

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HANSHOW TECHNOLOGY CO., LTD.,

Plaintiff,

v.

SES-IMAGOTAG SA AND SES-IMAGOTAG
GMBH,

Defendants.

Civil Action No. 2:23-cv-174-RWS-RSP

P.R. 4-5(d) JOINT CLAIM CONSTRUCTION CHART

In accordance with the Fourth Amended Docket Control Order (Dkt. 115) and P.R. 4-5(d), Plaintiff Hanshow Technology Co., Ltd. (“Hanshow”) and Defendants VusionGroup SA (f/k/a SES-Imagotag SA) and VusionGroup GmbH (f/k/a SES-Imagotag GmbH) (collectively “VusionGroup”) hereby provide this joint claim construction chart that lists the agreed terms (in Section I) and disputed terms (in Section II) to be addressed at the *Markman* Hearing scheduled for December 13, 2024.

The claim terms listed below appear in U.S. Patent Nos. 11,540,216 (the “’216 Patent”), 8,346,210 (the “’210 Patent”), and 9,641,994 (the “’994 Patent”).

I. AGREED CLAIM CONSTRUCTIONS

NO.	TERM/PATENT/CLAIM(S)	HANSHOW’S PROPOSED CONSTRUCTION	VUSIONGROUP’S PROPOSED CONSTRUCTION	COURT’S CONSTRUCTION
1.	“a background server, a base station, an electronic tag device and an external device;” ’216 Patent, Claim 1	[AGREED]	[AGREED]	These are limitations that are not part of the preamble.
2.	“generat[e/ing, by the background server] a control instruction and second data according to the first data” ’216 Patent, Claims 1, 7, 14	[AGREED]	[AGREED]	Plain and ordinary meaning, which is “generat[e/ing, by the background server]: (1) a control instruction based, at least in part, on the first data; and (2) second data based, at least in part, on the first data.”
3.	“service information” ’210 Patent, Claims 1, 4, 6, 9, 12, 14 ’994 Patent, Claims 1, 4, 6, 9, 12	[AGREED]	[AGREED]	Plain and ordinary meaning.
4.	“a location restriction associated with geographic locations of the one or more services and the user equipment”	[AGREED]	[AGREED]	Plain and ordinary meaning.

No.	TERM/PATENT/CLAIM(S)	HANSHOW’S PROPOSED CONSTRUCTION	VUSIONGROUP’S PROPOSED CONSTRUCTION	COURT’S CONSTRUCTION
	'994 Patent, Claims 1, 6			
5.	“at least one validity date associated with the one or more services indicating the effective data or dates for the location restriction” '994 Patent, Claims 1, 6	[AGREED]	[AGREED]	Plain and ordinary meaning.

II. DISPUTED CONSTRUCTIONS

NO.	TERM/PATENT/CLAIM(S)	HANSHOW'S PROPOSED CONSTRUCTION	VUSIONGROUP'S PROPOSED CONSTRUCTION	COURT'S CONSTRUCTION
1.	"normal monitoring mode" '216 Patent, Claims 1, 7, 14	Plain and ordinary meaning applies and no construction is necessary. If the Court decides that a construction is required, Hanshow proposes "a monitoring mode of the electronic tag device in which the monitoring period is longer than that of the fast monitoring mode."	Plain and ordinary meaning, which is "a default mode in which incoming communications are monitored at intervals of a specified time period"	
2.	"fast monitoring mode" '216 Patent, Claims 1, 7, 14	Plain and ordinary meaning applies and no construction is necessary. If the Court decides that a construction is required, Hanshow proposes "a monitoring mode of the electronic tag device in which the monitoring period is shorter than that of the normal monitoring mode."	Indefinite	
3.	"the base station comprises two wake-up modes: a	Plain and ordinary meaning applies and no construction is necessary.	Indefinite	

No.	TERM/PATENT/CLAIM(S)	HANSHOW'S PROPOSED CONSTRUCTION	VUSIONGROUP'S PROPOSED CONSTRUCTION	COURT'S CONSTRUCTION
	normal wake-up mode and a[/the] fast wake-up mode" '216 Patent, Claims 1, 7, 14	If the Court decides that a construction is required, Hanshow proposes "the base station comprises two wake-up modes for waking up a certain electronic tag device, a normal wake-up mode wherein the base station may assume that the electronic tag device is in its normal monitoring mode, and a[/the] fast wake-up mode wherein the base station may assume that the electronic tag device is in its fast monitoring mode."		
4.	"fast wake-up instruction" '216 Patent, Claims 1, 7, 14	Plain and ordinary meaning applies and no construction is necessary.	Plain and ordinary meaning, which is "instruction from the base station to the electronic tag device requiring the tag to remain in fast monitoring mode such that data can be received by the electronic tag device"	
5.	"external device" '216 Patent, Claims 1, 7, 14	Plain and ordinary meaning applies and no construction is necessary.	Indefinite	

