**EXHIBIT A - Claim Chart**
**U.S. Patent No. 7,752,060 To MDx's Current Website**

| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| 1. A computer-implemented method of providing healthcare provider information to potential patients, said method comprising: | | MDx Medical, Inc. ("MDx") directly infringes this claim by practicing a computer-implemented method of providing healthcare provider information to potential patients via its on-line information system, which includes its website (www.vitals.com), its healthcare provider database, and the software and hardware, that are associated therewith.<br><br>MDx provides potential patients with access to MDx's database of information relating to healthcare providers, such as doctors, through its www.vitals.com website.<br><br>Various screenshots taken from http://www.vitals.com/[1] are provided in this claim chart to illustrate the various features of the vitals.com website and how these features correspond to the features of claims 1, 4-9, 11, 14-16. For instance, Screenshot No. 1 (reproduced below and, in larger form, in Exhibit C) illustrates the homepage of the MDx website where a potential patient begins accessing MDx's information related to specific doctors. |

[1] Screenshots taken between 6/1/11 and ~~6/29/2011.~~2/24/2012.



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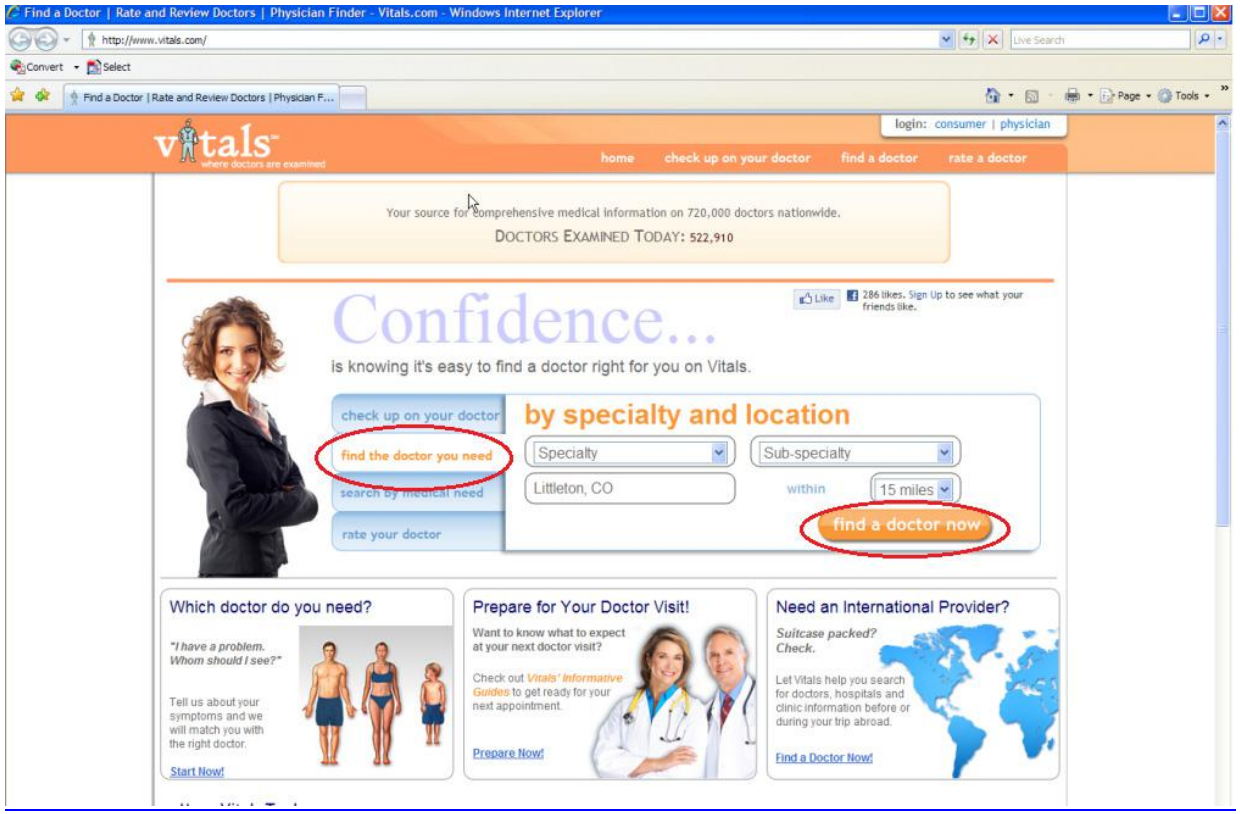
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | Screenshot No. 1<br><br><br>For example, MDx provides a potential patients with information about a healthcare provider in response to the potential patient clicking on the "find the doctor you need" link or in response |



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|---|---|---|
| | | to the potential patient clicking on the "find a doctor now" link, both of which are circled in red on Screenshot No. 1 above. |
| receiving, by a Web server computer of a company providing a service for connecting healthcare providers with the potential patients, a request for information regarding a first healthcare provider, wherein the Web server computer comprises at least one computer processor and memory; | "First Healthcare Provider: a particular healthcare provider about whom information is requested and a report is produced." (Markman Order at 23.) | When the potential patient initiates a search for a healthcare provider on the MDx's website, MDx's web server receives a request for information regarding a healthcare provider via the internet. MDx's web server, as with any server, comprises at least one computer processor and memory.<br><br>Screenshot No. 2 |

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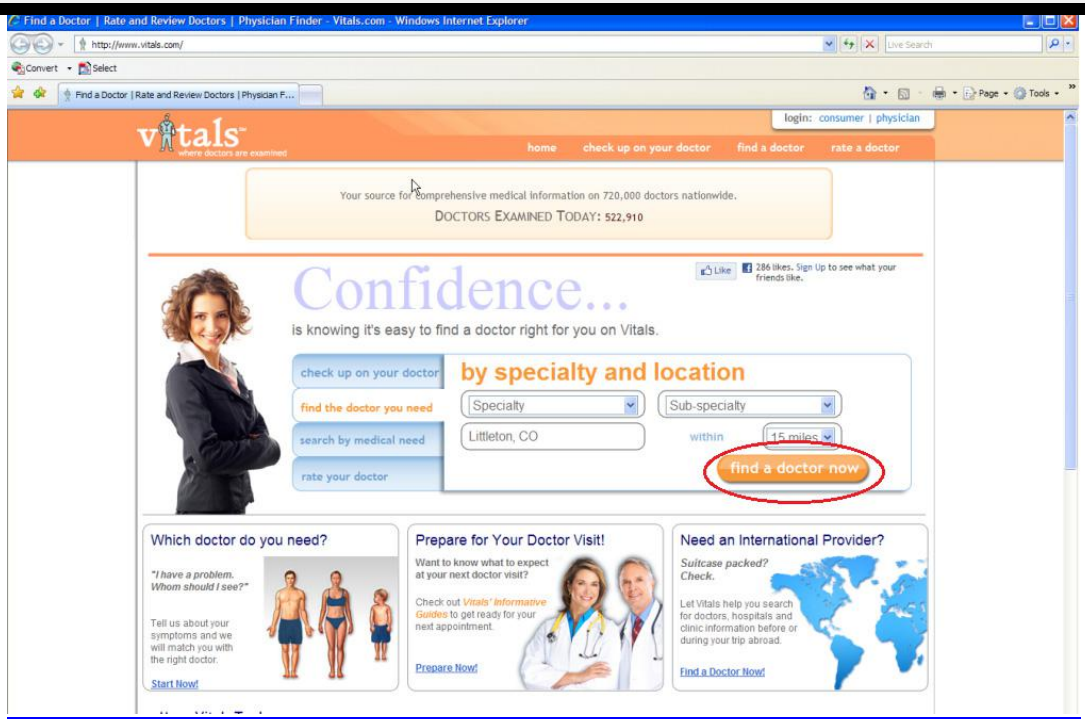
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>Screenshot No. 2 shows an example of where a potential patient may initiate a search for a healthcare provider on MDx's website, i.e., request information about one or more healthcare providers. When the user clicks "find a doctor now," this prompts the patient's web browser to send a request for information about a doctor 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. |

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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | Screenshot No. 3 illustrates yet another portion of MDx's website that provides for MDx's web server to receive a request for information about various doctors based on specialty or location. *See* Screenshot No. 3 (circled in red are ways to search for a doctor).<br><br>Screenshot No. 3 |

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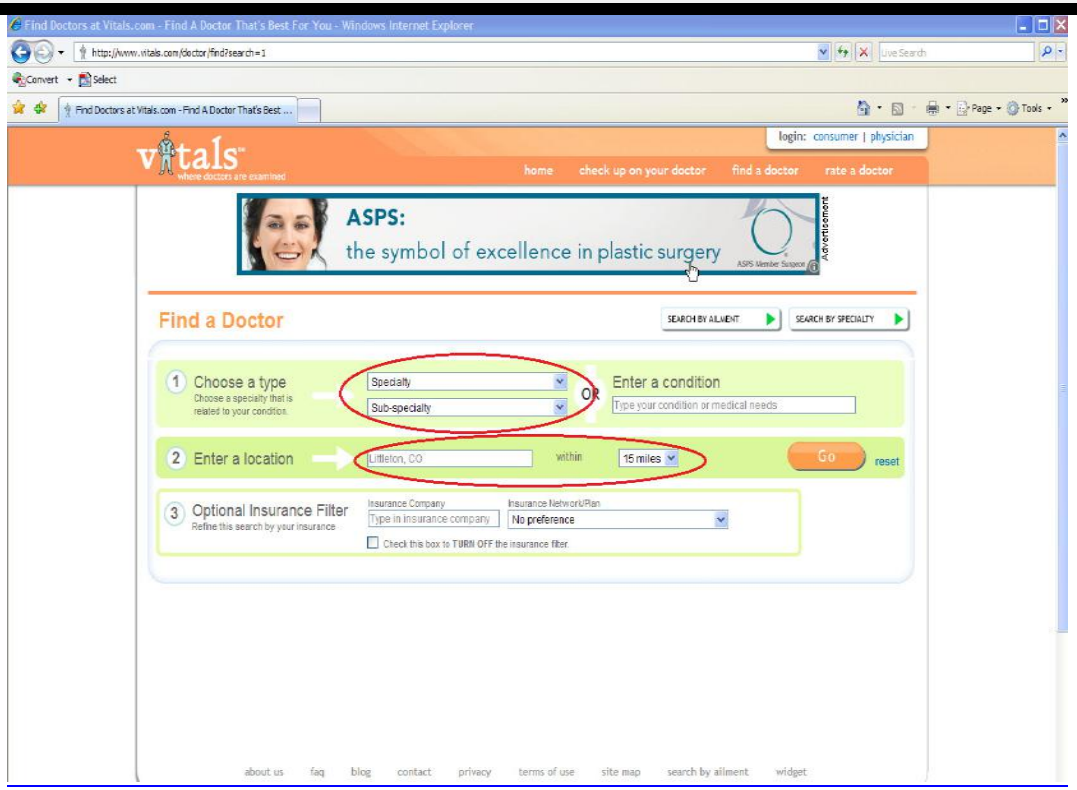
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>The Court's Markman Order defines the first healthcare provider as "a particular healthcare provider about whom information is requested and a report is produced." (Markman Order at 23.)<br><br>MDx literally infringes this element as construed by the Court in its Markman Order. For example, on the www.vitals.com website, information can be requested about a particular |

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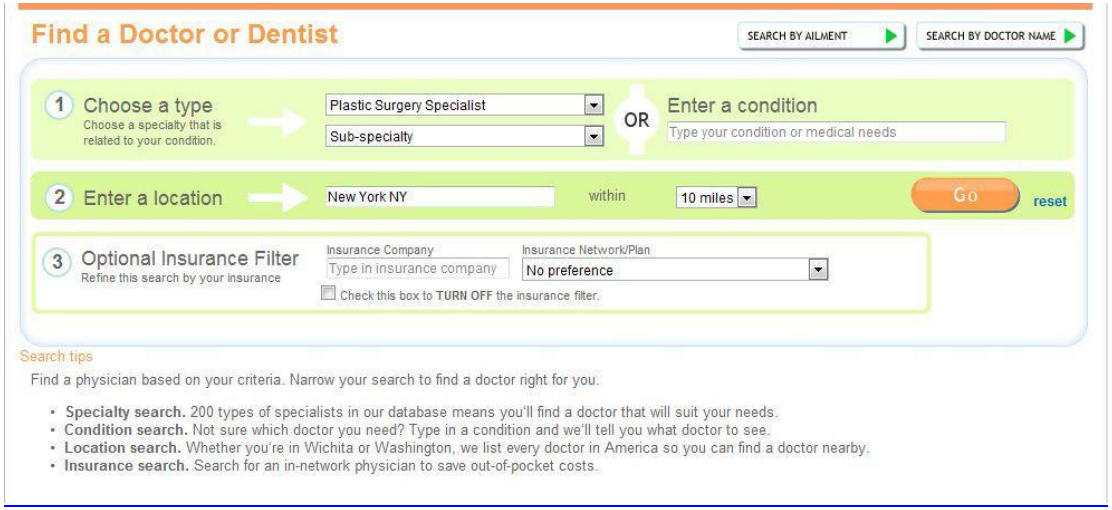
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | healthcare provider by performing various searches, which are initiated at the www.vitals.com homepage. Specifically, a potential patient may initiate a search for a particular healthcare provider 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:<br><br><br>First, MDx's website provides for MDx's web server to receive a request for information about a particular healthcare provider when a potential patient clicks the "search by name" link shown below: |

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|---|---|---|
| | | <br>For example, a patient can request information about Dr. Smith in New York, NY: |

