

Exhibit A
Philips North America, LLC v. Fitbit, Inc. (D. Mass) Case No. 1:19-cv-11586-IT
Joint Claim Construction Chart

| PATENT & CLAIMS | TERM | PHILIPS' CONSTRUCTION | FITBIT'S CONSTRUCTION | COU |
|---|--|---|---|-----|
| U.S. Pat. No. 6,013,007 Claims 1, 21 | “means for computing athletic performance feedback data from the series of time stamped waypoints obtained by said GPS receiver” | <p>a processor (and equivalents thereof) that determines any of the following from a series of time stamped waypoints obtained by said GPS receiver during an exercise session: elapsed distance of an athlete; current or average speed of an athlete; current or average pace of an athlete</p> <p>35 U.S.C. § 112, ¶ 6</p> <p>Structure:</p> <p>a processor and equivalents thereof (<i>see, e.g.</i>, Fig.6, col. 5 ll. 36-40 and col. 9 ll. 31-35.)</p> <p>Function:</p> <p>computing athletic performance feedback data [as construed above as elapsed distance of an athlete, current or average speed of an athlete, and current or average pace of an athlete] from the series of time stamped waypoints obtained by said GPS receiver</p> | <p>35 U.S.C. § 112, ¶ 6</p> <p>Function: computing elapsed distance, current and average speeds and paces, calories burned, miles remaining and time remaining from the series of time stamped waypoints obtained by said GPS receiver. Col.7:45-48.</p> <p>Structure: a processor and smart algorithm. Fig. 6, Col.7:45-48, 7:52-56.</p> <p>Indefinite. No algorithm disclosed to perform the full scope of the claimed function.</p> | |

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| | | Not Indefinite | | |
| U.S. Pat. No. 6,013,007 Claim 7 | “means for suspending and resuming operation of said means for computing when a speed of the athlete falls below a predetermined threshold” | a processor (and equivalents thereof) that suspends said computing when a speed of the athlete is below a predetermined threshold and resumes said computing when a speed of the athlete is not below said predetermined threshold 35 U.S.C. § 112, ¶ 6 <u>Structure:</u> a processor and equivalents thereof (<i>see, e.g.</i> , Fig.6, col. 5 ll. 36-40 and col. 9 ll. 31-35.) <u>Function:</u> suspending and resuming operation of said means for computing when a speed of the athlete falls below a predetermined threshold (as construed above) Not Indefinite | 35 U.S.C. § 112, ¶ 6 <u>Function:</u> suspending and resuming operation of said means for computing when a speed of the athlete falls below a predetermined threshold <u>Structure:</u> Indefinite. No structure disclosed that performs the claimed function. | |

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|--|--|---|---|----------------------|
| U.S. Pat. No. 6,976,958 Claims 15, 16 | “in the event of an interruption of the wireless connection . . . configured to store” | No construction necessary | Claim 16: stores the health parameter or visual data in a memory or on the removable memory device in response to the event Claim 15: stores the health parameter from the health monitoring device in a memory or on a removable memory device in response to the event | |
| U.S. Pat. No. 6,976,958 Claims 15, 16 | “memory” | No construction necessary. Alternatively: any device capable of storing information, including temporary storage | persistent data storage | |
| U.S. Pat. No. 6,976,958 Claims 15, 16 | “internet-enabled wireless web device” | a device designed to display interactive information through a connection to the Internet | No construction necessary | |
| U.S. Pat. No. 6,976,958 | “health parameter indicative of a disease state or | No construction necessary. | information used by health care professionals in medically diagnosing / treating a patient | |

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| Claims 15, 16 | condition of a patient" (Claim 15) "health parameter or visual data corresponding to a patient's disease state or condition" (Claim 16) | Alternatively: "the health parameter indicative of [or visual data corresponding to] a disease state or condition of a person under the care of a physician or a healthy individual interested in maintaining a healthy physiologic balance." | | |
| U.S. Pat. No. 7,088,233 Claims 1 | "governing information transmitted between the first personal device and the second device." | controlling the transmission of information between the first personal device and the second device | No construction necessary | |
| U.S. Pat. No. 7,088,233 | "first personal device" | No construction necessary. Alternatively: a device for private use by a person | personal medical device | |
| U.S. Pat. No. 7,088,233 | "wireless communication" | an over-the-air communication (e.g. using radiofrequency (RF), | No construction necessary | |

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| Claims 1, 13, 15, 16 | | infrared, or optical techniques) | | |
| U.S. Pat. No. 8,277,377 | “indicating a physiologic status of a subject” | No construction necessary. | indication of a subject’s current physiological state | |