

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

WAG ACQUISITION, L.L.C.,

Plaintiff,

v.

AMAZON.COM, INC., AMAZON
WEB SERVICES, INC., and
AMAZON.COM SERVICES LLC.,

Defendants.

Case No. 6:21-cv-00815-ADA

JURY TRIAL DEMANDED

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TABLE OF DISPUTED TERMS AND CONSTRUCTIONS

Item	WAG’s Proposed Constructions	Amazons’s Proposed Constructions
<p>Item 1: “as required to maintain about a predetermined number of media data elements”</p> <p>’594 patent, claims 1, 6, 11.</p>	<p>Plain and ordinary meaning.</p>	<p>Indefinite under § 112.</p>
<p>Item 2: “playback rate”</p> <p>’594 patent, claims 1, 6, 11; ’824 patent, claims 1, 5, 9; ’636 patent, claims 1, 5, 9.</p>	<p>Plain and ordinary meaning.</p>	<p>A rate at which the data is encoded for playback to a user.</p>
<p>Item 3: “data rate”</p> <p>’594 patent, claims 1, 6, 11; ’824 patent, claims 1, 5, 9; ’636 patent, claims 1, 5, 9.</p>	<p>Plain and ordinary meaning.</p>	<p>The actual rate at which the data connection delivers data to the [media player / requesting user system] at any given time.</p>
<p>Item 7: “the media source”</p> <p>’594 patent, claims 1, 6, 11.</p>	<p>Plain and Ordinary Meaning</p>	<p>The storage device or live source device from which the streaming material originates.</p>

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