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

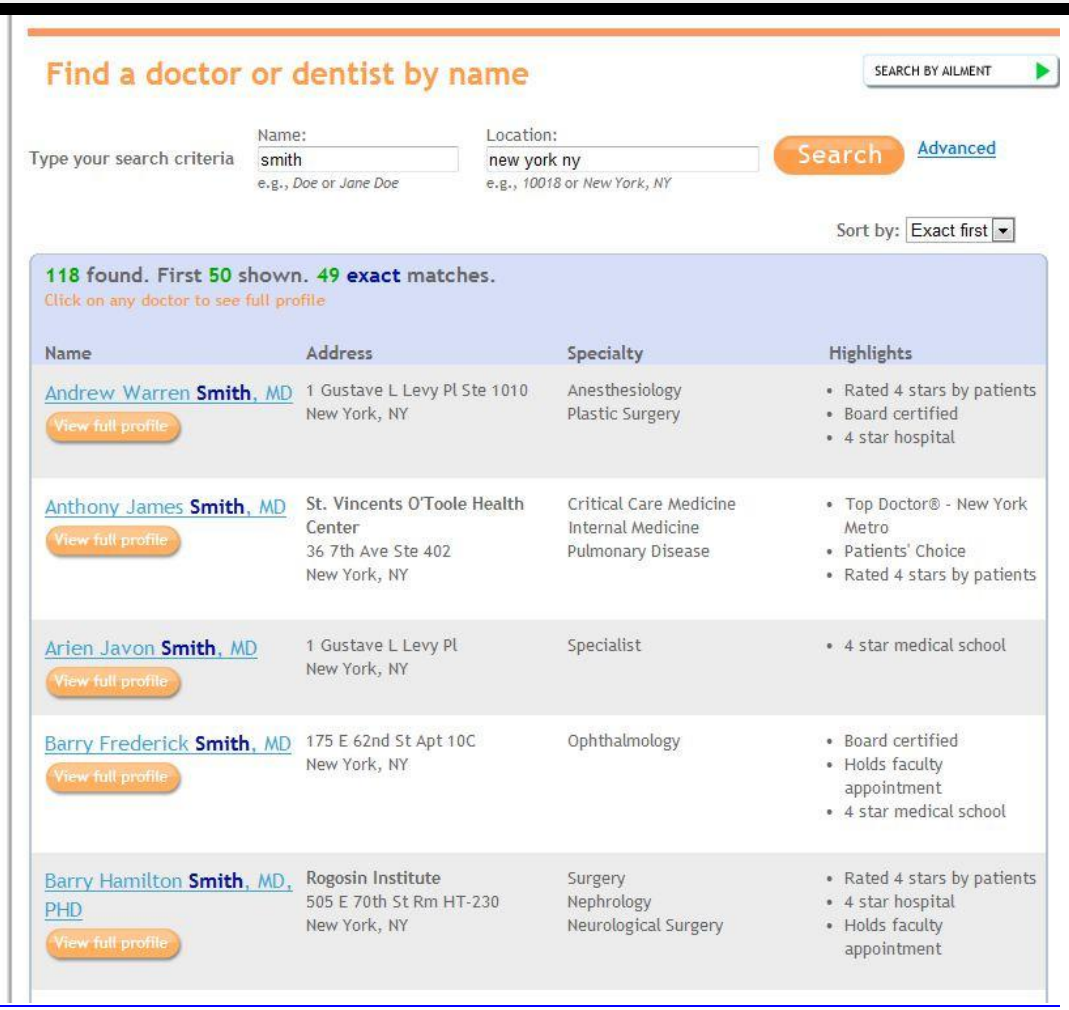



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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | As another example, by clicking on the "advanced tab," a potential patient can request information about Dr. Smith, who is a male plastic surgeon in New York, NY: |

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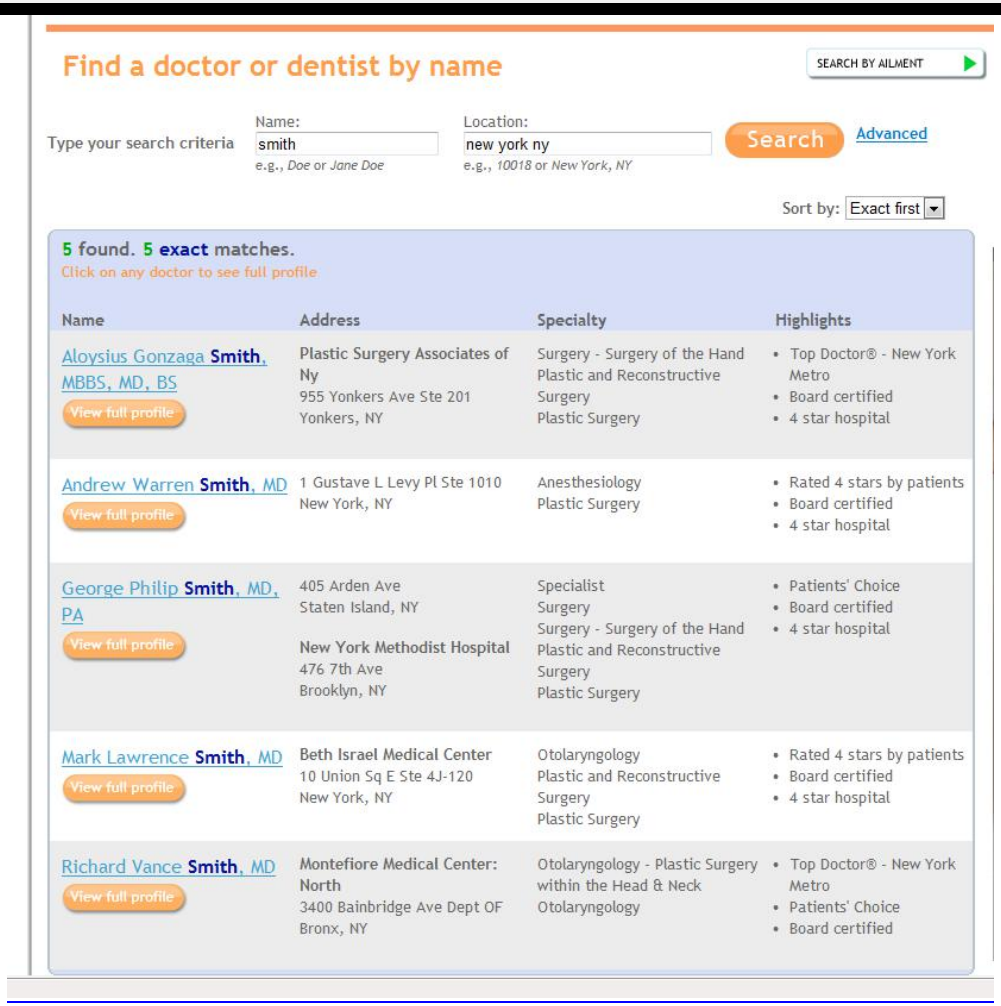
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | |  |



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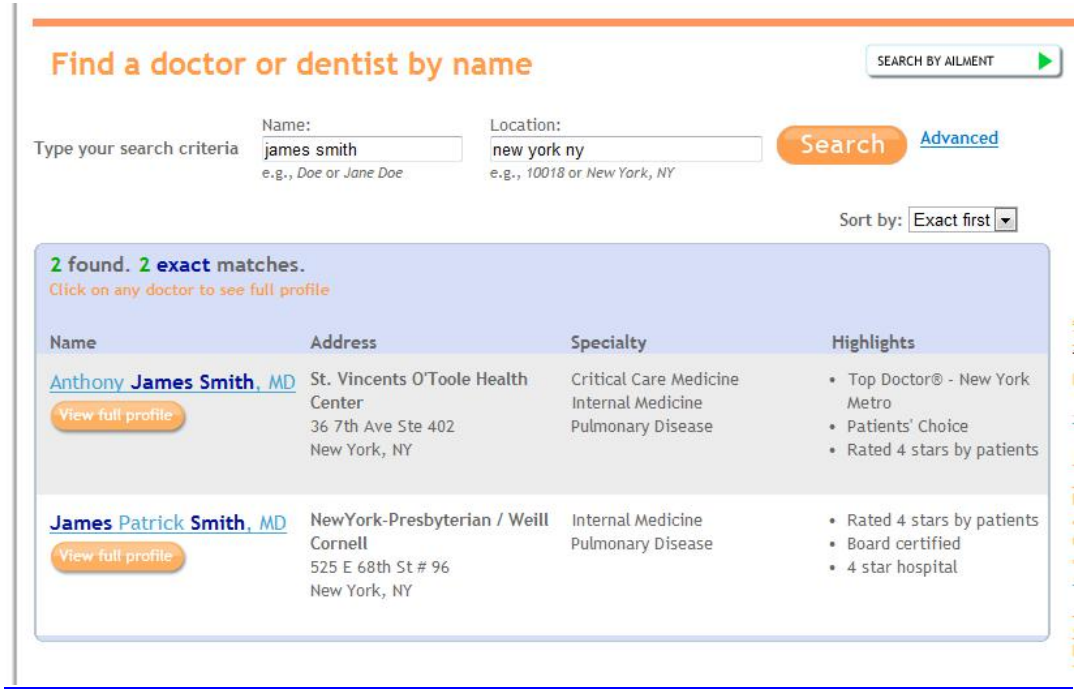
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | As another example, a patient can request information about Dr. James Smith in New York, NY:<br><br><br>Second, MDx's website also provides for MDx's web server to receive a request for information about a particular healthcare provider when a potential patient clicks the "search by specialty" link shown below: |

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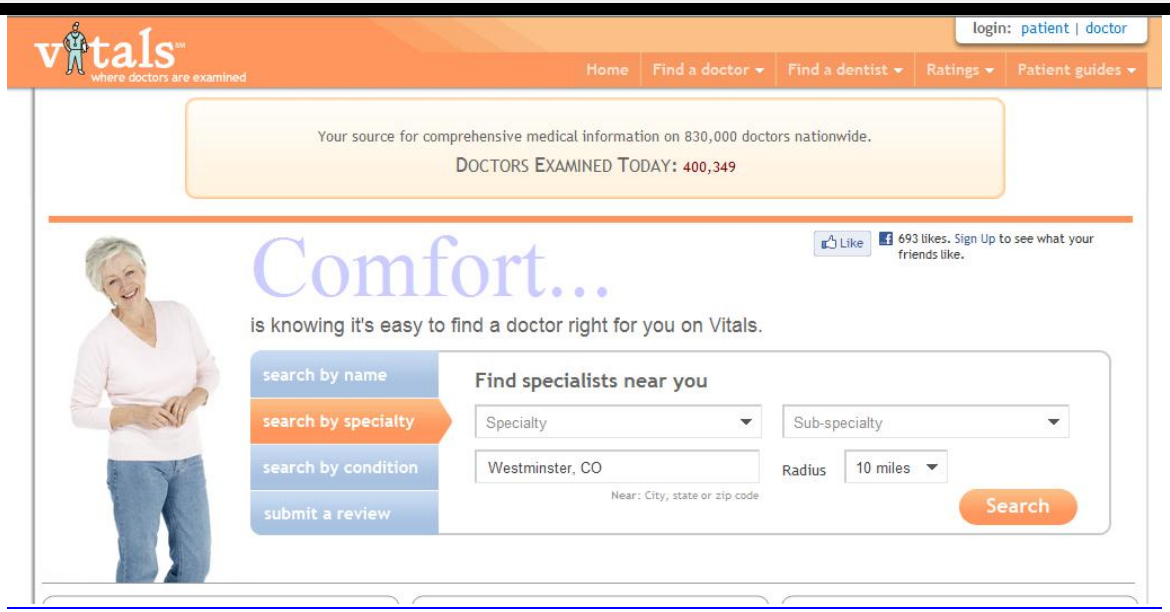
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>For example, a potential patient can request information about a plastic surgeon in New York, NY: |

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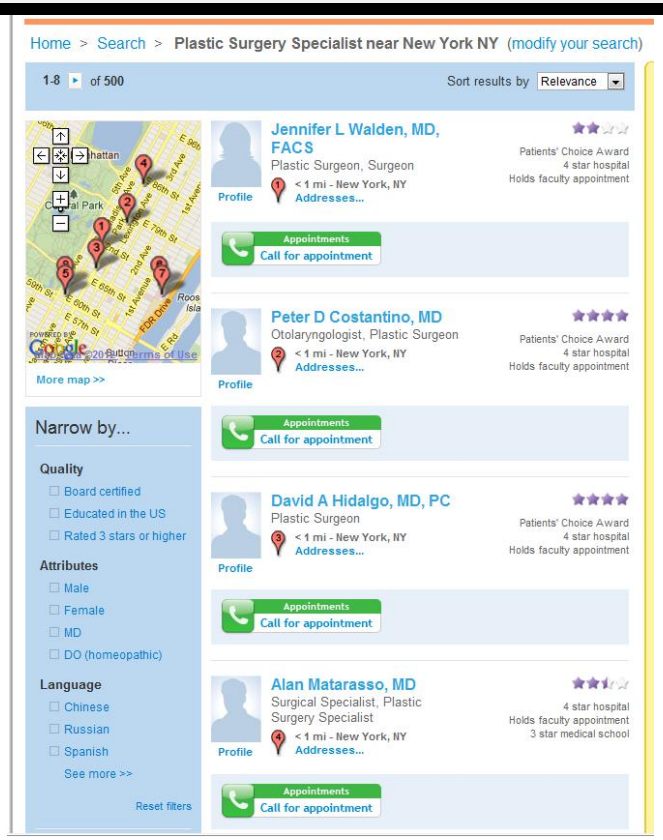
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>As another example, by clicking the "Narrow by" button above and selecting additional search criteria, a potential patient can request information about a female plastic surgeon in New York, NY, who speaks Spanish, is board certified, educated in the U.S., and rated 3 stars or higher: |

