

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

MemoryWeb, LLC,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	Civil Action No. 6:21-cv-00411-ADA
	§	
Samsung Electronics Co., Ltd. (a Korean Company) and Samsung Electronics America, Inc.,	§	Jury Trial Demanded
	§	
Defendants.	§	

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Agreed Scheduling Order (Dkt. 35) and the Court’s Standing Order Governing Proceedings – Patent Cases dated April 14, 2022, Plaintiff MemoryWeb, LLC (“MemoryWeb”) and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”) hereby submit this Joint Claim Construction Statement identifying the disputed and agreed constructions for U.S. Patent Nos. 10,423,658 (“the ‘658 patent”), 10,621,228 (“the ‘228 patent”), and 11,163,823 (“the ‘823 patent”).

I. Disputed Claim Constructions

Term No.	Claim Term(s) / Phrase(s)	MemoryWeb’s Proposed Construction	Samsung’s Proposed Construction
1	[first/second] “geotag” ‘658 patent, claim 1 Samsung proposed term for construction	Plain and ordinary meaning; or, in the alternative: data associated with a file describing geographic information	digital data assigned to a file describing the latitude and longitude of the location where the photograph or video was taken

<p>2</p>	<p>“thumbnail image”</p> <p>‘658 patent, claim 1; ‘228 patent, claim 1; ‘823 patent, claim 5</p> <p>Samsung proposed term for construction</p>	<p>Plain and ordinary meaning; or, in the alternative:</p> <p>reduced-sized representation of at least a portion of an image</p>	<p>reduced-sized duplicate of an image</p>
<p>3</p>	<p>“the [first / second] location being associated with the geographic coordinates of a [first / second] geotag”</p> <p>‘658 patent, claim 1</p> <p>Samsung proposed term for construction</p>	<p>Plain and ordinary meaning</p>	<p>Indefinite</p>

<p>4</p>	<p>“[first / second] set of digital photographs and videos including all of the digital photographs and videos associated with the [first / second] geotag”</p> <p>“[third / fourth set of digital photographs and videos including digital photographs and videos associated with [first / second] person”</p> <p>“the [first / second] set of digital files including digital files including associated with the [first / second] location”</p> <p>‘658 patent, claim 1; ‘228 patent, claim 1</p> <p>Samsung proposed terms for construction</p>	<p>Plain and ordinary meaning</p>	<p>“including” in these phrases means “consisting of,” i.e., is closed-ended</p>
<p>5</p>	<p>“partially overlapping the [first / second] location selectable thumbnail image”</p> <p>‘658 patent, claim 1</p> <p>Samsung proposed term for construction</p>	<p>Plain and ordinary meaning; or, in the alternative:</p> <p>which overlaps a first portion of the [first / second] location selectable thumbnail image and does not overlap a second portion of the [first / second] location selectable thumbnail image</p>	<p>a portion of which does not overlap the [first / second] location selectable thumbnail image</p>

6	<p>“scaled replica”</p> <p>‘658 patent, claim 1</p> <p>Samsung proposed term for construction</p>	<p>Plain and ordinary meaning; or, in the alternative:</p> <p>a scaled copy or scaled reproduction</p>	<p>an identical copy that is scaled up or down equally in all dimensions</p>
7	<p>[first /second] “person-location selectable element”</p> <p>‘658 patent, claims 8, 11</p> <p>Samsung proposed term for construction</p>	<p>Plain and ordinary meaning, or in the alternative:</p> <p>a selectable element associated with the [first/second] person and locations</p>	<p>a selectable element, responsive to the selection of which a representation of all locations having a digital photograph or video associated with the [first / second] person is displayed; otherwise, indefinite</p>
8	<p>“digital file”</p> <p>‘228 patent, claim 1; ‘823 patent, claims 1 and 29</p> <p>Samsung proposed term for construction</p>	<p>Plain and ordinary meaning</p>	<p>an electronic file that can be in various file formats (e.g., PNG, JPEG, PDF, TIFF, MP3, MP4, WAV, and GIF) that are of items such as photos, videos, audio files, and documents</p>
9	<p>“the first digital file having a first size in the first person view and a second size in the first detail view, wherein the second size is greater than the first size”</p> <p>‘823 patent, claims 1 and 29</p> <p>Samsung proposed term for construction</p>	<p>Plain and ordinary meaning</p>	<p>Indefinite</p>

10	<p>“profile image”</p> <p>‘823 patent, claims 5 and 31</p> <p>Samsung proposed term for construction</p>	<p>Plain and ordinary meaning; or, in the alternative:</p> <p>an image representing the [first/second] person</p>	<p>picture of a person displayed on the same page as profile information about the person; otherwise, indefinite</p>
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II. Agreed Constructions

Claim Term(s) / Phrase(s)	Agreed Construction
<p>[first/second] “count value image”</p> <p>‘658 patent, claim 1</p>	<p>Plain and ordinary meaning</p>
<p>“relationship information associated with the first person and another person”</p> <p>‘823 patent, claim 12</p>	<p>Plain and ordinary meaning</p>
<p>“tag information”</p> <p>‘823 patent, claim 21</p>	<p>any type of digital data that can be assigned to a file to describe some aspect of that file through a tagging process</p>

Respectfully submitted,

Dated: May 20, 2022

/s/ Allan A. Kassenoff

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