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.

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Respectfully submitted,

/s/ *Jason D. Cassady*

Jason D. Cassady
Texas State Bar No. 24045625
Email: jcassady@caldwellcc.com
Christopher S. Stewart
Texas State Bar No. 24079399
Email: cstewart@caldwellcc.com
Alexander A. Waldrop
Texas State Bar No. 24102619
Email: awaldrop@caldwellcc.com
Bailey A. Blaies
Texas State Bar No. 24109297
Email: bblaies@caldwellcc.com
CALDWELL CASSADY CURRY P.C.
2121 N. Pearl St., Suite 1200

Dallas, Texas 75201
Telephone: (214) 888-4848
Facsimile: (214) 888-4849

T. John Ward, Jr.
Texas Bar No. 007944818
jw@wsfirm.com
WARD, SMITH & HILL, PLLC
1507 Bill Owens Parkway
Longview, TX 75604
903-757-6400
903-757-2323 (Facsimile)

ATTORNEYS FOR PLAINTIFF NEO WIRELESS LLC

/s/ Roger Fulghum
BAKER BOTTS LLP
Roger Fulghum
State of Texas Bar No. 00790724
910 Louisiana Street
Houston, Texas 77002
Telephone: 713.229.1707
Facsimile: 713.229.2707
Email: roger.fulghum@bakerbotts.com

Deron R. Dacus
Texas Bar No. 00790553
THE DACUS FIRM, P.C.
821 ESE Loop 323, Suite 430
Tyler, Texas 75701
903-705-1117 (phone)
903-581-2543 (fax)
E-mail: ddacus@dacusfirm.com

ATTORNEYS FOR DEFENDANTS DELL TECHNOLOGIES INC. AND DELL INC.

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*
Jason D. Cassady

Exhibit A

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.

Exhibit A

	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.

Exhibit A

	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.”

Exhibit B

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.

Exhibit B

		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.

Exhibit B

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.

Exhibit B

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.