

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

PACKET INTELLIGENCE LLC,

Plaintiff,

vs.

ERICSSON INC. and

NOKIA OF AMERICA CORPORATION,

Defendants.

Lead Action No.:

CIVIL ACTION NO. 2:18-cv-00381-JRG
(Lead Case)

Member Action No.:

CIVIL ACTION NO. 2:18-cv-00382-JRG
(Member Case)

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Plaintiff Packet Intelligence LLC (“PI”) and Defendants Ericsson Inc. (“Ericsson”) and Nokia of America Corp (“NoAC”) (collectively “Defendants”) hereby submit this Joint Claim Construction and Prehearing Statement in the above-styled case pursuant to Local Patent Rule (“P.R.”) 4-3 and this Court’s Second Amended Docket Control Order (Dkt. No. 52).

I. P.R. 4-3(a)(1): The Construction of Claim Terms, Phrases, or Clauses on Which the Parties Agree.

The parties agree on the constructions of the following claim terms or phrases:

Claim Term	Claims	Agreed Construction
child protocol	’725 patent – claims 10, 12, 13, 16 17	a protocol that is encapsulated within another protocol

II. P.R. 4-3(a)(2): Each Party’s Proposed Constructions.

The parties’ proposed constructions and the intrinsic and extrinsic evidence that the respective parties presently intend to rely upon in support of their proposed constructions or to

oppose any other party's proposed constructions are set forth in Exhibit A. Each party also reserves the right to cite to intrinsic and/or extrinsic evidence cited by another party.

III. P.R. 4-3(a)(3): The Anticipated Length of Time Necessary for the Claim Construction Hearing.

The parties respectfully request that the Court allot three (3) hours for the claim construction hearing.

IV. P.R. 4-3(a)(4): Whether Any Party Proposes to Call One or More Witnesses.

The parties do not anticipate calling any witnesses live at the claim construction hearing.

V. P.R. 4-3(a)(5): A List of Any Other Issues That Might Appropriately Be Taken Up at a Prehearing Conference.

The parties are not presently aware of any issues which might be taken up at a prehearing conference.

Date: June 7, 2019

Respectfully submitted,
/s/ R. Allan Bullwinkel

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