

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

ALACRITECH, INC., Plaintiff, v. CENTURYLINK COMMUNICATIONS LLC, et al. Defendants.	Case No. 2:16-cv-693-JRG-RSP LEAD CASE JURY TRIAL DEMANDED
ALACRITECH, INC., Plaintiff, v. WINSTRON CORPORATION, et al., Defendants.	Case No. 2:16-cv-692-JRG-RSP JURY TRIAL DEMANDED MEMBER CASE
ALACRITECH, INC., Plaintiff, v. DELL INC., Defendant. INTEL CORPORATION, Intervenor.	Case No. 2:16-cv-695-RWS-RSP JURY TRIAL DEMANDED MEMBER CASE

**JOINT CLAIM CONSTRUCTION AND PRE-HEARING STATEMENT
PURSUANT TO PATENT RULE 4-3**

06973-00001/8978191.1

Pursuant to Patent Rule 4-3 and the Court's Docket Control Order, Plaintiff Alacritech, Inc. ("Alacritech") and Intervenor and Defendants (collectively, "Defendants") hereby submit this Joint Claim Construction Statement.

A. CONSTRUCTION OF THOSE CLAIM TERMS, PHRASES, OR CLAUSES ON WHICH THE PARTIES AGREE

The parties do not presently agree on the constructions of any terms.

B. EACH PARTY'S PROPOSED CONSTRUCTION OF EACH DISPUTED CLAIM TERM, PHRASE, OR CLAUSE, TOGETHER WITH AN IDENTIFICATION OF INTRINSIC AND OTHER EVIDENCE

Exhibits A and B, attached hereto, identify the disputed claim terms. Exhibit A contains Alacritech's proposed constructions for each disputed claim term and intrinsic and other evidence in support; Exhibit B contains Defendants' proposed constructions for each disputed claim term and intrinsic and other evidence in support.

C. THE ANTICIPATED LENGTH OF TIME NECESSARY FOR THE CLAIM CONSTRUCTION HEARING

The parties anticipate that two hours per side will be sufficient time to present the parties' respective positions.

D. POSSIBLE WITNESSES AT THE CLAIM CONSTRUCTION HEARING

The parties do not presently intend to call any witnesses at the Claim Construction Hearing.

E. OTHER ISSUES WHICH MIGHT APPROPRIATELY BE TAKEN UP AT A PREHEARING CONFERENCE PRIOR TO THE CLAIM CONSTRUCTION HEARING

The parties are not aware of any other issues that should be taken up at a pre-hearing conference before the Claim Construction Hearing.

Dated: February 21, 2017

Respectfully submitted,

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