

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

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

v.

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

Defendants.

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Case No. 2:22-cv-00263-JRG-RSP

JURY TRIAL DEMANDED

JOINT P.R. 4-3 CLAIM CONSTRUCTION AND PREHEARING STATEMENT

In accordance with Patent Rule 4-3 and the Court's Docket Control Order of December 12, 2022 (Dkt. No. 28), 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. 8,213,970, 9,467,838, 9,749,829, and 9,820,123. 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 Chart.

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

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 **Exhibits 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 2 hours 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: June 16, 2023

Respectfully submitted,

/s/ Alfred R. Fabricant _____

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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 June 16, 2023.

/s/ Alfred R. Fabricant

Alfred R. Fabricant

CERTIFICATE OF CONFERENCE

I hereby certify that Plaintiff's counsel has met and conferred with counsel for Defendants, and all parties have agreed to submission of the P.R. 4-3 Claim Construction and Prehearing Statement submitted herewith.

/s/ Alfred R. Fabricant

Alfred R. Fabricant