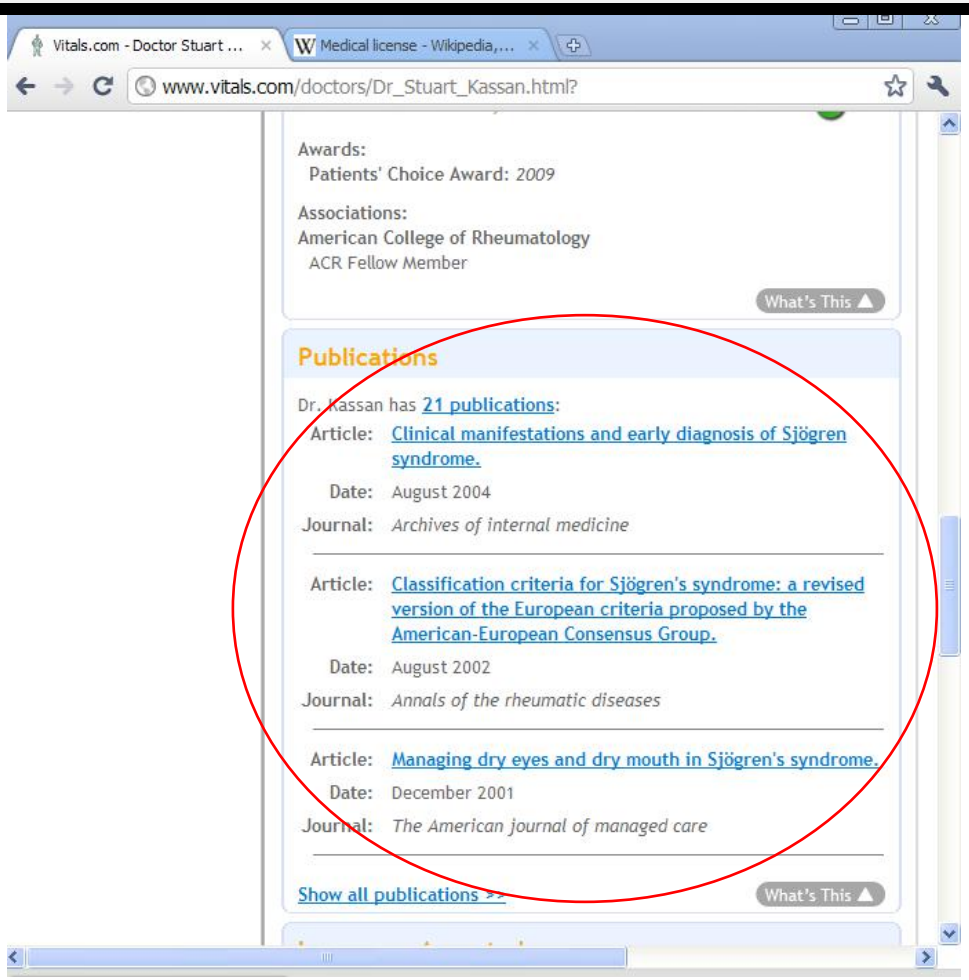


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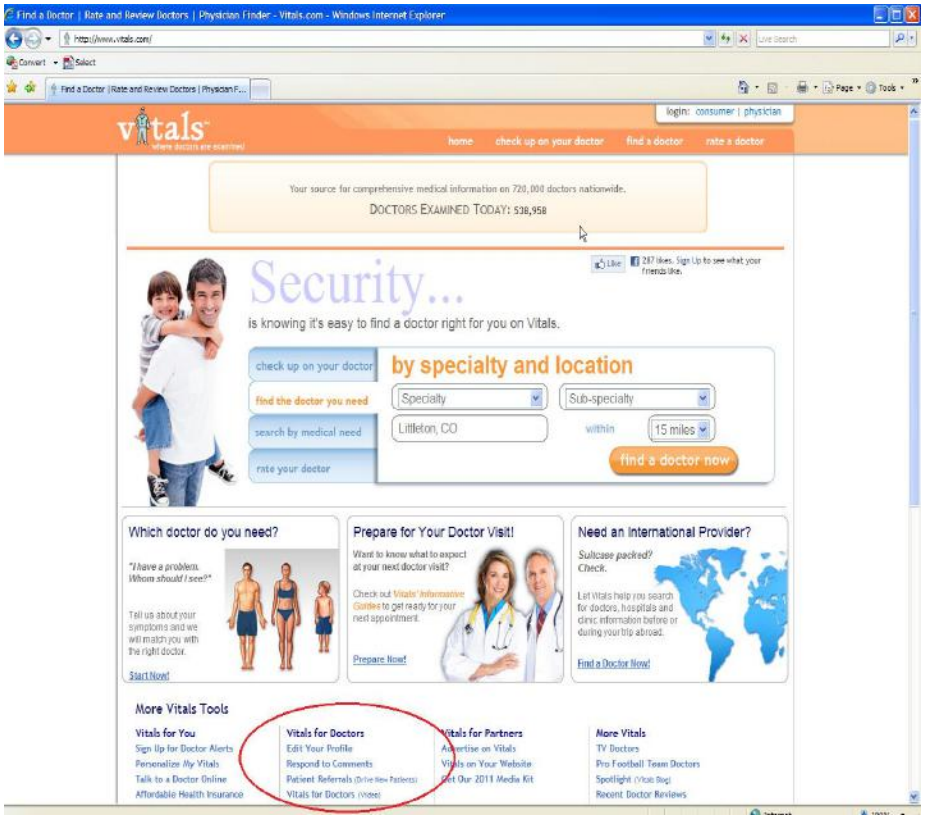
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		MDx receives the healthcare provider-verified information from healthcare providers. MDx's website provides doctors with the ability to send information to MDx. For example, MDx's website provides many opportunities for doctors to edit their own profiles.  MDx states on its website that it receives, compiles, and posts doctor-supplied information. *See*

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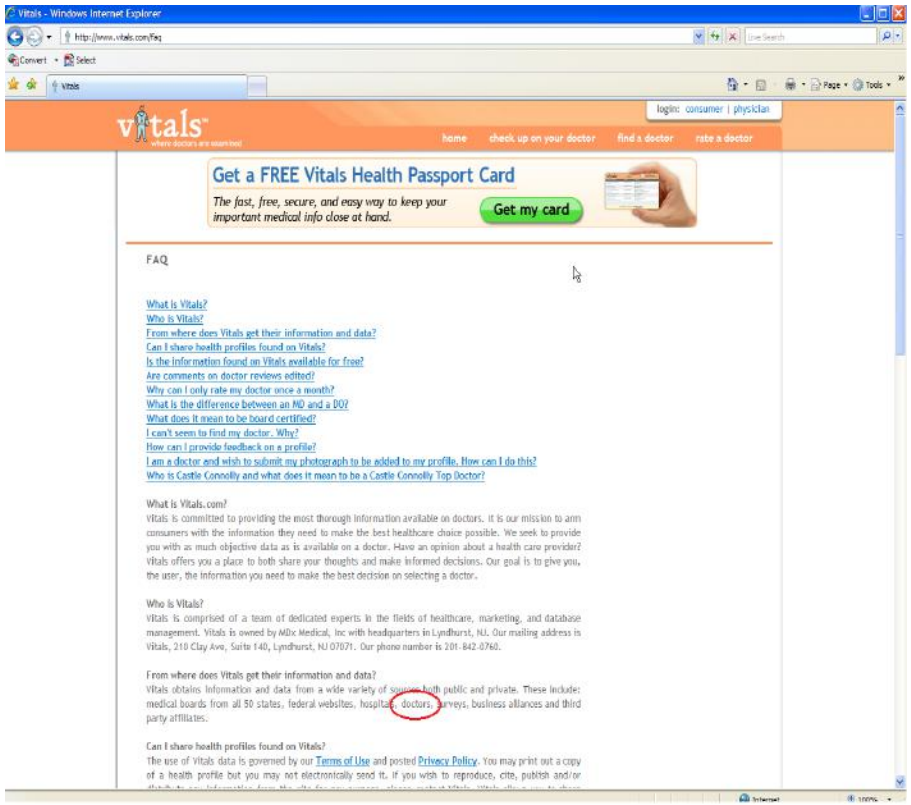
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		Screenshot No. 6  The Court's Markman Order defines "received from the First Healthcare Provider" to mean: "receipt of information from the first healthcare provider or one of his or her agents, such as an

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		employee, as distinguished from information received from patients or public sources." (Markman Order at 24.) The Court's Markman Order states that "'verifying' requires only that the website receive confirmation of the information from some other source, in this instance the healthcare provider. Indeed, the confirmation described appears to not extend beyond receipt of such information from the first healthcare provider." (Markman Order at 15 n.8.) MDx accesses information verified by a physician or other healthcare professional. For example, MDx literally infringes because MDx admits that it accesses information that is provided to MDx by the healthcare provider, and therefore is verified by the healthcare provider. Moreover, even if every doctor does not provide every piece of his or her own personal information, and to the extent that any physician information originates with a third party, MDx still literally infringes because its system provides the capability for healthcare providers to verify and edit their own information as detailed above. As such, this editing relies on the fact that the physician is confirming information it edits. To the extent that MDx does not literally infringe this element because the physician information is verified by a third party, it infringes under the doctrine of equivalents because it performs substantially the same function in substantially the same way to obtain the same result. The function of the claim is to make the information service more trustworthy. The way it makes it more trustworthy is to get information from a third party about the doctor. The result is that it is more trustworthy.
compile		See "patient-provided" element of claim 1 above.

