

Krishnan Padmanabhan (SBN: 254220)  
kpadmanabhan@winston.com  
**WINSTON & STRAWN LLP**  
200 Park Avenue  
New York, NY 10166  
Telephone: (212) 294-6700

*Attorneys for Comcast Defendants*

*(Additional counsel listed in signature block)*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION**

ENTROPIC COMMUNICATIONS,  
LLC,

Plaintiff,

v.

DISH NETWORK CORPORATION,  
*et al*,

Defendants.

ENTROPIC COMMUNICATIONS,  
LLC,

Plaintiff,

v.

COX COMMUNICATIONS, INC., *et al*,

Defendants.

ENTROPIC COMMUNICATIONS,  
LLC,

Plaintiff,

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

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|------------------------------------------------------------------------------------------------------------------------------|
| <p>v.</p> <p>COMCAST CORPORATION, <i>et al.</i>,</p> <p>Defendants.</p>                                                      |
| <p>ENTROPIC COMMUNICATIONS,<br/>LLC,</p> <p>Plaintiff,</p> <p>v.</p> <p>DIRECTTV, LLC, <i>et al.</i>,</p> <p>Defendants.</p> |

1 Pursuant to the Scheduling Order (ECF No. 97) and the Court's Order on  
2 Stipulation to Continue Certain Claim Construction Deadlines (ECF No. 437) in the  
3 above-captioned cases, Defendants provide the following disclosure of preliminary for  
4 claim construction to Plaintiff Entropic Communications, LLC ("Plaintiff" or  
5 "Entropic") regarding U.S. Patent Nos. 7,295,518 (the "'518 Patent"), 7,594,249 (the  
6 "'249 Patent"), 7,889,759 (the "'759 Patent"), 8,085,802 (the "'802 Patent"),  
7 9,838,213 (the "'213 Patent"), 10,432,422 (the "'422 Patent"), 8,631,450 (the "'450  
8 Patent"), 8,621,539 (the "'539 Patent"), 8,320,566 (the "'0566 Patent"), and 8,363,681  
9 (the "'681 Patent") (collectively, the "Patents-in-Suit" or "Asserted Patents"). In  
10 particular, Defendants herein identify claim terms, phrases, or clauses from the  
11 asserted claims that Defendants propose should be construed by the Court or found  
12 indefinite under 35 U.S.C. § 112.

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

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

28 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:

| <b>Proposed by Defendants</b>                                                                                                                             |                                                                                                                                                                 |                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| <b>Identified Term, Phrase, or Clause</b>                                                                                                                 | <b>Defendants' Proposed Construction</b>                                                                                                                        | <b>Claims</b>                   |
| 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            |

| <b>Proposed by Defendants</b>             |                                                                                                                                                                                        |                       |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| <b>Identified Term, Phrase, or Clause</b> | <b>Defendants' Proposed Construction</b>                                                                                                                                               | <b>Claims</b>         |
| 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 |

| <b>Proposed by Plaintiff</b>                                                              |                                                                                                                                                        |                             |
|-------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| <b>Identified Term, Phrase, or Clause</b>                                                 | <b>Defendants' Proposed Construction</b>                                                                                                               | <b>Claims</b>               |
| 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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Respectfully submitted,

By: /s/ Krishnan Padmanabhan  
 Krishnan Padmanabhan (SBN 254220)  
 kpadmanabhan@winston.com  
 WINSTON & STRAWN LLP  
 200 Park Ave., Fl. 40

1 New York City, NY 10166  
2 Tel: (212) 294-6700  
3 Fax: 212-294-4700

4 Diana Hughes Leiden (SBN 267606)  
5 dhleiden@winston.com  
6 WINSTON & STRAWN LLP  
7 333 S. Grand Ave.  
8 Los Angeles, CA 90071  
9 Tel: (213) 615-1700  
10 Fax: (213) 615-1750

11 Brian Ferguson (*pro hac vice*)  
12 bferguson@winston.com  
13 WINSTON & STRAWN LLP  
14 1901 L Street NW  
15 Washington, DC 20036  
16 Tel: (202) 282-5000  
17 Fax: (202) 282-5100

18 Saranya Raghavan (*pro hac vice*)  
19 sraghavan@winston.com  
20 WINSTON & STRAWN LLP  
21 35 West Wacker, Dr.  
22 Chicago, IL 60601  
23 Tel: (312) 558-5600  
24 Fax: (312)558-5700

25 Louis Campbell (SBN 221282)  
26 llcampbell@winston.com  
27 Winston and Strawn LLP  
28 255 Shoreline Dr  
Suite 520  
Redwood City, CA 94065  
650-858-6500  
Fax: 650-858-6400