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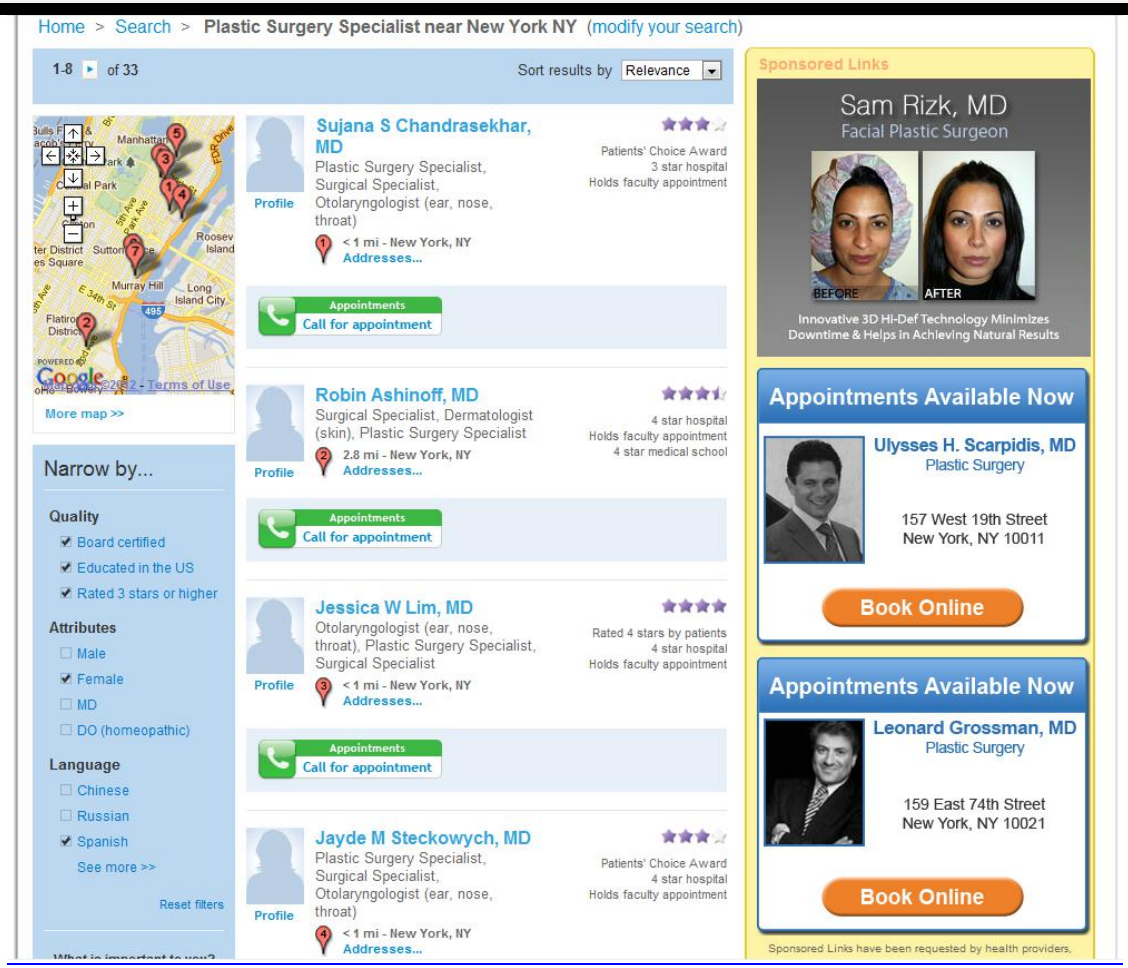
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
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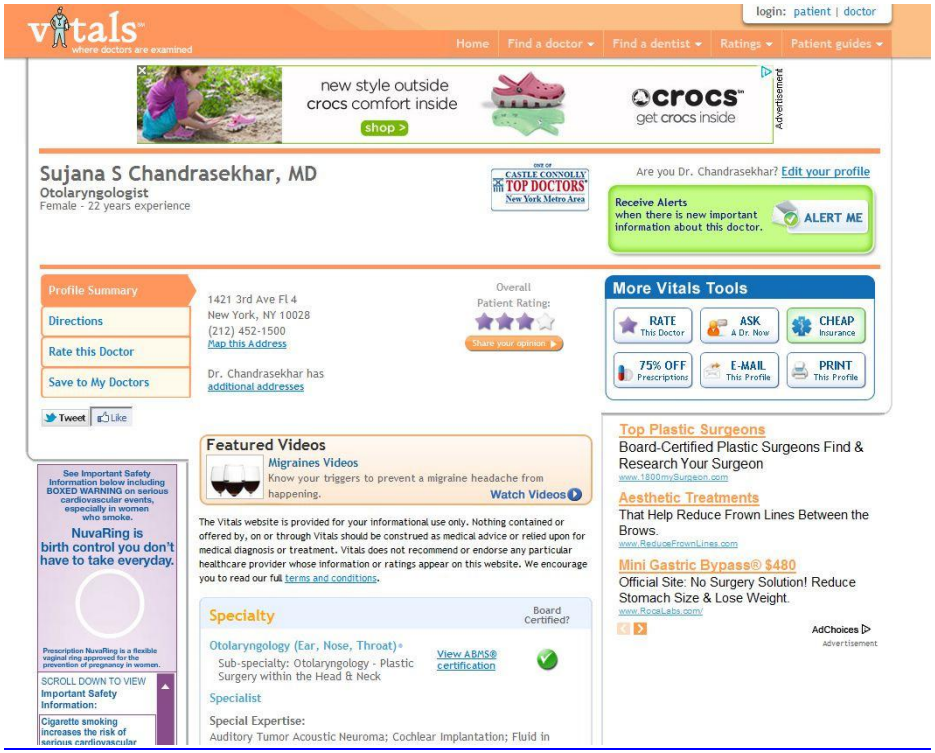
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | As another example, a potential patient can request additional information regarding a particular doctor by clicking on any of the hyperlinks shown in the screenshot above. If you click on "Sujana S. Chandrasekar, MD", for example, you get additional information about her (partial view shown):<br><br><br>To the extent that the Court's construction of first healthcare provider requires that the request |

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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | 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 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.<br><br>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. |
| accessing healthcare provider-verified information about the first | "First Healthcare Provider: a particular healthcare provider about | 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.)<br><br>At the initiation of the potential patient/user using MDx's website, MDx's web server accesses |

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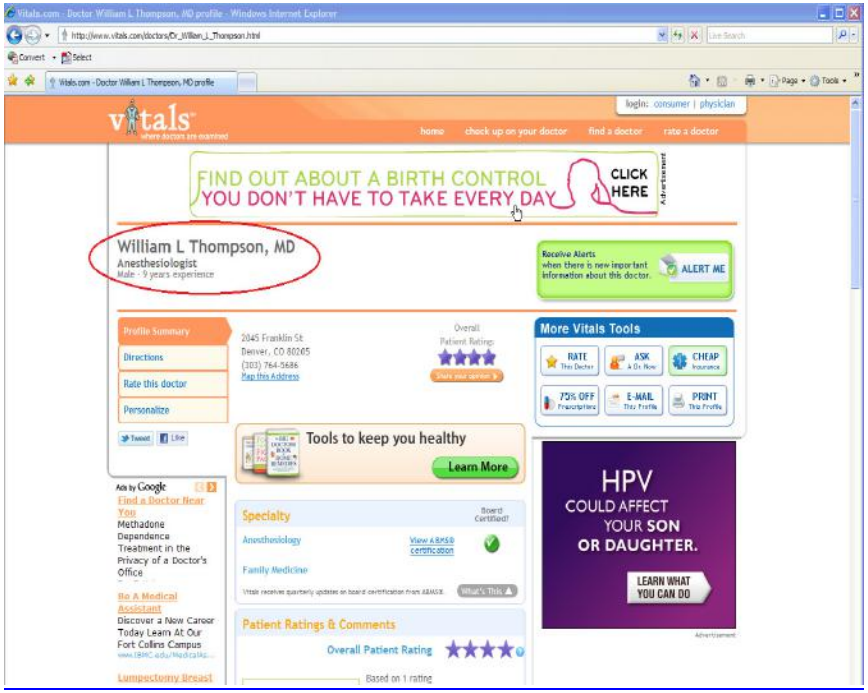
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| healthcare provider, wherein the healthcare provider-verified information is received from the first healthcare provider and comprises three or more from the group consisting of: specialty information, medical philosophy, gender, age, years in profession, years in practice, awards, honors, professional appointments, professional memberships, publications, languages, and hobbies; | whom information is requested and a report is produced." (Markman Order at 23.)<br><br>"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.)<br>"Although | healthcare-provider-verified information about a particular healthcare provider. *See* Screenshot No. 4 (illustrating the result of accessing and displaying doctor supplied information). Highlighted in Screenshot No. 4, among other things, are the following pieces of healthcare provider-verified information: doctor's age, gender, specialty information and years in practice.<br><br>Screenshot No. 4<br><br> |

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|---|---|---|
| | defendant is correct that 'verify' can mean 'to prove,' '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 | 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 employee, as distinguished from information received from patients or public sources." (Markman Order at 24.)<br><br>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. *See, e.g.*, Screenshot No. 5.<br><br>Screenshot No. 5 |

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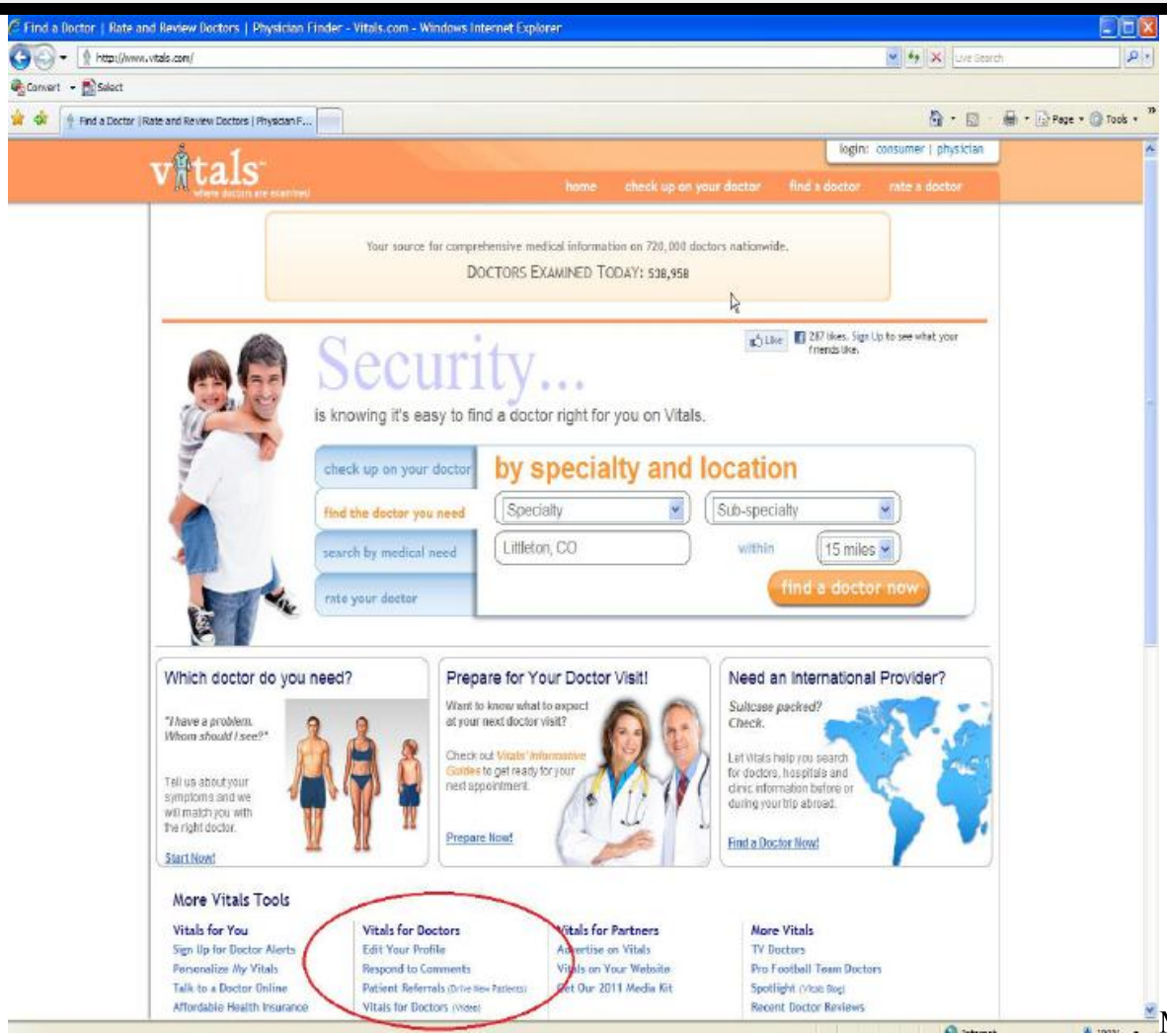
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | receipt of such information from the first healthcare provider." (Markman Order at 15 n.8.)<br><br>"The phrase ['received from the first healthcare provider'] and the surrounding context contemplate 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.) |  MDx states on its website that it receives, compiles, and posts doctor-supplied information. *See* Screenshot No. 6. Page 20 of 129<br><br>Screenshot No. 6<br><br> |

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|---|---|---|
| compiling, by the at least one computer processor, 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 the | "First Healthcare Provider: a particular healthcare provider about whom information is requested and a report is produced." (Markman Order at 23.)<br><br>"Compiling/Compile: gathering and/or putting together." (Markman Order at 24.) | MDx's on-line information service, which includes a computer processor, compiles patient-provided information regarding healthcare providers. MDx compiles the patient ratings from a www.vitals.com on-line patient-experience survey; this survey is shown in Screenshot No. 7, below.<br><br>Screenshot No. 7 |

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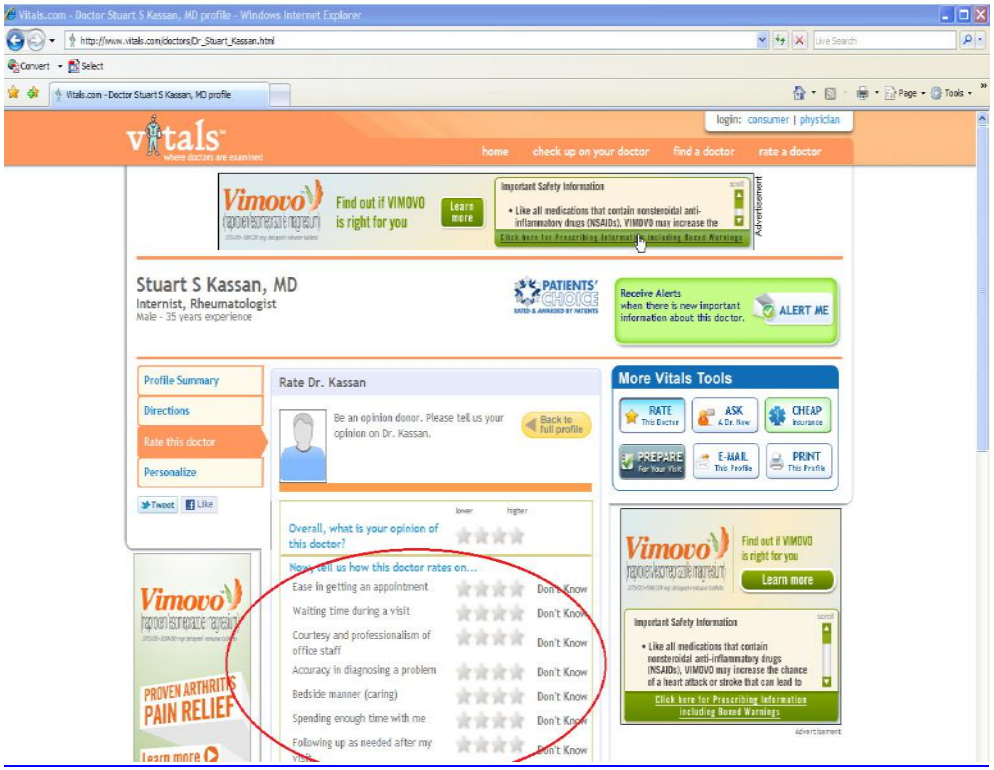
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| one or more past or current patients of the first healthcare provider, and wherein the company Web site is managed by the company providing the service for connecting healthcare providers with the potential patients; | |  |



