

Brian A. Sun (CA SBN 89410)
NORTON ROSE FULBRIGHT US LLP
 555 South Flower Street
 Forty-First Floor
 Los Angeles, CA 90071
 Telephone: (213) 892-9200
 brian.sun@nortonrosefulbright.com

Brett C. Govett (*pro hac vice*)
 (TX SBN 08235900)
NORTON ROSE FULBRIGHT US LLP
 2200 Ross Avenue, Suite 3600
 Dallas, Texas 75201
 Telephone: (214) 855-8000
 brett.govett@nortonrosefulbright.com

Daniel S. Leventhal (*pro hac vice*)
 (TX SBN 24050923)
NORTON ROSE FULBRIGHT US LLP
 1301 McKinney, Suite 5100
 Houston, Texas 77010
 Telephone: (713) 651-5151
 daniel.leventhal@nortonrosefulbright.com

Counsel for Plaintiff Smith Interface Technologies, LLC

[Additional counsel listed on signature page]

Sean Cunningham (CA SBN 174931)
 sean.cunningham@us.dlapiper.com
 Richard Mulloy (CA SBN 199278)
 richard.mulloy@us.dlapiper.com
 Robert Williams (CA SBN 246990)
 robert.williams@us.dlapiper.com
 Peter Maggiore (CA SBN 292534)
 peter.maggiore@us.dlapiper.com
DLA PIPER LLP (US)
 4365 Executive Dr, Suite 1100
 San Diego, California 92121-2133
 Telephone: 858.677.1400
 Facsimile: 858.677.1401

Counsel for Defendant Apple Inc.

[Additional counsel listed on signature page]

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

SMITH INTERFACE
 TECHNOLOGIES, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 3:23-cv-1187-TWR-BJC

**JOINT CLAIM CONSTRUCTION
 CHART, WORKSHEET, AND
 HEARING STATEMENT
 PURSUANT TO PATENT L.R. 4.2**

Apple Inc. v. Smith Interface Techs., LLC
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Case No. 3:23-cv-01187-TWR-BJC

Pursuant to this Court’s Case Management Order Regulating Discovery and Other Pretrial Proceedings in a Patent Case (ECF No. 102) and Patent L.R. 4.2, Plaintiff Smith Interface Technologies, LLC (“Smith Interface”) and Defendant Apple Inc. (“Apple”) hereby file this Joint Claim Construction Chart, Worksheet, and Hearing Statement regarding the constructions of identified claim terms in U.S. Patent Nos. 10,642,413 (the “’413 Patent”); 10,649,578 (the “’578 Patent”); 10,649,580 (the “’580 Patent”); 10,656,754 (the “’754 Patent”); 10,656,755 (the “’755 Patent”); 10,656,758 (the “’758 Patent”); 10,671,212 (the “’212 Patent”); 10,725,581 (the “’581 Patent”); 10,936,114 (the “’114 Patent”); and 11,740,727 (the “’727 Patent”) (collectively, the “Asserted Patents”).

I. PARTIES’ JOINT PRELIMINARY STATEMENT

The Parties would like to notify the Court that they have agreed to file an Amended Joint Claim Construction Chart, Worksheet, and Hearing Statement given that Smith Interface’s October 18, 2024 “claim election of no more than 20 claim per patent and no more than 64 total claims” and November 28, 2024 “claim election of no more than ten claims per Asserted Patent and no more than 32 claims in total two weeks prior to claim construction hearing” (ECF No. 91) is expected to streamline and decrease the number of claim terms.

II. IDENTIFICATION OF MOST SIGNIFICANT TERMS

Pursuant to Patent L.R. 4.2(a), Smith Interface and Apple identify the following 10 terms as most significant to the resolution of the case (in no particular order):

1. “a reduction in a size [that is/so as to be] inversely related to the duration of the gesture” (’114 Patent, claims 27, 30, and 32);
2. “performing a [first/second/third] operation” (’413 Patent, claims 1 and 101) / “performing an operation [in connection with / on] the first application icon” (’758 Patent, claims 1 and 124) / “perform an operation” (’212 Patent, claims 1 and 16);

3. “adjacent” (’413 Patent, claim 7; ’212 Patent, claim 57; ’754 Patent claims 29, 193, 205, 206, 208);
4. “substantially fills” (’413 Patent, claim 9);
5. “action-option- display criteria” (’758 Patent, claims 1 and 124);
6. “movement criteria” (’758 Patent, claims 1 and 124);
7. “action options” (’758 Patent, claims 1 and 124);
8. “evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria”(’758 Patent, claims 1, 27);
9. “when . . . the duration of the first contact is determined to be greater than the second user- configurable predefined duration . . . and the end of the first contact is not detected” (’581 Patent, claim 1);
10. “distance magnitude [of the gesture]” (’727 Patent, claims 1, 2; ’754 Patent, claims 27, 32, 38, 75, 76-79, 83, 85, 86, 186, 208, 211, 218, 221).

A. Smith Interface’s Statement

In agreeing to the above terms as the ten most significant, Smith Interface does not agree with Apple that eight of those terms, none of which Apple identified in its IPRs as indefinite, are indefinite. Rather, Smith Interface only agrees that a finding of indefiniteness would be dispositive of claims including those terms. Further, Smith Interface does not agree that the two remaining terms for which Apple apparently believes a construction would lead to noninfringement would, in fact, lead to noninfringement.

