IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

CHRIMAR SYSTEMS, INC. D/B/A CMS TECHNOLOGIES and CHRIMAR HOLDING COMPANY, LLC, *Plaintiffs*, v. ADTRAN, INC., et al., *Defendants*.	Case No. 6:15-cv-00618-JRG-JDL **LEAD CASE** **PATENT CASE** **JURY TRIAL DEMANDED**

DEFENDANTS' RESPONSIVE CLAIM CONSTRUCTION BRIEF

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Statutes

Plaintiffs Chrimar Systems, Inc. and Chrimar Holding Company, LLC (collectively "Chrimar") assert four patents against the Defendants[1]: U.S. Patent Nos. 8,155,012 ("'012 Patent"), 8,942,107 ("'107 Patent"), 8,902,760 ("'760 Patent"), and 9,019,838 ("'838 Patent") (collectively "Asserted Patents"). The Asserted Patents share a common specification.[2]

I.   Procedural History

The parties dispute the constructions of fourteen terms from the Asserted Patents. Defendants contend that two of these terms are indefinite. Ten of the disputed terms have been previously construed in two actions involving the asserted patents: *Chrimar Systems, Inc., et al. v. Alcatel-Lucent, Inc., et al.*, No. 6:13-cv-880-JDL (E.D. Tex) ("*Chrimar I*") and *Chrimar Systems, Inc., et al. v. Alcatel-Lucent USA, Inc.*, et al., No. 6:15-cv-163-JDL (E.D. Tex.) ("*Chrimar II*"). The prior constructions of these ten terms from the *Chrimar I* and *Chrimar II* cases are set forth in **Exhibit A**.[3] Chrimar asks that the Court adopt its constructions and rulings on these terms from these prior cases; Defendants ask that the Court adopt constructions for these terms that differ from its constructions in the prior cases.

In addition, the parties agree on the constructions for the following terms.

Term	Agreed Construction

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[1] Defendants are Accton Technology Corporation; Edgecore USA Corp.; Belden, Inc.; Garrettcom, Inc.; Hirschmann, Inc.; Costar Technologies, Inc.; Costar Video System, LLC; D-Link Systems, Inc.; TRENDnet, Inc.; Dell Inc.; Advantech Corporation; Aerohive Networks, Inc.; EnGenius Technologies, Inc.; WatchGuard Technologies, Inc.; Allworx Corporation; ADTRAN, Inc.; TP-Link USA Corporation; Huawei Technologies USA Inc.; and Huawei Enterprise USA Inc.

[2] As the patents all derive from the same application, the specification for each should be the same and all citations are to the '012 Patent's specification.

[3] *Chrimar I* Memorandum and Opinion Order (ECF # 92)("*Chrimar I* Order ECF # 92"), *Chrimar I* Memorandum and Opinion Order (ECF # 99) ("*Chrimar I* Order ECF # 99"), *Chrimar I* Memorandum and Opinion Order (ECF # 102)("*Chrimar I* Order ECF # 102"), *Chrimar II* Memorandum and Opinion Order (ECF # 122)("*Chrimar II* Order ECF # 122"), and *Chrimar II* Memorandum and Opinion Order (ECF # 123)("*Chrimar II* Order ECF# 123).

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