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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| compiling 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, medical internship, medical residency, and medical | "First Healthcare Provider: a particular healthcare provider about whom information is requested and a report is produced." (Markman Order at 23.)<br><br>"Compiling/Compile: gathering and/or putting together." (Markman Order at 24.)<br><br>"In short, the plain and ordinary meaning of 'verified,' which can encapsulate a range of conduct aimed at | 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. 8 (displaying a portion of the FAQ from the vitals.com website stating that the information comes from various third parties).<br><br>Screenshot No. 8 |



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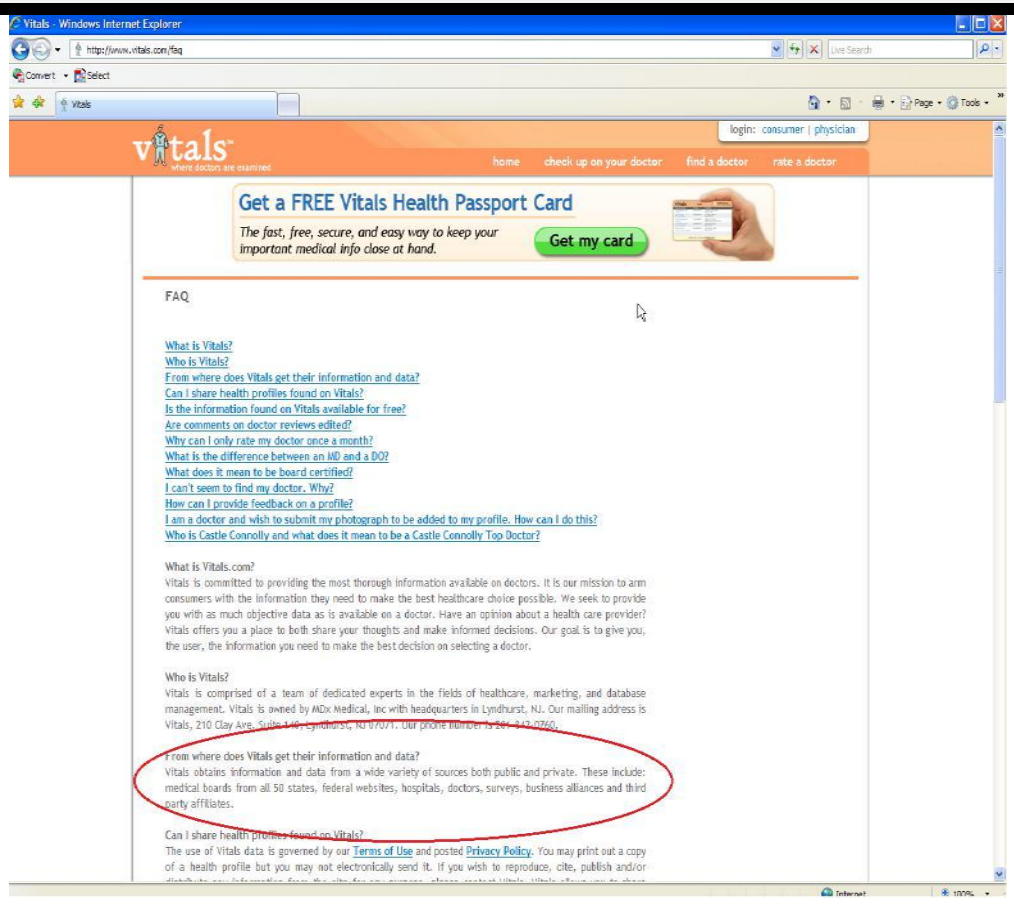
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| fellowship information; | confirmation of information, shall apply." (Markman Order at 17.) | <br>As a specific example, MDx compiles medical school information on a given doctor from *U.S.* |

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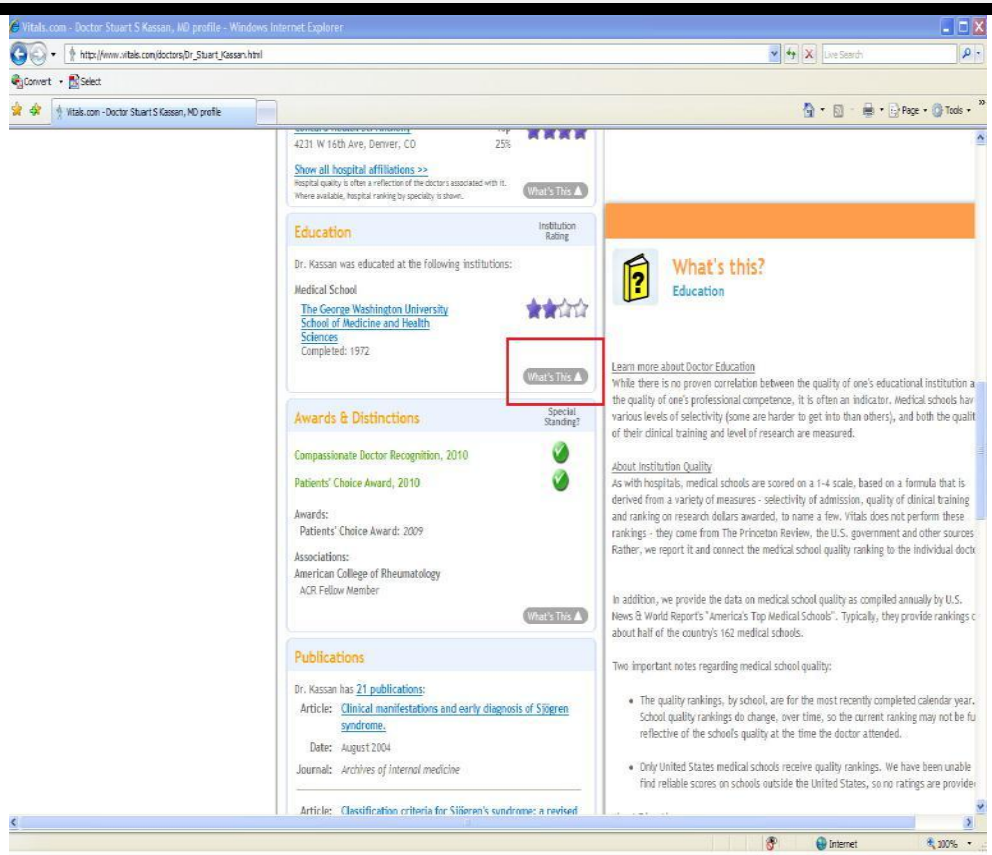
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|---|---|---|
| | | *News & World Report's* "America's Top Medical Schools." *See* Screenshot No. 9 ("What's this?" section describing that MDx compiles medical school information from *U.S. News & World Report*~~).~~); MDx then provides potential patients with medical school information associated with a given physician's academic and fellowship history.<br><br>Screenshot No. 9 |

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| | |  |

MDx compiles licensure information. Screenshot No. 10 evidences that MDx verifies each

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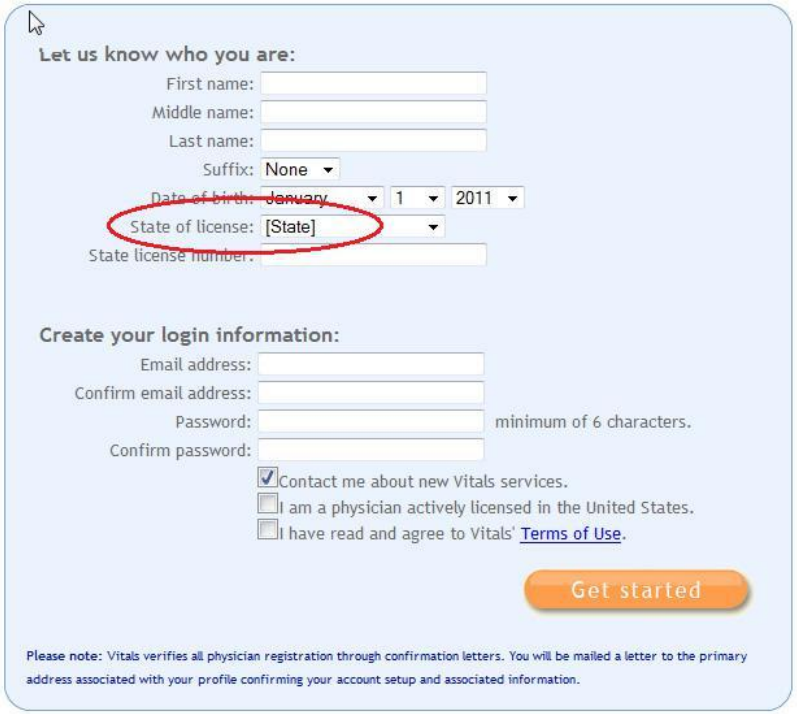
| U.S. Patent No. 7,752,060 | Markman Order | ~~————————~~MDx's Current On-line Information System |
|---|---|---|
| | | physician's license with a third party before adding the physician to the results list; to do this, MDx must compile the information in order to compare it to the entry field.<br><br>Screenshot No. 10<br><br><br> |

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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. 11 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. 11, "About Board Certification" boxed in red below.)<br><br>Screenshot No. 11 |

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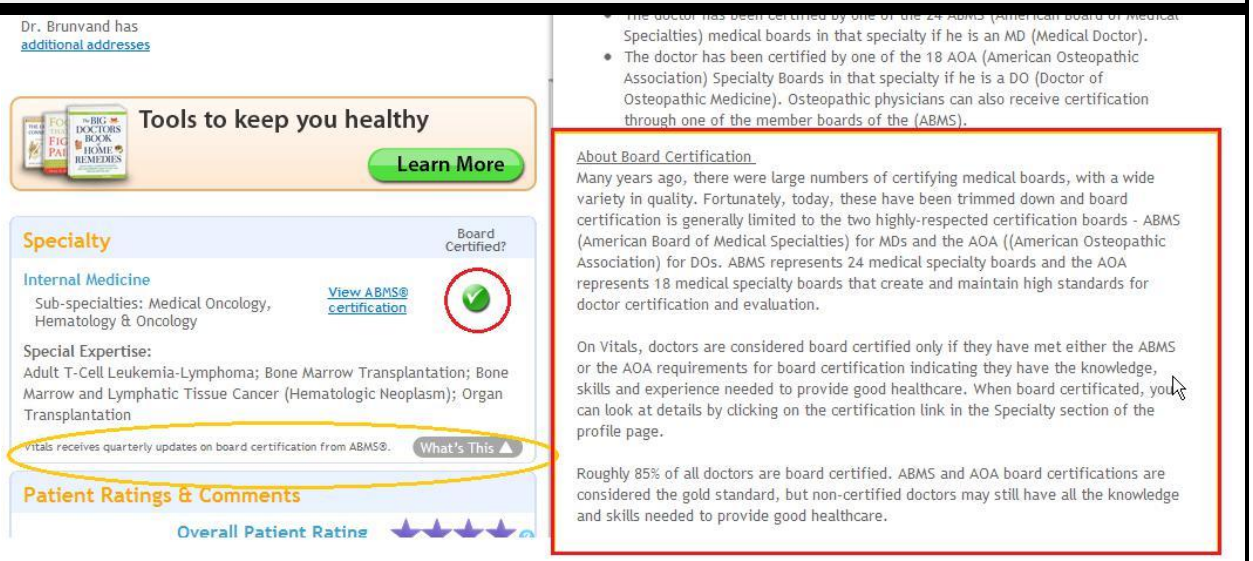
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>MDx compiles additional information verified by an independent third-party source regarding a physician's medical school, internship, residency, and fellowship positions. *See* Screenshot No. 12 (noting that MDx obtains all educational information from independent third parties unless otherwise noted).<br><br>Screenshot No. 12 |

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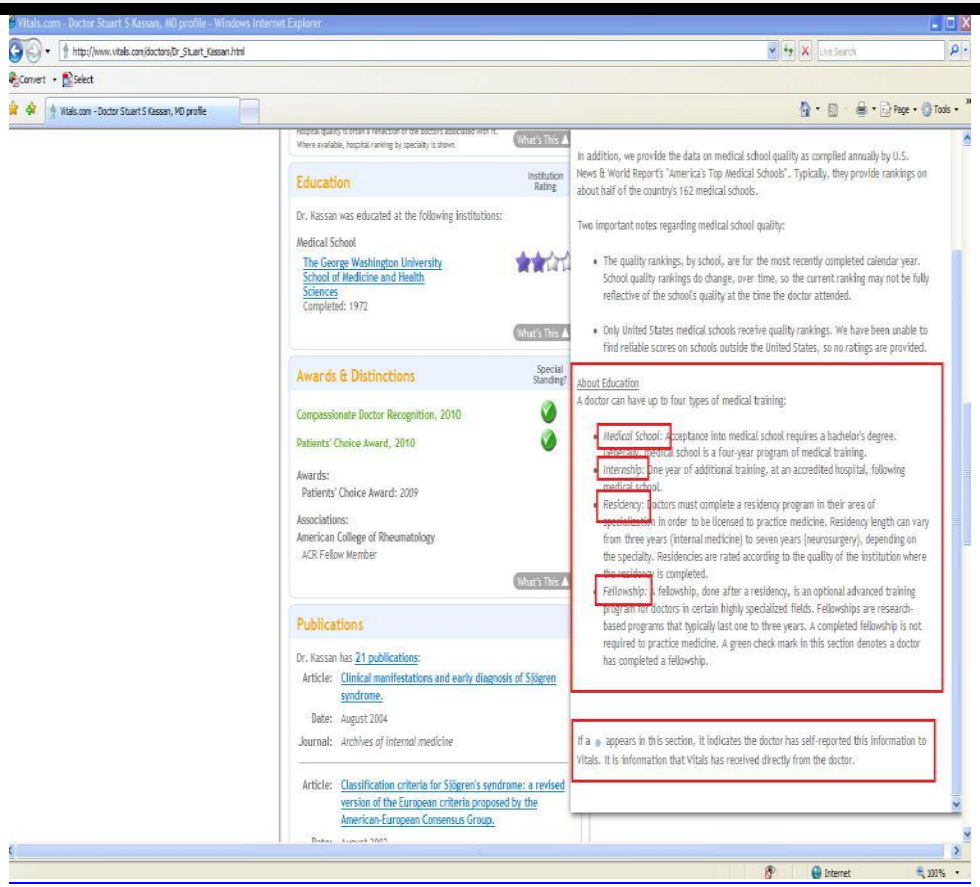
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>As a specific example, Screenshot 13 provides specific evidence that MDx compiles fellowship information on at least some it its doctors. |

