

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

IRON OAK TECHNOLOGIES, LLC, v.	Civil Action No. 3:18-md-2835-M
FUJITSU AMERICA, INC.,	Civil Action No. 3:16-cv-3319-M
TOSHIBA AMERICA INFORMATION SYSTEMS INC. and TOSHIBA CORPORATION,	Civil Action No. 3:16-cv-3320-M
ASUSTEK COMPUTER INC.,	Civil Action No. 3:16-cv-3322-M
SAMSUNG ELECTRONICS AMERICA, INC. and SAMSUNG ELECTRONICS CO., LTD.,	Civil Action No. 3:17-cv-1259-M
SHARP ELECTRONICS CORPORATION and SHARP CORPORATION,	Civil Action No. 3:17-cv-2699-M
MICROSOFT CORPORATION,	Civil Action No. 3:18-cv-0222-M
LENOVO (UNITED STATES) INC. and LENOVO HOLDING COMPANY, INC.,	Civil Action No. 3:18-cv-1539-M
DELL INC.,	Civil Action No. 3:18-cv-1542-M
ACER AMERICA CORPORATION and ACER INC.	Civil Action No. 3:18-cv-1543-M

**JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT**

Pursuant to Paragraph 4-3 of the Amended Miscellaneous Order No. 62 (“the Order”), all parties to the above-captioned actions hereby submit their Joint Claim Construction and Prehearing Statement regarding claim 1 of U.S. Patent No. 5,699,275 (“the ’275 patent”) and claim 1 of U.S. Patent No. 5,966,658 (“the ’658 patent”).

For each patent, any construction given by the Court to a term, phrase, or clause shall be used in any phrase or clause using such term or phrase.

**I. Constructions of Claim Terms, Phrases, or Clauses on which Parties Agree**

Pursuant to Paragraphs 4-1(b) and 4-2(c) of the Order, the parties met and conferred several times to narrow the terms presented to the Court for construction. The parties agree that, except for the claim terms below and in Appendix 1, the remaining claim terms do not need construction, and that the jury will use the plain and ordinary meaning of those terms, phrase, or clauses. To the extent that it later becomes clear to a party or the Court that there is an issue of claim construction that is necessary to resolve a substantive issue, the parties reserve the right to request a construction of such term, phrase, or clause whether or not previously identified in the Paragraph 4-1 or 4-2 disclosures.

Pursuant to Paragraph 4-3(a) of the Order, the parties did not agree to constructions for any terms for the '658 patent. The parties did agree to the following construction for the '275 patent.

<b>Claim Term</b>	<b>Agreed Construction</b>
<i>operating code</i>	“code used to operate the mobile unit”

**II. Each Party’s Proposed Construction of Each Disputed Claim Term**

Pursuant to Paragraph 4-3(b) of the Order, the parties attach Appendix 1, which shows plaintiff and defendants’ proposed constructions for each disputed claim term, phrase, or clause, together with an identification of all references from the specification or prosecution history that support that construction, and an identification of any extrinsic evidence known to the presenting party on which the party intends to rely, either to support its proposed construction or to oppose any other party’s proposed construction. The parties reserve the right to rely on any parties’ intrinsic and extrinsic evidence cited in Appendix 1 in support of their proposed constructions.

**III. Anticipated Length of Time Necessary for Claim Construction Hearing**

Pursuant to Paragraph 4-3(c) of the Order, the parties anticipate that they will need a combined total of six hours for presentation at the Claim Construction Hearing.

**IV. Witnesses at Claim Construction Hearing**

Pursuant to Paragraph 4-3(d) of the Order, the parties do not intend to call any witnesses at the claim construction hearing.

**V. Other Issues at Prehearing Conference Prior To Claim Construction Hearing**

Pursuant to Paragraph 4-3(e) of the Order, the parties are unaware of any other issues that would be appropriate for a prehearing conference.

July 23, 2018

/s/ Al Deaver

Robert J. McAughan, Jr.  
TX State Bar No. 00786096  
YETTER COLEMAN LLP  
811 Main Street, Suite 4100  
Houston, Texas 77002  
Tel: (713) 632-8000  
Fax: (713) 632-8002  
bmcaughan@yettercoleman.com

Albert B. Deaver, Jr.  
TX Bar No. 05703800  
adeaver@joneswalker.com  
JONES WALKER LLP  
811 Main St., Suite 2900  
Houston, TX 77002  
Tel: (713) 437-1818  
Fax: (713) 437-1810

*Attorneys for Plaintiff  
Iron Oak Technologies, LLC*

Respectfully submitted,

/s/ Allan Soobert

Allan M. Soobert (Pro Hac Vice)  
Jeffrey A. Pade (Pro Hac Vice)  
Anand B. Patel (Bar No. 24074861)  
Tad Richman (Pro Hac Vice)  
PAUL HASTINGS LLP  
875 15th Street, NW  
Washington, DC 20005  
Telephone: (202) 551-1700  
Fax: (202) 551-1705  
allansoobert@paulhastings.com  
jeffpade@paulhastings.com  
anandpatel@paulhastings.com  
tadrichman@paulhastings.com

Anthony M. Garza (Bar No. 24050644)  
Steven Callahan (Bar No. 24053122)  
CHARHON CALLAHAN  
ROBSON & GARZA, PLLC  
3333 Lee Parkway, Suite 460  
Dallas, Texas 75219  
Telephone: (214) 521-6400  
Fax: (214) 764-8392  
agarza@ccrglaw.com  
scallahan@ccrglaw.com

*Counsel for Defendants  
Samsung Electronics America, Inc. and  
Samsung Electronics Co., Ltd.*

/s/ Vinay Joshi

Vinay V. Joshi  
vjoshi@atwiplaw.com  
Daniel W. Bedell  
dbedell@atwiplaw.com  
AMIN TUROCY & WATSON LLP  
160 West Santa Clara Street  
Suite 975  
San Jose CA 95113  
Telephone: (650) 618-6481  
Facsimile: (216) 696-8731

William D. Taylor (Bar No. 24046954)  
TAYLOR & TAYLOR LAW, P.C.

4115 Highgrove Drive  
Arlington, TX  
Telephone: (817) 483-8388  
Email: wtaylor@taylorandtaylorlaw.com

*Counsel for Defendant  
ASUSTeK Computer Inc.*

/s/ Josepher Li  
Irfan A. Lateef (*Pro Hac Vice*)  
CA Bar No. 204004  
2ial@knobbe.com  
Brian C. Claassen (*Pro Hac Vice*)  
CA Bar No. 253627  
2bcc@knobbe.com  
Josepher Li (*Pro Hac Vice*)  
CA Bar No. 313018  
josepher.li@knobbe.com  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
2040 Main Street, 14th Floor  
Irvine, CA 92614  
Phone: (949) 760-0404  
Facsimile: (949) 760-9502

Jeffrey M. Tillotson  
Texas Bar No. 20039200  
jtillotson@tillotsonlaw.com  
TILLOTSON LAW  
750 North Saint Paul, Suite 610  
Dallas, TX 75201  
(214) 382-3041 Telephone  
(214) 501-0731 Facsimile

*Attorneys for Defendants  
Toshiba America Information Systems, Inc. and  
Toshiba Corporation*

/s/ Michael Ting  
Michael C. Ting (pro hac vice)  
California Bar No. 247610  
TECHKNOWLEDGE LAW GROUP LLP  
100 Marine Parkway, Suite 200  
Redwood Shores, CA 94065  
Telephone: (650) 517-5200

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.