

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BLACKBIRD TECH LLC d/b/a  
BLACKBIRD TECHNOLOGIES,

Plaintiff,

C.A. No. 1:16-cv-00683-GMS  
LEAD CASE

v.

FITBIT, INC.,

Defendant.

BLACKBIRD TECH LLC d/b/a  
BLACKBIRD TECHNOLOGIES,

Plaintiff,

C.A. No. 1:16-cv-00686-GMS  
CONSOLIDATED

v.

TIMEX GROUP USA, INC.

Defendant.

**PROPOSED CONSTRUCTIONS  
OF TIMEX GROUP USA, INC.**

In accordance with the Court's Scheduling Order, the Defendant, Timex Group USA, Inc. ("Timex") hereby submits its proposed constructions for the claim terms, phrases and clauses from the asserted claims of United States Patent No. 6,175,608 (the "608 Patent") and United States Patent No. 6,434,212 (the "212 Patent"), which the parties previously identified as potentially requiring construction by the Court. Timex's proposed constructions for the 608 Patent are attached as Exhibit A and its proposed constructions for the 212 Patent are attached as Exhibit B.

Timex reserves the right to amend these constructions in view of BlackBird's proposed constructions and during the meet and confer process.

Dated: August 16, 2017

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### CERTIFICATION OF SERVICE

This is to certify that a copy of the foregoing was sent via email on the 16<sup>th</sup> day of August, 2017, to the following counsel of record:

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# EXHIBIT A

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