UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

Before the Honorable Doris Johnson Hines
Administrative Law Judge

In the Matter of **CERTAIN WI-FI ROUTERS, WI-FI DEVICES, MESH WI-FI NETWORK DEVICES, AND HARDWARE AND SOFTWARE COMPONENTS THEREOF**	**Investigation No. 337-TA-1361**

AMENDED JOINT CHART OF AGREED AND DISPUTED CLAIM TERMS FOR CONSTRUCTION

Pursuant to Ground Rule, 7.1 and Order No. 5, Complainant Netgear Inc. ("Netgear" or "Complainant") and Respondents TP-Link Technologies Co., Ltd., TP-Link Corporation Limited, TP-Link USA Corporation, and TP-Link Research America Corp. (collectively "Respondents" or "TP-Link") (all collectively "the Parties"), hereby submit as Attachment A, the Amended Joint Chart of Agreed and Disputed Claim Terms for Construction. After the Monthly Case Management Conference, the parties agreed as to the construction of a previously disputed term. This Amended Joint Chart of Agreed and Disputed Claim Terms reflects the parties' agreed construction. After this agreement, twelve (12) terms remain in dispute between the Parties. The Amended Joint Chart also rearranges the order of the disputed terms so that the terms are grouped by their corresponding patent.

Dated: September 6, 2023

Respectfully submitted,

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AMENDED ATTACHMENT A

I. TERMS WITH AGREED CONSTRUCTIONS

Claim Term	Proposed By	Agreed Construction
"frequency band" U.S. Patent No. 7,936,714 (claims 1, 13, 31, 32)	TP-Link	a generally contiguous portion of the electromagnetic spectrum which is regulated by a governmental entity, such as the Federal Communications Commission (FCC) for the United States
"A computer implemented method for identifying a wireless access device providing a highest quality wireless connection to a wireless device, comprising" U.S. Patent No. 9,468,025 (claim 16)	Both parties	Preamble is limiting
"A gateway router configured to facilitate wireless connection management in an extended wireless network, comprising: …" U.S. Patent No. 9,468,025 (claim 1)	TP-Link	Preamble is limiting. The claimed gateway router must include the recited "a network device input…" "a network device output…" and "a computer processor configured to execute steps, including…" in the body of claim 1.

II. DISPUTED CLAIM TERMS

No.	Claim Term	Proposed By	Netgear's Proposed Construction	TP-Link's Proposed Construction
1	"receiving … in a frequency band expected to experience [low/high] interference" / "transmitting … in a frequency band expected to experience [high/low] interference" U.S. Patent No. 7,936,714 (claims 1, 13, 31, 32)	TP-Link	Plain and ordinary meaning	The claims require separate bands for receiving and transmitting.
2	"frequency band expected to experience low interference" / "frequency band expected to experience high interference" U.S. Patent No. 7,936,714 (claims 1, 13, 31, 32)	TP-Link	Not indefinite. Plain and ordinary meaning, where a "frequency band expected to experience low interference" is relative to "a frequency band expected to experience high interference"	Indefinite
3	"wherein the gateway device and the wireless access devices include a processor executing the extended management function…" U.S. Patent No. 9,468,025 (claim 7)	TP-Link	Plain and ordinary meaning	Plain and ordinary meaning, i.e., the claimed gateway device and the wireless access devices must include a processor executing the claimed extended management function.
4	"highest quality wireless connection" U.S. Patent No. 9,468,025 (claims 3, 7, 16)	TP-Link	Not indefinite. Plain and ordinary meaning	Indefinite
5	"a processor executing the extended management function to identify the	TP-Link	Not indefinite. Plain and ordinary meaning	§ 112(f) applies Function: as claimed

No.	Claim Term	Proposed By	Netgear's Proposed Construction	TP-Link's Proposed Construction
	wireless access device providing the highest quality wireless connection based on wireless connection quality information, the wireless connection quality information including wireless connection quality information for at least one indirect communication path having at least one network extender device to establish the communication path between the gateway device and the wireless access device, exchanged among the wireless access devices and the gateway device" U.S. Patent No. 9,468,025, (claim 7)			Structure: Indefinite. Alternatively, Figure 2 (gateway 122 and constituent structures) implementing steps 406, 408, 410
6	"the communication path" U.S. Patent No. 9,468,025 (claim 16)	TP-Link	Not indefinite. Plain and ordinary meaning, the path for communications between the gateway router and the wireless access device	Indefinite
7	"forward wireless communication" / "backhaul communication, separate from the forward wireless communication" U.S. Patent No. 10,278,179 (claims 1, 11)	TP-Link	Not indefinite. A "forward wireless communication" is a "client-facing wireless communication," and remainder of the term, plain and ordinary meaning	Indefinite
8	"wherein the [forward wireless]/[backhaul] communication is established using a	TP-Link	These limitations are closed-form Markush groups, wherein the	These limitations are closed-form Markush groups. The claimed

No.	Claim Term	Proposed By	Netgear's Proposed Construction	TP-Link's Proposed Construction
	[wireless] communication technology . . . selected from the group consisting of: . . ." U.S. Patent No. 10,278,179 (claims 1, 11)		"[forward wireless] / [backhaul] communication is established using" any one of the alternatives in the corresponding Markush group	communication must be capable of being established using each of the elements in the closed-form Markush group
9	"A computer-implemented method for implementing a dedicated backhaul in a wireless mesh network formed with one or more mesh points, the method being performed by a first mesh point and comprising: …" / "A computing device comprising: one or more processors, that implements a mesh point in a wireless mesh network formed with a plurality of mesh points, the computing device being configured to perform a method comprising: …" U.S. Patent No. 10,278,179 (claims 1, 11)	Both parties	Claim 1: Preamble is limiting, wherein a first mesh point performs a method for implementing a dedicated backhaul in a wireless mesh network, the method comprising: Claim 11: Preamble is limiting, wherein one or more processors implementing a mesh point in a wireless mesh network being configured to perform a method comprising:	Preambles are limiting. The claimed "a [first] mesh point" performs each of the limitations recited in the claim.
10	"default frequency band" U.S. Patent No. 10,681,698 (claims 1, 12)	TP-Link	a preferred frequency band	preset frequency band used automatically in the absence of a choice made by the user
11	"dynamically optimizing wireless connections to said client devices by … making decisions to switch … said decision … further comprising: … determining when a wireless network device … is better suited to handle a client by a	TP-Link	Not indefinite. Plain and ordinary meaning	Indefinite

No.	Claim Term	Proposed By	Netgear's Proposed Construction	TP-Link's Proposed Construction
	predetermined margin" / "dynamically optimizes wireless connections … and that makes decisions … to switch a client … further comprising … determines when a wireless network device … is better suited to handle a client by a predetermined margin" U.S. Patent No. 10,356,681 (claims 3, 10)			
12	"monitor mode" U.S. Patent No. 10,356,681 (claims 3, 10)	TP-Link	A mode of a wireless networking device that monitors for legacy client devices on the same channel	A mode that allows a computer to monitor all traffic received from a wireless network, without having to associate with an access point or ad hoc network first

CERTIFICATE OF SERVICE

It is hereby certified that copies of the foregoing **AMENDED JOINT CHART OF AGREED AND DISPUTED CLAIM TERMS FOR CONSTRUCTION** were served on September 6, 2023 as follows:

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