

findings about the extrinsic evidence, the Court hereby issues this Claim Construction Order. *See Phillips v. AWH Corp.*, 415 F.3d 1303, 1314 (Fed. Cir. 2005) (*en banc*); *Teva Pharm. USA, Inc. v. Sandoz, Inc.*, 135 S. Ct. 831, 841 (2015).

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I. BACKGROUND

Plaintiff alleges infringement of United States Patents No. 7,630,724 (the “724 Patent,” Dkt. No. 145 at Ex. A), 7,031,728 (the “728 Patent,” *id.* at Ex. B), 8,213,970 (the “970 Patent,” *id.* at Ex. C), 9,408,055 (the “055 Patent,” *id.* at Ex. D), 9,445,251 (the “251 Patent,” *id.* at Ex. E), 9,467,838 (the “838 Patent,” *id.* at Ex. F), 9,749,829 (the “829 Patent,” *id.* at Ex. G), 10,299,100 (the “100 Patent,” *id.* at Ex. H), and 10,341,838 (the “1,838 Patent” *id.* at Ex. I) (collectively, the “patents-in-suit”).

Plaintiff submits that the patents-in-suit are “described generally as related to the field of map-based applications executed on smartphone devices and communication among operators of the map-based applications.” Dkt. No. 145 at 1. Defendants submit that the patents-in-suit are directed to ad hoc networks for coordinating activities of first responders, law enforcement, and military personnel. Dkt. No. 156 at 1.

The ’728 Patent, for example, titled “Cellular Phone/PDA Communication System,” issued on April 18, 2006, and bears a filing date of September 21, 2004. The Abstract of the ’728 Patent states:

A cellular PDA communication system for allowing a plurality of cellular phone users to monitor each others’ location and status, to initiate cellular phone calls by touching a symbol on the display screen with a stylus or finger which can also include conferencing calling. The system also provides for remote activation of a cellular phone by an initiator causing the remote cellular phone to annunciate audio announcements, to call another phone number, to increase the volume of the speaker, to vibrate or to display images or videos. All this is accomplished with a conventional cellular phone PDA that includes GPS navigation with an enhanced improved software program.

Plaintiff submits: “Although the ’724, ’728, ’100, and [’]1[,],838 Patents were not asserted in the *Huawei* or *Google* case, certain claim terms that Defendants seek construction for that appear in the ’724, ’728, ’100, and ’1,838 Patents are also found in the other Asserted Patents. Each of the Asserted Patents are related such that they claim priority to either the ’724 [or the] ’728 Patent.” (Dkt. No. 145 at 2 n.2.)

The ’724 Patent resulted from a continuation of the ’728 Patent. The ’970 Patent, the ’055 Patent, the ’251 Patent, the ’838 Patent, and the ’829 Patent resulted from a series of continuation and continuation-in-part applications based on the ’724 Patent and, in turn, the ’728 Patent. The Court previously construed disputed terms in the ’970 Patent, the ’055 Patent, the ’251 Patent, the ’838 Patent, and the ’829 Patent in:

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