

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”	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 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> 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	35 U.S.C. § 112, ¶ 6 <u>Function:</u> computing athletic performance feedback data from the series of time stamped waypoints obtained by said GPS receiver. Col.7:45-48. “athletic performance feedback data” means: elapsed distance, current and average speeds and paces, calories burned, miles remaining and time remaining <u>Structure:</u> a processor, Fig. 6, Col.7:36-50, 7:52-56. <u>Indefinite.</u> This means-plus-function term is indefinite under 35 § 112, ¶ 2 because the specification does not provide actual algorithm to perform the function as required under law	

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
		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”	<p>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</p> <p>35 U.S.C. § 112, ¶ 6</p> <p>Structure: 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: suspending and resuming operation of said means for computing when a speed of the athlete falls below a predetermined threshold (as construed above)</p> <p>Not Indefinite</p>	<p>35 U.S.C. § 112, ¶ 6</p> <p>Function: suspending and resuming operation of said means for computing when a speed of the athlete falls below a predetermined threshold</p> <p>Structure: This means-plus-function term is indefinite under 35 § 112, ¶ 2 because specification does not provide structure and an actual algorithm to perform the function as required under law</p>	

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. 6,976,958 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	

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
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	

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. 7,088,233 Claims 1, 13, 15, 16	“wireless communication”	an over-the-air communication (e.g. using radiofrequency (RF), infrared, or optical techniques)	No construction necessary	
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	