

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

_____	§	
UNILOC USA, INC. <i>et al.</i> ,	§	Civil Action No. 2:16-cv-642-JRG
	§	LEAD CASE
Plaintiffs,	§	
	§	
v.	§	
	§	
SAMSUNG ELECTRONICS AM., INC.,	§	
	§	
Defendant.	§	
_____	§	
v.	§	
<u>APPLE INC.</u>	§	Civil Action No. 2:16-cv-638-JRG
v.	§	
<u>BLACKBERRY CORP. <i>et al.</i></u>	§	Civil Action No. 2:16-cv-639-JRG
v.	§	
<u>WHATSAPP INC.</u>	§	Civil Action No. 2:16-cv-645-JRG
v.	§	
<u>FACEBOOK, INC.</u>	§	Civil Action No. 2:16-cv-728-JRG
v.	§	
<u>GREEN TOMATO LIMITED.</u>	§	Civil Action No. 2:16-cv-731-JRG
v.	§	
<u>PLAYSTATION MOBILE INC.</u>	§	Civil Action No. 2:16-cv-732-JRG

JOINT CLAIM CONSTRUCTION CHART

Pursuant to P.R. 4-5(d) and the Court’s Sixth Amended Docket Control Order (Dkt. No. 230), 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”); WhatsApp, Inc. (“WhatsApp”); Facebook, Inc. (“Facebook”); Green Tomato Ltd. (“Green Tomato”); and PlayStation Mobile Inc. (“PlayStation Mobile”) (collectively “Defendants”) submit this joint claim construction chart of disputed constructions of the disputed claim terms of Uniloc’s U.S. Patent Nos. 7,535,890 (“the ’890 patent”), 8,199,747 (“the ’747 patent”), 8,243,723 (“the ’723 patent”), 8,724,622 (“the ’622 patent”) and 8,995,433 (“the ’433 patent”) (collectively the “Asserted Patents”).¹

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

The parties have yet to reach agreement as to the construction of the following claim terms, phrases and or more of the patents-in-suit:²

Terms, Phrases and Clauses	Uniloc’s Proposed Construction	Defendants’ Proposed Construction	C
<p>connection object messages</p> <p>‘622 patent claim 24, 25, 26</p>	<p>[AGREED]</p>	<p>[AGREED]</p>	<p>“messages representing connection more metho and mainta connection voice mess instant voic</p>

² Uniloc has not asserted infringement of every patent against every defendant. Similarly, as to a given patent, n asserted against every defendant accused of infringing that patent. As such, only those Defendants who are curru infringement of a given claim propose construction of a term within that claim. The remaining Defendants reser address those claims at the appropriate time, should they subsequently be accused of infringement.

Terms, Phrases and Clauses	Uniloc’s Proposed Construction	Defendants’ Proposed Construction	C
<p>“client”</p> <p>‘890 patent claim 1, 4, 6, 9, 14, 15, 18, 20, 23, 28, 29, 32, 34, 37, 40, 41, 43, 51, 52, 54, 57, 62, 63, 65, 68, 69</p> <p>‘723 patent claim 1</p> <p>’622 patent claim 3, 24, 27, 38</p> <p>’433 patent claim 1, 9</p>	<p>“instant messaging software or hardware”</p> <p>Dkt. No. 211 (Uniloc’s Opening CC Br.) at 4-5.</p> <p>Dkt. No. 223 (Uniloc’s Reply CC Br.) at 1-2.</p>	<p>“instant voice messaging terminal connected over a network to a server”³</p> <p>Dkt. No. 220 (Def’s.’ Responsive CC Br.) at 12-14.</p>	

³ Defendants Responsive Brief stated “To the extent Uniloc’s objection is to the wording ‘connected over a network’ similar wording also would properly capture the client/server context such as ‘that connects over a network to a server.’” Dkt. No. 220 at 13.

Terms, Phrases and Clauses	Uniloc’s Proposed Construction	Defendants’ Proposed Construction	C
<p>“instant voice message”</p> <p>‘890 patent claim 1, 5, 6, 9, 14, 15, 19, 20, 23, 28, 29, 33, 34, 37, 40, 41, 42, 43, 51, 53, 54, 57, 62, 64, 65, 68, 69</p> <p>‘747 patent claim 1, 2, 3, 12, 13</p> <p>‘723 patent claim 1, 2, 3</p> <p>‘622 patent claim 3, 4, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39</p> <p>‘433 patent claim 1, 2, 3, 4, 5, 7, 8, 9, 11, 12, 14, 16, 17, 18, 21, 25, 26</p>	<p>“a voice message that is capable of being delivered immediately”</p> <p>Dkt. No. 211 at 5-7.</p> <p>Dkt. No. 223 at 2.</p>	<p>“voice message to be delivered immediately to an available recipient”</p> <p>Dkt. No. 220 at 1-4.</p>	

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