Smith Interface objects to Apple’s identification of “a reduction in a size [that is/so as to be] inversely related to the duration of the gesture” as limited to Claims

27, 30, and 32 of the '114 Patent. Apple failed to explain during the meet and confer process why the similar language of Claim 1 of the '114 Patent (“a reduction in a size such that the size is inversely related to the magnitude of the duration of the gesture”) would not be subject to the same construction.

B. Apple’s Statement

Apple’s position is that the four “criteria” terms in claims 1 and 124 of the '758 Patent (i.e., “application-launch criteria,” “action-option-display criteria,” “operation criteria,” and “movement criteria”) and the two “action option” terms in claims 1 and 124 of the '758 Patent (i.e., “action options” and “action option objects”) should each be treated and briefed, respectively, as a single term for each group. The claim construction issues to be briefed and decided amongst these terms in each respective grouping are virtually identical to each other. The parties met and conferred on this position, but could not reach agreement. Therefore, for purposes of the top 10 terms above, Apple has selected representative terms from both the “criteria” and “action option” groups, but intends to brief and seek a claim construction ruling on each of the “criteria” and “action option” group terms.

In response to Smith’s statement above with respect to the “a reduction in a size [that is/so as to be] inversely related to the duration of the gesture” term, Apple did explain during the meet and confer process why this construction is limited to Claims 27, 30, and 32 of the '114 Patent but, regardless, this Hearing Statement is not the proper filing for substantive arguments about the merits and applicability of proposed claim constructions.

III. JOINT CLAIM CONSTRUCTION CHART

Pursuant to Patent L.R. 4.2(b), Smith Interface’s and Apple’s proposed construction of each disputed claim term, along with each party’s identification of supporting evidence, is attached as Exhibit A. For each disputed claim term, phrase, or clause, Exhibit A further includes each party’s identification of the impact of the proposed constructions on the merits of the case.

IV. JOINT CLAIM CONSTRUCTION WORKSHEET

Pursuant to Patent L.R. 4.2(c), attached as Exhibit B is the Joint Claim Construction Worksheet, which includes Smith Interface's and Apple's disputed and agreed upon constructions.

V. ANTICIPATED LENGTH OF CLAIM CONSTRUCTION HEARING

Pursuant to Patent L.R. 4.2(d)(1), Smith Interface and Apple anticipate the length of time necessary for the Claim Construction hearing is approximately four (4) hours, and respectfully propose that each side be allocated approximately equal amounts of time to present their positions. If the Court requests a technology tutorial, the parties will meet and confer on the technology tutorial and its estimated length at that time.

VI. WITNESSES FOR CLAIM CONSTRUCTION HEARING

Pursuant to Patent L.R. 4.2(d)(2), Smith Interface and Apple do not expect to present live testimony of witnesses at the Claim Construction Hearing. The parties respectfully propose that expert testimony be submitted via declaration along with the claim construction briefing. Given that Smith Interface is expected to narrow its elected claims to no more than 20 per patent and 64 total claims by October 18, 2024, which Smith Interface believes will render moot the need for the parties to brief and the Court to construe certain disputed claim terms, the parties have agreed to the following schedule for exchange of expert declarations:

- October 22, 2024 – Apple serves Declaration of Dr. Bajaj
- October 29, 2024 – Smith Interface serves Responsive Declaration of Dr. Mahon

The parties will also jointly seek a ten day extension of the claim construction discovery deadline (from October 29, 2024 to November 8, 2024) in order to allow for depositions of Dr. Bajaj and Dr. Mahon, if necessary.

VII. ORDER OF PRESENTATION

Pursuant to Patent L.R. 4.2(d)(3), Smith Interface and Apple anticipate

1 presenting the claim-construction issues term by term.

2 Smith Interface and Apple propose that, on terms for which Apple contends
3 are indefinite and on which Apple bears the burden of persuasion, that Apple present
4 first followed by Smith Interface, or at the Court's discretion.

5 For all other terms, Apple proposes that the parties alternate who presents first,
6 or at the Court's discretion, and Smith Interface proposes that for these terms the
7 party to speak first will be at the Court's discretion.

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1 Dated: October 1, 2024

2 Respectfully submitted,

3 /s/ Daniel Leventhal

4 /s/ Peter Maggiore

5 **NORTON ROSE FULBRIGHT US LLP**

6 Brian A. Sun
7 (CA SBN 89410)
8 555 South Flower Street
9 Forty-First Floor
10 Los Angeles, California 90071
11 Telephone: (213) 892-9222
12 brian.sun@nortonrosefulbright.com

13 Brett C. Govett (*pro hac vice*)
14 (TX SBN 08235900)
15 Vlada A. Wendel (*pro hac vice*)
16 (TX SBN 24131751)
17 2200 Ross Avenue, Suite 3600
18 Dallas, Texas 75201
19 Telephone: (214) 855-8000
20 brett.govett@nortonrosefulbright.com
21 vlada.wendel@nortonrosefulbright.com

22 Daniel S. Leventhal (*pro hac vice*)
23 (TX SBN 24050923)
24 1301 McKinney, Suite 5100
25 Houston, Texas 77010-3095
26 Telephone: (713) 651-5151
27 daniel.leventhal@nortonrosefulbright.com

28 John Poulos (*pro hac vice*)
(IL SBN 6324517)
1045 W. Fulton Market, Suite 1200
Chicago, Illinois 60607
Telephone: (312) 964-7766
john.poulos@nortonrosefulbright.com
Counsel for Plaintiff Smith
Interface Technologies, LLC

Sean C. Cunningham
Richard Mulloy
Robert Williams
Peter Maggiore
DLA Piper LLP (US)
4365 Executive Drive, Suite 1100
San Diego, CA 92121
Telephone: (858) 677-1400
Facsimile: (858) 677-1401

Brent K. Yamashita
Peiyao Zhang
DLA Piper LLP (US)
2000 University Avenue
East Palo Alto, CA 94303-2214
Telephone: (650) 833-2000
Facsimile: (650) 833-2001

Jessica Hannah
DLA Piper LLP (US)
555 Mission Street, Suite 2400
San Francisco, CA 94105
Telephone: (415) 836-2500
Facsimile: (415) 836-2501

Zachary Loney (*pro hac vice*)
DLA Piper LLP (US)
401 Congress Avenue, Suite 2500
Austin, TX 78701
Telephone: (512) 457-7000
Facsimile: (512) 457-7001

Counsel for Defendant Apple Inc.