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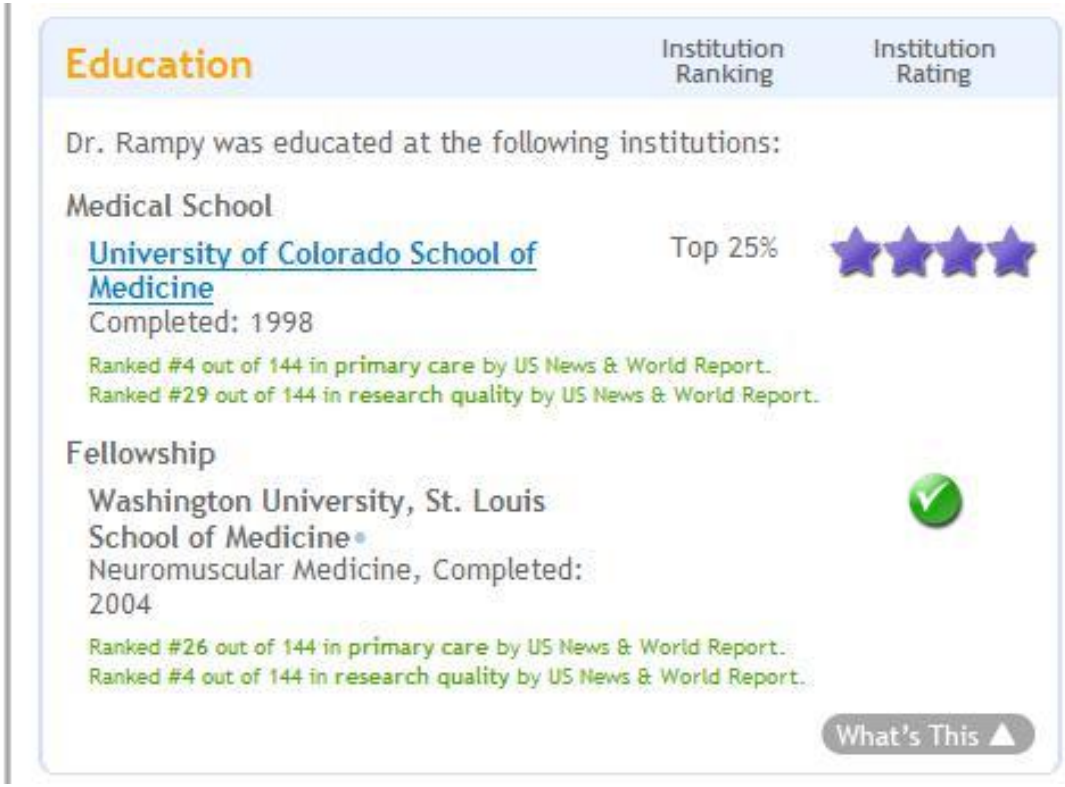
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | Screenshot No. 13<br><br> |
| creating, by | "First Healthcare | After a patient/user enters search criteria for a doctor, MDx creates one or more healthcare |

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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| the at least one computer processor, 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 | Provider: a particular healthcare provider about whom information is requested and a report is produced." (Markman Order at 23.)<br><br>"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 comparison of | 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.<br><br>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.)<br><br>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.)<br><br>Screenshot Nos. 14 & 16-18 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 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.<br><br>Screenshot No. 14 |

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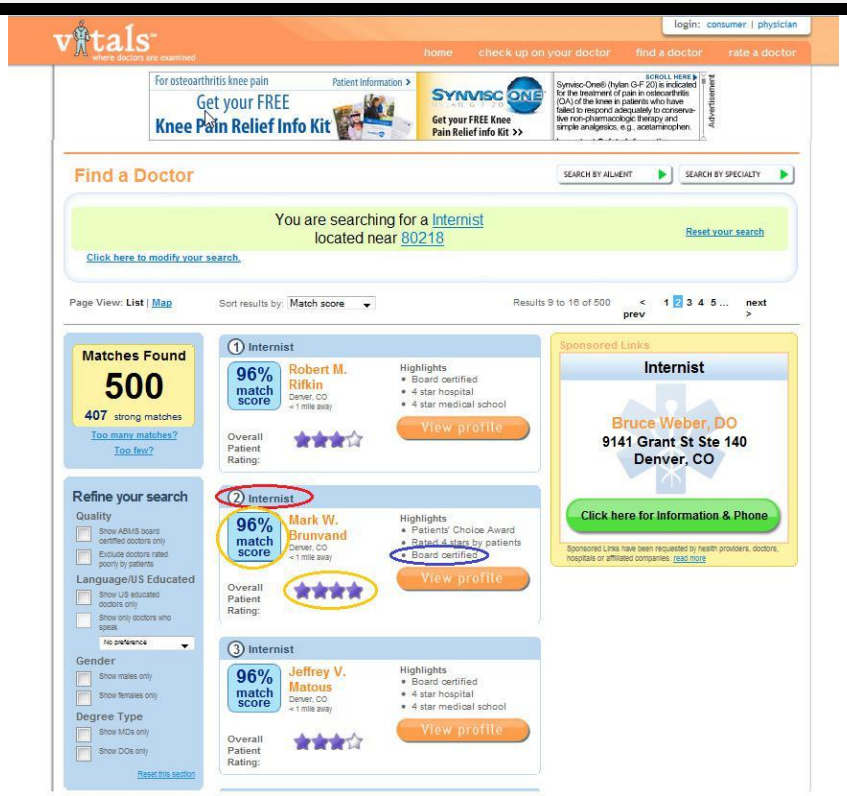
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | the 'first healthcare provider' with other potential healthcare providers." (Markman Order at 24.) | <br>The "match score" comparison rating provides the patient with information regarding how well 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. 15, below. Dr. Brunvand's report also includes match scores of other healthcare providers as |

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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | required by the Court's Markman Order.<br><br>Screenshot No. 15<br><br><br><br><br>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* Screenshot No. 16.<br><br>Screenshot No. 16 |

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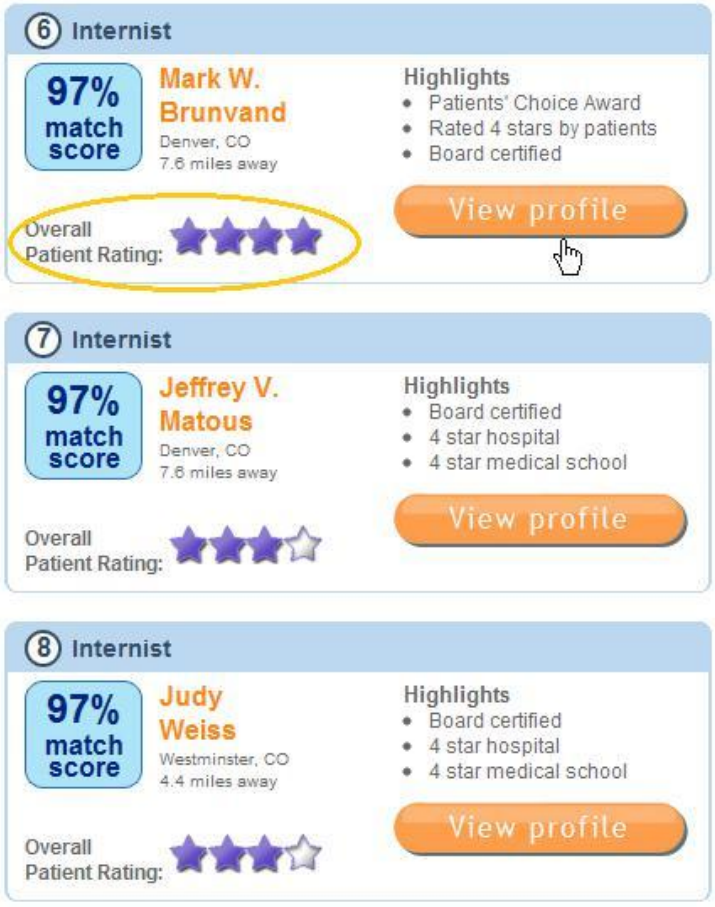
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>MDx includes another comparison rating of healthcare providers when it includes the "Patients' |

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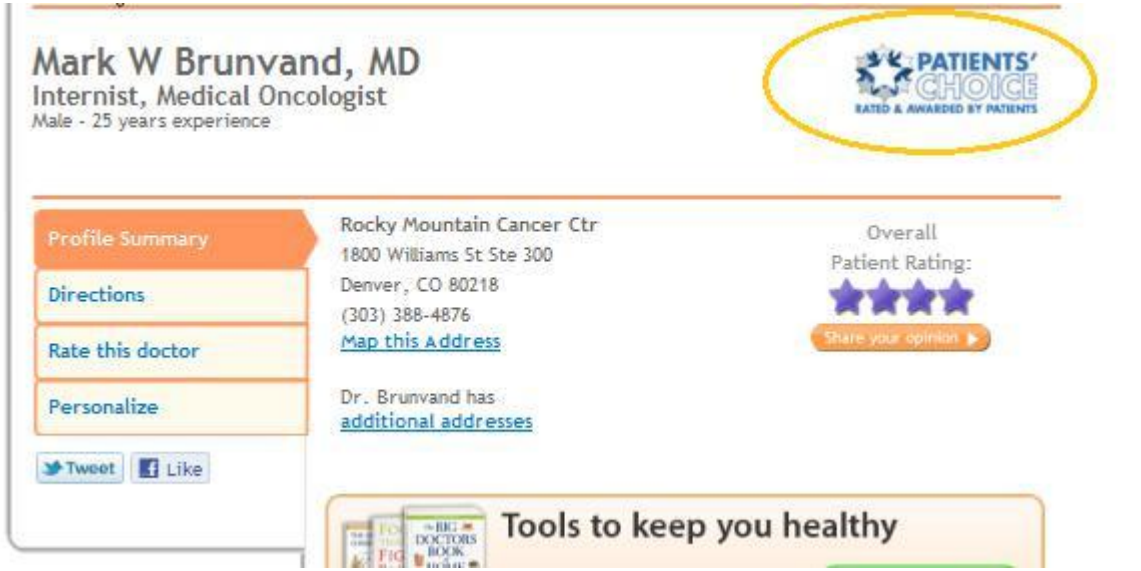
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | Choice" mark next to the physician's name. MDx gives this award to physicians when the physician has "received near perfect scores as rated by patients" compared to other physicians. *See* Screenshot No. 17.<br><br>Screenshot No. 17<br><br> |

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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | To the extent that MDx asserts that any of these three ratings do not literally satisfy the limitation of a healthcare provider report that includes comparison ratings, these ratings meet the claim ~~limitations~~limitation 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 in a healthcare provider report. ~~*See* Screenshot No. 18.~~<br><br>The report on Dr. Brunvand also 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. 18 below):<br><br>Screenshot No. 18 |

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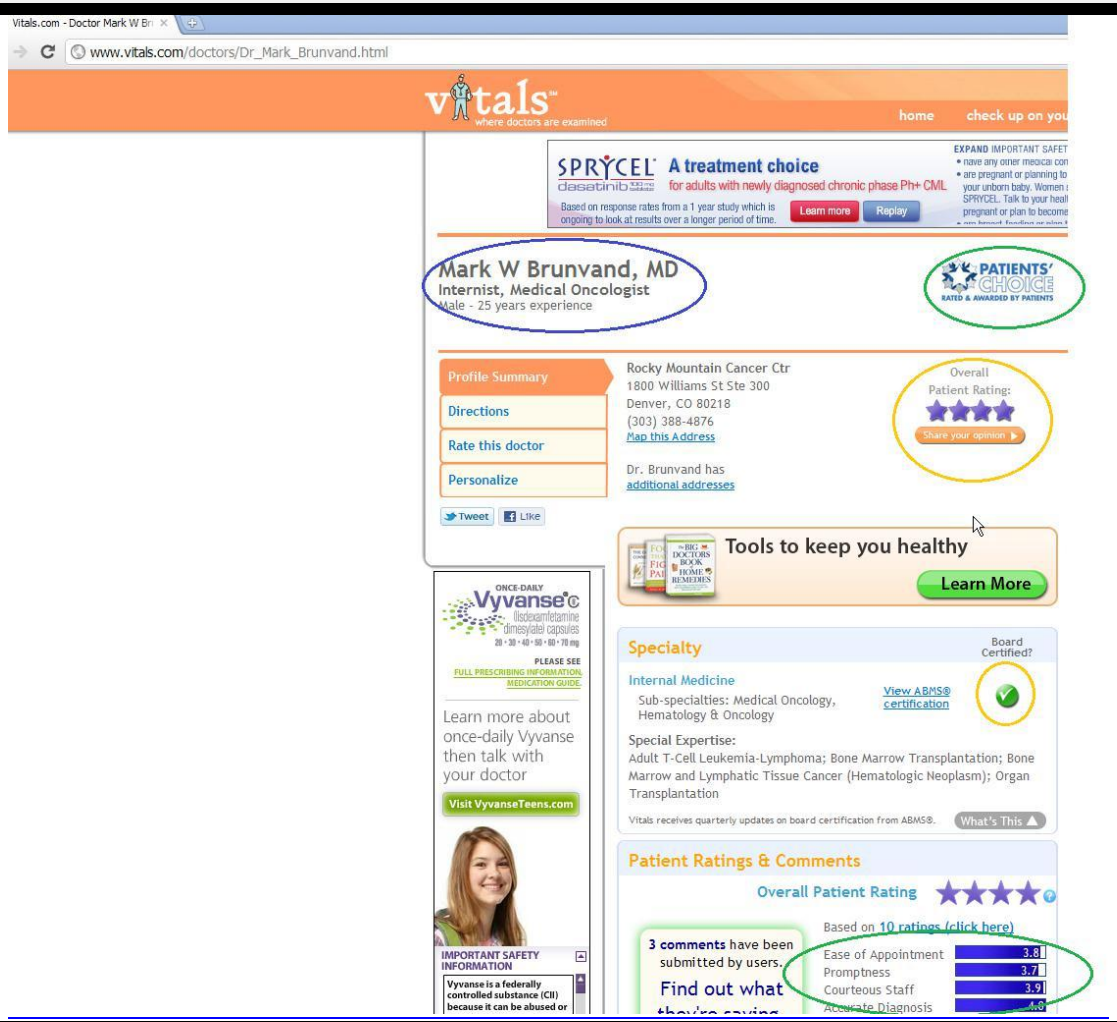
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | |  |