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patient-provided information regarding the first healthcare provider, wherein the patient-provided information comprises patient ratings from one or more past or current patients of the first healthcare provider, and wherein the patient ratings are received from an on-line patient experience survey completed on a company Web site by	"First Healthcare Provider: a particular healthcare provider about whom information is requested and a report is produced." (Markman Order at 23.) "Compiling/Compile: gathering and/or putting together." (Markman Order at 24.)	MDx compiles patient-provided information through an online survey on its www.vitals.com website. Screenshot No. 41 displays the MDx on-line patient experience survey. MDx manages the website where the on-line surveys are collected. *See* Screenshot No. 40 (displaying on-line patient survey, circled in red, and the Vitals logo, circled in purple). Screenshot No. 41

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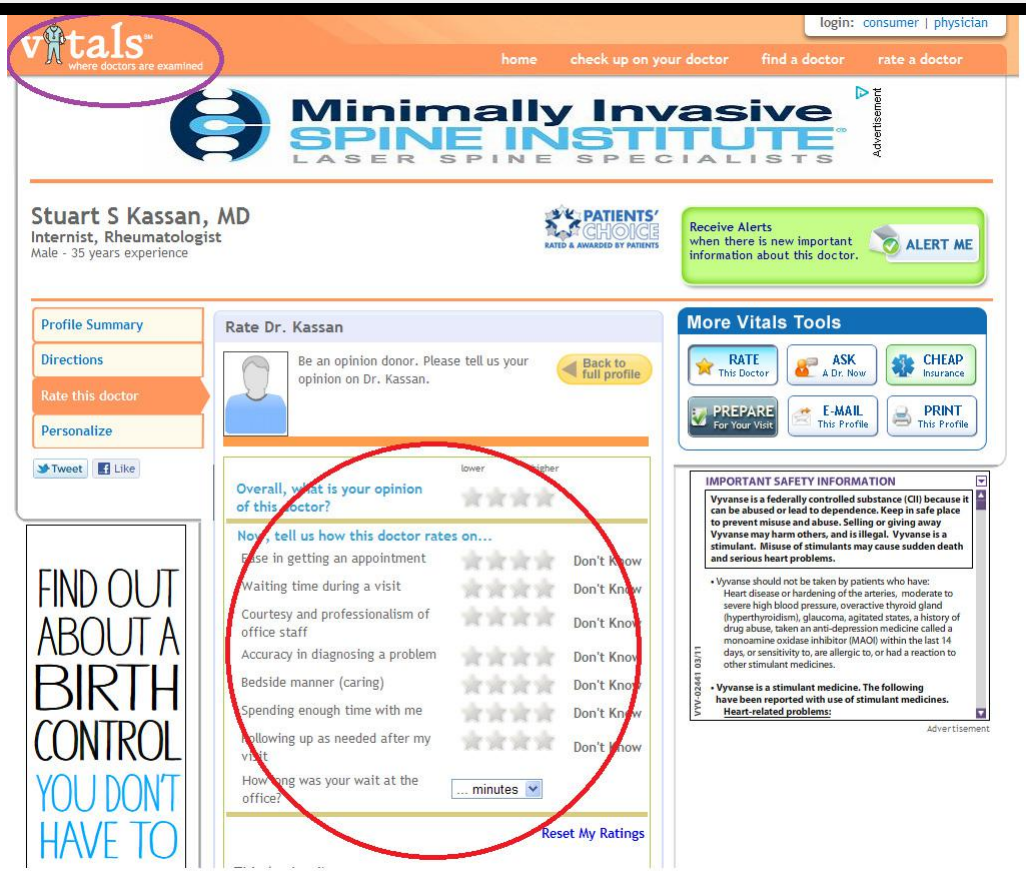
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
the one or more past or current patients of the first healthcare provider, and wherein the company Web site is managed by a company providing a service for connecting healthcare providers with the potential patients;		 Further, MDx admits that it collects information from patients using online experience surveys. *See* MDX 0000224 (noting the rules for displaying patient ratings comprise "a rating equals a submission of a doc for the 8 questions," the eight questions being the ones circled in red

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		above).
compile healthcare provider information regarding the first healthcare provider verified by an independent third-party source, wherein the information verified by the independent third-party source comprises three or more from the group consisting of: board certification, licensure, disciplinary action information, medical school,	"First Healthcare Provider: a particular healthcare provider about whom information is requested and a report is produced." (Markman Order at 23.) "Compiling/Compile: gathering and/or putting together." (Markman Order at 24.) "In short, the plain and ordinary meaning of	See "third party source" element of claim 1 above. MDx compiles information regarding doctors verified by an independent third-party source. The verified information comprises, at least, medical school, licensure, board certification, medical fellowship and medical residency information. *See* Screenshot No. 42 (displaying a portion of the FAQ from the vitals.com website stating that the information comes from various third parties). Screenshot No. 42

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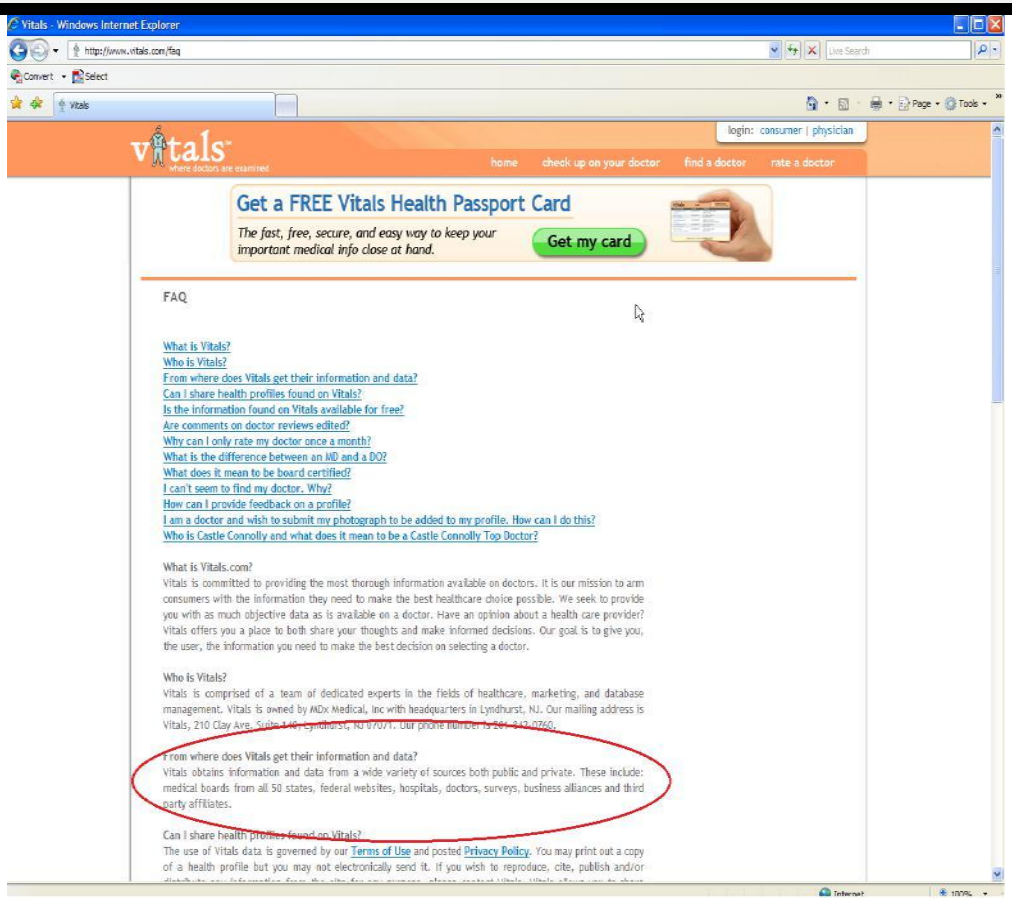
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
medical internship, medical residency, and medical fellowship information;	'verified,' which can encapsulate a range of conduct aimed at confirmation of information, shall apply." (Markman Order at 17.)	 As a specific example, MDx compiles medical school information on a given doctor from *U.S. News & World Report's* "America's Top Medical Schools." *See* Screenshot No. 43 ("What's

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		this?" section describing that MDx compiles medical school information from *U.S. News & World Report*). M); MDx then provides potential patients with medical school information associated with a given physician's academic and fellowship history. Screenshot No. 43

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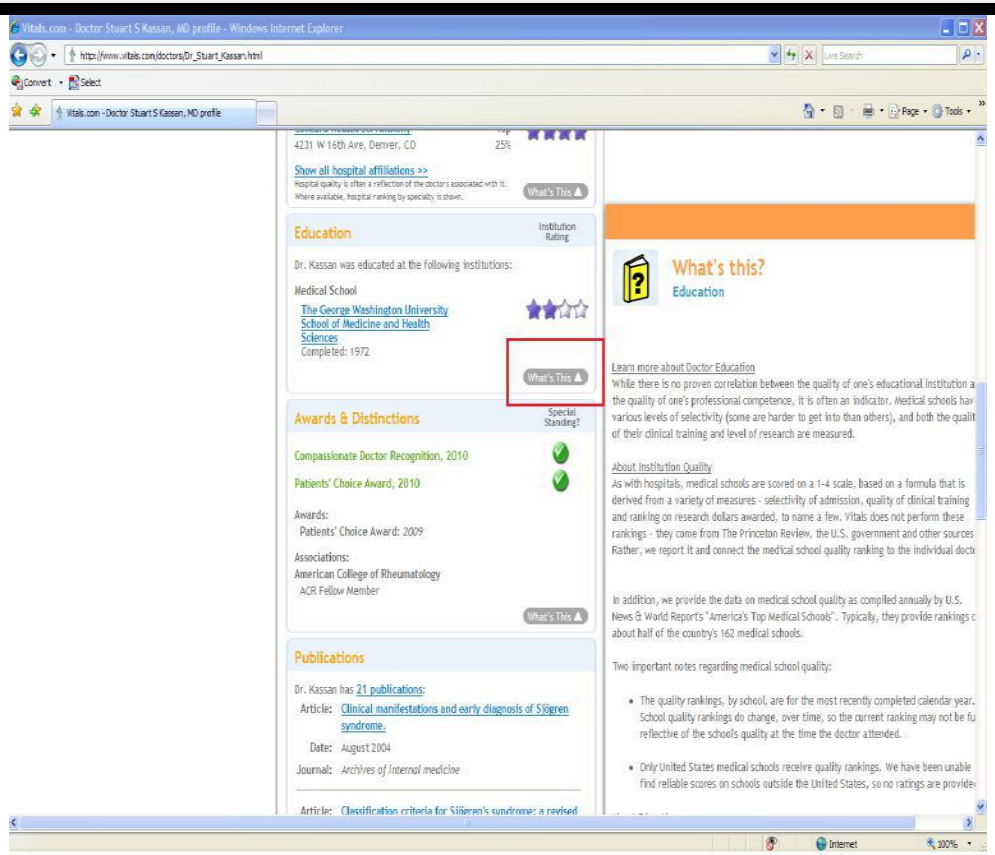
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		
		MDx compiles licensure information. Screenshot No. 44 evidences that MDx verifies each