EXHIBIT A

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
to be inversely related to the magnitude of the duration of the gesture being detected on the touch screen on the first object; and when a third component of the gesture is detected where the magnitude of the duration of the gesture being detected on the touch screen on the first object is greater than a second magnitude threshold, perform another function.		
<u>Term:</u> “performing a [first/second/third] operation” (’413 Patent, Claims 1 and 101) / “performing an operation [in connection with / on] the first application icon” (’758 Patent, Claims 1 and 124) / “perform an operation” (’212 Patent, claims 1 and 16) <u>’413 Patent:</u>	<u>Proposed Construction:</u> Plain and ordinary meaning. <u>Impact Statement:</u> Smith Interface does not believe that the construction of this term is either case or claim dispositive. Indeed, as evidenced by Apple’s invalidity contentions and petitions for <i>Inter Partes</i> Review, the parties do not dispute the meaning of this term.	<u>Proposed Construction:</u> Indefinite. <u>Impact Statement:</u> Apple believes this term would fully dispose of all issues related to the ’758 patent, ’212 patent, and ’413 patent. <u>Intrinsic Evidence:</u> ’758 Patent at

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
<u>'758 Patent:</u> Claims 1 and 124 1. An electronic device, comprising: a display; a touch-sensitive surface; one or more processors; memory; and one or more programs, wherein the one or more programs are stored in the memory and configured to be executed by the one or more processors, the one or more programs including instructions for: displaying, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; while displaying the application launching user interface, detecting a first single-finger touch input that		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch input, determining a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: in accordance with a determination that the first single-finger touch input meets the one or more application-launch criteria that is met when the duration of the first single-finger touch input is evaluated to be less than a first time threshold, launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than the first time		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
threshold, displaying one or more action option objects associated with the first application without launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more operation criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than a second time threshold that is greater than the first time threshold, performing an operation in connection with the first application icon, and in accordance with a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
layer so that the first application icon appears to float above a background virtual display layer. 124. A non-transitory computer readable storage medium storing one or more programs, the one or more programs comprising instructions which, when executed by an electronic device with a display and a touch-sensitive surface, cause the electronic device to: display, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; with the application launching user interface displayed, detect a first single-finger touch input that includes detecting the first single-finger touch input at a		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch input, determine a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: based on a determination that the first single-finger touch input meets the one or more application-launch criteria that is met based on the duration of the first single-finger touch input being evaluated to be less than a first time threshold, launching the first application, based on a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than the first time threshold, displaying one or more action option objects		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
associated with the first application without launching the first application, based on a determination that the first single-finger touch input meets the one or more operation criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than a second time threshold that is greater than the first time threshold, performing an operation on the first application icon , and based on a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer.		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
	contentions, including any references or citations therein. Smith Interface reserves the right to rely upon any evidence cited or relied upon by Defendant.	
<u>Term:</u> “application-launch criteria” <u>'758 Patent:</u> Claims 1 and 124 1. An electronic device, comprising: a display; a touch-sensitive surface; one or more processors; memory; and one or more programs, wherein the one or more programs are stored in the memory and configured to be executed by the one or more processors, the one or more programs including instructions for:	<u>Proposed Construction:</u> Plain and ordinary meaning. <u>Impact Statement:</u> Smith Interface does not believe that the construction of this term is either case or claim dispositive. Indeed, as evidenced by Apple's invalidity contentions and petitions for <i>Inter Partes</i> Review, the parties do not dispute the meaning of this term. <u>Intrinsic Evidence:</u> The specification of the '758 Patent generally, including but not limited to: '758 Patent at Abstract, 1:44–4:33, 16:17–55, 17:56–28:11, 28:12–30, 54:61–56:20, 58:10–61:39, FIGs. 3, 4, 5, 6, 16, and 18 (and text in specification describing those figures).	<u>Proposed Construction:</u> Indefinite. <u>Impact Statement:</u> Apple believes this term would fully dispose of all issues related to the '758 patent. <u>Intrinsic Evidence:</u> '758 patent at: Abstract, 1:44–4:33, Claims 1, 5, 52, 62, 63, 67, 114, 124, 125 '758 File history at • Oct 25, 2019 Claims • Feb 27, 2020 Email to the Examiner