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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | The report on Dr. Brunvand uses the following doctor-verified information: (1) specialty information, gender, years in practice, shown in Screenshot No. 19, and; (2) professional memberships shown in Screenshot No. 20 below:<br><br>Screenshot No. 19<br><br><br><br><br>Screenshot No. 20 |

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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>~~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. 18 below):~~<br><br>~~Screenshot No. 18~~<br><br>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 |

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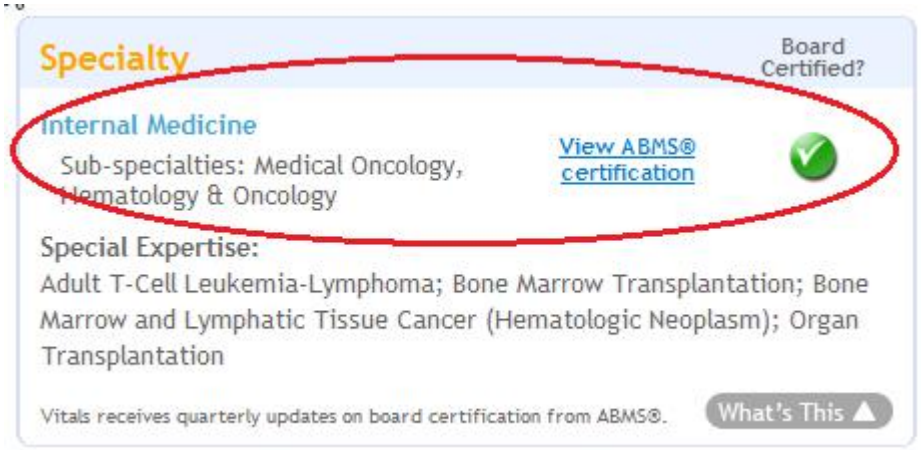
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | Screenshot Nos. 21-22 below. MDx also uses compiled licensure information to ensure that only licensed physicians, including Brunvand, are displayed in the search results.<br><br>Screenshot 21<br><br><br><br>Screenshot 22 |

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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>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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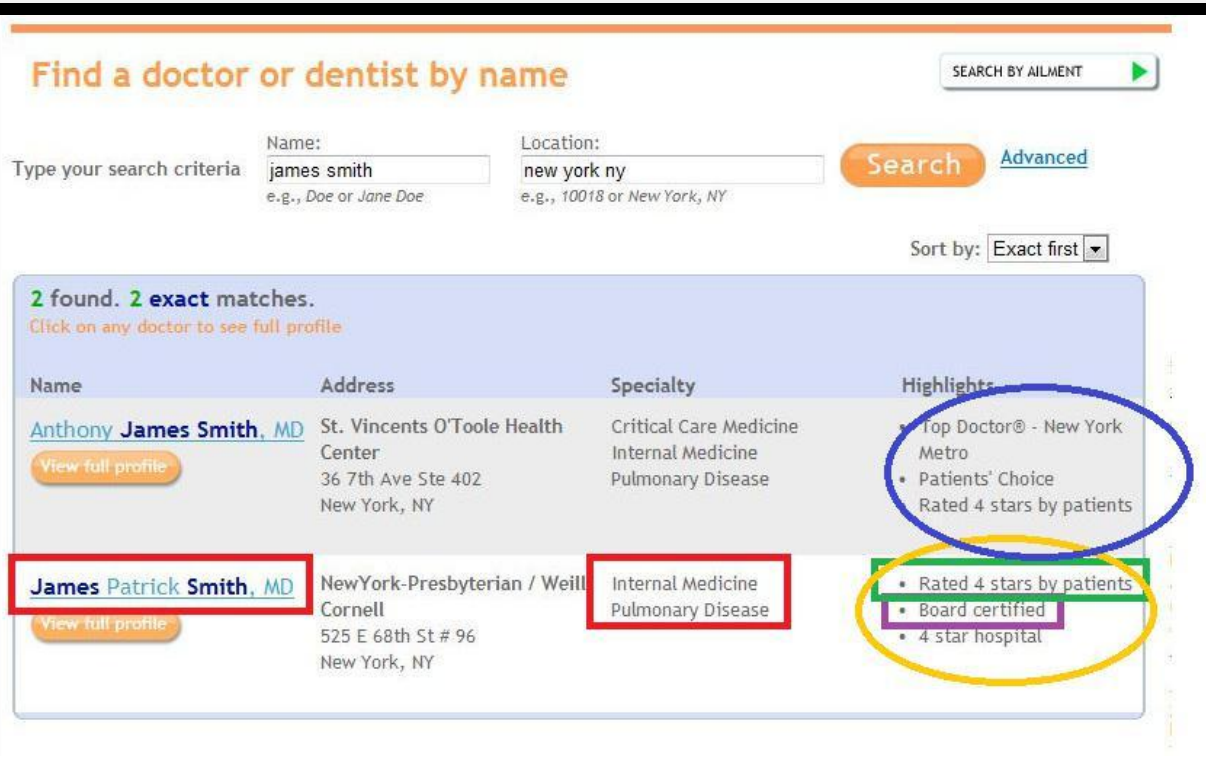
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>Additional portions (e.g. pages) of Dr. Smith's report include additional (1) healthcare provider-verified information, circled in red; (2) patient-provided information, circled in green; 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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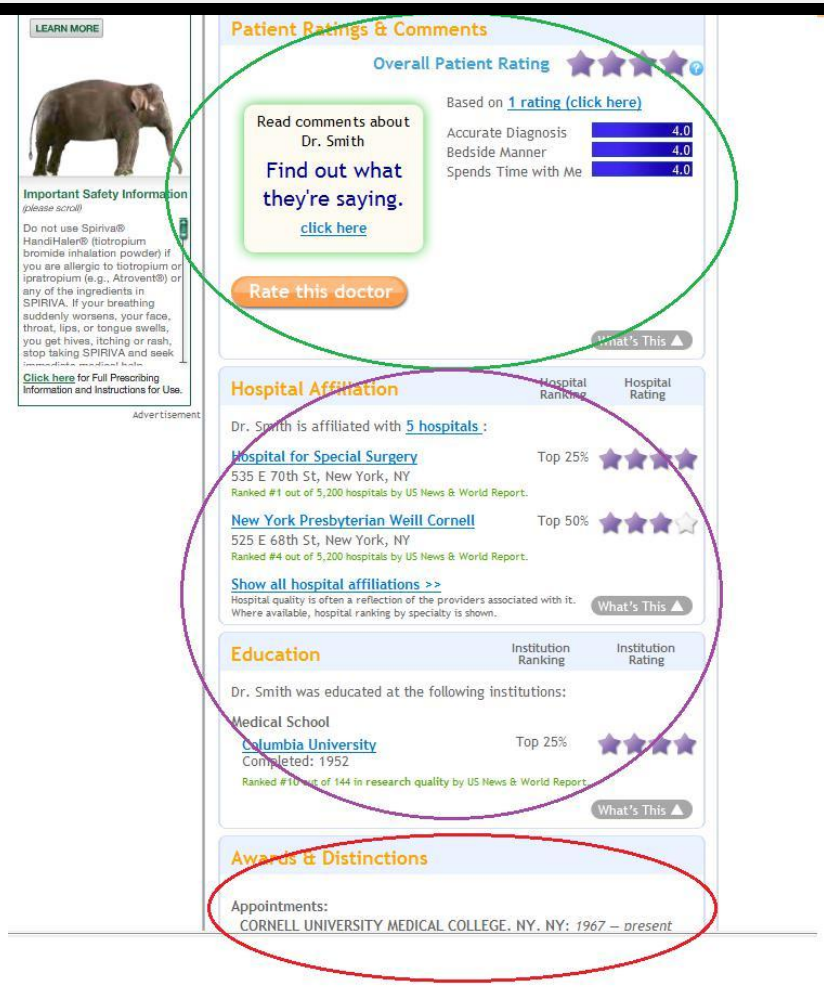
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | |  |



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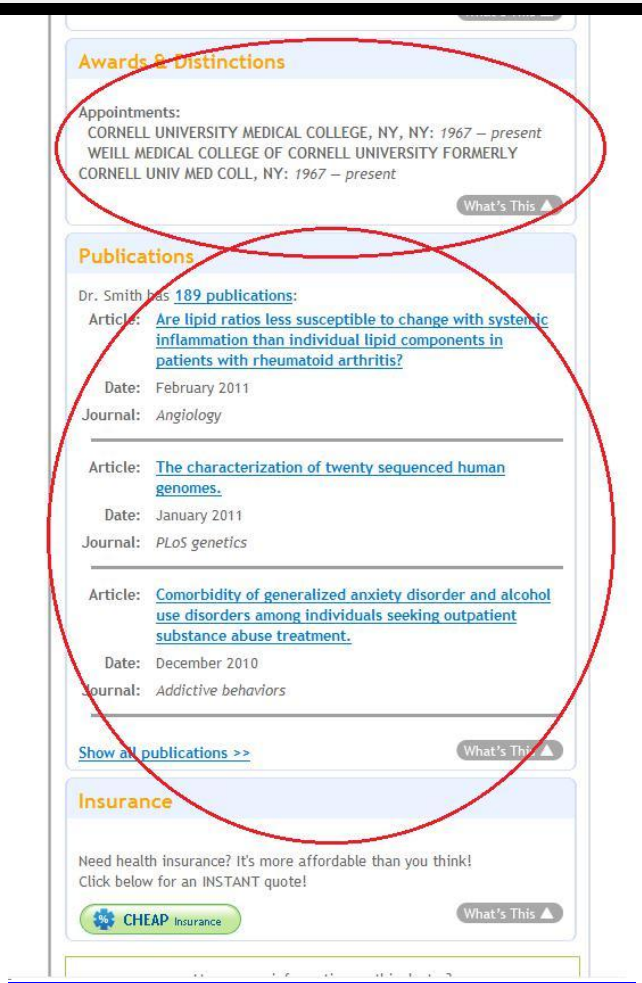
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | |  |



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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | 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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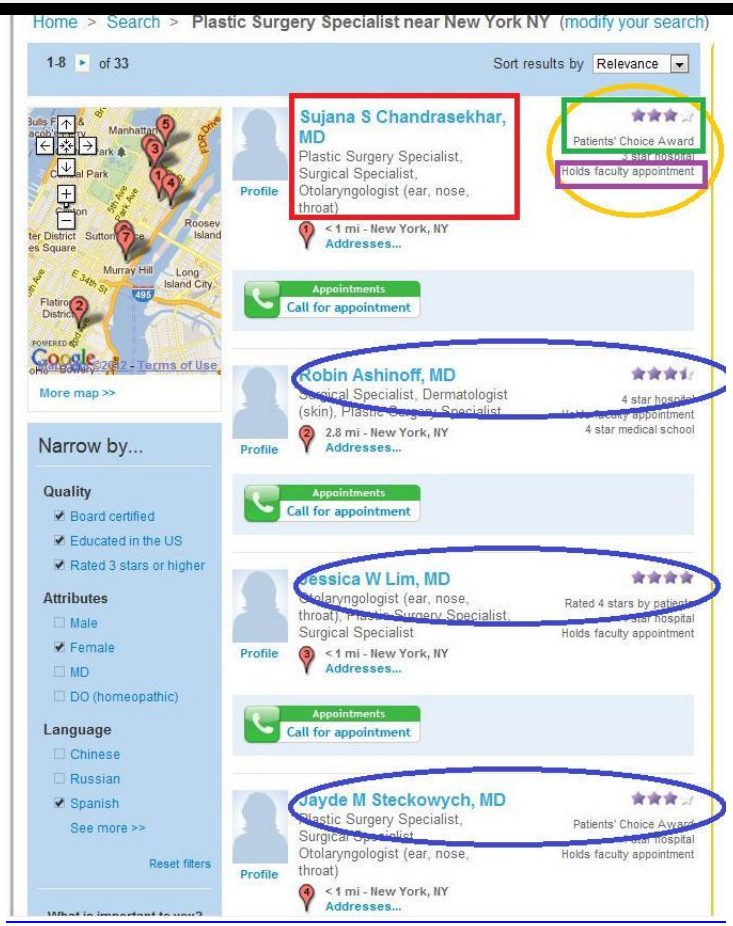
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>To the extent that the Court's construction of first healthcare provider requires that the healthcare provider report on the first healthcare provider include *only* one particular healthcare |

