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

MACROPOINT, LLC,)) **Plaintiff,**)) **v.**)) **RUIZ FOOD PRODUCTS, INC.,**)) **Defendant.**)))	Civil Action No.: 6:16-cv-01133-RWS-KNM Judge Robert W. Schroeder III

JOINT CLAIM CONSTRUCTION CHART

Pursuant to Local Patent Rule (P.R.) 4-5(d) for the United States District Court for the Eastern District of Texas and the Court's Docket Control Order, (Feb. 13, 2017, ECF No. 43), Plaintiff MacroPoint, LLC, ("MacroPoint") and Defendant Ruiz Food Products, Inc. ("Ruiz Foods") jointly submit this Joint Claim Construction Chart, attached hereto as Exhibit A.

Dated: September 14, 2017

Respectfully submitted,

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Disputed Claim Term / Phrase	MacroPoint's Proposed Construction	Ruiz Foods' Proposed Construction	Court's Construction

'358 Patent, Claim 1:
 	
A computer implemented method for receiving consent from a user of a mobile device to obtaining location information of the mobile device, the method comprising:
    participating in a telephone call with the mobile device;
    within the telephone call, identifying the mobile device at least in part by obtaining an identifier associated with the mobile device;
    transmitting to the mobile device during the telephone call an automated voice message communicating to the user of the mobile device at least one of:
    a notice including information indicating that consenting to the obtaining of the location information of the mobile device would result in the location information of the mobile device being disclosed, and
    a location at which to find the notice, wherein the location at which to find the notice is represented by a web address corresponding to a website where, during the telephone call, the user can find the notice indicating to the user that consenting to the obtaining of the location information of the mobile device would result in the location information of the mobile device being disclosed; and
    receiving from the mobile device during the telephone call a signal including data
	identifying the mobile device after the telephone connection with the mobile device is initiated and before the connection ends	No construction necessary; plain and ordinary meaning	

Exhibit A – Joint Claim Construction Chart under P.R. 4-5(d)   **U.S. Pat. Nos. 8,275,358 and 9,429,659**

Disputed Claim Term / Phrase	MacroPoint's Proposed Construction	Ruiz Foods' Proposed Construction	Court's Construction
indicating consent for obtaining the location information of the mobile device.			

Exhibit A – Joint Claim Construction Chart under P.R. 4-5(d)   **U.S. Pat. Nos. 8,275,358 and 9,429,659**

Disputed Claim Term / Phrase	MacroPoint's Proposed Construction	Ruiz Foods' Proposed Construction	Court's Construction

'358 Patent, Claim 1:
 	
A computer implemented method for receiving consent from a user of a mobile device to obtaining location information of the mobile device, the method comprising:
   participating in a telephone call with the mobile device;
   within the telephone call, identifying the mobile device at least in part by obtaining an identifier associated with the mobile device;
   transmitting to the mobile device during the telephone call an automated voice message communicating to the user of the mobile device at least one of:
   a notice including information indicating that consenting to the obtaining of the location information of the mobile device would result in the location information of the mobile device being disclosed, and
   a location at which to find the notice, wherein the location at which to find the notice is represented by a web address corresponding to a website where, during the telephone call, the user can find the notice indicating to the user that consenting to the obtaining of the location information of the mobile device would result in the location information of the mobile device being disclosed; and
   receiving from the mobile device during the telephone call a signal including data
	before the end of the telephone call, receiving from the mobile device one or more electrical or optical signals, analog or digital signals, data, one or more computer or processor instructions, messages, a bit or bit stream, or other means that can be received, transmitted or detected that signifies that consent to obtain the location information of the mobile device was granted	No construction necessary; plain and ordinary meaning	

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