

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

**OPTIS WIRELESS TECHNOLOGY, LLC,
OPTIS CELLULAR TECHNOLOGY, LLC,
UNWIRED PLANET, LLC, UNWIRED
PLANET INTERNATIONAL LIMITED, AND
PANOPTIS PATENT MANAGEMENT, LLC,**

Plaintiffs,

v.

APPLE INC.,

Defendant

Civil Action No. 2:19-cv-66-JRG

JURY TRIAL

P.R. 4-3 JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to Patent Rule 4-1 and the Court's Docket Control Order (Dkt. 50), Plaintiffs Optis Wireless Technology, LLC, Optis Cellular Technology, LLC, Unwired Planet, LLC, Unwired Planet International Limited, and PanOptis Patent Management, LLC (collectively, "Plaintiffs" or "PanOptis") and Defendant Apple Inc. ("Defendant" or "Apple") hereby file this Joint Claim Construction and Prehearing Statement.

I. TERMS ON WHICH THE PARTIES AGREE [P.R. 4-3(A)(1)]

In accordance with Patent Rule 4-2(c), the parties met and conferred to narrow the list of disputed claim terms and phrases for their P.R. 4-1 lists and P.R. 4-2 exchange of preliminary claim construction and extrinsic evidence. The parties were able to reach an agreement on the meaning of the claim terms or phrases set forth in **Exhibit A**.

APPLE 1012

II. PROPOSED CONSTRUCTIONS AND INTRINSIC AND EXTRINSIC EVIDENCE FOR DISPUTED TERMS [P.R. 4-3(A)(2)]

Exhibit B sets forth Plaintiffs' and Apple's proposed respective constructions of each disputed claim term or phrase of the patents-in-suit. Included in **Exhibit B** is an identification of all references from the specification and prosecution history that each party believes supports its proposed constructions and an identification of the intrinsic and extrinsic evidence known to each party on which each party intends to rely either to support its proposed construction of each claim term or phrase or to oppose another party's proposed construction of each claim term or phrase.

III. CLAIM CONSTRUCTION HEARING LENGTH [P.R. 4-3(A)(3)]

The parties anticipate that the claim construction hearing will take three hours, with time split equally between Plaintiffs and Apple.

IV. WITNESSES, INCLUDING EXPERTS, FOR THE CLAIM CONSTRUCTION HEARING [P.R. 4-3(A)(4)]

The parties do not expect to present live testimony of witnesses at the Claim Construction Hearing. As noted in Exhibit B, the parties may submit the expert declarations included herewith in Exhibit B from Dr. Vijay Madiseti and Dr. Mark Mahon (in support of Plaintiffs) and Dr. Jonathan Wells, Mark Lanning, and Dr. R. Michael Buehrer (in support of Apple).

V. OTHER ISSUES [P.R. 4-3(A)(5)]

The parties are currently unaware of any other issues which might appropriately be taken up at a prehearing conference prior to the Claim Construction Hearing.

Dated: December 12, 2019.

/s/ Samuel F. Baxter

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