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

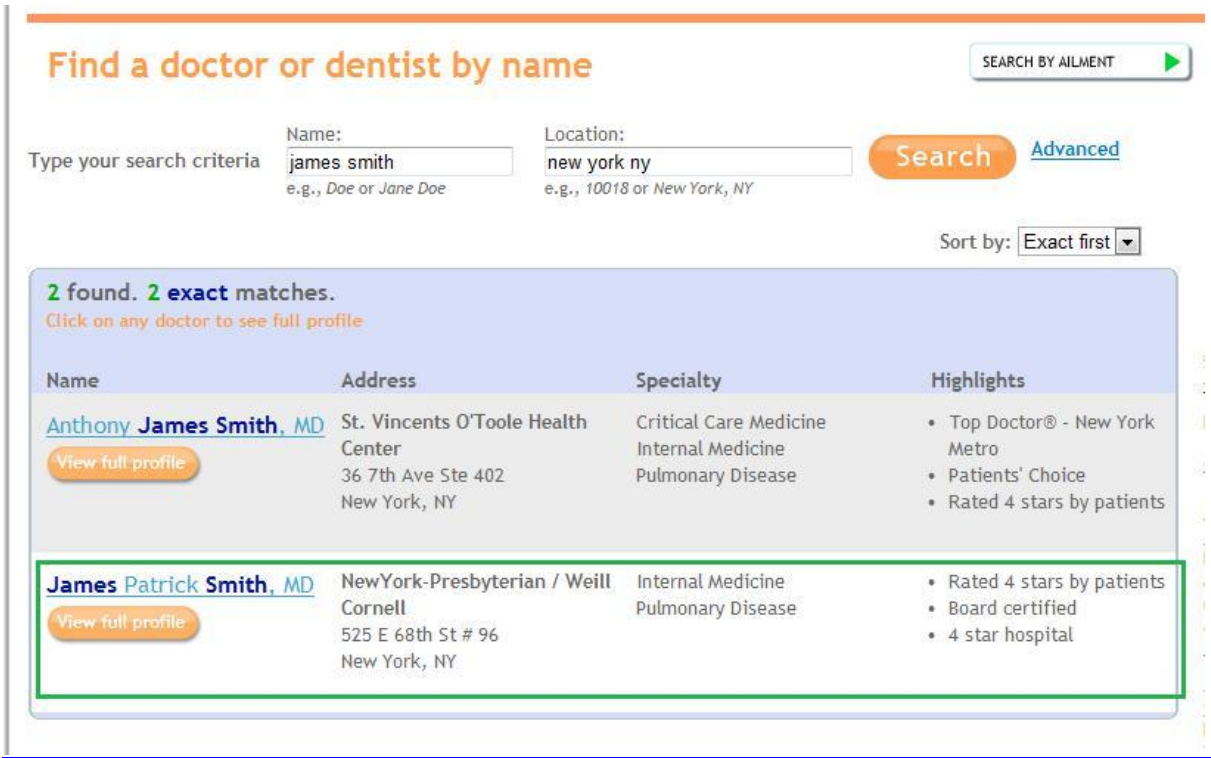



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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | As another example, a portion of a healthcare provider report about Dr. Sujana Chandrasekhar (e.g. the first page of the healthcare provider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

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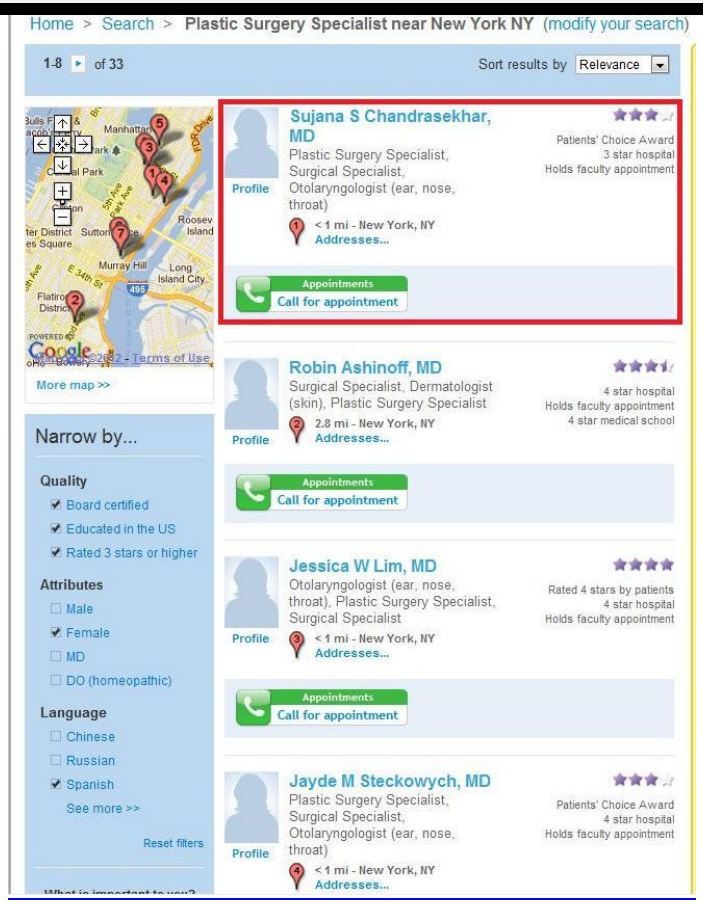
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>MDx infringes under the doctrine of equivalents because creating a report that includes multiple particular physicians performs substantially the same function, in substantially the same way, 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.<br><br>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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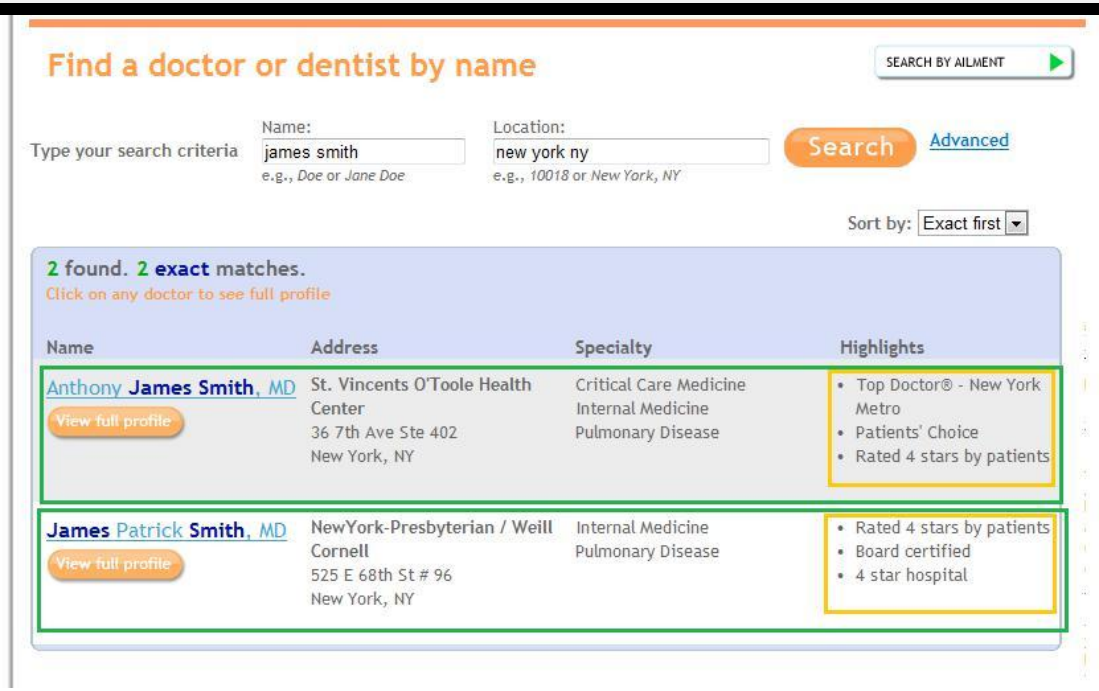
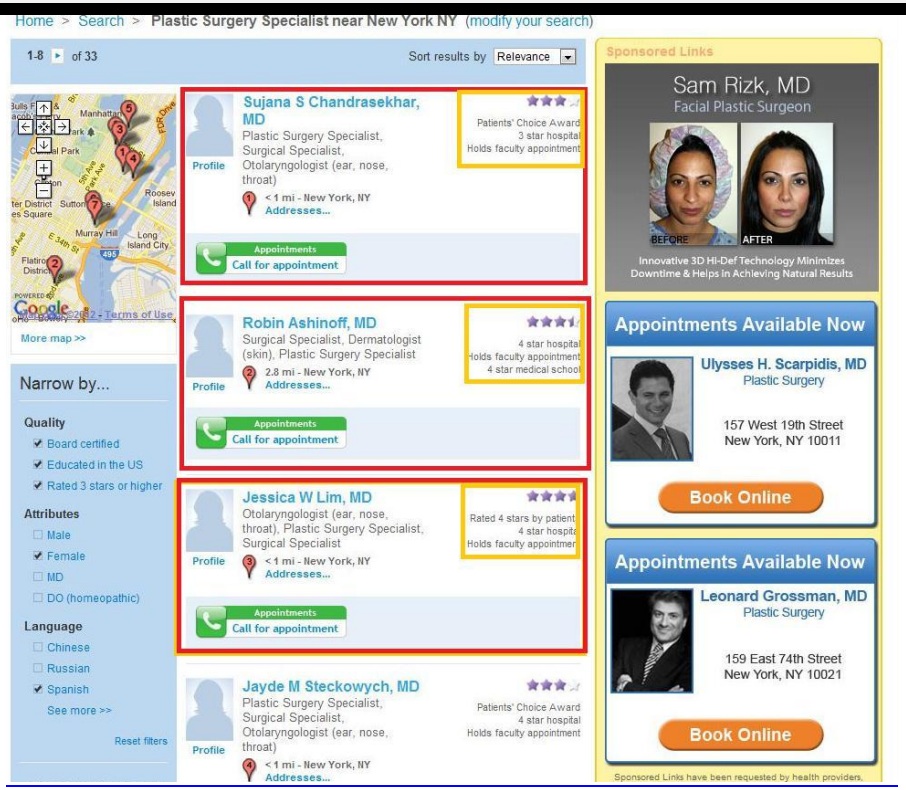
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | | <br>And as another example (reports are shown in red squares, comparison ratings of the first healthcare provider are shown in the orange square): |

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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.<br><br>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.<br><br>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.<br><br>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. |
| providing access to the healthcare provider report on the first healthcare provider over a computer network. | | MDx provides access to the doctors' healthcare provider reports over a computer network. *See* Screenshot No. 23 (highlighting that this information was accessed over a computer network, e.g., the Internet, and that the profile can be sent by email or printed).<br><br>Screenshot No. 23 |

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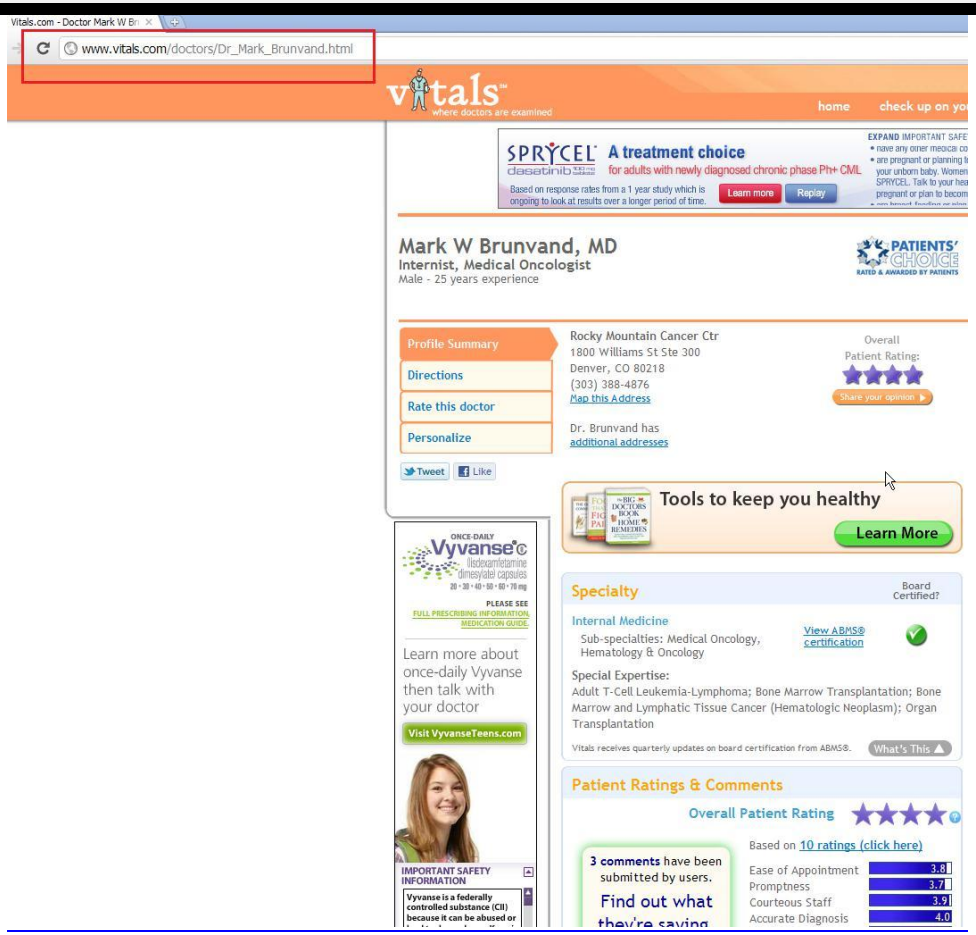
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | |  |
| 4. The method | | MDx provides a link to affiliated hospitals in the healthcare provider report. *See* Screenshot |

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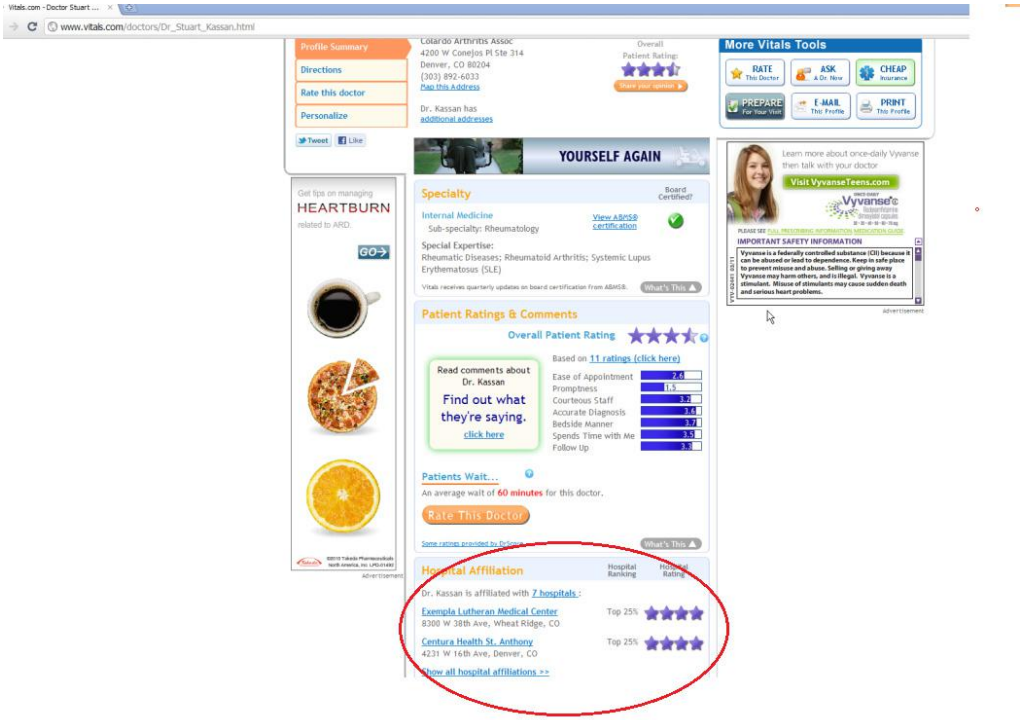
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| as defined in claim 1, wherein the healthcare provider report includes a hyperlink to an affiliated hospital, medical center, or other type of treatment center. | | Screenshot No. 24 (displaying affiliated hospital hyperlink, circled in red).<br><br>Screenshot No. 24<br><br> |



