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

Neo Wireless LLC, Plaintiff, v. Dell Technologies Inc. and Dell Inc., Defendants.	C.A. NO. 6:21-cv-0024-ADA JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION STATEMENT

A *Markman* hearing for this matter is currently proposed on January 13, 2021. The parties now submit this Joint Claim Construction Statement.

Exhibit A attached hereto identifies the agreed claim terms. Exhibit B attached hereto identifies the disputed claim terms, the party that proposed the disputed claim term, and the proposed construction of the respective parties for each disputed claim term.

DATED: December 21, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel registered as Filing Users on this 21st day of December, 2021.

/s/ *Jason D. Cassady*
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Agreed Claim Terms

#	Claim Term	Claims	Joint Proposed Construction
1	"configured to"	Claims 1, 5 of the '366 Patent Claim 13 of the '517 Patent Claims 1, 2, 3, 9, 21, 22, 23, 29 of the '908 Patent Claims 13, 14 of the '941 Patent Claim 7 of the '450 Patent	An apparatus/element is "configured to" perform a function if it includes hardware and/or software enabling the apparatus/element to perform the function.
2	"In a multi-cell orthogonal frequency division multiple access (OFDMA) wireless communication system comprising a plurality of base stations and mobile stations, a mobile station configured to communicate with a serving base station in a cell via a communication channel, the mobile station comprising:"	Claim 1 of the '366 Patent	The preamble is limiting. Plain and Ordinary meaning.
3	"In an orthogonal frequency division multiple access (OFDMA) wireless communication system, a method for signal transmission by a mobile station to a serving base	Claim 17 of the '366 Patent	The preamble is limiting. Plain and Ordinary meaning.

	station via a communication channel, the method comprising:”		
4	“A mobile device in a wireless packet system using a frame structure of multiple frames for transmission, each frame comprising a plurality of time intervals, each time interval comprising a plurality of orthogonal frequency division multiplexing (OFDM) symbols, and each OFDM symbol containing a plurality of frequency subcarriers, the mobile device configured to:”	Claim 7 of the ’450 Patent	The preamble is limiting. Plain and Ordinary meaning.
5	“A link adaptation method by a mobile station served by a serving base station in an Orthogonal Frequency Division Multiplexing (OFDM) communication system, the communication system utilizing a transmission structure with time slots in the time domain and frequency subchannels in the	Claim 8 of the ’941 Patent	The preamble is limiting. Plain and Ordinary meaning.

	frequency domain, the method comprising:”		
6	“A mobile station served by a serving base station in an Orthogonal Frequency Division Multiplexing (OFDM) communication system, the communication system utilizing a transmission structure with time slots in the time domain and frequency subchannels in the frequency domain, the mobile station comprising a receiver configured to:”	Claim 13 of the ’941 Patent	The preamble is limiting. Plain and Ordinary meaning.
7	“the antenna transmission scheme comprising a transmission diversity scheme or a multiple-input multiple-output (MIMO) scheme”	Claims 8 & 13 of the ’941 Patent	“the mobile-station specific transmission parameters alternatively indicate an antenna transmission scheme that comprises a MIMO scheme or an antenna transmission scheme comprising a transmission diversity scheme other than MIMO, wherein the antenna transmission scheme is capable of comprising either a MIMO scheme or a transmission diversity scheme other than MIMO. To avoid any doubt, this requires supporting both MIMO and non-MIMO transmission diversity systems.”

Disputed Claim Terms

#	Proposed By	Claim Term	Claims	Neo's Proposed Construction	Dell's Proposed Construction
1	Dell	"the ranging signal is formed from a ranging sequence selected from a set of ranging sequences [associated with the cell] for identifying the mobile station"	Claims 1 & 17 of the '366 Patent	Plain and ordinary meaning. No construction necessary.	The ranging signal is formed from a ranging sequence selected by the mobile station from a set of ranging sequences [associated with the cell] for identifying the mobile station.
2	Dell	"exhibits a low peak-to-average power ratio in the time domain"	Claims 1 & 17 of the '366 Patent	Plain and ordinary meaning. No construction necessary. **Alternative Construction:** To the extent construction is deemed necessary, "exhibits a low peak-to-average power ratio in the time domain" means "exhibits a peak-to-average power ratio in the time domain of 9dBs or less."	Indefinite.
3	Neo	"A method for a mobile device to receive data packets in an orthogonal frequency division multiple access (OFDMA) wireless communication system operating on multiple radio-frequency (RF)	Claim 1 of the '517 Patent	Preamble is limiting. Plain and ordinary meaning.	Preamble is not limiting.

		bands, the method comprising:”			
4	Neo	“A mobile device in an orthogonal frequency division multiple access (OFDMA) wireless communication system operating on multiple radio-frequency (RF) bands, the mobile device comprising:”	Claim 13 of the ’517 Patent	Preamble is limiting. Plain and ordinary meaning.	Preamble is not limiting.
5	Dell	“receiving scheduling information from a serving base station, the scheduling information indicating an allocation of airlink resources in a first RF band and a second RF band”	Claim 1 of the ’517 Patent	Plain and ordinary meaning. No construction necessary.	Receiving a singular message from a singular base station that indicates an allocation of airlink resources in a first RF band and a second RF band.
6	Dell	“receive scheduling information from a serving base station, the scheduling information indicating an allocation of airlink resources for receiving a first signal… over a first RF band and a second signal … over a second RF band”	Claim 13 of the ’517 Patent	Plain and ordinary meaning. No construction necessary.	Receiving a singular message from a singular base station that indicates an allocation of airlink resources for receiving a first signal over a first RF band and for receiving a second signal over a second RF band.

7	Dell	"allocation of airlink resources [] for receiving a first signal with a first frame structure having first frame boundaries and a second signal with a second frame structure having second frame boundaries"	Claims 1 & 13 of the '517 Patent	Plain and ordinary meaning. No construction necessary.	Plain and ordinary meaning, which means the first signal comprises a frame and the second signal comprises a frame.
8	Dell	"traffic characteristics"	Claims 1 and 13 of the '517 Patent	Plain and ordinary meaning. No construction necessary.	Indefinite. **Alternative Construction:** "the type of traffic being transmitted (e.g., voice, data, video)"
9	Dell	"the mobile station-specific transmission parameters indicate […] a corresponding subchannel configuration […] the corresponding subchannel configuration characterized by distributed subcarriers or localized subcarriers in the frequency domain"	Claims 8 and 13 of the '941 Patent	Plain and ordinary meaning. No construction necessary.	The mobile station-specific transmission parameters indicate whether the subchannels are either distributed subcarriers, or localized subcarriers in the frequency domain.

10	Dell	"the segment having a starting time-frequency coordinate"	Claim 7 of the '450 Patent	Plain and ordinary meaning. No construction necessary.	Information that identifies the starting time-frequency offset for the segment.
11	Neo	"A mobile station comprising"	Claims 1 & 21 of the '908 Patent	Preamble is limiting. Plain and ordinary meaning.	Preamble is not limiting.
12	Neo	"A method performed by a mobile station, the method comprising"	Claim 11 of the '908 Patent	Preamble is limiting. Plain and ordinary meaning.	Preamble is not limiting.