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

JAWBONE INNOVATIONS, LLC,

Case No. 2:21-cv-00186-JRG

Plaintiff,

JURY TRIAL DEMANDED

v.

SAMSUNG ELECTRONICS CO., LTD. and SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to Local Patent Rule 4-3 and the Docket Control Order (Dkt. 38), the parties to the above-captioned case provide the following Joint Claim Construction and Prehearing Statement regarding the asserted claims of U.S. Patent Nos. 7,246,058 (the "'058 patent"), 8,019,091 (the "'091 patent"), 8,280,072 (the "'072 patent"), 8,467,543 (the "'543 patent"), 8,503,691 (the "'691 patent"), 10,779,080 (the "'080 patent"), and 11,122,357 (the "'357 patent"). In accordance with Patent Rule 4-2(c), the parties met and conferred for the purposes of narrowing the issues and finalizing preparation of this Joint Claim Construction and Prehearing Statement.

I. P.R. 4-3(a)(1) Agreed Constructions

The Parties' Agreed-Upon Constructions are attached hereto as Exhibit A.

II. P.R. 4-3(a)(2) Disputed Terms

Plaintiff's proposed constructions, and identification of intrinsic and extrinsic evidence is attached hereto as Exhibit B. Defendants' proposed constructions, and identification of intrinsic



and extrinsic evidence is attached hereto as Exhibit C. Each party also reserves the right to cite to intrinsic and/or extrinsic evidence cited by the other party.

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

The parties expect that 4 hours total, 2 hours per side, will provide sufficient time to conduct the claim construction hearing.

IV. P.R. 4-3(a)(4) Anticipated Witnesses at the Claim Construction Hearing

At the present time, no party proposes to call witnesses for live testimony at the claim construction hearing

V. P.R. 4-3(a)(5) Other Issues to be Addressed at the Claim Construction Hearing

The parties are not presently aware of any issues which might be taken up at a prehearing conference prior to the Claim Construction Hearing.

VI. P.R. 4-3(b) Service of Expert Testimony

In accordance with Patent Rule 4-3(b) the parties will each, simultaneous with this filing, serve a disclosure of expert testimony consistent with Fed. R. Civ. P. 26(a)(2)(B)(i)-(ii) or 26(a)(2)(C) for any expert on which it intends to rely to support its proposed claim construction or indefiniteness position or to oppose any other party's proposed claim construction or indefiniteness position.

Dated: May 10, 2022 Respectfully submitted,

/s/ Peter Lambrianakos

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on May 10, 2022.

/s/ Peter Lambrianakos Peter Lambrianakos

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiff and counsel for Defendants have conferred regarding the foregoing Joint Claim Construction and Prehearing Statement.

Dated: May 10, 2022 /s/ Peter Lambrianakos
Peter Lambrianakos