DAVIS POLK & WARDWELL LLP  
Ashok Ramani (SBN 200020)  
David J. Lisson (SBN 250994)  
Micah G. Block (SBN 270712)

1 1600 El Camino Real  
2 Menlo Park, CA 94025  
3 Tel: (650) 752-2000  
4 Fax: (650) 752-2111  
5 ashok.ramani@davispolk.com  
6 david.lisson@davispolk.com  
7 micah.block@davispolk.com

8 **Attorneys for Defendants**  
9 **Comcast Corporation; Comcast Cable**  
10 **Communications, LLC; and Comcast**  
11 **Cable Communication Management,**  
12 **LLC**

13 By: /s/ David S. Frist  
14 David S. Frist (*pro hac vice*)  
15 david.frist@alston.com  
16 ALSTON & BIRD LLP  
17 1201 West Peachtree Street  
18 Atlanta, GA 30309  
19 Telephone: (404) 881-7000  
20 Facsimile: (404) 881-7777

21 Yuri Mikulka (SBN 185926)  
22 yuri.mikulka@alston.com  
23 Rachel E. K. Lowe (SBN 246361)  
24 rachel.lowe@alston.com  
25 ALSTON & BIRD LLP  
26 350 S. Grand Avenue, 51st Floor  
27 Los Angeles, California 90071  
28 Telephone: (213) 576-1000  
Facsimile: (213) 576-1100

Theodore Stevenson (*pro hac vice*)  
ted.stevenson@alston.com  
ALSTON & BIRD LLP  
2200 Ross Avenue, Suite 2300  
Dallas, TX 75201  
Telephone: (214) 922-3507  
Fax: (214) 922-3899

**Attorneys for Defendants  
DIRECTV, LLC and AT&T Services,  
Inc.**

By: /s/ Christopher Marchese  
Christopher S. Marchese (SBN 170239)  
marchese@fr.com  
FISH & RICHARDSON P.C.  
633 West Fifth Street, 26th Floor  
Los Angeles, CA 90071  
Tel: (213) 533-4240

Adam R. Shartzer (*pro hac vice*)  
shartzer@fr.com  
Ruffin B. Cordell (*pro hac vice*)  
cordell@fr.com  
Richard A. Sterba (*pro hac vice*)  
sterba@fr.com  
Ralph A. Phillips (*pro hac vice*)  
rphillips@fr.com  
Michael J. Ballanco (*pro hac vice*)  
ballanco@fr.com  
FISH & RICHARDSON P.C.  
1000 Maine Ave., SW, Suite 1000  
Washington, DC 20024  
Tel: (202) 783-5070

David M. Barkan (SBN 160825)  
barkan@fr.com  
FISH & RICHARDSON P.C.  
500 Arguello Street, Suite 400  
Redwood City, CA 94063  
Tel: (650) 839-5070

Ashley A. Bolt (*pro hac vice*)  
bolt@fr.com  
FISH & RICHARDSON P.C.  
1180 Peachtree Street NE, 21st Floor  
Atlanta, GA 30309  
Tel: (404) 892-5005

**Attorneys for Defendants**  
**DISH Network Corporation, et al.**  
By: /s/ April Elizabeth Isaacson  
April Elizabeth Isaacson  
aisaacson@kilpatricktownsend.com  
KILPATRICK TOWNSEND &  
STOCKTON LLP  
Two Embarcadero Center, Suite 1900  
San Francisco CA 94111  
(415) 273 8306

Rishi Gupta (SBN 313079)  
rgupta@kilpatricktownsend.com  
Sarah Y Kamran  
skamran@kilpatricktownsend.com  
KILPATRICK TOWNSEND &  
STOCKTON LLP  
1801 Century Park East, Suite 2300  
Los Angeles CA 90067  
(310) 248-3830

Mitchell G. Stockwell (pro hac vice)  
mstockwell@kilpatricktownsend.com  
Christopher S. Leah (pro hac vice)  
cleah@kilpatricktownsend.com  
Courtney S. Dabbieri  
cdabbieri@kilpatricktownsend.com  
Michael J. Turton (pro hac vice)  
mturton@kilpatricktownsend.com  
Vaibhav P. Kadaba (pro hac vice)  
wkadaba@kilpatricktownsend.com  
Andrew N. Saul (pro hac vice)  
asaul@kilpatricktownsend.com  
KILPATRICK TOWNSEND &  
STOCKTON LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, GA 30309-4530  
Tel: (404)-815-6214  
Fax: (404)-541-3403

**Attorneys for Defendants**

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**COX COMMUNICATIONS,  
INC., COXCOM, LLC AND COX  
COMMUNICATIONS  
CALIFORNIA,  
LLC**