

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

Corrigent Corporation

Plaintiff,

v.

Cisco Systems, Inc.

Defendant.

Civil Action No. 6:22-cv-00396-ADA

JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Scheduling Order (Dkt. 37) and the Joint Notice Regarding Agreement to Extend Deadlines (Dkt. 42), Plaintiff Corrigent Corporation and Defendant Cisco Systems, Inc. hereby submit this Joint Claim Construction Statement. This Joint Claim Construction Statement identifies for the Court the claim terms of U.S. Patent No. 6,957,369 (“369 patent”), U.S. Patent No. 7,113,485 (“485 patent”), U.S. Patent No. 7,330,431 (“431 patent”), U.S. Patent No. 7,593,400 (“400 patent”), and U.S. Patent No. 9,118,602 (“602 patent”) for which the parties have reached agreement, as well as claim terms for which the parties have a dispute, together with the parties’ proposed constructions of the disputed claim terms.

The parties will jointly deliver to Chambers one double-sided paper copy of the Opening, Response, Reply and Sur-Reply briefs, omitting attachments, and one paper copy of all the patents-in-suit, at least 10 days before the *Markman* hearing. Dkt. 37 and OGP at General Issues #7. The parties will contact the Court’s law clerk requesting a Box link to provide an electronic copy of the briefs, exhibits and optional technology tutorial. *Id.* An editable Word version of this Joint Claim Construction Statement will be emailed to the Court’s Law Clerk.

AGREED CONSTRUCTIONS

None.

DISPUTED CONSTRUCTIONS

Claim Term	Corrigent's Construction	Cisco's Construction	Proposed By
Disputed Terms for U.S. Patent No. 6,957,369			
“idle line” (claims 1, 3, 7) / “idle trace” (claims 15, 18, 20)	Plain and ordinary meaning	“a [trace/line] that is known to be inactive”	Cisco
“subsidiary module” (claims 1-3, 5, 8-12, 15-17, 21-24)	Plain and ordinary meaning, which is a “module that has a connection to a main module via one or more data lines or traces”	“a module under the control of the main module”	Joint
“backplane” (claims 5, 10, 15, 21)	“Plain and ordinary meaning, which is hardware used to establish interconnections between modules”	“a printed circuit board into which modules may be inserted”	Joint
Order of Steps (claims 1, 8, 15, 21)	Plaintiff contends that Defendant's identification of the entirety of claims 1 and 8 for construction is improper. Plaintiff proposes that the words of claims 1 and 8 should be given the following meaning unless otherwise noted: plain and ordinary meaning	The instruct[ing] step must be performed after completion of the first selection; the configur[ing/e] step must be performed after completion of both selections; and the transmit[ing] step must be performed after both selections	Cisco
Disputed Terms for U.S. Patent No. 7,113,485			
Preambles (claims 1, 11)	Preamble is not limiting	The preambles of claims 1 and 11 are limiting	Cisco

Claim Term	Corrigent's Construction	Cisco's Construction	Proposed By
“latency measurement packet” (all claims)	“a packet that includes at least a subset of the fields shown in Table I of the '485 patent”	No construction necessary	Corrigent
Disputed Terms for U.S. Patent No. 7,593,400			
“said FDB” (claims 1, 11)	Plain and Ordinary Meaning	Indefinite	Cisco
“virtual media access control (MAC) bridge” (claims 8, 11, 18)	Plain and Ordinary Meaning, which is a media access control (MAC) bridge that serves a virtual private network (VPN) instance	Indefinite	Cisco
Disputed Terms for U.S. Patent No. 9,118,602			
“RSVP-TE” (claims 3, 15)	Plain and Ordinary Meaning	“RSVP-TE protocol set forth in IETF RFC 3209”	Cisco
Preamble (claim 15)	Preamble is not limiting	The preamble of claim 15 is limiting	Cisco

Dated: January 3, 2023

Respectfully submitted,

By: /s/ Brian A. Rosenthal (with permission)

By: /s/ Christopher A. Suarez

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served this 3rd day of January, 2023, with a copy of this filing via the Court's CM/ECF system.

/s/ Christopher A. Suarez
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