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A Limited Liability Partnership
Including Professional Corporations

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SNAP INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

PLAYVUU, INC.,

Plaintiff,

v.

SNAP INC.,

Defendant.

AND RELATED COUNTERCLAIM.

Case No. 2:22-cv-06019-GW-MRW

**DEFENDANT SNAP INC.'S
PRELIMINARY CLAIM
CONSTRUCTIONS AND
EXTRINSIC EVIDENCE**

The Hon. George H. Wu
Ctrm.: 9D

Trial Date: August 13, 2024

1 Pursuant to the Court’s December 20, 2022 Scheduling Order (Doc. 41),
2 Defendant Snap Inc. (“Snap”), by and through its counsel, hereby provides its
3 Preliminary Claim Constructions and Extrinsic Evidence for the terms and claim
4 elements it and Plaintiff, Playvuu, Inc. (“Playvuu”), previously identified as needing
5 constructions. Snap provides these claim constructions and extrinsic evidence based
6 on its current knowledge, understanding, and belief as to the relevant facts and
7 circumstances. Snap has not yet completed its investigation, collection of
8 information, discovery, and analysis concerning this case. Further discovery and
9 investigation may require Snap to supplement or modify the claim constructions and
10 extrinsic evidence set forth below. Snap expressly reserves the right to amend,
11 modify, and add to this list of claim terms and elements and the claim constructions
12 and extrinsic evidence included below in any way permitted by the Federal Rules of
13 Civil Procedure and the Court’s Scheduling Order, as well as in view of Playvuu’s
14 proposed constructions and extrinsic evidence being served today, including, for
15 example, through meeting and conferring with Playvuu. Snap expressly reserves the
16 right to construe any terms or phrases Playvuu identifies. Additionally, Snap
17 previously identified a number of terms and claim elements that fail under 35 U.S.C.
18 § 112 in its March 6, 2023 Initial Invalidity Contentions, which Snap also
19 incorporates by reference. *See, e.g.*, Defendant Snap Inc.’s March 6, 2023 Initial
20 Invalidity Contentions, pp. 65-74. Snap further reserves the right to construe any of
21 the below terms as part of any larger phrase in which they appear:

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Claim	Proposed Terms and Elements for Construction	Preliminary Construction
1	"prompting the user to record content"	"initiating, by the server, display of a prompt for the user to record content"
1	"prompting the user to select an audio composition"	"initiating, by the server, display of a prompt for the user to select an audio composition"
1	"interface to selectively edit the instance of pre-recorded visual media content"	Indefinite; alternatively, "interface, provided by the server, to selectively edit, on the server, the instance of pre-recorded visual media content"
1	"providing simultaneous aural playback of the audio composition during a recording session"	"providing, by the server, simultaneous aural playback of the audio composition during a recording session"
1	"generating recorded content"	"generating, by the server, recorded content"
1	"compositing"	"compositing, by the server,"
1, 8	"recording session"	Indefinite
1	"selectively made transparent"	Indefinite
1	"the preview enables the user to change the timing or latency of the recorded content to relative to the selected audio composition"	"the preview is provided by the server and enables the user to change the timing or latency of the recorded content on the server relative to the selected audio composition"
7	"wherein the preview is stored in temporary memory and re-written to non-transient memory upon receiving a save request from the user"	"wherein the preview is stored in temporary memory on the server and re-written to non-transient memory upon receiving a save request from the user"
1	"to relative to"	No construction required.
1	"facilitate access to other users"	Plain and ordinary.

1 Dated: May 8, 2023

2 SHEPPARD MULLIN RICHTER & HAMPTON LLP

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4 By: /s/ Jennifer K. Ayers
5 JENNIFER K. AYERS

6 Attorneys for Defendant and Counterclaimant
7 SNAP INC.
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1 CERTIFICATE OF SERVICE

2 **PLAYVUU, INC. v. SNAP INC.**
3 **CASE NO. 2:22-cv-06019-GW-MRW**

4 STATE OF MISSOURI, COUNTY OF JACKSON

5 At the time of service, I was over 18 years of age and **not a party to this**
6 **action.** I am employed in the County of Dallas, State of Texas. My business
address is 2200 Ross Ave., 20th Floor, Dallas, Texas 75201, but presently remote
from Lee's Summit, Jackson County, Missouri.

7 On May 8, 2023, I served true copies of the following document(s) described
8 as **DEFENDANT SNAP INC.'S PROPOSED TERMS AND CLAIM**
9 **ELEMENTS FOR CONSTRUCTION** on the interested parties in this action as
follows:

10 **SERVICE LIST**

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20 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of
21 the document(s) to be sent from e-mail address **jlmiller@sheppardmullin.com** to
22 the persons at the e-mail addresses listed in the Service List. I did not receive,
within a reasonable time after the transmission, any electronic message or other
23 indication that the transmission was unsuccessful.

24 I declare under penalty of perjury under the laws of the United States of
America that the foregoing is true and correct.

25 Executed on May 8, 2023, at Lee's Summit, Missouri.

26
27 /s/ Jill Miller

28 Jill Miller