

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.**

**Before the Honorable Bryan F. Moore
Administrative Law Judge**

In the Matter of

CERTAIN SMART TELEVISIONS

Investigation No. 337-TA-1338

JOINT PROPOSED CLAIM CONSTRUCTION CHART

Pursuant to the Procedural Schedule (Order No. 5) and Ground Rule 7.4, Complainant Maxell, Ltd. and Respondent VIZIO, Inc. hereby submit the following joint Proposed Claim Construction Chart.

Agreed Construction

Patent, Asserted Claim	Term	Agreed Construction
'109 Patent, claim 4	"communication unit"	35 U.S.C. § 112 ¶ 6 applies Function: "conduct communication with a portable terminal" Corresponding Structure: a communication device that is arranged to communicate with a portable terminal according to standard communication protocols, including Bluetooth, wireless Local Area Network (LAN), or IRDA

Disputed Constructions

Patent, Asserted Claim	Term	Complainant's Proposed Construction	Respondent's Proposed Construction
'109 Patent, claim 4	"input unit"	Plain and ordinary meaning	35 U.S.C. §112 ¶ 6 applies Recited Function: "<i>input video content</i>" Corresponding Structure: a circuit which receives antenna/cable broadcast video content and restores the broadcast video content into video content to be digitally processed

Patent, Asserted Claim	Term	Complainant's Proposed Construction	Respondent's Proposed Construction
'109 Patent, claim 4	"control unit"	Function: control[ling] the input unit, the communication unit and the display unit Structure: a microprocessor or processor that is arranged to: (1) control operations of the processing units required to reproduce digital content, (2) control operations of the processing units required to access the internet, (3) control operations of the display unit to terminate the display of content on the information processing apparatus, and (4) control operations of the communication unit to receive information from the portable terminal	35 U.S.C. §112 ¶ 6 applies Recited Function: [F4.1] <i>"control the input unit, the communication unit, and the display unit"</i> [F4.2] <i>"control the display unit to display the video content inputted by the input unit when the communication unit receives first information from the portable terminal to permit displaying of the video content on the display unit, wherein ... displaying is resumed on the display unit from the stopped position"</i> [F4.3] <i>"control displaying of the video content on the display unit based on second information when the communication unit receives the second information from the portable terminal, to operate the video content displayed on the displayed unit"</i> [F4.1] <i>"control the display unit to terminate display of the video content when the communication unit receives the third information to terminate"</i>

Patent, Asserted Claim	Term	Complainant's Proposed Construction	Respondent's Proposed Construction
			<i>display of the video content on the display unit"</i> Corresponding Structure: Indefinite Alternatively, a microprocessor (or processor) that is arranged to control operations to reproduce video on the display unit, including being arranged to: [1] receive, via the communication unit, a first information to permit displaying of the video content on the display unit, such as permission data (<i>e.g.</i>, login or authentication data); [2] initiate display of the video content inputted by the input unit on the display unit; [3] receive, via the communication unit, a second information, such as operation data (<i>e.g.</i>, "move" or "select"); [4] in accordance with the second

Patent, Asserted Claim	Term	Complainant's Proposed Construction	Respondent's Proposed Construction
			information, control the displaying of the video content on the display unit; [5] receive, via the communication unit, the third information, such as data indicating termination; and [6] in accordance with the third information, cause the video content on the display unit to terminate
'971 Patent, claim 1	"processor"	Plain and ordinary meaning	35 U.S.C. §112 ¶ 6 applies Recited Function: <i>"controls the radio modem to wirelessly communicate with the Internet or a local area network based on a first user instruction from a remote controller"</i> Corresponding Structure: Indefinite
'971 Patent, claim 1	"radio modem"	Plain and ordinary meaning, i.e., a device that demodulates and modulates signals for wireless communication	A device that modulates or demodulates carrier signals for transmission or reception, respectively
'971 Patent, claim 1	"the radio modem establishes a wireless communication with	Plain and ordinary meaning	The radio modem sets transmission parameters and initiates a wireless connection with a modem of the cellular phone, while the radio modem