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		physician's license before adding the physician to the results list; to do this, MDx must compile the information first in order to compare it to the entry field. Screenshot No. 44 

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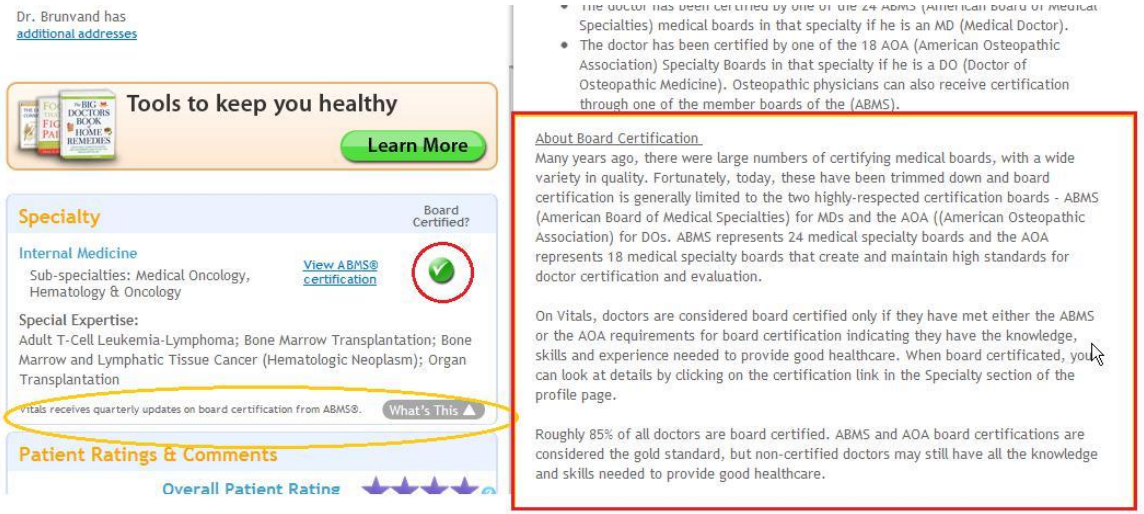
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		MDx admits that it compiles board certification information. *See* screenshot No. 45 below ("Vitals receives quarterly updates on board certification from ABMS", circled in orange). Further, the American Board of Medical Specialties is an independent source. *See* Screenshot No. 45, "About Board Certification" boxed in red below.) Screenshot No. 45 

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		MDx admits that it compiles additional information regarding a physician's medical school, internship, residency, and fellowship positions using independent, third-party resources unless otherwise noted. *See* Screenshot No. 46 (noting that MDx obtains all educational information from independent third parties unless otherwise noted). Screenshot No. 46

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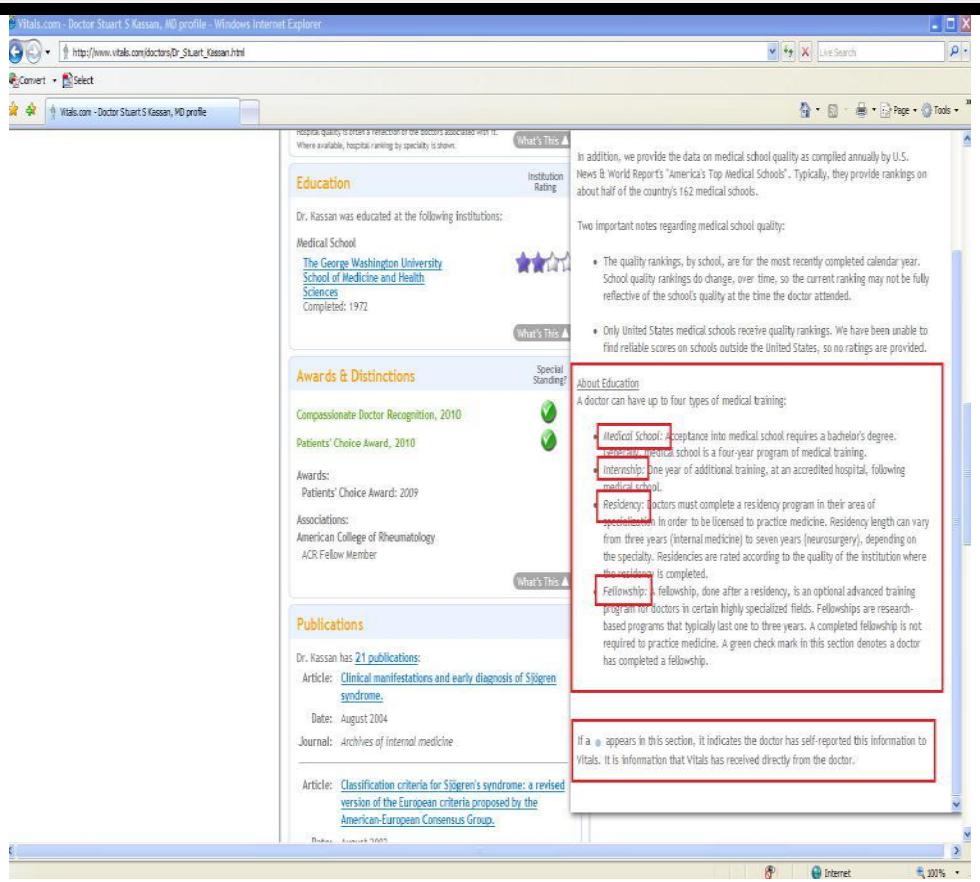
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 As a specific example, Screenshot 47 provides specific evidence that MDx compiles fellowships information on at least some it its doctors. Screenshot No. 47

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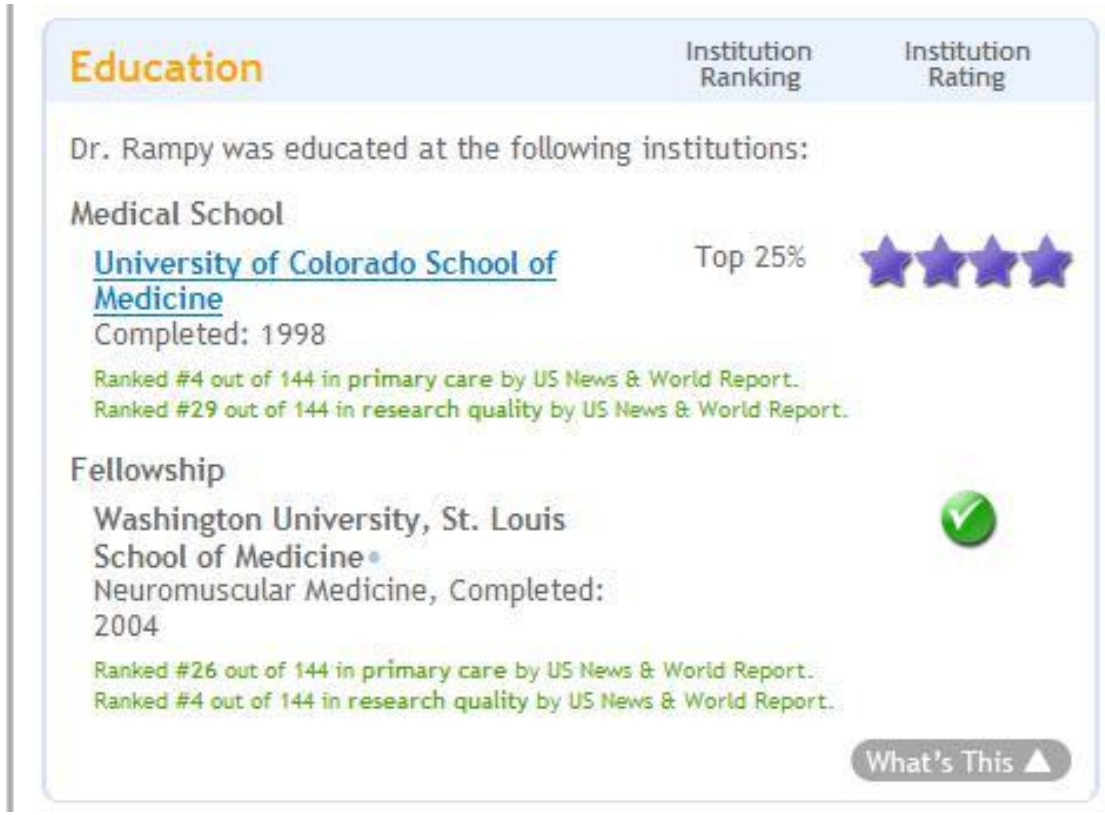
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 Further, MDx compiles information that is verified by third-party sources. *See* MDX 0000317 (noting MDx compiles independently verified information from 29 third-party sources); MDX 0000318 (intimating that MDx pulls insurance information); MDX 0000333 (noting that MDx uses data from the following sources: state and federal boards of medicine; sanction and

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		disciplinary action databases; ABMS, DEA, NP, and UPIN databases; 160+ individual medical school websites; 5000+ individual hospital websites; many thousand group practice sites, association and medical specialty sites; insurance sites, data feeds and provider directories; top doctor survey results and data bases; NCOA, DSF and address-validation compiled files; and publication databases); MDX 0000359 (noting "[i]ndependent quality measures are based on yearly data and updated annually: medical school ratings, hospital ratings, procedure volumes"). It uses a computer processor to perform this step. To the extent that MDx does not literally infringe this element, it infringes under the doctrine of equivalents. Should the court adopt an alternative construction of the term "information verified by the independent third-party source," such as defendant's construction of "proved to be true by an independent third-party source," MDx infringes literally and under the doctrine of equivalents. MDx infringes literally because, for example, MDx assumes that certain sources provide MDx with truthful information. MDX 0000353 (noting that ABMS is highest tier for purposes of a data integrity check). MDx infringes under the doctrine of equivalents because it compiles information that an independent third-party source has verified. The function of this compilation is to prove true the already existing data set, or to prove true new data that will be further verified by, for example, a physician. MDX 0000353 (noting that ABMS is highest tier for purposes of a data integrity check). The way in which this information is compiled is substantially the same, i.e., through the above mentioned computer method. The result is substantially similar, i.e., a data set that has been proven to be true by the additional step of having used independent third party verified information.

