

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:22-CV-102-FL**

SHAMROCK INNOVATIONS, LLC,

Plaintiff,

v.

LENOVO (UNITED STATES), INC.,

Defendant.

**JOINT CLAIM CONSTRUCTION
STATEMENT**

Pursuant to the Case Management Order (DE 25) and Local Patent Rule 304.3, Plaintiff Shamrock Innovations, LLC and Defendant Lenovo (United States), Inc. offer the following Joint Claim Construction Statement.

I. Local Patent Rule 304.3

(a) The construction of claim terms, phrases, or clauses on which the parties agree

The parties have not reached agreement as to the construction of any of the disputed claim terms, phrases or clauses. However, the parties currently agree that the terms that are not proposed for construction in Exhibit A do not require construction but applying the plain and ordinary meaning of terms to the facts of the case may uncover disagreement as to the terms meanings.

(b) Each party's proposed construction of each disputed claim term, phrase, or clause, together with an identification of all references from the specification or prosecution history that support that construction, and an identification of any extrinsic evidence known to the party on which it intends to rely either to support its proposed construction of the claim or to oppose any other party's proposed construction of the claim, including, but not limited to, as permitted by law, dictionary definitions, citations to learned treatises and prior art, and testimony of percipient and expert witnesses

The parties attach a Joint Claim Construction Chart as Exhibit A. The Joint Claim Construction Chart contains each party's proposed construction of each disputed claim term, phrase, or clause, together with an identification of all references from the specification or prosecution history that support that construction, and an identification of any extrinsic evidence pursuant to Local Patent Rule 304.3. All Parties reserve the right to rely upon any intrinsic or extrinsic evidence identified by any other Party, and any evidence obtained through claim construction discovery. In addition, each Party reserves the right to amend, correct, or supplement its claim construction positions and supporting evidence in response to any change of position by any other Party, or for other good cause.

(c) The anticipated length of time necessary for the Claim Construction Hearing

Plaintiff's position: Given the now limited number of claim construction issues that still exist after the parties have met and conferred, Plaintiff respectfully requests only four (4) hours as the total length of time for the Claim Construction Hearing. Plaintiff believes both parties should receive equal time to present at the claim construction hearing.

Defendant's position: Given the highly technical and complex nature of the technology and terms at issue, Defendant believes in good faith that Defendant needs three (3) hours to present at a claim construction hearing. If Plaintiff believes it only needs two (2) hours (half of the four hours suggested by Plaintiff above), then Defendant anticipates the Claim Construction Hearing would be five (5) hours. If Plaintiff would want equal time, then Defendant anticipates the Claim Construction Hearing would be six (6) hours.

(d) Whether any party proposes to call one or more witnesses, including experts, at the Claim Construction Hearing, the identity of each such witness, and for each expert, a summary of each opinion to be offered in sufficient detail to permit a meaningful deposition of that expert

Neither party currently expect to call any witnesses, including expert witnesses, at the Claim Construction Hearing.

Dated: December 27, 2022

Respectfully submitted,

/s/ Meagan Leslie
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CERTIFICATE OF SERVICE

I hereby certify that, on the 27th day of December, 2022, the foregoing Joint Claim Construction Statement was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification to all attorneys of record.

/s/ Meagan Leslie

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