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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| 5. The method as defined in claim 1, wherein the access to the healthcare provider report is obtained through a predetermined Webpage that provides search capabilities for a database comprised of healthcare provider information. | | MDx uses a predetermined web page for patient search purposes. *See* Screenshot 25 (displaying the MDx web page that allows patients to search for doctors).<br><br>Screenshot No. 25 |

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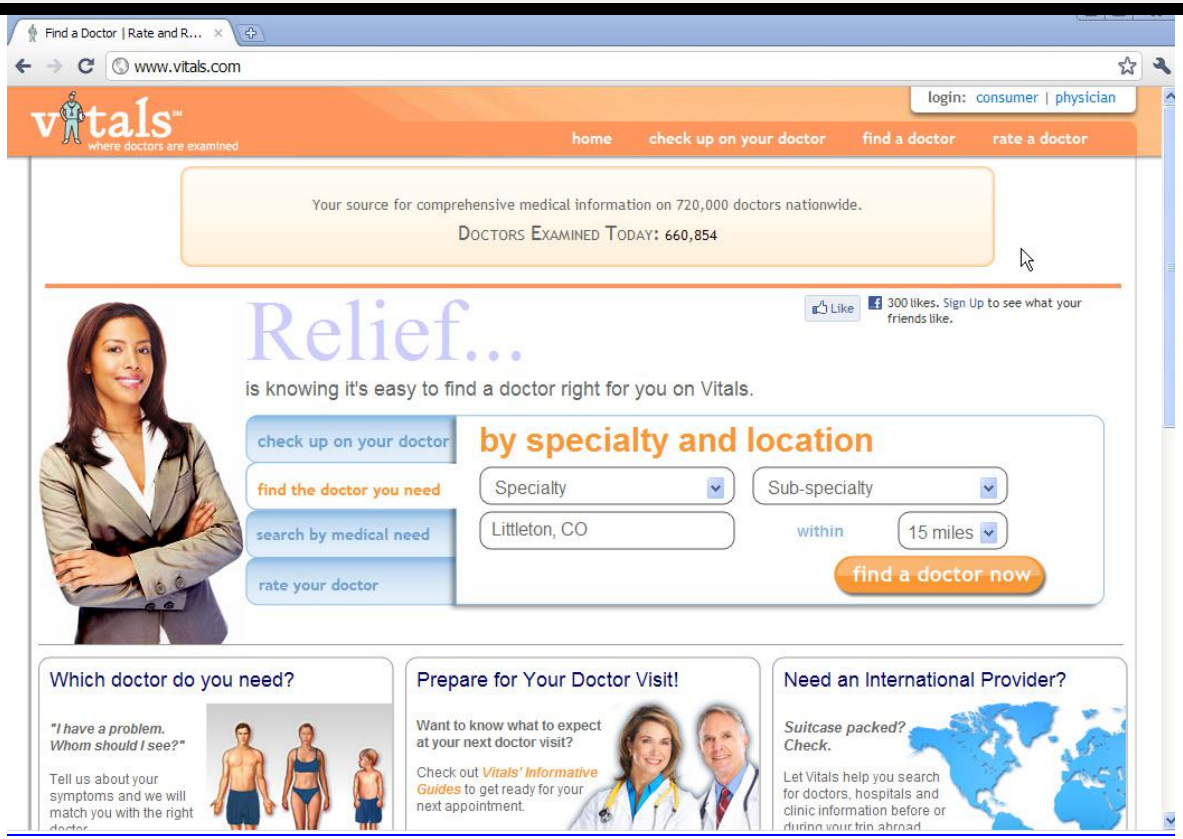
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | |  |
| 6. The method as defined in claim 5, wherein the | | MDx allows a user to search based on specialty, diagnosis (condition), state, city, and location criteria. *See* Screenshot No. 26 (displaying specialty, circled in red, condition, circled in orange, and location, circled in purple.) |

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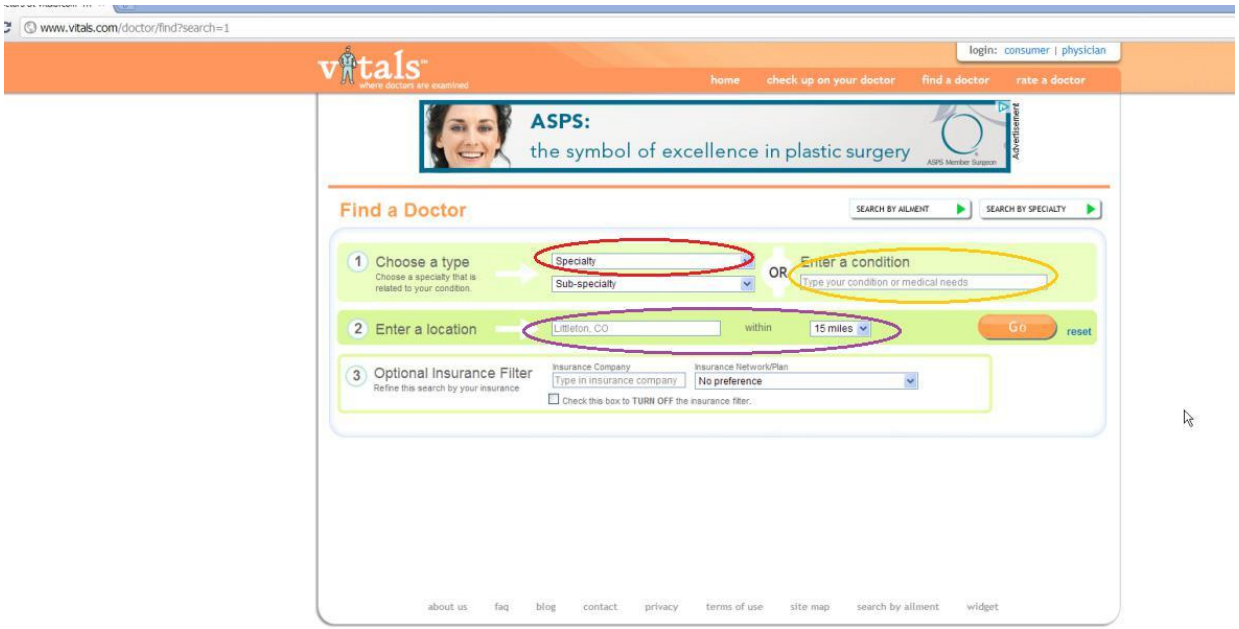
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| search capabilities permit a search based on one or more from the group consisting of: name, medical specialty, gender, state, city, procedure, diagnosis, procedure, and location criteria. | | Screenshot No. 26<br><br>MDx allows a user to search by doctor name. *See* Screenshot No. 27 (displaying doctor search query by doctor name, circled in red).<br><br>Screenshot No. 27 |

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| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| | |   |
| 7. The method as defined in claim 6, wherein the search of the database produces a results list of one or more healthcare providers satisfying the | | MDx provides a list of physicians based on specialty and location input from the patient. Screenshot No. 28, below, demonstrates MDx displaying a list of internists (i.e., first healthcare providers), circled in red, based upon location criteria, circled in orange.<br><br>Screenshot No. 28 |

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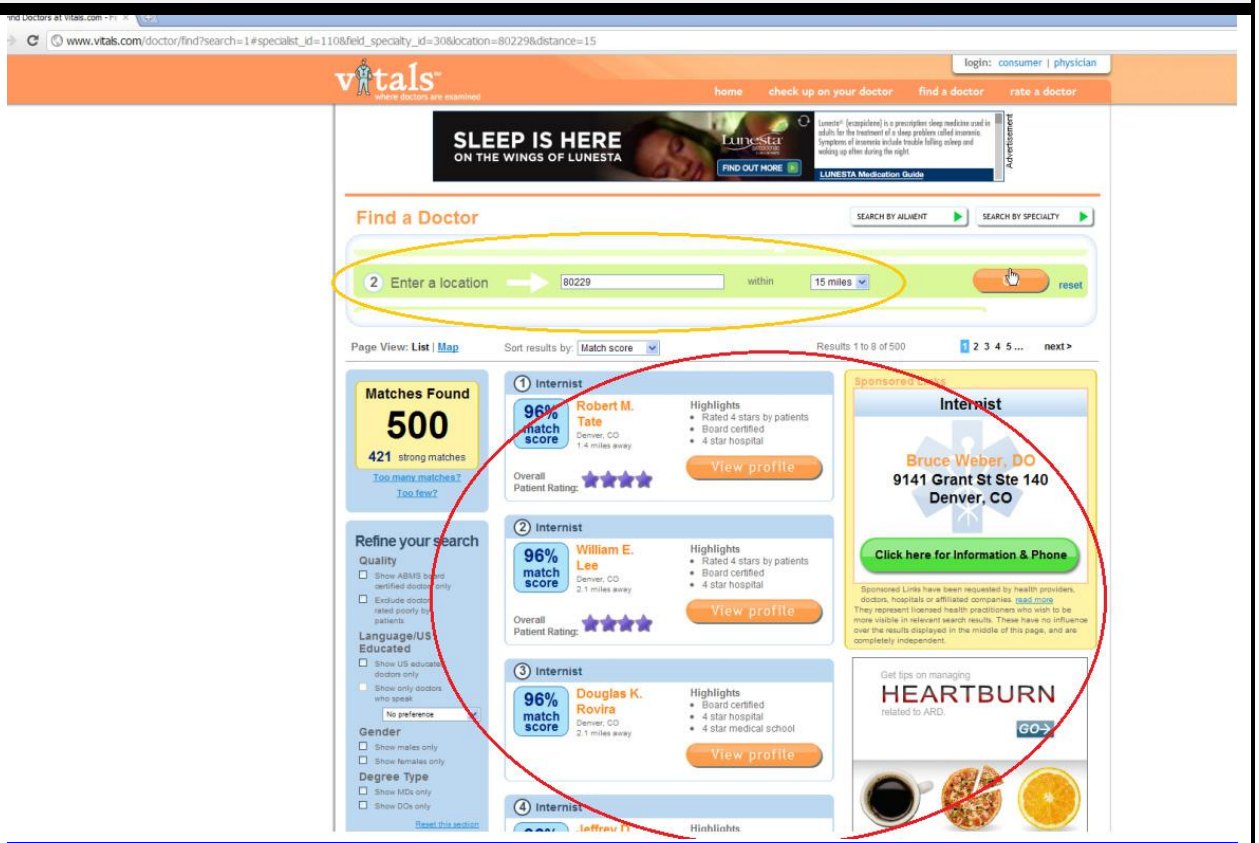
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| search criteria, wherein the results list includes the first healthcare provider. | |  |
| 8. The | | As part of the list detailed in claim 7, *supra*, MDx provides "sponsored links" at the request of |





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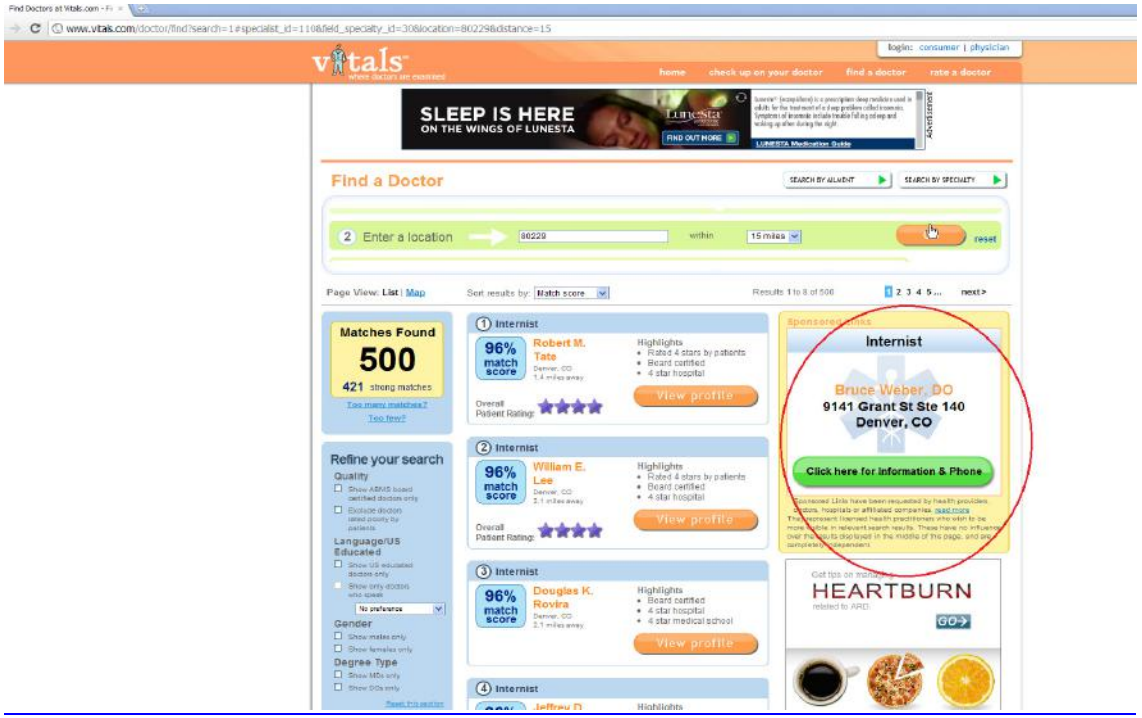
| U.S. Patent No. 7,752,060 | Markman Order | MDx's Current On-line Information System |
|---|---|---|
| method as defined in claim 7, wherein the results list further includes an advertisement for the first healthcare provider with a hyperlink to information on the first healthcare provider. | | "health providers, doctors, hospitals, or affiliated companies." *See* Screenshot No. 29 (sponsored link circled in red).<br><br>Screenshot No. 29<br><br> |



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|---|---|---|
| | | MDx directs a patient who clicks on the sponsored link to a webpage that provides information about the doctor. *See* Screenshot No. 30 (information circled in red).<br><br>Screenshot No. 30<br> |

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