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
displaying, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; while displaying the application launching user interface, detecting a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch input, determining a response to the first single-	The claims of the '758 Patent. '758 Prosecution History. IPR2024-01088 <u>Extrinsic Evidence:</u> Devices, Methods, and Graphical User Interfaces for Manipulating User Interface Objects with Visual and/or Haptic Feedback, U.S. Patent No. 10,338,772 ("Anzures"). Smith Interface reserves the right to rely on testimony from Dr. Mahon. Dr. Mahon may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Dr. Mahon may further testify that the term viewed in light of the specification and other intrinsic evidence informs those skilled in the art about the scope of the alleged invention with reasonable certainty.	• Feb 28, 2020 Email to the Examiner • Mar 31, 2020 Comments on Statements on Reasons for Allowance '114 File history at • Aug 31, 2019 Claims • Sept 16, 2019 Preliminary Amendment • Sept 16, 2019 Claims • Jan 14, 2021 Proposed Amendment • Jan 22, 2021 Proposed Amendment <u>Extrinsic Evidence:</u> Apple reserves the right to rely on testimony from Dr. Chandrajit Bajaj. Dr. Bajaj may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Dr. Bajaj may further testify that the term viewed in light of the specification and other intrinsic evidence fails to inform those skilled in

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: in accordance with a determination that the first single-finger touch input meets the one or more application-launch criteria that is met when the duration of the first single-finger touch input is evaluated to be less than a first time	Smith Interface may also rely on Defendant's invalidity contentions and Smith Interface's infringement contentions, including any references or citations therein. Smith Interface reserves the right to rely upon any evidence cited or relied upon by Defendant.	the art about the scope of the alleged invention with reasonable certainty.

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
threshold, launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more operation criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than a second time threshold that is greater than the first time		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
threshold, performing an operation in connection with the first application icon, and in accordance with a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer. 124. A non-transitory computer readable storage medium storing one or more programs, the one or more programs comprising instructions which, when executed by an electronic device with a display and a touch-sensitive surface, cause the electronic device to: display, on the display, an application launching user		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
interface that includes a plurality of application icons for launching corresponding applications; with the application launching user interface displayed, detect a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch input, determine a response to the first single-finger touch input based on evaluating the first single-		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria , one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: based on a determination that the first single-finger touch input meets the one or more application-launch criteria that is met based on the duration of the first single-finger touch input being evaluated to be less than a first time threshold, launching the first application,		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
based on a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application, based on a determination that the first single-finger touch input meets the one or more operation criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than a second time threshold that is greater than the first time threshold, performing an operation on the first application icon, and		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
based on a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer.		
<u>Term:</u> “action-option-display criteria” <u>'758 Patent:</u> Claims 1 and 124 1. An electronic device, comprising: a display; a touch-sensitive surface; one or more processors; memory; and one or more programs, wherein the one or more programs are stored in the memory and configured to be executed by the one or	<u>Proposed Construction:</u> Plain and ordinary meaning. <u>Impact Statement:</u> Smith Interface does not believe that the construction of this term is either case or claim dispositive. Indeed, as evidenced by Apple's invalidity contentions and petitions for <i>Inter Partes</i> Review, the parties do not dispute the meaning of this term. <u>Intrinsic Evidence:</u> The specification of the '758 Patent generally, including but not limited to: '758 Patent at Abstract, 1:44–4:33, 16:17–55, 17:56–28:11, 28:12–30,	<u>Proposed Construction:</u> Indefinite. <u>Impact Statement:</u> Apple believes this term would fully dispose of all issues related to the '758 patent. <u>Intrinsic Evidence:</u> '758 patent at: Abstract, 1:44-4:33, Claims 1, 2, 4, 9, 52, 62, 63, 64, 66, 71, 114, 124, 125,

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
more processors, the one or more programs including instructions for: displaying, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; while displaying the application launching user interface, detecting a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more corresponding action options; and	54:61–56:20, 58:10–61:39, FIGs. 3, 4, 5, 6, 16, and 18 (and text in specification describing those figures). The claims of the '758 Patent. '758 Prosecution History. IPR2024-01088 <u>Extrinsic Evidence:</u> Devices, Methods, and Graphical User Interfaces for Manipulating User Interface Objects with Visual and/or Haptic Feedback, U.S. Patent No. 10,338,772 (“Anzures”). Smith Interface reserves the right to rely on testimony from Dr. Mahon. Dr. Mahon may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Dr. Mahon may further testify that the term viewed in light of the specification and other intrinsic evidence informs those skilled in the art	'758 File history at • Oct 25, 2019 Claims • Feb 27, 2020 Email to the Examiner • Feb 28, 2020 Email to the Examiner • Mar 31, 2020 Comments on Statements on Reasons for Allowance '114 File history at • Aug 31, 2019 Claims • Sept 16, 2019 Preliminary Amendment • Sept 16, 2019 Claims • Jan 14, 2021 Proposed Amendment • Jan 22, 2021 Proposed Amendment <u>Extrinsic Evidence:</u> Apple reserves the right to rely on testimony from Dr. Chandrajit Bajaj. Dr. Bajaj may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
in response to detecting the first single-finger touch input, determining a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria , or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: in accordance with a determination that the first single-finger touch input meets the one or more application-launch criteria that is met when the duration	about the scope of the alleged invention with reasonable certainty. Smith Interface may also rely on Defendant's invalidity contentions and Smith Interface's infringement contentions, including any references or citations therein. Smith Interface reserves the right to rely upon any evidence cited or relied upon by Defendant.	patent specification and other intrinsic evidence. Dr. Bajaj may further testify that the term viewed in light of the specification and other intrinsic evidence fails to inform those skilled in the art about the scope of the alleged invention with reasonable certainty.