Patent, Asserted Claim	Term	Complainant's Proposed Construction	Respondent's Proposed Construction
	the cellular phone while being connected to the Internet or the local area network”		is connected with a modem of a device that is connected to the Internet or the local area network
'971 Patent, claim 1	“carrier frequency”	Plain and ordinary meaning	The frequency of a carrier signal that is modulated or demodulated for transmission or reception of information, respectively Alternatively, The frequency of a carrier signal
'394 Patent, claims 2, 4, 7	“controller”	Plain and ordinary meaning	35 U.S.C. §112 ¶ 6 applies Recited Function: <i>“control[ling] the alternative display of either of the linear content operation panel or the interactive content operation panel, wherein on one of the linear content operation panel or the interactive content operation panel is displayed exclusively at any given time, together with the outputted digital content wherein the outputted digital content together with either the linear content operation panel or the interactive content operation panel,</i>

Patent, Asserted Claim	Term	Complainant's Proposed Construction	Respondent's Proposed Construction
			<i>are displayed concurrently in one screen"</i> Corresponding Structure: a CPU that: controls the alternative display of either of the linear content operation panel or the interactive content operation panel by: [1] monitoring an auto_start_flag within a Program Map Table of the digital content; and [2][a] when the auto_start_flag is "1," controlling the display of the interactive content operation panel together with the outputted digital content concurrently in one screen; and [2][b] when the auto_start_flag is "0," controlling the display of the linear display content operation panel together with the outputted digital content concurrently in one screen.
'394 Patent, claims 2, 4, 7	"distinct panels"/ "mutually different"/	Plain and ordinary meaning, i.e., different panels / mutually different /	Panels in which the buttons are all mutually different

Patent, Asserted Claim	Term	Complainant's Proposed Construction	Respondent's Proposed Construction
	"buttons...mutually differing"	buttons of the linear content operation panel producing mutually differing functions	
'815 Patent, claim 1	"processor"	Plain and ordinary meaning	35 U.S.C. §112 ¶ 6 applies Recited Function: <i>"controlling the display to display: [F1.1] a first area including a first character associated with a first group of video information for a first classification and a second character associated with a second group of video information for a second classification different from the first classification, the first group of video information being configured to allow a user to edit, wherein the first group of video information and the second group of video information are part of the plurality of stored video information</i> <i>[F1.2] a second area displaying thumbnails corresponding to at least a portion of the plurality of stored video information;</i> <i>[F1.3] wherein user selection of the first character enables the display of a</i>

Patent, Asserted Claim	Term	Complainant's Proposed Construction	Respondent's Proposed Construction
			<i>first group of thumbnails corresponding to the first group of video information in the second area,</i> [F1.4] <i>“wherein user selection of the second character enables the display of a second group of thumbnails corresponding to the second group of video information in the second area</i> [F1.5] <i>wherein, upon one video information stored on the recording medium included in both the first group of video information and the second group of video information being deleted from the first group of video information, the one video information continues to be included in the second group of video information and the processor controls the display to display a thumbnail corresponding to the one video information as one of the second group of thumbnails when the second character is selected ”</i> Corresponding Structure: Indefinite under §112, ¶ 6

Patent, Asserted Claim	Term	Complainant's Proposed Construction	Respondent's Proposed Construction
'815 Patent, claim 21	“processor”	Plain and ordinary meaning	35 U.S.C. §112 ¶ 6 applies Recited Function: [F21.1] <i>“removing one video information from the first group of video information after the input interface receives a selection to remove the one video information from the first group of video information associated with the first user profile, wherein, upon the one video information being removed from the first group of video information, the one video information continues to be included in the second group of video information for the second user profile and the second group of thumbnails continues to display a thumbnail corresponding to the one video information when the second character is selected;</i> [F21.2] <i>decrypt[ing] second video information corresponding to a selected thumbnail when the input interface receives a selection of desired video information based on a selection of a thumbnail from the first group of thumbnails”</i>

Patent, Asserted Claim	Term	Complainant's Proposed Construction	Respondent's Proposed Construction
			Corresponding Structure: Indefinite under §112, ¶ 6
'815 Patent, claims 1, 21	"video information"	Plain and ordinary meaning Alternatively , video data represented by digital or analog signal	Video content represented as digital or analog data

Dated: March 2, 2023

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Inv. No. 337-TA-1338

CERTIFICATE OF SERVICE

I, Brittany Etters, hereby certify that on March 2, 2023, a copy of the foregoing document was served upon the following parties as indicated:

The Honorable Katherine M. Hiner Acting Secretary U.S. International Trade Commission 500 E Street, S.W. Washington, DC 20436	☐ Via First Class Mail ☐ Via Hand Delivery ☐ Via Electronic Filing (EDIS) ☐ Via Overnight Courier ☐ Via Fax ☐ Via E-mail (<i>PDF</i>)
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