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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

ENTROPIC COMMUNICATIONS, LLC, Plaintiff, v. DISH NETWORK CORPORATION, *et al*, Defendants.	Case No. 2:23-cv-1043-JWH-KES (Lead Case) Case No. 2:23-cv-1047-JWH-KES (Related Case) Case No. 2:23-cv-1048-JWH-KES (Related Case) Case No. 2:23-cv-5253-JWH-KES (Related Case) **DEFENDANTS' PRELIMINARY IDENTIFICATION OF CONSTRUCTIONS** District Judge: Hon. John W. Holcomb
ENTROPIC COMMUNICATIONS, LLC, Plaintiff, v. COX COMMUNICATIONS, INC., *et al.*, Defendants.	
ENTROPIC COMMUNICATIONS, LLC, Plaintiff,	

v.

COMCAST CORPORATION, *et al.*,

Defendants.

ENTROPIC COMMUNICATIONS, LLC,

Plaintiff,

v.

DIRECTTV, LLC, *et al.*,

Defendants.

Pursuant to the Scheduling Order (ECF No. 97) and the Court's Order on Stipulation to Continue Certain Claim Construction Deadlines (ECF No. 437) in the above-captioned cases, Defendants provide the following disclosure of preliminary for claim construction to Plaintiff Entropic Communications, LLC ("Plaintiff" or "Entropic") regarding U.S. Patent Nos. 7,295,518 (the "'518 Patent"), 7,594,249 (the "'249 Patent"), 7,889,759 (the "'759 Patent"), 8,085,802 (the "'802 Patent"), 9,838,213 (the "'213 Patent"), 10,432,422 (the "'422 Patent"), 8,631,450 (the "'450 Patent"), 8,621,539 (the "'539 Patent"), 8,320,566 (the "'0566 Patent"), and 8,363,681 (the "'681 Patent") (collectively, the "Patents-in-Suit" or "Asserted Patents"). In particular, Defendants herein identify claim terms, phrases, or clauses from the asserted claims that Defendants propose should be construed by the Court or found indefinite under 35 U.S.C. § 112.

Defendants expressly reserve the right to identify additional claim terms, phrases, and clauses in light of Plaintiff's disclosures. Defendants also expressly reserve the right to identify additional claim terms, phrases, and clauses in the event Plaintiff amends or supplements its disclosures or productions in any manner. Defendants further reserve the right to construe terms within the phrases below or broader phrases containing the terms below to, for example, provide context. Defendants also reserve the right to contend that one or more discrete terms, phrases, or clauses within any phrase or clause listed below should be construed (or found indefinite) rather than or in addition to the entire phrase or clause, or that a phrase or clause should be construed (or found indefinite) rather than discrete terms within that phrase or clause.

Defendants are available to meet and confer with Plaintiff for the purposes of finalizing the list of proposed constructions, narrowing or resolving differences, and facilitating the ultimate preparation of a Joint Claim Construction and Prehearing Statement.

In view of the foregoing, Defendants propose that the following terms, phrases,

and clauses in the asserted claims (and any variations thereof)—as well as shorter or isolated terms, phrases, and clauses contained within the longer terms, phrases, or clauses in the list below— should be construed by the Court or found indefinite:

Proposed by Defendants		
Identified Term, Phrase, or Clause	**Defendants' Proposed Construction**	**Claims**
bit loading is selected based on the determined channel characteristics	Indefinite	'518 patent, claim 1
each terminal device capable of communicating with other terminal devices the reflected signal path created by the filter	each terminal device capable of communicating with other terminal devices using the reflected signal path created by the filter	'249 patent, claim 10
equalization on the received signal that restores a flat frequency response to overcome communication channel impairments caused by the reflected signals	equalization on the received signal that restores the received signal to a flat frequency response by reversing the distortions caused by the reflected signals	'249 patent, claim 10
a common bit-loading modulation scheme	the lowest modulation values supported by the corresponding channel paths	'759 patent, claims 1, 2, and 3
response signal	signal transmitted in response to the probe signal	'759 patent, claims 1, 2, and 3
scheduled arrival clock time	Plain and ordinary meaning	'681 patent, claim 1
Maximum data rate	Indefinite	'213 patent, claim 1
Admission window	Indefinite	'802 patent, claims 3 and 4
Next beacon index field	Indefinite	'802 patent, claims 3 and 4
Channel number field	Indefinite	'802 patent, claims 3 and 4
optimizing the preamble and cyclic prefix requirements or other parameters	Indefinite	'539 patent, claim 1

Proposed by Defendants		
Identified Term, Phrase, or Clause	**Defendants' Proposed Construction**	**Claims**
Node delay spread	the difference in the amount of delay encountered by different components of the same signal due to the various frequencies that make up the signal used to communicate the echo probe	'539 patent, claim 1
response signal	signal transmitted in response to the probe signal	'450 patent, claim 29
a common bit-loading modulation scheme	the lowest modulation values supported by the corresponding channel paths	'450 patent, claim 29

Proposed by Plaintiff		
Identified Term, Phrase, or Clause	**Defendants' Proposed Construction**	**Claims**
Preamble	Not limiting	'249 patent, claim 10
communicating with other terminal devices the reflected signal path created by the filter	See construction for "each terminal device capable of communicating with other terminal devices the reflected signal path created by the filter" above	'249 patent, claim 10
multi-carrier	Plain and ordinary meaning	'518 patent, claim 1
Preamble	Not limiting	'759 patent, claims 1-3
broadband cable network	Plain and ordinary meaning	'759 patent, claims 1-3
node	Plain and ordinary meaning	'759 patent, claims 1-3
Preamble	Not limiting	'802 patent, claims 3 and 4
broadband cable network	Plain and ordinary meaning	'802 patent, claims 3 and 4
control and data packet	Plain and ordinary meaning	'802 patent, claims 3 and 4

Proposed by Plaintiff		
Identified Term, Phrase, or Clause	**Defendants' Proposed Construction**	**Claims**
beacon packet	Plain and ordinary meaning	'802 patent, claims 3 and 4
node	Plain and ordinary meaning	'802 patent, claims 3 and 4
Preamble	Not limiting	'539 patent, claim 1
coaxial network	Plain and ordinary meaning	'539 patent, claim 1
other parameters	See construction for "optimizing the preamble and cyclic prefix requirements or other parameters" above	'539 patent, claim 1
node	Plain and ordinary meaning	'539 patent, claim 1
MAC layer	Plain and ordinary meaning, which is "media access control layer"	'539 patent, claim 1
delay spread on the network	See construction for "node delay spread" above	'539 patent, claim 1
Preamble	Not limiting	'450 patent, claim 29
Broadband Coaxial Network (BCN)	Plain and ordinary meaning	'450 patent, claims 29-33
Preamble	Not limiting	'213 patent, claim 1
Network Coordinator (NC) node	Plain and ordinary meaning	'213 patent, claims 1, 2, 4, 12
cost	Plain and ordinary meaning	'213 patent, claims 5 and 7
Network Coordinator (NC) node	Plain and ordinary meaning	'422 patent, claims 1 and 6
scheduled arrival clock time	Plain and ordinary meaning	'681 patent, claim 1

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