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
of the first single-finger touch input is evaluated to be less than a first time threshold, launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more operation criteria that is met when the duration of the first		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
single-finger touch input is evaluated to be greater than a second time threshold that is greater than the first time threshold, performing an operation in connection with the first application icon, and in accordance with a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer. 124. A non-transitory computer readable storage medium storing one or more programs, the one or more programs comprising instructions which, when executed by an electronic device with a display and a		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
touch-sensitive surface, cause the electronic device to: display, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; with the application launching user interface displayed, detect a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
input, determine a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria , or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: based on a determination that the first single-finger touch input meets the one or more application-launch criteria that is met based on the duration of the first single-finger touch input being evaluated to be less than a		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
first time threshold, launching the first application, based on a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application, based on a determination that the first single-finger touch input meets the one or more operation criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than a second time threshold that is greater than the first		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
time threshold, performing an operation on the first application icon, and based on a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer.		
<u>Term:</u> “operation criteria” <u>'758 Patent:</u> Claims 1 and 124 1. An electronic device, comprising: a display; a touch-sensitive surface; one or more processors; memory; and one or more programs, wherein the one or more programs are stored in the	<u>Proposed Construction:</u> Plain and ordinary meaning. <u>Impact Statement:</u> Smith Interface does not believe that the construction of this term is either case or claim dispositive. Indeed, as evidenced by Apple's invalidity contentions and petitions for <i>Inter Partes</i> Review, the parties do not dispute the meaning of this term. <u>Intrinsic Evidence:</u>	<u>Proposed Construction:</u> Indefinite. <u>Impact Statement:</u> Apple believes this term would fully dispose of all issues related to the '758 patent. <u>Intrinsic Evidence:</u> '758 patent at: Claims, 1, 6, 52, 62, 63, 68, 114, 124, 125,

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
memory and configured to be executed by the one or more processors, the one or more programs including instructions for: displaying, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; while displaying the application launching user interface, detecting a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more	The specification of the '758 Patent generally, including but not limited to: '758 Patent at Abstract, 1:44–4:33, 16:17–55, 17:56–28:11, 28:12–30, 54:61–56:20, 58:10–61:39, FIGs. 3, 4, 5, 6, 16, and 18 (and text in specification describing those figures). The claims of the '758 Patent. '758 Prosecution History. IPR2024-01088 <u>Extrinsic Evidence:</u> Devices, Methods, and Graphical User Interfaces for Manipulating User Interface Objects with Visual and/or Haptic Feedback, U.S. Patent No. 10,338,772 (“Anzures”). Smith Interface reserves the right to rely on testimony from Dr. Mahon. Dr. Mahon may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic	'758 File history at • Oct 25, 2019 Claims • Feb 27, 2020 Email to the Examiner • Feb 28, 2020 Email to the Examiner • Mar 31, 2020 Comments on Statements on Reasons for Allowance '114 File history at • Aug 31, 2019 Claims • Sept 16, 2019 Preliminary Amendment • Sept 16, 2019 Claims • Jan 14, 2021 Proposed Amendment • Jan 22, 2021 Proposed Amendment <u>Extrinsic Evidence:</u> Apple reserves the right to rely on testimony from Dr. Chandrajit Bajaj. Dr. Bajaj may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
corresponding action options; and in response to detecting the first single-finger touch input, determining a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: in accordance with a determination that the first single-finger touch input meets the one or more	evidence. Dr. Mahon may further testify that the term viewed in light of the specification and other intrinsic evidence informs those skilled in the art about the scope of the alleged invention with reasonable certainty. Smith Interface may also rely on Defendant's invalidity contentions and Smith Interface's infringement contentions, including any references or citations therein. Smith Interface reserves the right to rely upon any evidence cited or relied upon by Defendant.	evidence. Dr. Bajaj may further testify that the term viewed in light of the specification and other intrinsic evidence fails to inform those skilled in the art about the scope of the alleged invention with reasonable certainty.

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
application-launch criteria that is met when the duration of the first single-finger touch input is evaluated to be less than a first time threshold, launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more operation criteria that is		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
met when the duration of the first single-finger touch input is evaluated to be greater than a second time threshold that is greater than the first time threshold, performing an operation in connection with the first application icon, and in accordance with a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer. 124. A non-transitory computer readable storage medium storing one or more programs, the one or more programs comprising instructions which, when		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
executed by an electronic device with a display and a touch-sensitive surface, cause the electronic device to: display, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; with the application launching user interface displayed, detect a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more corresponding action options; and		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
in response to detecting the first single-finger touch input, determine a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria , and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: based on a determination that the first single-finger touch input meets the one or more application-launch criteria that is met based on the duration of the first single-		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
finger touch input being evaluated to be less than a first time threshold, launching the first application, based on a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application, based on a determination that the first single-finger touch input meets the one or more operation criteria that is met based on the duration of the first single-finger touch input being evaluated to be		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
greater than a second time threshold that is greater than the first time threshold, performing an operation on the first application icon, and based on a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer.		
<u>Term:</u> “movement criteria” <u>'758 Patent:</u> Claims 1 and 124 1. An electronic device, comprising: a display; a touch-sensitive surface; one or more processors; memory; and	<u>Proposed Construction:</u> Plain and ordinary meaning. <u>Impact Statement:</u> Smith Interface does not believe that the construction of this term is either case or claim dispositive. Indeed, as evidenced by Apple's invalidity contentions and petitions for <i>Inter Partes</i> Review, the parties do not dispute the meaning of this term.	<u>Proposed Construction:</u> Indefinite. <u>Impact Statement:</u> Apple believes this term would fully dispose of all issues related to the '758 patent. <u>Intrinsic Evidence:</u> '758 patent at: 1:44-4:33,

