

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

AGIS SOFTWARE DEVELOPMENT LLC,	§	Case No. 2:22-cv-00263-JRG-RSP
	§	
Plaintiff,	§	<u>JURY TRIAL DEMANDED</u>
	§	
v.	§	
	§	
SAMSUNG ELECTRONICS CO., LTD. and	§	
SAMSUNG ELECTRONICS, AMERICA,	§	
INC.,	§	
	§	
Defendants.	§	
	§	

**PLAINTIFF AGIS SOFTWARE DEVELOPMENT, LLC AND
DEFENDANTS SAMSUNG ELECTRONICS CO., LTD. AND
SAMSUNG ELECTRONICS AMERICA, INC.'S
JOINT CLAIM CONSTRUCTION CHART UNDER P.R. 4-5(d)**

Pursuant to Local Patent Rule 4-5(d) and the Court’s First Amended Docket Control Order (Dkt. No. 66), Plaintiff AGIS Software Development, LLC and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. hereby provide this Joint Claim Construction Chart containing the disputed claim terms and phrases for the asserted claims of U.S. Patent Nos. 8,213,970 (the “970 patent”); 9,467,838 (the “838 patent”); 9,749,829 (the “829 patent”); and 9,820,123 (the “123 patent”). A chart with constructions for claim terms to which the parties have agreed is attached herewith as **Exhibit A**, pursuant to P.R. 4-5(d)(2), and a separate chart listing the complete language of disputed claims with disputed terms in bold type and separate columns for each party’s proposed construction of each disputed term is attached herewith as **Exhibit B**,

pursuant to P.R. 4-5(d)(1).¹

As reflected in the parties' briefing regarding AGIS's motion for leave to amend the P.R. 4-3 statement (Dkts. 82, 90), the parties dispute whether the term "group" in the '838, '123, and '829 Patents' claims requires construction and the Court has set a hearing on AGIS's motion for August 22, 2023. This Court in prior cases involving the same patents has previously construed "group" as "more than two participants associated together," and the parties have agreed to adopt that construction for this proceeding. Dkt. No. 70. AGIS submits that "group" should be construed as "more than two participants associated together," with a clarification that the term "participants" in the construction comprises devices and is not limited to users. Samsung disagrees that further construction or briefing is required.

Dated: August 18, 2023

Respectfully submitted,

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¹ Pursuant to the Court's Order Granting Parties' Joint Motion for Entry of Claim Construction with Regard to Certain Specified Terms Based on Established Prior Record (Dkt. No. 70), the Court previously issued its claim constructions for terms identified in Appendix A to the Parties' Joint Motion (Dkt. No. 68).

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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 August 18, 2023.

/s/ Vincent J. Rubino, III

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