

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ACCELERATION BAY, LLC, a Delaware)	
Limited Liability Corporation,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 22-904-RGA-SRF
)	
AMAZON WEB SERVICES, INC., a Delaware)	
Corporation,)	
)	
Defendant.)	

PARTIES’ JOINT CLAIM CONSTRUCTION CHART

Pursuant to Paragraph 7 of the Court’s Scheduling Order (D.I. 14) in the above-captioned action, Plaintiff Acceleration Bay, LLC (“Acceleration Bay” or Plaintiff”) and Defendant Amazon Web Services, Inc. (“Amazon” or “Defendant”) submit this Joint Claim Construction Chart. Appendix 1 identifies the agreed terms. Appendix 2 identifies the disputed terms, with the terms and phrases of the claims in issue and each party’s proposed construction of the disputed claim language with citations to the intrinsic evidence in support of their respective proposed constructions.

The Asserted Patents, U.S. Patent Nos. 6,701,344 (“the ’344 Patent”), 6,714,966 (“the ’966 Patent”), 6,732,147 (“the ’147 Patent”), 6,829,634 (“the ’634 Patent”), and 6,910,069 (“the ’069 Patent”) (collectively, the “Asserted Patents”) are respectively attached as Exhibits A-1 to A-5. Additional portions of the intrinsic record cited by the parties are attached as Exhibits B-1 to B-4 and are identified in the following summary table:

Exhibit	Evidence
Asserted Patents	
A-1	U.S. Patent No. 6,701,344
A-2	U.S. Patent No. 6,714,966
A-3	U.S. Patent No. 6,829,634
A-4	U.S. Patent No. 6,910,069
A-5	U.S. Patent No. 6,732,147
File Histories of the Asserted Patents	
B-1	<p>Excerpts from U.S. Patent No. 6,701,344 File History</p> <p>April 24, 2002 Information Disclosure Statement May 21, 2003 Office Action September 10, 2003 Amendment and Response to Office Action September 25, 2003 Terminal Disclaimer September 26, 2003 Office Action October 1, 2003 Notice of Allowance</p> <p>IPR2015-01970: 9/25/15 Petition for <i>Inter Partes</i> Review 10/14/16 Petitioner's Consolidated Reply to Patent Owner's Response [CONF] 3/23/17 Final Written Decision</p> <p>IPR2015-01972: 9/25/15 Petition for <i>Inter Partes</i> Review 10/14/16 Petitioners' Reply to Patent Owner's Response 3/23/17 Final Written Decision</p> <p>IPR2016-00931: 6/23/16 Decision Denying Institution</p>
B-2	<p>Excerpts from U.S. Patent No. 6,714,966 File History</p> <p>June 20, 2003 Office Action September 10, 2003 Amendment September 10, 2003, Terminal Disclaimer September 26, 2003 Notice of Allowability October 1, 2003 Notice of Allowance</p>

Exhibit	Evidence
	<p>IPR2015-01951: 9/24/15 Petition for <i>Inter Partes</i> Review 10/14/16 Petitioners' Consolidated Reply to Patent Owner's Response [CONF] 3/23/17 Final Written Decision</p> <p>IPR2015-01953: 9/24/15 Petition for <i>Inter Partes</i> Review 10/14/16 Petitioners' Consolidated Reply to Patent Owner's Response 3/23/17 Final Written Decision (with errata)</p> <p>IPR2016-00932: 4/21/16 Petition for <i>Inter Partes</i> Review 6/23/16 Decision Denying Institution</p> <p>IPR2016-00936: 4/22/16 Petition for <i>Inter Partes</i> Review 7/7/16 Institution Decision</p>
B-3	<p>Excerpts from U.S. Patent No. 6,829,634 File History</p> <p>February 4, 2004, Office Action May 4, 2004, Amendment July 12, 2004, Notice of Allowability July 13, 2004, Notice of Allowance</p> <p>IPR2015-01964: 9/28/15 Petition for <i>Inter Partes</i> Review 10/14/16 Petitioners' Consolidated Reply to Patent Owner's Response [CONF] 3/29/17 Final Written Decision</p> <p>IPR2015-01996: 9/28/15 Petition for <i>Inter Partes</i> Review 10/14/16 Petitioners' Consolidated Reply to Patent Owner's Response 3/29/17 Final Written Decision</p> <p>IPR2016-00727: 3/12/16 Petition for <i>Inter Partes</i> Review 9/9/16 Institution Denial</p> <p>IPR2016-00963: 4/29/16 Petition for <i>Inter Partes</i> Review 6/23/16 Institution Decision</p>

Exhibit	Evidence
	IPR2016-00964: 4/29/16 Petition for <i>Inter Partes</i> Review 6/23/16 Institution Decision
B-4	Excerpts from U.S. Patent No. 6,910,069 File History October 17, 2003, Office Action October 28, 2003, Amendment and Response January 12, 2004, Non-Final Rejection May 10, 2004, Amendment and Response August 26, 2004, Notice of Allowance IPR2016-00726: 3/12/16 Petition for <i>Inter Partes</i> Review 9/9/16 Institution Denial IPR2017-01600: Patent Owner Preliminary Response, <i>Bungie, Inc. v. Acceleration Bay, LLC</i> , Paper 8 (P.T.A.B. Oct. 12, 2017)

The parties' identification of intrinsic evidence is preliminary. The parties base this disclosure on information currently known by and available to them. The parties reserve the right to amend, modify, and/or supplement their identification of intrinsic evidence to take into account additional information that comes light, including without limitation as additional contentions are made, facts are ascertained, analyses are made, and proposed constructions are provided. Further, the parties reserve the right to rely on the intrinsic evidence identified by opposing parties to support their constructions.

Dated: June 7, 2023

POTTER ANDERSON & CORROON LLP

MORRIS, NICHOLS, ARSHT & TUNNELL
LLP

By: /s/ Philip A. Rovner

Philip A. Rovner (#3215)
Jonathan A. Choa (#5319)
Hercules Plaza
1313 North Market Street, 6th Floor
P.O. Box 951
Wilmington, Delaware 19801
provner@potteranderson.com
jchoa@potteranderson.com

By: /s/ Jennifer Ying

Jack B. Blumenfeld (#1014)
Jennifer Ying (#5550)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
jblumenfeld@morrisnichols.com
jying@morrisnichols.com

*Attorneys for Plaintiff
Acceleration Bay, LLC*

*Attorneys for Defendant
Amazon Web Services, Inc.*

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.