

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

UNILOC USA, INC., et al, Plaintiffs,	§	
	§	
v.	§	Case No. 2:16-cv-00642-JRG
	§	LEAD CASE
	§	
SAMSUNG ELECTRONICS AMERICA, INC.,	§	
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APPLE INC.,	§	Case No. 2:16-cv-00638-JRG
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BLACKBERRY CORPORATION and BLACKBERRY LIMITED,	§	Case No. 2:16-cv-00639-JRG
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KAKAO CORPORATION,	§	Case No. 2:16-cv-00640-JRG
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LINE EURO-AMERICAS CORP. and LINE CORPORATION,	§	Case No. 2:16-cv-00641-JRG
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WHATSAPP, INC.,	§	Case No. 2:16-cv-00645-JRG
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AOL, INC.,	§	Case No. 2:16-cv-00722-JRG
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BEETALK PRIVATE LTD.,	§	Case No. 2:16-cv-00725-JRG
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FACEBOOK, INC.,	§	Case No. 2:16-cv-00728-JRG
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GREEN TOMATO LTD.,	§	Case No. 2:16-cv-00731-JRG
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SONY INTERACTIVE ENTERTAINMENT LLC,	§	Case No. 2:16-cv-00732-JRG
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Defendants.		

JOINT CLAIM CONSTRUCTION STATEMENT PURSUANT TO P.R. 4-3

Pursuant to P.R. 4-3 and the Court’s Docket Control Order, Plaintiffs Uniloc USA, Inc. and Uniloc Luxembourg, S.A. (collectively “Uniloc”); and Consolidated Defendants, Samsung Electronics America, Inc. (“Samsung”); Apple, Inc. (“Apple”); Blackberry Corporation and Blackberry Limited (collectively “Blackberry”); Kakao Corporation (“Kakao”); Line Euro-Americas Corp. and Line Corporation (collectively “Line”); WhatsApp, Inc. (“WhatsApp”); AOL, Inc. (“AOL”); Beetalk Private Ltd. (“Beetalk”); Facebook, Inc. (“Facebook”); Green Tomato Ltd. (“Green Tomato”); and Sony Interactive Entertainment LLC (“Sony”) (collectively “Defendants”) hereby submit the parties’ Joint Claim Construction Statement.¹

¹ Defendant Green Tomato has yet to make an appearance in this action.

I. P.R. 4-3(a): AGREED CLAIM CONSTRUCTIONS

The parties have not agreed to any claim constructions that require definitions.

II. P.R. 4-3(b): DISPUTED CLAIM CONSTRUCTIONS

The chart attached as **Exhibit A** to this Joint Claim Construction Statement contains the disputed claim terms, phrases and clauses.

The chart attached as **Exhibit B** to this Joint Claim Construction Statement contains Uniloc's proposed construction of each disputed claim term, phrase, or clause, together with an identification of all references from the specification or prosecution history that support that construction, and an identification of any extrinsic evidence known to Uniloc on which it intends to rely either to support its proposed construction of the claim or to oppose any other party's proposed construction of the claim, including, but not limited to, as permitted by law, dictionary definitions, citations to learned treatises and prior art, and testimony of percipient and expert witnesses.

The chart attached as **Exhibit C** to this Joint Claim Construction Statement contains Defendants' proposed construction of each disputed claim term, phrase, or clause, together with an identification of all references from the specification or prosecution history that support that construction, and an identification of any extrinsic evidence known to Defendants on which they intend to rely either to support their proposed construction of the claim or to oppose any other party's proposed construction of the claim, including, but not limited to, as permitted by law, dictionary definitions, citations to learned treatises and prior art, and testimony of percipient and expert witnesses.²

² The Defendants maintain that the parties' P.R. 4-3 Disclosure and all other activity in this litigation, including all future filings, Court hearings, and other activity, should not be construed as a waiver to any defense, objection, or motion related to personal jurisdiction or venue, and each Defendant maintains any and all objections, defenses, and motions relating to jurisdiction

III. P.R. 4-3(c): LENGTH OF CLAIM CONSTRUCTION HEARING

The parties request four hours for the claim construction hearing, divided as two hours for Uniloc and two hours for Defendants.

IV. P.R. 4-3(d): LIVE WITNESS TESTIMONY

No party will present live witness testimony at the claim construction hearing.

V. P.R. 4-3(e): OTHER ISSUES

Any other outstanding issues will be addressed in the briefing.

Date: March 10, 2017

Respectfully submitted,

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and venue that have been previously raised. For example, SIE maintains that the Court lacks personal jurisdiction over it and that venue is improper in this case, and instead avers that it has been improperly named in this suit. Apple, Facebook, and WhatsApp have filed motions seeking a change of venue. Defendants also reserve all rights to challenge venue, as appropriate, based on the outcome of *TC Heartland LLC v. Kraft Foods Group Brands LLC*, Case No. 16-341 (S. Ct.).

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