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
create a healthcare provider report on the first healthcare provider using the healthcare provider-verified information, the patient-provided information, and the information verified by the independent third-party source, wherein the healthcare provider report on the first healthcare provider includes comparison ratings of healthcare providers; and	"First Healthcare Provider: a particular healthcare provider about whom information is requested and a report is produced." (Markman Order at 23.) "Comparison Ratings of Healthcare Providers: ratings on multiple healthcare providers, including the 'first healthcare provider,' in the report on that 'first healthcare provider,' thus permitting	See "healthcare provider report" element of claim 1 above. After a patient/user enters search criteria for a doctor, MDx creates one or more healthcare provider reports using information from the MDx database, including using healthcare provider-verified information, patient-provided information, and information verified by the independent third-party source about the first healthcare provider. The Court's Markman Order defines "First Healthcare Provider" as "a particular healthcare provider about whom information is requested and a report is produced." (Markman Order at 23.) The Court's Markman Order defines "Comparison Ratings of Healthcare Providers" as "ratings on multiple healthcare providers, including the 'first healthcare provider,' in the report on that 'first healthcare provider,' thus permitting comparison of the 'first healthcare provider' with other potential healthcare providers." (Markman Order at 24.) Screenshot Nos. 48 & 50-52 show portions of a healthcare provider report for Dr. Mark Brunvand, who is an example of a first healthcare provider as defined by the Court in its Markman ruling. . This report uses at least the following information: (1) healthcare provider-verified information, circled in red; (2) patient-provided information, circled in green; and (3) information verified by an independent third-party source circled in purple. The report also includes comparison ratings, circled in orange, about Dr. Brunwald, and other healthcare providers as required by the Court's Markman Order.. Screenshot No. 48

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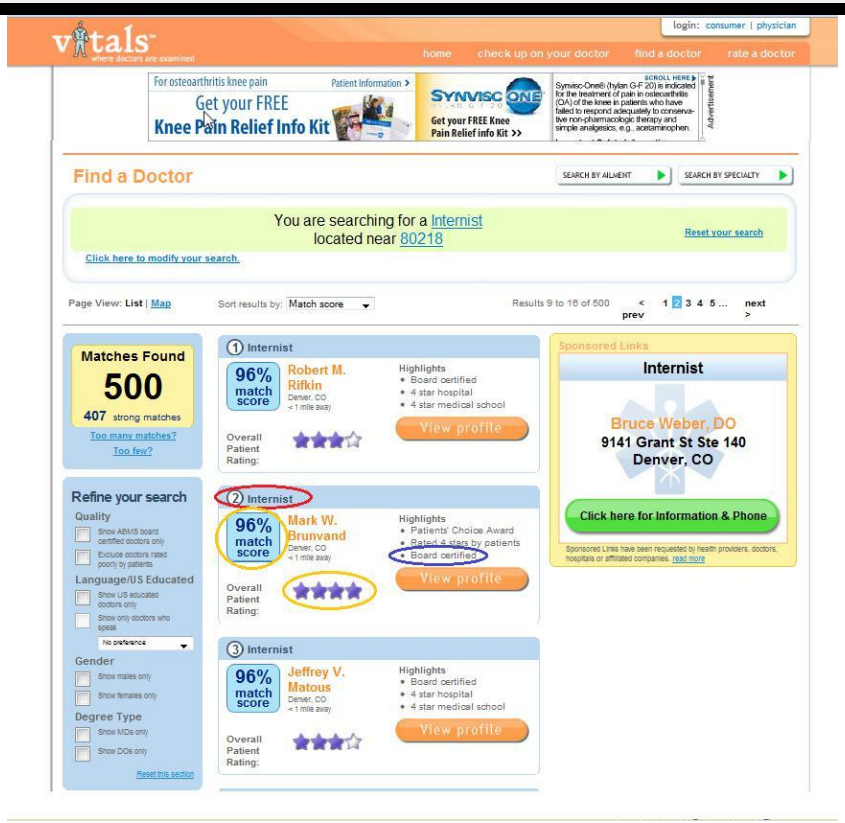
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
	comparison of the 'first healthcare provider' with other potential healthcare providers." (Markman Order at 24.)	 The "match score" comparison rating provides the patient with information regarding how well physicians listed in the results list satisfy the patient's specified criteria, e.g. "specialty or location [state], and [city] [criteria]." The "match score" is determined based on four criteria, which may be changed by the patient by manipulating the slider bars shown in screenshot No.

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		49, below. Dr. Brunvand's report also includes match scores of other healthcare providers as required by the Court's Markman Order. Screenshot No. 49  Additionally, the "overall patient rating," comprising 0-4 purple stars, both for Dr. Brunvard and other healthcare providers, comprises comparison ratings of healthcare providers. *See*

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		Screenshot No. 50.

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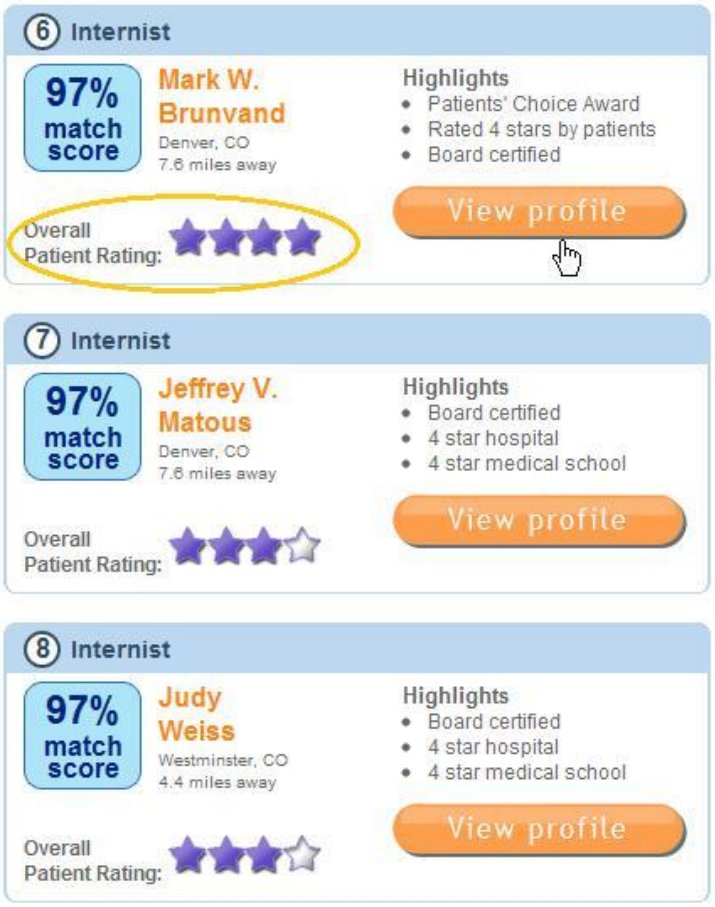
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 MDx includes another comparison rating of healthcare providers when it includes the "Patients' Choice" mark next to the physicians name. MDx gives this award to a physician when the

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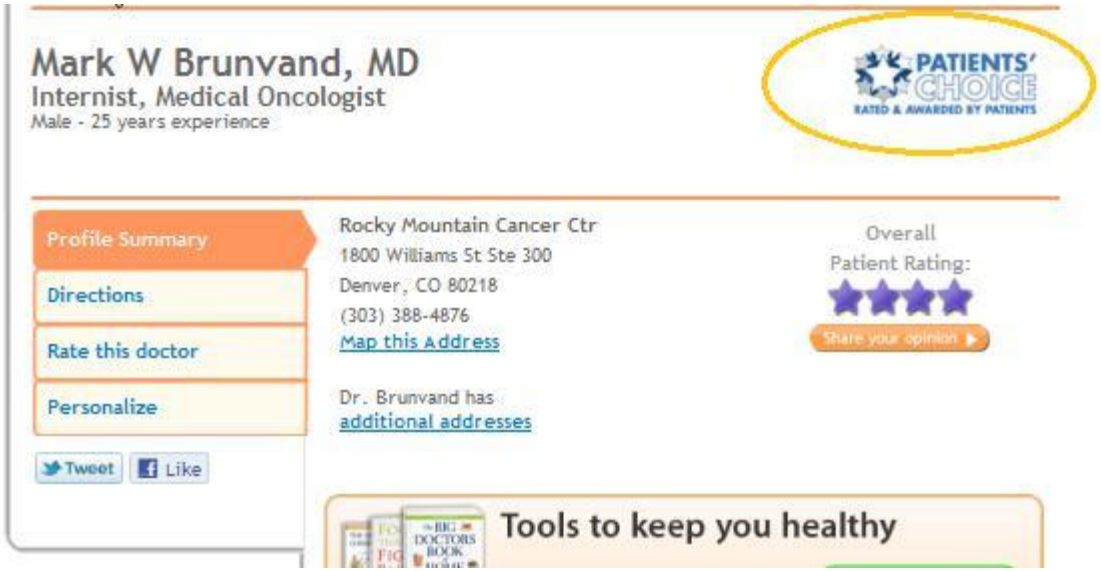
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		physician has "received near perfect scores as rated by patients" compared to other physicians. *See* Screenshot No. 51. Screenshot No. 51  To the extent that MDx asserts that these three ratings do not literally satisfy the limitation of a healthcare provider report that includes comparison ratings, these ratings meet the claim limitations under the doctrine of equivalents because they have the same function and operate in the same way to achieve the same result as comparison ratings on a healthcare provider

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		report. *See* Screenshot 52. Screenshot No. 52