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
one or more programs, wherein the one or more programs are stored in the memory and configured to be executed by the one or more processors, the one or more programs including instructions for: displaying, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; while displaying the application launching user interface, detecting a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first	<u>Intrinsic Evidence:</u> The specification of the '758 Patent generally, including but not limited to: '758 Patent at Abstract, 1:44–4:33, 16:17–55, 17:56–28:11, 28:12–30, 54:61–56:20, 58:10–61:39, FIGs. 3, 4, 5, 6, 16, and 18 (and text in specification describing those figures). The claims of the '758 Patent. '758 Prosecution History. IPR2024-01088 <u>Extrinsic Evidence:</u> Devices, Methods, and Graphical User Interfaces for Manipulating User Interface Objects with Visual and/or Haptic Feedback, U.S. Patent No. 10,338,772 (“Anzures”). Smith Interface reserves the right to rely on testimony from Dr. Mahon. Dr. Mahon may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the	Claims 1, 33-40, 52, 62, 63, 95-102, 114, 124, 128, '758 File history at • Oct 25, 2019 Claims • Feb 27, 2020 Email to the Examiner • Feb 28, 2020 Email to the Examiner • Mar 31, 2020 Comments on Statements on Reasons for Allowance '114 File history at • Aug 31, 2019 Claims • Sept 16, 2019 Preliminary Amendment • Sept 16, 2019 Claims • Jan 14, 2021 Proposed Amendment • Jan 22, 2021 Proposed Amendment <u>Extrinsic Evidence:</u> Apple reserves the right to rely on testimony from Dr. Chandrajit Bajaj. Dr. Bajaj may testify regarding the plain meaning of the term to a person

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch input, determining a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: in accordance with a determination that the first	patent specification and other intrinsic evidence. Dr. Mahon may further testify that the term viewed in light of the specification and other intrinsic evidence informs those skilled in the art about the scope of the alleged invention with reasonable certainty. Smith Interface may also rely on Defendant's invalidity contentions and Smith Interface's infringement contentions, including any references or citations therein. Smith Interface reserves the right to rely upon any evidence cited or relied upon by Defendant.	of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Dr. Bajaj may further testify that the term viewed in light of the specification and other intrinsic evidence fails to inform those skilled in the art about the scope of the alleged invention with reasonable certainty.

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
single-finger touch input meets the one or more application-launch criteria that is met when the duration of the first single-finger touch input is evaluated to be less than a first time threshold, launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application, in accordance with a determination that the first single-finger touch input		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
meets the one or more operation criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than a second time threshold that is greater than the first time threshold, performing an operation in connection with the first application icon, and in accordance with a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer. 124. A non-transitory computer readable storage medium storing one or more programs, the one or more programs comprising		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
instructions which, when executed by an electronic device with a display and a touch-sensitive surface, cause the electronic device to: display, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; with the application launching user interface displayed, detect a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
corresponding action options; and in response to detecting the first single-finger touch input, determine a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: based on a determination that the first single-finger touch input meets the one or more application-launch criteria		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
that is met based on the duration of the first single-finger touch input being evaluated to be less than a first time threshold, launching the first application, based on a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application, based on a determination that the first single-finger touch input meets the one or more operation criteria that is met based on the duration of the		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
first single-finger touch input being evaluated to be greater than a second time threshold that is greater than the first time threshold, performing an operation on the first application icon, and based on a determination that the first single-finger touch input meets the one or more movement criteria , moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer.		
<u>Term:</u> “action options” <u>'758 Patent:</u> Claims 1 and 124 1. An electronic device, comprising: a display; a touch-sensitive surface; one or more processors;	<u>Proposed Construction:</u> Plain and ordinary meaning. <u>Impact Statement:</u> Smith Interface does not believe that the construction of this term is either case or claim dispositive. Indeed, as evidenced by Apple's invalidity contentions and petitions for <i>Inter Partes</i> Review, the	<u>Proposed Construction:</u> Indefinite. <u>Impact Statement:</u> Apple believes this term would fully dispose of all issues related to the '758 patent. <u>Intrinsic Evidence:</u> '758 patent at:

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
memory; and one or more programs, wherein the one or more programs are stored in the memory and configured to be executed by the one or more processors, the one or more programs including instructions for: displaying, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; while displaying the application launching user interface, detecting a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch- sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application	parties do not dispute the meaning of this term. <u>Intrinsic Evidence:</u> The specification of the '758 Patent generally, including but not limited to: '758 Patent at Abstract, 1:44–4:33, 16:17–55, 17:56–28:11, 28:12–30, 54:61–56:20, 58:10–61:39, FIGs. 3, 4, 5, 6, 16, and 18 (and text in specification describing those figures). The claims of the '758 Patent. '758 Prosecution History. IPR2024-01088 <u>Extrinsic Evidence:</u> Devices, Methods, and Graphical User Interfaces for Manipulating User Interface Objects with Visual and/or Haptic Feedback, U.S. Patent No. 10,338,772 (“Anzures”). Smith Interface reserves the right to rely on testimony from Dr. Mahon. Dr.	Abstract, 1:44-4:33, Claims 1, 62, 63, 124, '758 File history at • Oct 25, 2019 Claims • Feb 27, 2020 Email to the Examiner • Feb 28, 2020 Email to the Examiner • Mar 31, 2020 Comments on Statements on Reasons for Allowance '114 File history at • Aug 31, 2019 Claims • Sept 16, 2019 Preliminary Amendment • Sept 16, 2019 Claims • Jan 14, 2021 Proposed Amendment • Jan 22, 2021 Proposed Amendment <u>Extrinsic Evidence:</u>

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
icon is for launching a first application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch input, determining a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for:	Mahon may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Dr. Mahon may further testify that the term viewed in light of the specification and other intrinsic evidence informs those skilled in the art about the scope of the alleged invention with reasonable certainty. Smith Interface may also rely on Defendant's invalidity contentions and Smith Interface's infringement contentions, including any references or citations therein. Smith Interface reserves the right to rely upon any evidence cited or relied upon by Defendant.	Apple reserves the right to rely on testimony from Dr. Chandrajit Bajaj. Dr. Bajaj may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Dr. Bajaj may further testify that the term viewed in light of the specification and other intrinsic evidence fails to inform those skilled in the art about the scope of the alleged invention with reasonable certainty.

