UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

PROXENSE, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 6:24-cv-00143-ADA

JURY TRIAL REQUESTED

JOINT CLAIM CONSTRUCTION STATEMENT

In accordance with the Scheduling Order (Dkt. 38), Plaintiff Proxense, LLC ("Proxense") and Defendant Apple Inc. ("Apple") submit this Joint Claim Construction Statement. Pursuant to the Standing Order Governing Proceedings (OGP) 4.4 – Patent Cases, an editable copy of this statement is being emailed to the Court's law clerks.

The Asserted Patents are U.S. Patent Nos. 8,352,730 ("the '730 patent"), 8,886,954 ("the '954 patent"), 10,698,989 ("the '989 patent"), 8,646,042 ("the '042 patent"), and 9,679,289 ("the '289 patent").

I. AGREED CONSTRUCTIONS

8,352,730; 8,886,954; 10,698,989 Patents		
Patent Claims	**Claim Term / Phrase**	**Agreed Construction**
'730 claims 1, 8 '954 patent, claim 1	"persistently storing biometric data of the user and a plurality of codes and other data values comprising a device ID code uniquely identifying the integrated device and a secret decryption value … to a storage element" / "stores biometric data of a user and a plurality of codes and other data values comprising a device ID code uniquely identifying the integrated device and a secret decryption value … to the memory"	Plain and ordinary meaning, wherein the meaning is "persistently storing biometric data of the user and a plurality of codes and other data values to a storage element; within this storage element is also (1) a device ID code uniquely identifying the integrated device and (2) a secret decryption value" / Plain and ordinary meaning, wherein the meaning is "stores biometric data of the user and a plurality of codes and other data values to a memory; within this memory is also (1) a device ID code uniquely identifying the integrated device and (2) a secret decryption value"

8,352,730; 8,886,954; 10,698,989 Patents		
Patent Claims	**Claim Term / Phrase**	**Agreed Construction**
’730 claims 1, 8 ’954 claim 1 ’989 claim 1	“device ID code” / “ID code” / “identification (ID) code”	A unique code identifying a device

8,646,042; 9,679,289 Patents		
Patent Claims	**Claim Term / Phrase**	**Agreed Construction**
’042 patent claims 1, 6 ’289 patent claims 1, 11	“hybrid device”	a device comprising an integrated personal digital key (PDK)[1] and an integrated receiver-decoder circuit (RDC)[2] [1] Wherein “personal digital key (PDK)” is construed as set forth below, i.e., “an operably connected collection of elements including an antenna and a transceiver for communicating with a RDC and a controller and memory for storing information particular to a user” [2] Wherein “receiver-decoder circuit (RDC)” is construed as set forth below, i.e., “a component or collection of components, capable of wirelessly receiving data in an encrypted format and decoding the encrypted data for processing”
’042 patent claim 1 ’289 patent claim 1	“A hybrid device comprising”	The preamble of claim 1 of the ’042 patent is limiting. / The preamble of claim 1 of the ’289 patent is limiting.

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8,646,042; 9,679,289 Patents		
Patent Claims	**Claim Term / Phrase**	**Agreed Construction**
’042 patent claims 1, 6 ’289 patent claims 1, 11	“personal digital key (PDK)”	an operably connected collection of elements including an antenna and a transceiver for communicating with a RDC and a controller and memory for storing information particular to a user
’042 patent claims 1, 6 ’289 patent claims 1, 11	“receiver-decoder circuit (RDC)” “reader-decoder circuit (RDC)”	a component or collection of components, capable of wirelessly receiving data in an encrypted format and decoding the encrypted data for processing

The parties request that the Court enter the above agreed constructions.

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II. DISPUTED TERMS

The parties provide the following list of disputed terms for construction.

8,352,730; 8,886,954; 10,698,989 Patents		
Claim Term / Phrase	**Proxense's Construction**	**Apple's Construction**
"tamper proof format" '730 patent, claims 1, 8 '954 patent, claim 1 Proposed by Apple	Plain and ordinary meaning. No construction necessary	Plain and ordinary meaning, wherein the meaning is "a format that prevents any changes to the stored data."
"access message" '730 patent claims 1, 8 '954 patent claim 1 Proposed by Apple	Adopt the Court's prior construction in *Proxense v. Samsung:* A signal or notification enabling or announcing access	Adopt the Court's prior construction in *Proxense v. Microsoft:* No construction necessary. Plain and ordinary meaning.
"a verification unit, in communication with the memory, receives scan data from a biometric scan for comparison against the biometric data, and if the scan data matches the biometric data, wirelessly sends one or more codes from the plurality of codes and the other data values for authentication by an agent that is a third-party trusted authority possessing a list of device ID codes uniquely identifying legitimate integrated devices" '730 patent claim 8 Proposed by Apple	No construction needed; plain and ordinary meaning beyond any terms that the Court previously construed in *Proxense v. Samsung*.	This is a means-plus-function term under 35 U.S.C. 112 (6). Function: (1) receives scan data from a biometric scan for comparison against the biometric data, and (2) if the scan data matches the biometric data, wirelessly sends one or more codes from the plurality of codes and the other data values for authentication by an agent that is a third-party trusted authority possessing a list of device ID codes uniquely identifying legitimate integrated devices Structure: No corresponding structure disclosed in the specification for performing the recited functions. Indefinite.

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on December 30, 2024, the foregoing document was electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing via electronic mail to all counsel of record.

/s/ David L. Hecht
David L. Hecht

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