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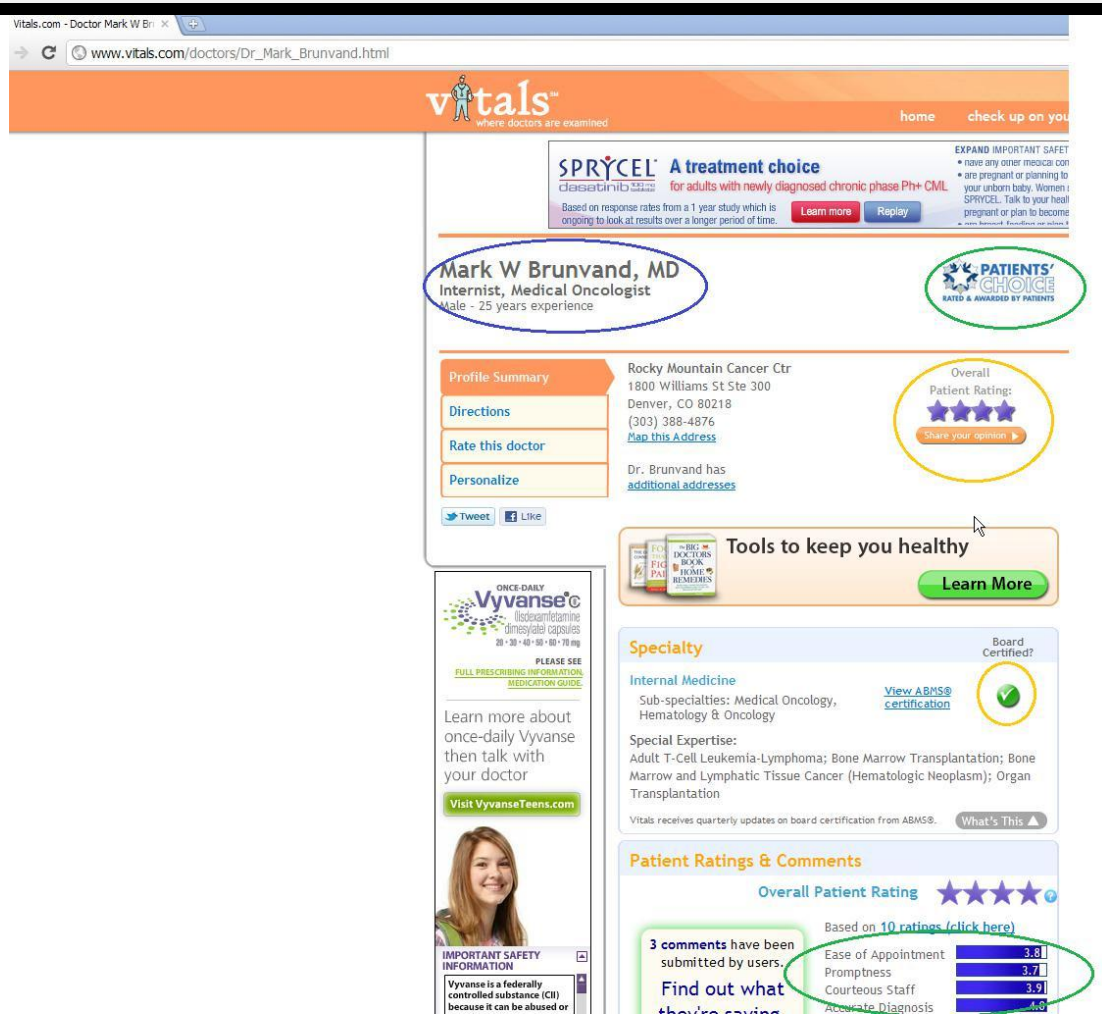
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 The report on Dr. Brunvand uses the following doctor-verified information: (1) specialty

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		information, gender, years in practice, shown in Screenshot No. 53, and; (2) professional memberships shown in Screenshot No. 54 below: Screenshot No. 53  Screenshot No. 54 

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		The report on Dr. Brunvand uses the following patient provided information: patient ratings compiled from a www.vitals.com on-line patient-experience survey (circled in green in Screenshot No. 52 below): Screenshot No. 52

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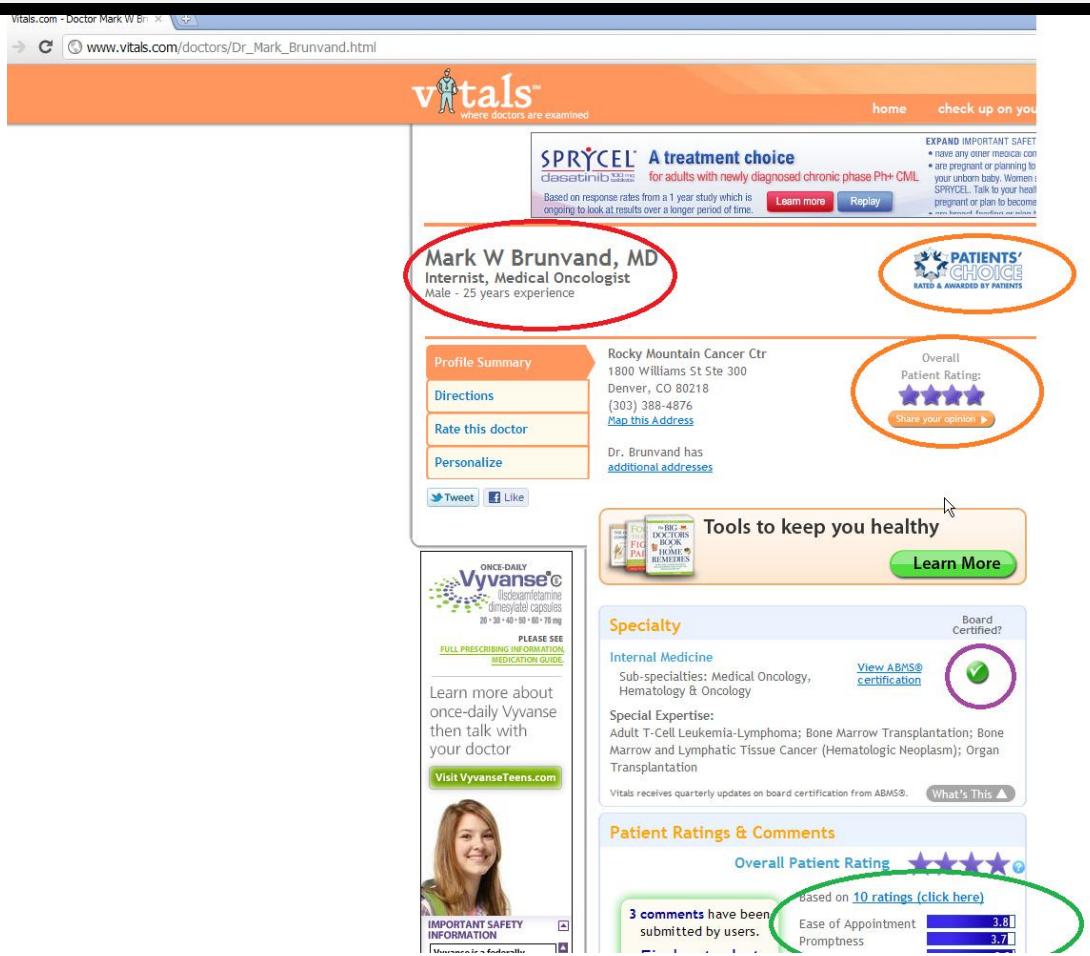
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		

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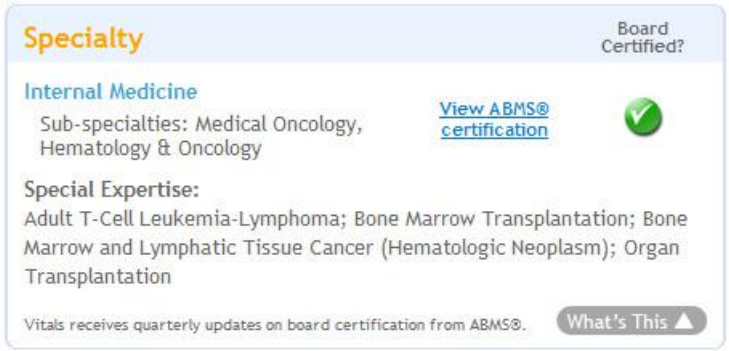
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		Additionally, the report on Dr. Brunvand uses information verified by the independent third-party sources, namely, board certifications and medical school information as shown in Screenshot Nos. 55-56 below. MDx also uses compiled licensure information to ensure that only licensed physicians, including Dr. Brunvand, are displayed in the search results. Screenshot 55  Screenshot 56

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 With regard to the example shown above with respect to the request for information regarding the first healthcare provider as construed by the Court, the following screenshot shows a portion (e.g. a first page) of a healthcare provider report for the first healthcare provider discussed above, Dr. James Smith, in New York, NY. This report uses at least the following information: (1) healthcare provider-verified information, circled in red; (2) patient-provided information, circled in green; and (3) information verified by an independent third party circled in purple. The report also includes comparison ratings, circled in orange, about Dr. James Smith, and other healthcare providers as required by the Court's Markman Order, circled in blue .