No.	TERM/PATENT/CLAIM(S)	HANSHOW'S PROPOSED CONSTRUCTION	VUSIONGROUP'S PROPOSED CONSTRUCTION	COURT'S CONSTRUCTION
		If the Court decides that a construction is required, Hanshow proposes "a device external to the electronic tag device, the device is capable of communication with the electronic tag device directly or indirectly, or otherwise exchanging information with or reading information from the electronic tag device."		
6.	"bearer tag" '210 Patent, Claims 1, 2, 6, 7, 12, 14, 15, 16 '994 Patent, Claims 1, 2, 6, 7, 12	Plain and ordinary meaning applies and no construction is necessary. If the Court decides that a construction is required, Hanshow proposes "an information-bearing tag, such as a near field communication (NFC) tag, a radio frequency identification (RFID) tag, a contactless card, a barcode, or other tag capable of bearing information, or any combination thereof."	Plain and ordinary meaning which is "tag containing information related to one or more corresponding services available to the bearer of the tag."	

No.	TERM/PATENT/CLAIM(S)	HANSHOW'S PROPOSED CONSTRUCTION	VUSIONGROUP'S PROPOSED CONSTRUCTION	COURT'S CONSTRUCTION
7.	“service management request” ’210 Patent, Claims 1, 6 ’994 Patent, Claims 1, 2, 6, 7, 15, 18	Plain and ordinary meaning applies and no construction is necessary. If the Court decides that a construction is required, Hanshow proposes “request to manage service.”	“a request that identifies a service and contains information for managing that service.”	
8.	“initiat[e/ing] determination of service information, related to [the] one or more services, from the bearer tag” ’210 Patent, Claim 1, 6 ’994 Patent, Claims 1, 6	Plain and ordinary meaning applies and no construction is necessary. If the Court decides that a construction is required, Hanshow proposes “initiat[e/ing] determination of service information, related to [the] one or more services, through a use of the bearer tag.”	Plain and ordinary meaning, which is “initiating a process of determining information about one or more services from information contained by the bearer tag.”	
9.	“predetermined billing arrangement” ’210 Patent, Claims 3, 8 ’994 Patent, Claims 3, 8	Plain and ordinary meaning applies and no construction is necessary. If the Court decides that a construction is required, Hanshow proposes “a billing arrangement that has been predetermined.”	Indefinite. Alternatively, “an existing arrangement for invoicing the service managed by the service management request that is between one receiving the service and the service manager.”	

NO.	TERM/PATENT/CLAIM(S)	HANSHOW'S PROPOSED CONSTRUCTION	VUSIONGROUP'S PROPOSED CONSTRUCTION	COURT'S CONSTRUCTION
10.	“services platform for management of the one or more services according to a billing arrangement” '210 Patent, Claims 1, 5, 6, 10, 14	Plain and ordinary meaning applies and no construction is necessary. In addition, this element is not a means-plus-function element. If the Court decides that a construction is required, Hanshow proposes “an online system through which the one or more services are managed according to a billing arrangement.”	<i>Governed by 35 U.S.C. 112 ¶ 6</i> Function: The management of one or more services according to a billing arrangement. Structure: all of a services portal, a services catalog, a billing server, a service activation server, and a payment gateway as depicted Fig. 2B, and as described in '210 Patent at 6:66-7:65.	
11.	“services platform communicating with the mobile communication service provider for managing the one or more services and the one or more costs according to the billing arrangement” '994 Patent, Claims 1, 6	Plain and ordinary meaning applies and no construction is necessary. In addition, this element is not a means-plus-function element. If the Court decides that a construction is required, Hanshow proposes “a system hosted on one or more computing devices that communicates with the mobile communication service provider and allows,	<i>Governed by 35 U.S.C. 112 ¶ 6</i> Function: Managing the one or more services according to a billing arrangement. Structure: all of a services portal, a services catalog, a billing server, a service activation server, and a payment gateway as depicted Fig. 2B, and as described in '994 Patent at 7:13-8:13.	