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Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
in accordance with a determination that the first single-finger touch input meets the one or more application-launch criteria that is met when the duration of the first single-finger touch input is evaluated to be less than a first time threshold, launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application,		

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Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
in accordance with a determination that the first single-finger touch input meets the one or more operation criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than a second time threshold that is greater than the first time threshold, performing an operation in connection with the first application icon, and in accordance with a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer.		
124. A non-transitory computer readable storage		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
medium storing one or more programs, the one or more programs comprising instructions which, when executed by an electronic device with a display and a touch-sensitive surface, cause the electronic device to: display, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; with the application launching user interface displayed, detect a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch input, determine a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: based on a determination that the first single-finger touch		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
input meets the one or more application-launch criteria that is met based on the duration of the first single-finger touch input being evaluated to be less than a first time threshold, launching the first application, based on a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application, based on a determination that the first single-finger touch input meets the one or more		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
operation criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than a second time threshold that is greater than the first time threshold, performing an operation on the first application icon, and based on a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer.		
<u>Term:</u> “action option objects” <u>’758 Patent:</u> Claims 1 and 124 1. An electronic device, comprising: a display;	<u>Proposed Construction:</u> Plain and ordinary meaning. <u>Impact Statement:</u> Smith Interface does not believe that the construction of this term is either case or claim dispositive. Indeed, as evidenced by Apple’s invalidity contentions and	<u>Proposed Construction:</u> Indefinite. <u>Impact Statement:</u> Apple believes this term would fully dispose of all issues related to the ’758 patent.

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
a touch-sensitive surface; one or more processors; memory; and one or more programs, wherein the one or more programs are stored in the memory and configured to be executed by the one or more processors, the one or more programs including instructions for: displaying, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; while displaying the application launching user interface, detecting a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the	petitions for <i>Inter Partes</i> Review, the parties do not dispute the meaning of this term. <u>Intrinsic Evidence:</u> The specification of the '758 Patent generally, including but not limited to: '758 Patent at Abstract, 1:44–4:33, 16:17–55, 17:56–28:11, 28:12–30, 54:61–56:20, 58:10–61:39, FIGs. 3, 4, 5, 6, 16, and 18 (and text in specification describing those figures). The claims of the '758 Patent. '758 Prosecution History. IPR2024-01088 <u>Extrinsic Evidence:</u> Devices, Methods, and Graphical User Interfaces for Manipulating User Interface Objects with Visual and/or Haptic Feedback, U.S. Patent No. 10,338,772 (“Anzures”).	<u>Intrinsic Evidence:</u> '758 patent at: 1:44-4:33, 70:37-47, 83:8-21, Claims 1, 2, 4-8, 12-19, 21, 23, 36, 42-51, 53-60, 62, 63, 64, 66-70, 74-81, 83, 85, 98, 104-113, 115-122, 124-127, 130-131, '758 File history at • Oct 25, 2019 Claims • Feb 27, 2020 Email to the Examiner • Feb 28, 2020 Email to the Examiner • Mar 31, 2020 Comments on Statements on Reasons for Allowance '114 File history at • Aug 31, 2019 Claims • Sept 16, 2019 Preliminary Amendment • Sept 16, 2019 Claims

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Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch input, determining a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input	Smith Interface reserves the right to rely on testimony from Dr. Mahon. Dr. Mahon may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Dr. Mahon may further testify that the term viewed in light of the specification and other intrinsic evidence informs those skilled in the art about the scope of the alleged invention with reasonable certainty. Smith Interface may also rely on Defendant's invalidity contentions and Smith Interface's infringement contentions, including any references or citations therein. Smith Interface reserves the right to rely upon any evidence cited or relied upon by Defendant.	• Jan 14, 2021 Proposed Amendment • Jan 22, 2021 Proposed Amendment <u>Extrinsic Evidence:</u> Apple reserves the right to rely on testimony from Dr. Chandrajit Bajaj. Dr. Bajaj may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Dr. Bajaj may further testify that the term viewed in light of the specification and other intrinsic evidence fails to inform those skilled in the art about the scope of the alleged invention with reasonable certainty.