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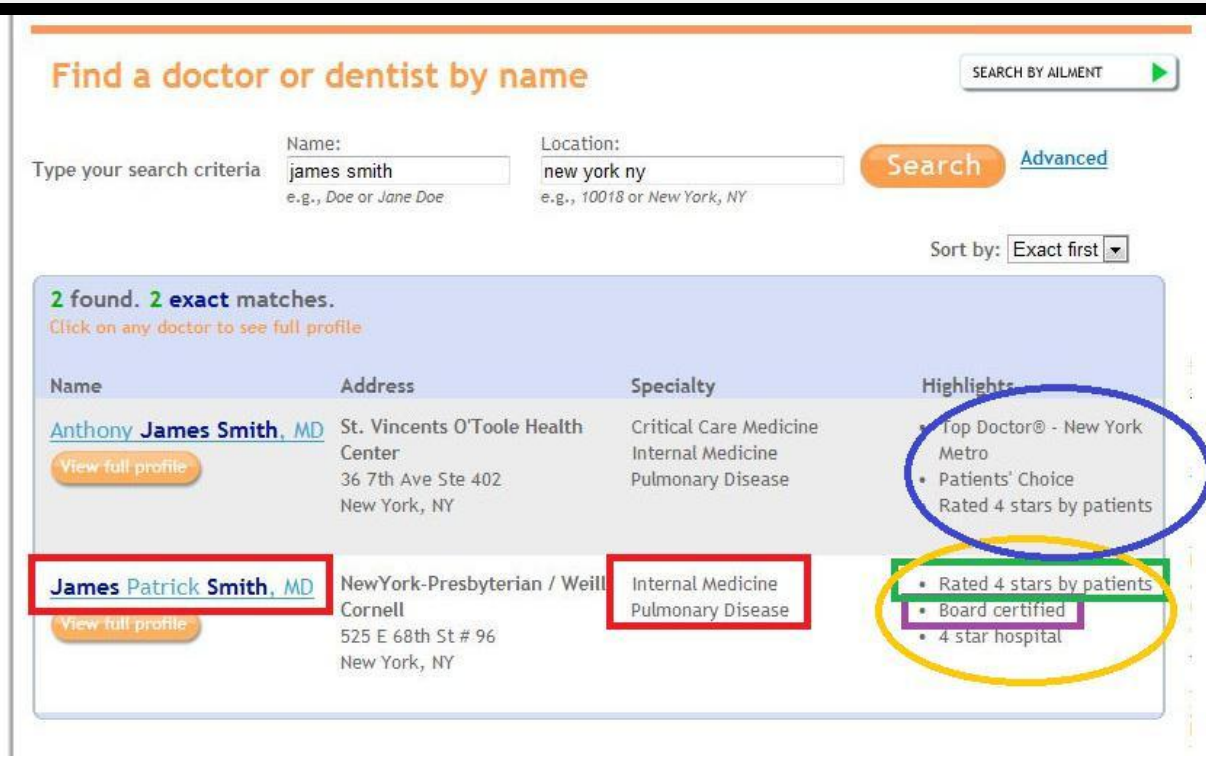
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 Additional portions (e.g. pages) of Dr. Smith's report include additional (1) healthcare provider-verified information, circled in red; (2) patient-provided information, circled in green; and (3) information verified by an independent third party circled in purple:

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		

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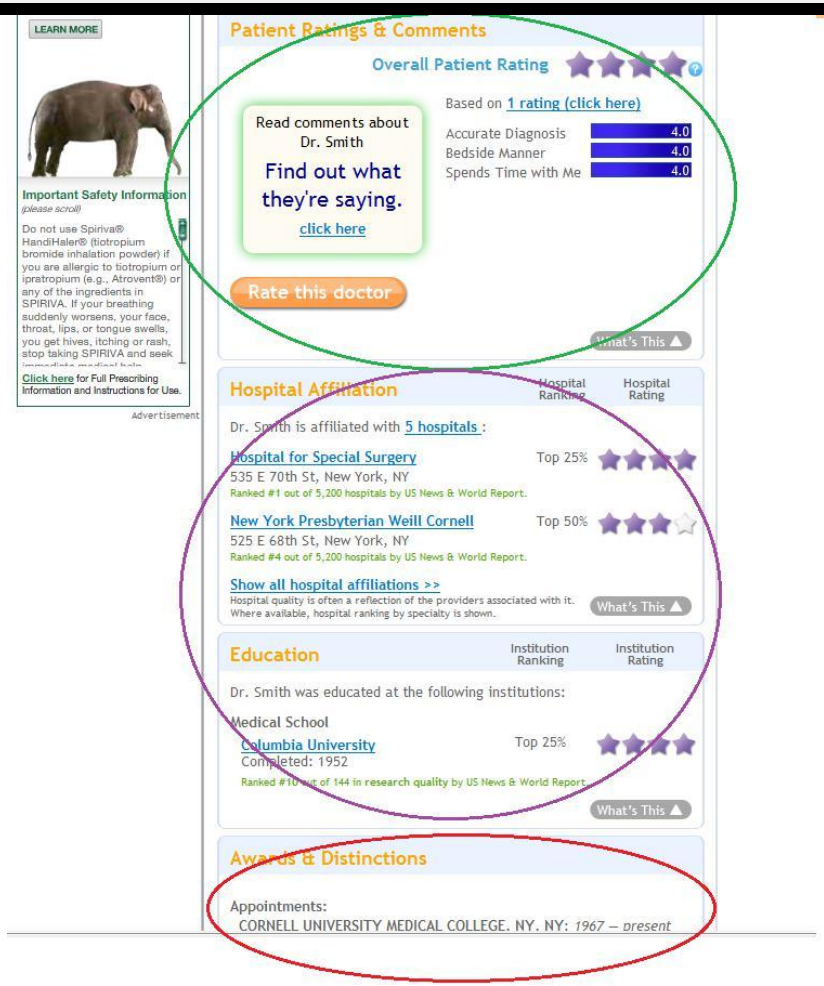
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		

EXHIBIT 2

Case No. 1:11-cv-00520-RM-NYW Document 148-3 filed 03/02/12 USDC Colorado pg 47 of 61

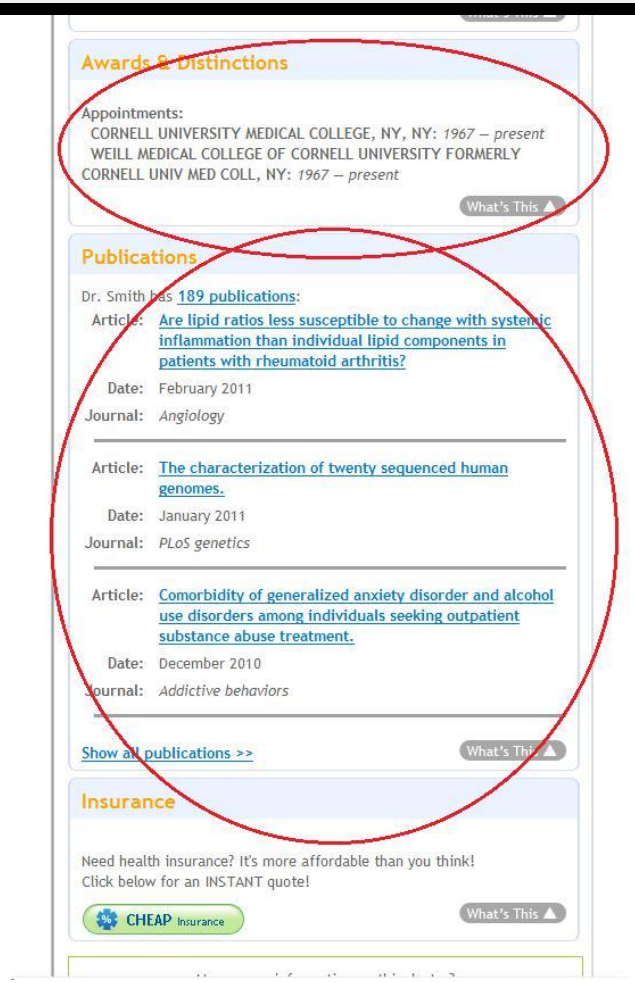
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		As another example, the following screenshot shows a portion (e.g. a first page) of a healthcare provider report for the first healthcare provider discussed above, Dr. Sujana Chandrasekhar. This report uses at least the following information: (1) healthcare provider-verified information, circled in red; (2) patient-provided information, circled in green; and (3) information verified by an independent third party circled in purple. The report also includes comparison ratings, circled in orange, about Dr. Chandrasekhar, and other healthcare providers as required by the Court's Markman Order (circled in blue). Additional pages of this report on Dr. Chandrasekhar contain additional healthcare provider verified, patient provided information, third party verified information as required by the claims.

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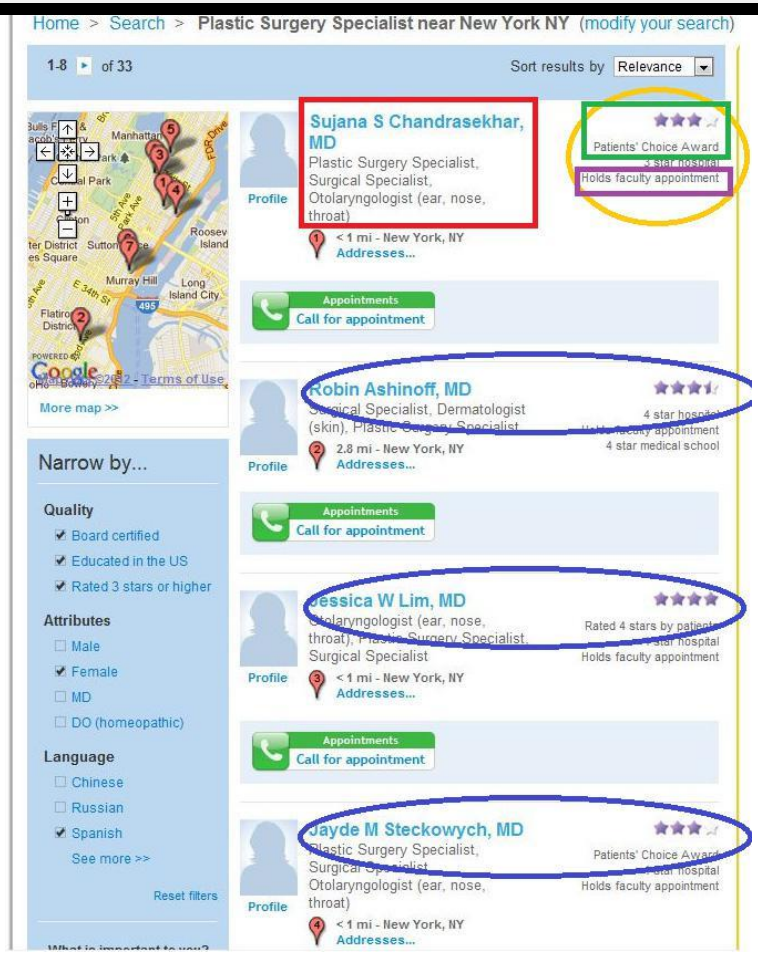
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 To the extent that the Court's construction of first healthcare provider requires that the

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		healthcare provider report on the first healthcare provider include *only* one particular healthcare provider, a position with which Health Grades disagrees, MDx both literally infringes this element and infringes under the doctrine of equivalents. MDx literally infringes this element because the www.vitals.com website is capable of creating a healthcare provider report about *only* one particular physician. A portion of a healthcare provider report about Dr. James Smith (e.g. the first page of the healthcare provider report on the first healthcare provider), and only Dr. James Smith, is shown in the green square below:

