

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PHILIPS NORTH AMERICA LLC,

Plaintiff,

v.

FITBIT, INC.,

Defendant.

Civil Action No. 1:19-cv-11586-IT

**UNOPPOSED NOTICE OF CORRECTION OF PARTIES' JOINT CLAIM
CONSTRUCTION CHART**

Fitbit, Inc. (“Fitbit”) submits this Notice of Correction of the Parties’ Joint Claim Construction Chart, which was filed on May 14, 2020 (*see* D.I. 65-1). The corrected chart is attached to this Notice as Exhibit A. The corrected chart adds two words (“programmed to”) to Fitbit’s construction of the term “in the event of an interruption of the wireless connection . . . configured to store” that Fitbit previously failed to include in both its Local Rule 16.6(e)(1)(A) disclosures and the parties’ Joint Claim Construction chart, but which were included in Fitbit’s opening claim construction brief. (D.I. 72 at 8; *see* D.I. 78 at 13-14). Philips maintains its objections to Fitbit’s proposed construction, but does not oppose the filing of a corrected chart.

Dated: July 29, 2020

FITBIT, INC.

By Its Attorneys,

/s/ Yar R. Chaikovsky

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CERTIFICATE OF SERVICE

I certify that a true copy of the above document was served on the attorney of record for each party via the Court's CM/ECF system, which will send notification of this filing (NEF) to all registered participants, and paper copies will be sent to those indicated as nonregistered participants.

Dated: July 29, 2020

By: /s/ Yar R. Chaikovsky
Yar R. Chaikovsky (*Pro Hac Vice*)