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Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
against one or more movement criteria, for: in accordance with a determination that the first single-finger touch input meets the one or more application-launch criteria that is met when the duration of the first single-finger touch input is evaluated to be less than a first time threshold, launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without		

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Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more operation criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than a second time threshold that is greater than the first time threshold, performing an operation in connection with the first application icon, and in accordance with a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer.		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
124. A non-transitory computer readable storage medium storing one or more programs, the one or more programs comprising instructions which, when executed by an electronic device with a display and a touch-sensitive surface, cause the electronic device to: display, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; with the application launching user interface displayed, detect a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons,		

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wherein the first application icon is for launching a first application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch input, determine a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for:		

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based on a determination that the first single-finger touch input meets the one or more application-launch criteria that is met based on the duration of the first single-finger touch input being evaluated to be less than a first time threshold, launching the first application, based on a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application,		

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Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
based on a determination that the first single-finger touch input meets the one or more operation criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than a second time threshold that is greater than the first time threshold, performing an operation on the first application icon, and based on a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer.		
<u>Term:</u> “evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the	<u>Proposed Construction:</u> Plain and ordinary meaning. <u>Impact Statement:</u>	<u>Proposed Construction:</u> Indefinite. <u>Impact Statement:</u>

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first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria” <u>'758 Patent:</u> Claims 1 and 124 1. An electronic device, comprising: a display; a touch-sensitive surface; one or more processors; memory; and one or more programs, wherein the one or more programs are stored in the memory and configured to be executed by the one or more processors, the one or	Smith Interface does not believe that the construction of this term is either case or claim dispositive. Indeed, as evidenced by Apple's invalidity contentions and petitions for <i>Inter Partes</i> Review, the parties do not dispute the meaning of this term. <u>Intrinsic Evidence:</u> The specification of the '758 Patent generally, including but not limited to: '758 Patent at Abstract, 1:44–4:33, 16:17–55, 17:56–28:11, 28:12–30, 54:61–56:20, 58:10–61:39, FIGs. 3, 4, 5, 6, 16, and 18 (and text in specification describing those figures). The claims of the '758 Patent. '758 Prosecution History. IPR2024-01088 <u>Extrinsic Evidence:</u> Devices, Methods, and Graphical User Interfaces for Manipulating User Interface Objects with Visual and/or	Apple believes this term would fully dispose of all issues related to the '758 patent. <u>Intrinsic Evidence:</u> '758 patent at: Abstract, 1:44-4:33. 758 File history at: Oct. 25, 2019 Application March 4, 2020 Amendment. <u>Extrinsic Evidence:</u> Apple reserves the right to rely on testimony from Dr. Chandrajit Bajaj. Dr. Bajaj may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Dr. Bajaj may further testify that the term viewed in light of the specification and other intrinsic evidence fails to inform those skilled in the art about the scope of the alleged invention with reasonable certainty..

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more programs including instructions for: displaying, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; while displaying the application launching user interface, detecting a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch	Haptic Feedback, U.S. Patent No. 10,338,772 (“Anzures”). Smith Interface reserves the right to rely on testimony from Dr. Mahon. Dr. Mahon may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Dr. Mahon may further testify that the term viewed in light of the specification and other intrinsic evidence informs those skilled in the art about the scope of the alleged invention with reasonable certainty. Smith Interface may also rely on Defendant's invalidity contentions and Smith Interface's infringement contentions, including any references or citations therein. Smith Interface reserves the right to rely upon any evidence cited or relied upon by Defendant.	

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input, determining a response to the first single-finger touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: in accordance with a determination that the first single-finger touch input meets the one or more application-launch criteria that is met when the duration of the first single-finger		

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Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
touch input is evaluated to be less than a first time threshold, launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application, in accordance with a determination that the first single-finger touch input meets the one or more operation criteria that is met when the duration of the first single-finger touch input is evaluated to be greater than a		

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second time threshold that is greater than the first time threshold, performing an operation in connection with the first application icon, and in accordance with a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer. 124. A non-transitory computer readable storage medium storing one or more programs, the one or more programs comprising instructions which, when executed by an electronic device with a display and a touch-sensitive surface, cause the electronic device to:		

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Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
display, on the display, an application launching user interface that includes a plurality of application icons for launching corresponding applications; with the application launching user interface displayed, detect a first single-finger touch input that includes detecting the first single-finger touch input at a location on the touch-sensitive surface that corresponds to a first application icon of the plurality of application icons, wherein the first application icon is for launching a first application that is associated with one or more corresponding action options; and in response to detecting the first single-finger touch input, determine a response to the first single-finger		

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touch input based on evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria, for: based on a determination that the first single-finger touch input meets the one or more application-launch criteria that is met based on the duration of the first single-finger touch input being evaluated to be less than a first time threshold,		

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launching the first application, based on a determination that the first single-finger touch input meets the one or more action-option-display criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than the first time threshold, displaying one or more action option objects associated with the first application without launching the first application, based on a determination that the first single-finger touch input meets the one or more operation criteria that is met based on the duration of the first single-finger touch input being evaluated to be greater than a second time threshold that is greater than the first time threshold, performing		

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an operation on the first application icon, and based on a determination that the first single-finger touch input meets the one or more movement criteria, moving the first application icon in a foreground virtual display layer so that the first application icon appears to float above a background virtual display layer.		
<u>Term:</u> “movement parameter” <u>'578 Patent:</u> Claims 1 and 27 1. An electronic device, comprising: a display; a touch interface; one or more processors; memory; and one or more programs, wherein the one or more programs are stored in the memory and configured to	<u>Proposed Construction:</u> Plain and ordinary meaning. <u>Impact Statement:</u> Smith Interface does not believe that the construction of this term is either case or claim dispositive. Indeed, as evidenced by Apple's invalidity contentions and petitions for <i>Inter Partes</i> Review, the parties do not dispute the meaning of this term. <u>Intrinsic Evidence:</u>	<u>Proposed Construction:</u> Indefinite. <u>Impact Statement:</u> Apple believes this term would fully dispose of all issues related to the '578 patent. <u>Intrinsic Evidence:</u> '578 patent at: 1:57-3:25, 43:28-37, 57:21-30, 63:62-64:6, 79:53-80:54. Claims 1, 12, 14, 15, 26, 27, 38, 39.