

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

INTELLECTUAL VENTURES I LLC,

Plaintiff,

v.

T-MOBILE USA, INC., T-MOBILE US, INC.,
ERICSSON INC., and
TELEFONAKTIEBOLAGET LM ERICSSON

Defendants.

Civil Action No. 2:17-cv-00577-JRG

JURY TRIAL DEMANDED

**INTELLECTUAL VENTURES I LLC'S
PATENT LOCAL RULE 4-2 DISCLOSURES**

Intellectual Ventures I LLC

Exhibit 2019

ERICSSON v. IV I

IPR2018-00727

Pursuant to P. R. 4-2 and the Docket Control Order the Court has entered in this case (D.I. 58), Plaintiff Intellectual Ventures I LLC (“IV”) hereby provides the following Preliminary Claim Constructions and Extrinsic Evidence for the set of terms identified by the Parties for the asserted claims of U.S. Patent No. 6,628,629 (“the ’629 patent”), No. 7,359,971 (“the ’971 patent”), No. RE46,206 (“the ’206 patent”) and No. 7,412,517 (“the ’517 patent”). For any claim previously identified as governed by 35. U.S.C. § 112 ¶ 6 in the parties’ Patent Rule 4-1 disclosures, IV identifies the structure(s), act(s), or material(s) corresponding to that element as required by Local Patent Rule 4-2.

IV’s disclosure is based upon its current knowledge, its current understanding of the proper construction of the asserted claims, and its investigation to date. Discovery in this case is ongoing and IV reserves the right to supplement or revise its claim constructions and identification of extrinsic evidence should additional facts come to light requiring such a modification.

Investigation by IV is ongoing, and Defendants have not yet disclosed to IV any intrinsic or extrinsic evidence that Defendants contend support their constructions. IV reserves the right to add terms, or to supplement or modify its proposed preliminary constructions or its identification of extrinsic evidence based upon Defendants’ constructions, Defendants’ supporting evidence, or upon subsequent discovery or investigations.

IV may rely on the expert opinion and testimony of Dr. Tim Williams, Ph.D. as to the level of skill of one of ordinary skill in the art, the relevant field of the invention, and further concerning the meaning of the claim terms to one of ordinary skill in the art.

Term	Proposed Construction	Extrinsic Evidence
“reserving a second slot for a second data packet in a transmission frame, subsequent in time to said future transmission frame” (629 cl. 1)	Remove the comma, which was introduced through a clear typographical printing error	
“in an isochronous manner” (629 cl. 1, 971 cl. 12, 206 cl. 123)	in a manner which provides for consistent timed access	Expert opinion of Dr. Tim Williams
“periodic variation” (629 cl. 3, 971 cl. 14)	Plain meaning	Expert opinion of Dr. Tim Williams
“host workstation” (971 cl. 12)	Plain meaning, a computer or other device that communicates with other computers on a network and includes a terminal or interface to accept input	Expert opinion of Dr. Tim Williams
“ <u>a scheduler that allocates resources of said shared wireless network among said wireless network stations to optimize end user quality of service (QoS) for an Internet Protocol (IP) flow</u> ” (971 cl. 12)	a scheduler that allocates resources of said shared wireless network among said wireless network stations by differentiating between types of traffic or service types and allocating a different level of system resources to an Internet Protocol (IP) flow	Expert opinion of Dr. Tim Williams
“ <u>allocating said shared wireless bandwidth to communication of said IP flow between said wireless base station and a subscriber CPE station, so as to optimize end-user quality of service (QoS) associated with said IP flow</u> ” (206 cl. 1)	allocating said shared wireless bandwidth to communication of said IP flow between said wireless base station and a subscriber CPE station by differentiating between types of traffic or service types and allocating a different level of system resources to said IP flow	Expert opinion of Dr. Tim Williams

<p>“<u>allocating shared wireless bandwidth to said subscriber CPE station</u> so as to optimize end-user internet protocol (IP) quality of service (QoS)” (206 cl. 19)</p>	<p>allocating shared wireless bandwidth to said subscriber CPE station by differentiating between types of traffic or service types and allocating a different level of system resources to an IP flow</p>	<p>Expert opinion of Dr. Tim Williams</p>
<p>“<u>allocating resources of said shared wireless bandwidth among a plurality of wireless network stations</u> to optimize end-user quality of service (QoS) for an Internet Protocol (IP) flow” (206 cl. 121)</p>	<p>allocating resources of said shared wireless bandwidth among a plurality of wireless network stations by differentiating between types of traffic or service types and allocating a different level of system resources to an Internet Protocol (IP) flow</p>	<p>Expert opinion of Dr. Tim Williams</p>
<p>“assigning means for assigning future slots of a transmission frame to a portion of said IP flow in said transmission frame for transmission over said shared wireless network” (971 cl. 12)</p>	<p>Plain meaning, as this term is not governed by 35 U.S.C. § 112 ¶ 6, or, should the Court find this term to be governed by § 112 ¶ 6:</p> <p>Function: assigning future slots of a transmission frame to a portion of said IP flow in said transmission frame for transmission over said shared wireless network</p> <p>Structure: Downlink Flow Schedulers 604 and 1566 or Uplink Flow Schedulers 634 and 1666, and associated structures as described at '971 Patent 61:35-39, 69:41-44, 61:65-62:20, 62:46-56, 23:14-35, 30:4-30, 54:54-67, 60:63-61:5, Figs. 15A & 15B, 72:53-66.</p>	<p>Expert opinion of Dr. Tim Williams</p>

<p>“means for applying an advanced reservation algorithm” (971 cl. 12)</p>	<p>Plain meaning, as this term is not governed by 35 U.S.C. § 112 ¶ 6, or, should the Court find this term to be governed by § 112 ¶ 6:</p> <p>Structure: Downlink Flow Schedulers 604 and 1566 or Uplink Flow Schedulers 634 and 1666, and associated structures as described at '971 Patent 23:14-35, 30:4-30, 61:35-39, 61:65-62:20, 62:54-56, 63:47-57, 66:7-15; 67:36-50 71:63-72:04, 72:53-66, 73:27-40 Figs. 15A, 15B, 16A, and 16B.</p>	<p>Expert opinion of Dr. Tim Williams</p>
<p>“means for reserving a first slot for a first data packet of an Internet Protocol (IP) flow in a future transmission frame based on said algorithm” (971 cl. 12)</p>	<p>Plain meaning, as this term is not governed by 35 U.S.C. § 112 ¶ 6, or, should the Court find this term to be governed by § 112 ¶ 6:</p> <p>Function: reserving a first slot for a first data packet of an Internet Protocol (IP) flow in a future transmission frame based on said algorithm</p> <p>Structure: Downlink Flow Schedulers 604 and 1566 or Uplink Flow Schedulers 634 and 1666, and associated structures as described at '971 Patent 23:14-35, 30:4-30, 61:35-39, 61:65-62:20, 62:54-56, 23:14-35, 30:4-30, , Figs. 15A, 15B, 16A, 16B, 66:7-15; 71:63-72:04 72:53-66</p>	<p>Expert opinion of Dr. Tim Williams</p>

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