

EXHIBIT 5



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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

INTERNATIONAL AUTOMATED SYSTEMS,)
Plaintiff,)
vs.)
IBM, et al,)
Defendants.)

Case No. 2:06-cv-00115

Transcript of Motion Hearing

BEFORE THE HONORABLE BRUCE S. JENKINS

December 11, 2006

Mindi Powers, RPR
121106MP

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1 THE COURT: Tell me what the highlights of the patent are.

2 MR. NELSON: The unique feature of this patent, Your Honor,
3 is that it utilizes what's generally referred to as unique
4 characteristics, or minutia, in the fingerprint. It locates and
5 identifies specific types of unique features in a fingerprint.
6 And then in addition to assigning a code associating with that
7 unique characteristic, it then assigns a code associated with
8 the relative position of that unique characteristic. And so it
9 identifies unique characteristics and their position with
10 respect to one another and comes up with a code associated with
11 that. And that in the apparatus of the patent does that and by
12 doing so it substantially reduces the amount of storage that's
13 required for the processing and identifying the person, and it's
14 much faster. So that's the unique aspect of the patent,
15 generally speaking.

16 THE COURT: It's a relative thing, then?

17 MR. NELSON: Yes, if it was not relative, then it would
18 be -- it would depend on exactly how you -- you'd have to put
19 your finger on the sensor exactly the same way every time or you
20 wouldn't get a match. By having relative positioning, it allows
21 the finger to be, you know, generally oriented correctly but not
22 exactly oriented correctly.

23 THE COURT: It's good enough.

24 MR. NELSON: Good enough, yes. Otherwise you would be
25 presenting your finger a hundred times in order to get a

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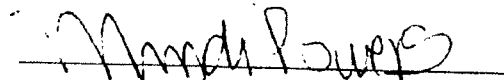
C E R T I F I C A T E

STATE OF UTAH
COUNTY OF UTAH

I, Mindi Powers, Registered Professional Reporter for the State of Utah, do hereby certify that the foregoing transcript of proceedings was taken before me at the time and place set forth herein and were taken down by me in shorthand and thereafter transcribed into typewriting under my direction and supervision;

That the foregoing pages contain a true and correct transcription of my said shorthand notes so taken.

IN WITNESS WHEREOF, I have hereunto set my name this 22nd day of December, 2007.



Mindi Powers, RPR