

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

AIRE TECHNOLOGY LTD.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 6:21-cv-01101-ADA

JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION STATEMENT

I. Undisputed Constructions

#	Term	Agreed Construction
1	“a switching apparatus ...which switches on the communication element...by connecting the communication element to an energy source” '360 Patent, Claim 1	“a switch which physically connects and disconnects the energy source from the communication element”
2	“switching on the communication element by a switching apparatus...by connecting the communication element to an energy source” '360 Patent, Claim 15	“switching on the communication element using a switch which physically connects and disconnects the energy source from the communication element”
3	“a security-establishing operation ... comprising the steps of” '249 Patent, Claim 1	“comprising” modifies the term “security-establishing operation”
4	“bandwidth” '360 Patent, Claim 2	“range of frequencies available for communication”

II. Disputed Constructions

#	Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
5	<p>“a measuring device for monitoring a property of the transmission oscillator which outputs a control signal when ascertaining a change of the monitored property, the monitored property of the transmission oscillator includes the frequency or impedance of the transmission oscillator in resonance”</p> <p>’360 Patent, Claim 1</p>	<p>No construction necessary.</p> <p>This claim term does not invoke §112(6).</p>	<p>Governed by 35 U.S.C. § 112 ¶ 6.</p> <p>Function: monitoring a property of the transmission oscillator, and outputting a control signal when ascertaining a change of the monitored property, wherein the monitored property of the transmission oscillator includes the frequency or impedance of the transmission oscillator in resonance</p> <p>Structure: Indefinite.</p>
6	<p>“a control signal”</p> <p>’360 Patent, Claims 1, 11, 15</p>	<p>No construction necessary.</p> <p>Plain and ordinary meaning.</p>	<p>“a signal that is or contains a command.”</p>
7	<p>“an inherently relatively lower quality and an inherently relatively higher quality from a security perspective”</p> <p>’249 Patent, Claims 1, 10</p>	<p>No construction necessary.</p> <p>Plain and ordinary meaning.</p>	<p>Indefinite.</p>
8	<p>“the portable data carrier is arranged to perform a user authentication . . . to confirm the authentication to a terminal, and . . . to create quality information about said user authentication method used and to attach such quality information to the result of the security establishing operation”</p> <p>’249 Patent, Claim 10</p>	<p>No construction necessary.</p> <p>Plain and ordinary meaning.</p>	<p>The portable data carrier is arranged to perform the recited steps (“perform,” “confirm,” “create,” “attach”) in the recited order.</p>
9	<p>“security module”</p> <p>’706 Patent, Claim 18</p>	<p>“a component secured both mechanically and by software means which serves to store secret data</p>	<p>“SAM (secure application module)”</p>

#	Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
		and to execute cryptoalgorithms”	

Dated: August 2, 2022

Respectfully submitted,

By: /s/ Brett Cooper

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Dated: August 2, 2022

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CERTIFICATE OF SERVICE

I certify that this document is being served upon counsel of record on August 2, 2022 via electronic service.

/s/ Brett Cooper
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