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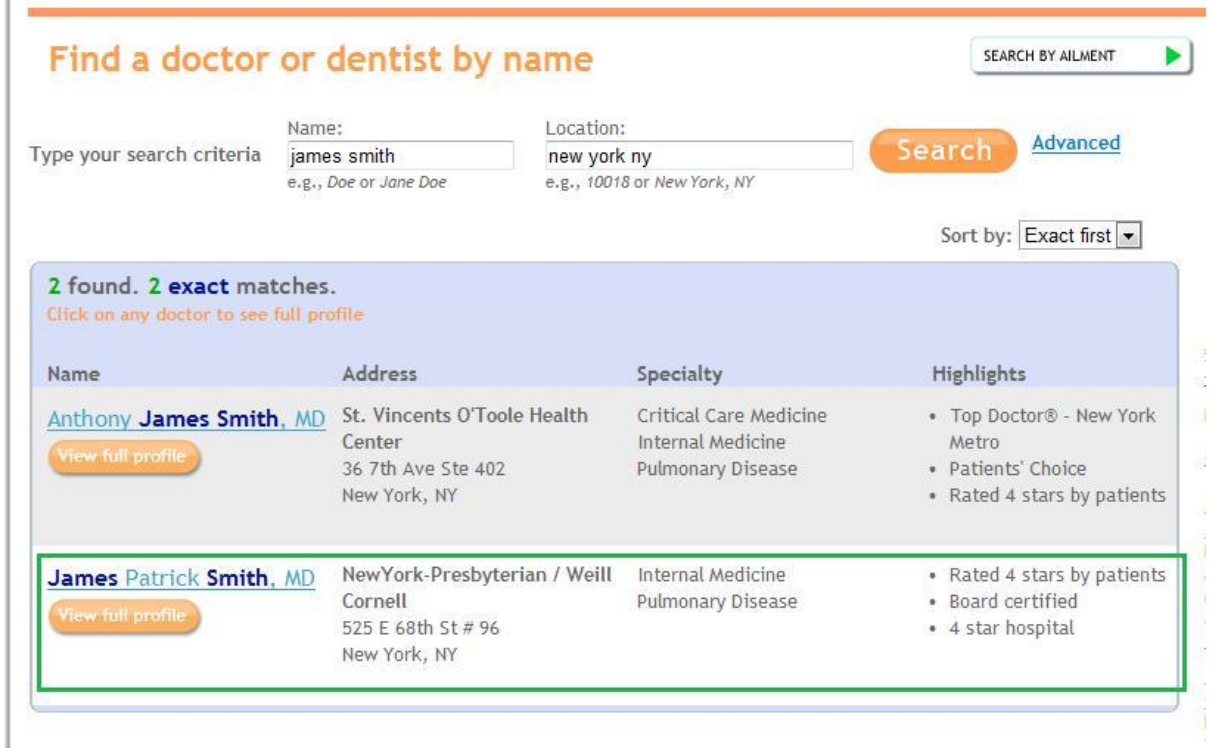
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 As another example, a portion of a healthcare provider report about Dr. Sujana Chandrasekhar (e.g. the first page of the healthcare provider report on the first healthcare provider), and only Dr. Chandrasekhar, is shown in the red square below:

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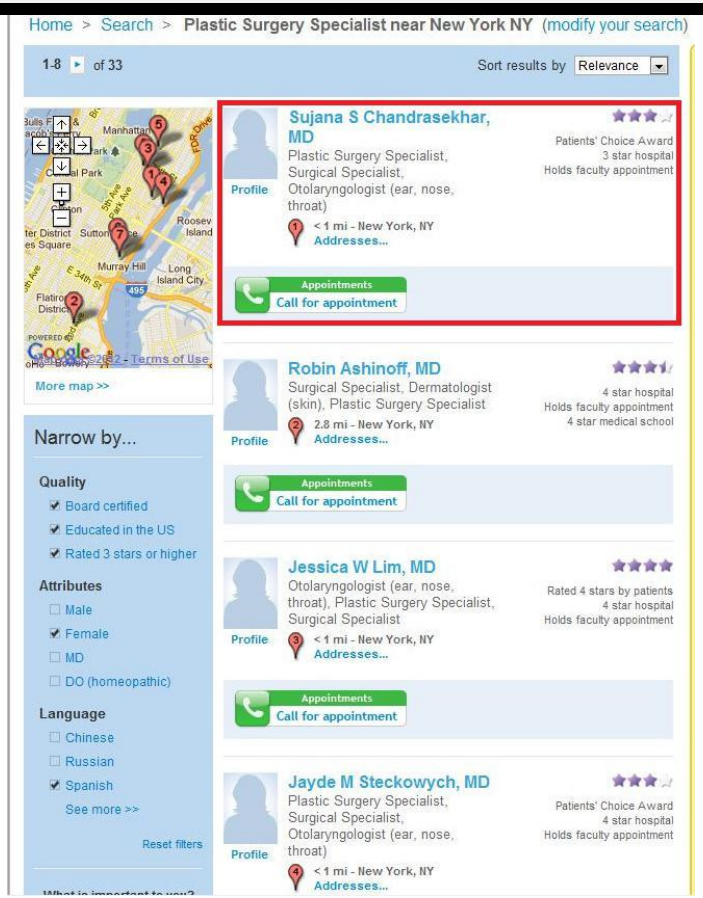
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 MDx infringes under the doctrine of equivalents because creating a report that includes multiple particular physicians performs substantially the same function, in substantially the same way, to achieve substantially the same result as creating a healthcare provider report about

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		one particular physician. To the extent that the Court's Markman Order additionally requires that the comparison ratings of the first healthcare provider be within the same report as the comparison ratings of the other healthcare providers, MDx infringes under the doctrine of equivalents because it displays at least the first page of multiple healthcare provider reports, each about a single particular healthcare provider (reports are shown by green boxes), and each including comparison ratings of that particular healthcare provider (comparison ratings shown by orange boxes), on the same viewable page, side-by-side, as shown below:

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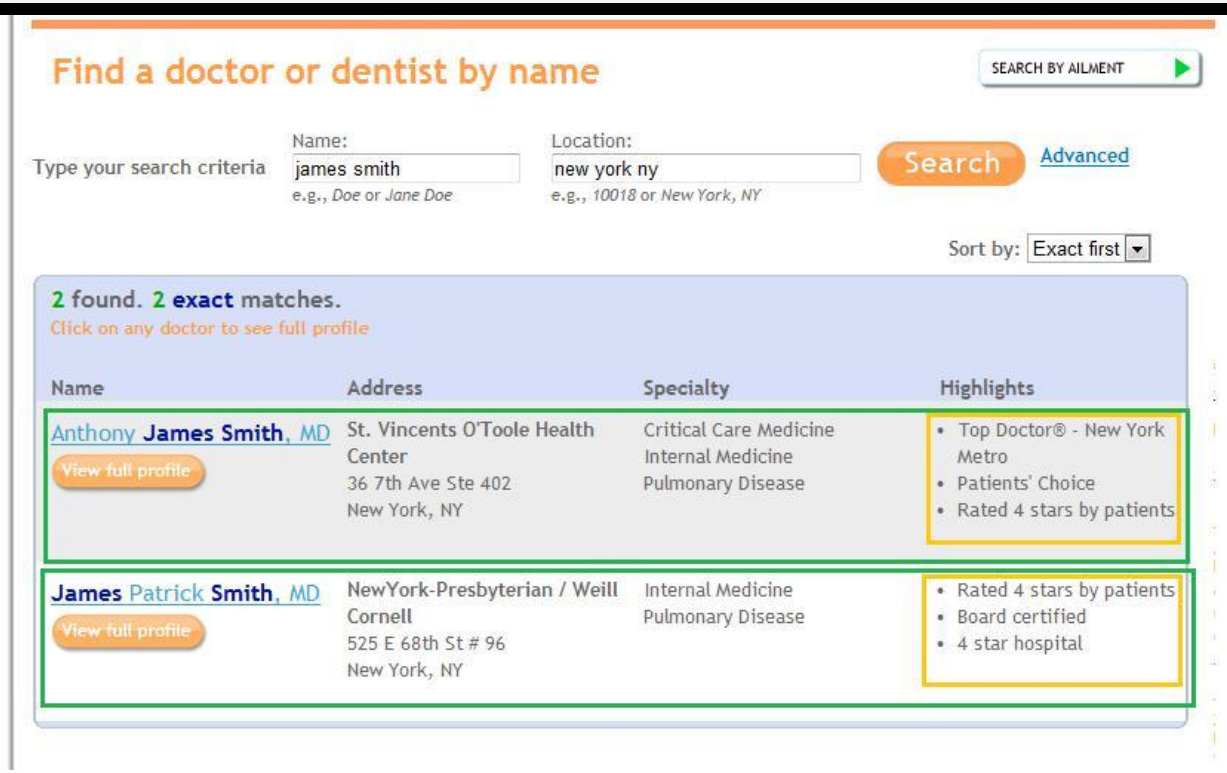
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 And as another example (reports are shown in red squares, comparison ratings of the first healthcare provider are shown in the orange square):

