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Subject: 2:22-cv-00481-JRG NETWORK SYSTEM TECHNOLOGIES, LLC v. SAMSUNG ELECTRONICS CO., LTD. et al - Markman Hearing
Date: Monday, April 8, 2024 2:08:40 PM

[EXTERNAL E-MAIL]

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Counsel,

Having reviewed and considered the briefing as well as Judge Schroeder’s Claim Construction Order in *Network System Technologies, LLC v. Texas Instruments Incorporated*, Case No. 2:22-cv-00482-RWS, Dkt. No. 150, the Court has determined that it will adopt the same constructions and analysis as Judge Schroeder in the -482 case as to the following disputed terms:

Claims	Disputed Claim Term	Construction
'818 patent: Claims 1, 3, 5	“dropping means (DM) for dropping data exchanged by said first and second module (M, S)”	Subject to Section 112 ¶ 6 Function: -Claim 1, “dropping data exchanged by first and second module (M, S)” -Claim 3, “create an error message if data is dropped” -Claim 5, “send said error message to said first module” Structure: portion of the circuit configured to implement the scheme disclosed in the '818 Patent at 7:45-56, 8:38-39, 8:64-9:10
'818 patent: Claims 1, 6, 7	“interface means” / “interface means (ANIP, PNIP) for managing the interface between a module (M, S) and the network (N, RN) wherein said interface means (ANIP, PNIP) comprises a first dropping means (DM) for dropping data, and wherein the dropping of data and therefore the transaction completion can be controlled by the interfaces means”	Subject to Section 112 ¶ 6 Function: -Claim 1, “managing the interface between a module (M, S) and a network (N, RN) and controlling dropping of data and transaction completion” -Claim 6, “store received error messages” -Claim 7, “not drop error messages” Structure: portion of the circuit configured to implement the scheme disclosed in the '818 Patent at 7:57-8:63 and 9:10-49

'449 patent: Claims 2, 6, 10	“communication manager [(CM) for managing the communication between different modules]”	Subject to Section 112 ¶ 6 Function: forwarding a request to a resource manager Structure: portion of the circuit configured to implement the scheme disclosed in the '449 Patent at 449 at 10:19-24, 10:41-54
'800 patent: Claim 12	“optimal amount of data to be buffered”	Indefinite
'800 patent: Claim 12	“an optimal moment for sending the data”	Indefinite

Consequently, the Court will not hear argument on the above terms during tomorrow’s *Markman* hearing. Additionally, given that the Court, as a part thereof, finds claim 12 of the '800 patent indefinite, the Court will not hear argument on the disputed term “determination unit.”

The Court will hear argument on the following terms as part of tomorrow’s claim construction hearing:

- A. “mapping means (A) for mapping the requested at least one communication service based on said specific communication properties to a connection based on a set of connection properties according to said at least one communication service identification” (from the '052 patent)
- B. “arranging ... the first and second information comprising said issued message as a single address” (from the '9893 patent)
- C. “each data package comprising N data elements” (from the '2893 patent)

By responsive email due on or before 7:30AM CT tomorrow, the parties shall identify counsel for each side that will be arguing the above terms. The claim construction hearing will begin at 9:00AM CT tomorrow.

Sincerely,
Brendan

Brendan F. McLaughlin

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