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

CELLULAR COMMUNICATIONS ) (  
EQUIPMENT LLC ) ( CIVIL DOCKET NO.  
 ) ( 6:14-CV-982-KNM  
VS. ) ( TYLER, TEXAS  
 ) (  
LG ELECTRONICS, INC., ET AL. ) ( DECEMBER 17, 2015  
 ) ( 9:00 A.M.

CLAIM CONSTRUCTION HEARING  
BEFORE THE HONORABLE JUDGE K. NICOLE MITCHELL  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:  
FOR THE PLAINTIFFS: (See Attorney Attendance Sheet docketed in minutes of this hearing.)

FOR THE DEFENDANTS: (See Attorney Attendance Sheet docketed in minutes of this hearing.)

COURT REPORTER: Shelly Holmes, CSR-TCRR  
Official Reporter  
United States District Court  
Eastern District of Texas  
Marshall Division  
100 E. Houston Street  
Marshall, Texas 75670  
(903) 923-7464

(Proceedings recorded by mechanical stenography, transcript produced on a CAT system.)

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I N D E X

December 17, 2015

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1 COURT SECURITY OFFICER: All rise.

2 THE COURT: Good morning. Please be seated.

3 Ms. Hardwick, you'll call the case.

4 COURTROOM DEPUTY: Yes, Your Honor.

5 The Court calls Civil Action 6:14-cv-982, Cellular  
6 Communications Equipment, LLC versus LG Electronics, Inc., et  
7 al.

8 THE COURT: Announcements?

9 MR. HILL: Good morning, Your Honor. Wesley Hill, Ed  
10 Nelson, Brent Bumgardner, Ryan Griffin on behalf of the  
11 Plaintiff, CCE, and we're ready for our claim construction,  
12 Your Honor.

13 THE COURT: Good morning.

14 MR. RADER: Your Honor, my name is Mike Rader from  
15 Wolf Greenfield in Boston on behalf of Sony Mobile. My  
16 colleague, Chelsea Loughran, is also going to argue today. And  
17 I'll allow the other lawyers to introduce themselves.

18 MR. KENNERLY: Your Honor, Chris Kennerly for AT&T  
19 Mobility from Paul Hastings. I have Jonas Herrell, Ryan Fabre,  
20 and our local counsel, Dallas Tharpe.

21 THE COURT: Good morning.

22 MR. SIDDIQUI: Your Honor, Saqib Siddiqui from Mayer  
23 Brown representing the LG Defendants. I have with me Kfir Levy  
24 from -- also from Mayer Brown.

25 MR. NOTEWARE: Good morning, Your Honor. Daniel

1 Noteware, and I'm here with LGE and Verizon. And with me from  
2 Verizon is Sarah Kalemeris.

3 MS. SMITH: Good morning, Your Honor. Melissa Smith  
4 on behalf of T-Mobile. I'm joined by Mr. Zach Elsea, and we're  
5 ready to proceed, Your Honor.

6 THE COURT: Good morning.

7 MR. WEBER: Bob Weber and Carrie Baker for the Sprint  
8 and Boost Mobile Defendants, and we're ready this morning.

9 THE COURT: Is that everybody? Okay. Well, good  
10 morning, everyone.

11 Let's get to our Markman hearing. I typically allow  
12 the parties to go term-by-term. Plaintiff will choose the  
13 first term, Defendant will choose the next term, and we'll just  
14 go like that until we get through them all, unless you all have  
15 met and conferred and come up with a different path, which I'm  
16 all -- I'm all ears for.

17 MR. NELSON: We have, Your Honor. I think the way  
18 we'll do it is we're going to start with the '966 patent.  
19 We're going to go through the claim construction issues and  
20 then the indefiniteness issue. Then we'll go to the '060  
21 patent, which I'll just always call the '060, and we'll do the  
22 claim construction issues, then the summary judgment issue.  
23 And then the '556, same way.

24 And then what we've agreed is that -- I think there's  
25 either three or four terms, maybe there's just two on one of

1 them -- in terms of the claim construction issues. The  
2 Plaintiff, CCE, will go first on each one, turn it over for the  
3 response, and then when we get to the summary judgment issue,  
4 Defense counsel will go first, and we'll respond.

5 THE COURT: Okay. Perfect. All I'll ask is if you  
6 all would just make sure that you make your way to the podium  
7 before you start speaking. We've got a full room, and I want  
8 to make sure that we get you on the mic, so let's proceed.

9 MR. NELSON: Oh, Your Honor, if I may, I'm going to  
10 point out one issue. We've tried three different laptops over  
11 here, and it will not allow us to go to a higher resolution to  
12 make this quite small enough to fit the screen. You've got the  
13 binder, but it should -- it's about 90, 95 percent on there.

14 THE COURT: No problem.

15 MR. GRIFFIN: Ready?

16 THE COURT: I am.

17 MR. GRIFFIN: As Mr. Nelson mentioned, the first  
18 patent we'll be discussing today is U.S. Patent No. 8,385,966,  
19 and we refer to this as the uplink power control patent. And  
20 this patent deals primarily with how do you set the power for  
21 transmissions on uplink shared communication channels and  
22 uplink control channels.

23 So the first grouping of disputed terms that we're  
24 going to discuss are these wherein clauses. These wherein  
25 clauses are in each of the independent claims where the second

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