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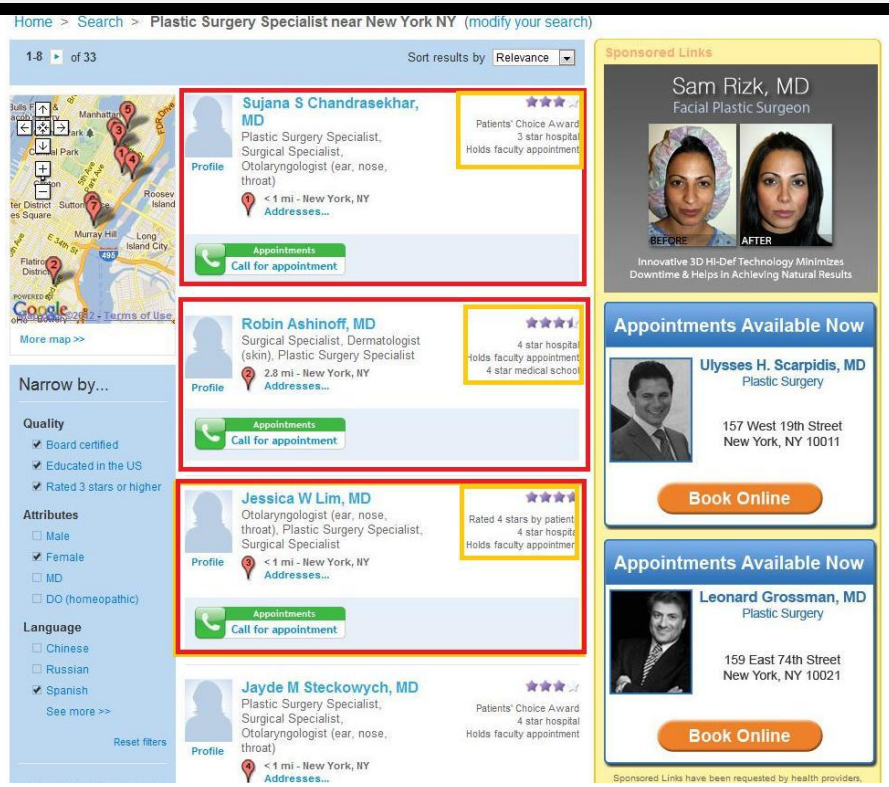
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		 Displaying multiple healthcare provider reports, each about a single healthcare provider and each including comparison ratings of that particular healthcare provider, performs substantially the same function, in substantially the same way, to achieve substantially the same result as creating a report about a first healthcare provider that includes comparison ratings of multiple healthcare providers.

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		To the extent that the Court's construction of comparison ratings of healthcare providers requires that the comparison ratings of the first healthcare provider be shown on the same page (e.g. side by side) as the comparison ratings of other healthcare providers, MDx both literally infringes this element and infringes under the doctrine of equivalents. MDx literally infringes this element because the www.vitals.com website is capable of providing a healthcare provider reports on a particular healthcare provider that include comparison ratings of that particular healthcare provider as well as other healthcare providers, which are displayed on the same page, side-by-side. MDx infringes under the doctrine of equivalents because a healthcare provider report that displays comparison ratings of the first healthcare provider on a different page than comparison ratings of other healthcare providers performs substantially the same function, in substantially the same way, to achieve substantially the same result as displaying this information side-by-side. To the extent that the Court's construction of first healthcare provider requires that the healthcare provider report on the first healthcare provider be limited to a single viewable page, a position with which Health Grades disagrees, MDx both literally infringes this element and infringes under the doctrine of equivalents. MDx literally infringes this element because the www.vitals.com website is capable of healthcare provider report on the first healthcare provider be limited to a single viewable page as shown above. MDx infringes under the doctrine of equivalents because creating a healthcare provider report on the first healthcare provider that is displayed on multiple viewable pages, linked together, performs substantially the same function, in substantially the same way, to achieve substantially the same result as creating a healthcare provider report on the first healthcare provider be limited to a single viewable page. The purpose of this element is to provide a patient with a report containing information about a particular healthcare provider, e.g., a first healthcare provider, who matches a patient's search criteria. Additionally, it facilitates comparisons among the matching healthcare providers. MDx's website is capable of doing this. In fact, it is capable of providing the claimed

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		information about multiple healthcare providers and has multiple ratings systems that facilitate comparisons among the healthcare providers that match the search query as described above. To the extent that MDx does not include comparison ratings in its report, MDx infringes under the doctrine of equivalents at least because it includes ratings that function to allow customers to compare physicians against other physicians. The way in which these ratings are included is substantially the same, i.e., through the above mentioned computer method. The result is substantially similar, i.e., a website that allows a customer to compare physicians using ratings.
and provide access to the healthcare provider report on the first healthcare provider over a computer network.		See "access" element of claim 1 above. MDx provides access to the healthcare provider report over the internet. *See* Screenshot No. 57 (web address circled in red). Screenshot No. 57

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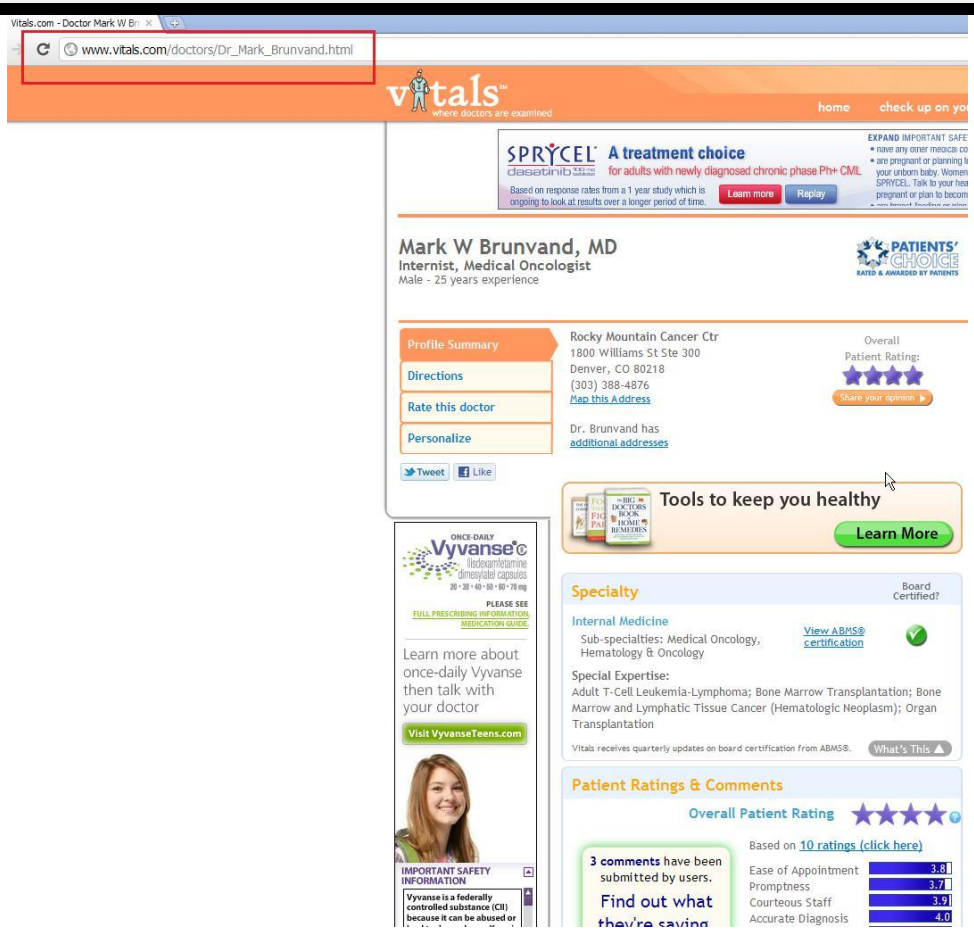
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
		
16. The on-		

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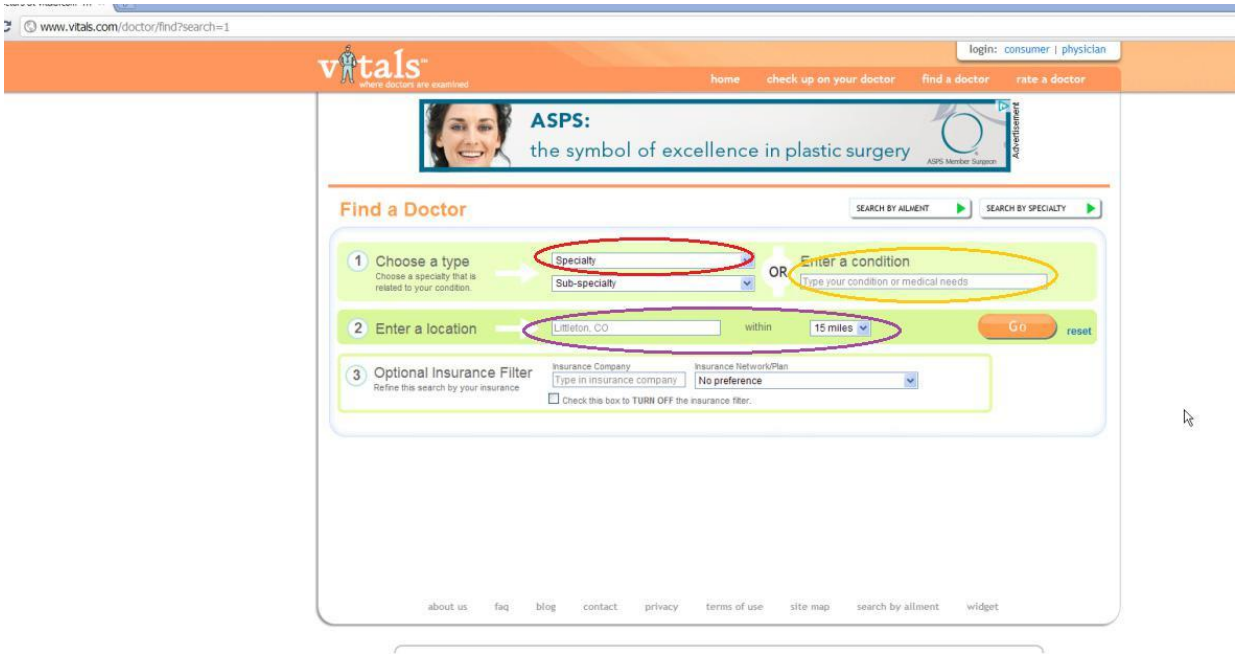
U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
line information system defined in claim 15, wherein: the healthcare provider report is obtained through one or more from the group consisting of: a predetermined Webpage that provides search capabilities on its database and a third-party search engine; and the search capabilities of the predetermined Webpage permit searching based on one or more from the group consisting of: name, medical specialty, gender, state, city,		MDx provides a predetermined webpage. This webpage permits a patient to search based on medical specialist, diagnosis, and location criteria. *See* Screenshot No. 58 (specialist, location criteria circled, and diagnosis in red, blue, and orange respectively). Screenshot No. 58 

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U.S. Patent No. 7,752,060	Markman Order	MDx's Current On-line Information System
procedure, diagnosis, and location criteria.		

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