No.	TERM/PATENT/CLAIM(S)	HANSHOW’S PROPOSED CONSTRUCTION	VUSIONGROUP’S PROPOSED CONSTRUCTION	COURT’S CONSTRUCTION
		through such communication, the one or more services and the one or more costs to be managed according to the billing arrangement.”		
12.	“A non-transitory computer-readable storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors, cause the one or more processors to at least perform the following” ’210 Patent, Claims 1, 15	Plain and ordinary meaning applies and no construction is necessary.	The preamble is limiting.	
13.	“wherein managing the one or more services comprises activating, modifying, discovering, accessing, or setting up the one or more services, and the management of the one or more services comprises activation, modification, discovery, accessing, and setting up of the one or more services.”	Plain and ordinary meaning applies and no construction is necessary. If the Court decides that a construction is required, Hanshow proposes “wherein managing the one or more services comprises performing one or more of activating, modifying, discovering, accessing, or	“and” is conjunctive, i.e. “management” requires activation, modification, discovery, accessing, and setting up of the one or more services.	

No.	TERM/PATENT/CLAIM(S)	HANSHOW'S PROPOSED CONSTRUCTION	VUSIONGROUP'S PROPOSED CONSTRUCTION	COURT'S CONSTRUCTION
	'210 Patent, Claims 1, 6	setting up for the one or more services, and the management of the one or more services comprises the performance of one or more of activation, modification, discovery, accessing, and setting up for the one or more services."		
14.	"mobile communication service provider that has a billing arrangement with a user account associated with the user equipment" '994 Patent, Claims 1, 6	Plain and ordinary meaning applies and no construction is necessary. If the Court decides that a construction is required, Hanshow proposes "a provider of mobile communication service, wherein the provider has a billing arrangement with a user account, and the user account is associated with the user equipment."	Plain and ordinary meaning which is "the billing arrangement is with the mobile communication service provider."	

Dated: November 27, 2024

Respectfully submitted,

/s/ Gary M. Hnath

Gary M. Hnath (DC Bar No. 388896)
Wm. Brady Nash (*Pro Hac Vice*)
MAYER BROWN LLP
1999 K Street, NW
Washington, D.C. 200006
Phone: 202-263-3040 (Hnath)
Fax: 202-263-5323
Email: Ghnath@mayerbrown.com

Hao Tan (IL Bar No. 6314119)
Shen Wang (IL Bar No. 6314224)
Peter J. Curtin (IL Bar No. 6332596)
ARCH & LAKE LLP
203 N. LaSalle St., Ste. 2100
Chicago, IL 60601
Phone: 312-558-1369
Fax: 312-614-1873
HaoTan@archlakelaw.com
ShenWang@archlakelaw.com
Pete_curtin@archlakelaw.com

Geoffrey Culbertson
TX Bar No. 24045732
PATTON, TIDWELL & CULBERTSON,
LLP
2800 Texas Boulevard
Texarkana, TX 75503
Telephone: (903) 792-5859
Facsimile: (903) 792-8233
gpc@texarkanalaw.com

*Attorneys for Plaintiff Hanshow Technology
Co., Ltd.*

/s/ Matthew C. Acosta

Matthew C. Acosta
Texas State Bar No. 24062577
macosta@plattrichmond.com
Alex Jacobs
Texas State Bar No. 24124175
ajacobs@plattrichmond.com
Heather M. Crabill
Texas State Bar No. 24131151
hcrabill@plattrichmond.com
PLATT RICHMOND PLLC
1201 N. Riverfront Blvd., Suite 150
Dallas, TX 75207
Tel. (214) 559-2700
Fax: (214) 559-4390

Grant E. Kinsel
Washington State Bar No. 49576
GKinsel@perkinscoie.com
Matthew J. Moffa
New York State Bar No. 5045067
MMoffa@perkinscoie.com
David R. Pekarek Krohn
Wisconsin State Bar No. 1092062
DPekarekKrohn@perkinscoie.com
Ryan B. Hawkins
California State Bar No. 256146
RHawkins@perkinscoie.com
Yuanfeng Gao
D.C. Bar No. 1671672
YGao@perkinscoie.com
Perkins Coie LLP
1201 Third Avenue Suite 4900
Seattle, WA 98101
Tel: (206) 359-3516
Fax: (206) 359-9000

Eric H. Findlay
State Bar No. 00789886
efindlay@findlaycraft.com
Brian Craft
State Bar No. 04972020
bcraft@findlaycraft.com
Findlay Craft, P.C.

7270 Crosswater Avenue
Suite B
Tyler, TX 75703
(903) 534-1100
(903) 534-1137 FAX

*Attorneys for Defendants VusionGroup SA and
VusionGroup GmbH.*

CERTIFICATE OF SERVICE

The undersigned counsel for Plaintiff hereby certifies that a copy of the foregoing document was served on counsel of record on November 27, 2024 by the Court's ECF system.

/s/ Gary M. Hnath _____
Gary M. Hnath