

RUSS, AUGUST & KABAT  
Marc A. Fenster (CA Bar No. 181067)  
Benjamin T. Wang (CA Bar No. 228712)  
Neil A. Rubin (CA Bar No. 250761)  
Bahrad A. Sokhansanj (CA Bar No. 285185)  
James S. Tsuei (CA Bar No. 285530)  
12424 Wilshire Boulevard, 12<sup>th</sup> Floor  
Los Angeles, California 90025  
Telephone: (310) 826-7474  
Facsimile: (310) 826-6991  
mfenster@raklaw.com  
bwang@raklaw.com  
nrubin@raklaw.com  
bsokhansanj@raklaw.com  
jtsuei@raklaw.com

*Attorneys for Plaintiff*  
Corephotonics, Ltd.

COOLEY LLP  
Heidi Keefe (176960)  
(hkeefe@cooley.com)  
Lowell Mead (223989)  
(lmead@cooley.com)  
Priya B. Viswanath (238089)  
(pviswanath@cooley.com)  
3175 Hanover Street  
Palo Alto, California 94304  
Telephone: (650) 843-5000  
Facsimile: (650) 849-7400

COOLEY LLP  
Stephen Smith (*Pro Hac Vice*)  
stephen.smith@cooley.com  
Phillip Morton (*Pro Hac Vice*)  
(pmorton@cooley.com)  
1299 Pennsylvania Avenue  
NW, Suite 700  
Washington, DC 20004-2400  
Telephone: (202) 842-7800  
Facsimile: (202) 842-7899

*Attorneys for Defendant*  
Apple, Inc.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

COREPHOTONICS, LTD.,  
  
Plaintiff,  
  
v.  
  
APPLE INC.,  
  
Defendant.

Case No. 5:17-cv-06457-LHK-PK (Lead  
Case)  
5:18-cv-02555-LHK-PK

**JOINT CLAIM CONSTRUCTION AND  
PREHEARING STATEMENT**

Apple v. Corephotonics

Pursuant to Patent Local Rule 4-3 and the Court's Case Management Order (Dkt. 87), Plaintiff Corephotonics, Ltd. ("Corephotonics") and Defendant Apple Inc. ("Apple") hereby submit their Joint Claim Construction and Prehearing Statement for U.S. Patent Nos. 9,185,291 ("the '291 patent"), 9,402,032 ("the '032 patent"), 9,538,152 ("the '152 patent"), 9,568,712 ("the '712 patent"), and 9,857,568 ("the '568 patent") (collectively "the Asserted Patents").

#### I. AGREED UPON CONSTRUCTIONS

The parties agree on the constructions of the following terms.

| Asserted Claims | Term or Phrase    | Agreed Construction   |
|-----------------|-------------------|---|
| '291 cl. 1, 12  | smooth transition | a transition between cameras or points of view that minimizes the jump effect |

#### II. PROPOSED CONSTRUCTIONS OF DISPUTED TERMS

Pursuant to Patent Local Rule 4-2(b), the parties' proposed constructions of the remaining terms in dispute, together with an identification of intrinsic references that support the constructions and extrinsic evidence on which the party intends to rely, are provided in Exhibit A.

#### III. IDENTIFICATION OF SIGNIFICANT CLAIM TERMS

Pursuant to Patent Local Rule 4-3(c), Corephotonics and Apple have met and conferred, and have identified the terms that remain in dispute, as identified in Exhibit A, which are potentially significant. The parties do not identify any of the remaining disputed terms as being case or claim dispositive.

#### IV. ANTICIPATED LENGTH OF TIME NECESSARY FOR CLAIM CONSTRUCTION HEARING

The parties respectfully request three hours for the claim construction hearing, with each party allotted ninety minutes.

#### V. WITNESSES TO APPEAR AT CLAIM CONSTRUCTION HEARING

The parties do not propose to call witnesses at the claim construction hearing.

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VI. IDENTIFICATION OF FACTUAL FINDINGS REQUESTED FROM COURT

The parties request that the Court make the factual findings that a person of ordinary skill in the art would understand that each of the disputed terms be construed as proposed by each of the respective parties as identified in Exhibit A.

DATED: October 26, 2018

Respectfully submitted,

RUSS, AUGUST & KABAT

By: /s/ Marc A. Fenster  
Marc A. Fenster (CA Bar No. 181067)

*Attorneys for Plaintiff*  
Corephotonics, Ltd.

COOLEY LLP

By: /s/ Heidi Keefe  
Heidi Keefe (176960)

*Attorneys for Defendant*  
Apple Inc.

**ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), I attest that the concurrence in the filing of this document has been obtained from the other signatories.

DATED: October 26, 2018

By: /s/ Bahrad A. Sokhansanj

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CERTIFICATE OF SERVICE

I certify that I caused the foregoing document to be electronically filed with the Clerk of the Court for the United States District Court for the Northern District of California using the CM/ECF System on October 26, 2018.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the court's CM/ECF system.

DATED: October 26, 2018

/s/ Bahrad A. Sokhansanj  
Bahrad A. Sokhansanj

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