

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FRIENDLIAI INC.,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 23-816-MN
v.	)	
	)	JURY TRIAL DEMANDED
HUGGING FACE, INC.,	)	
	)	
Defendant.	)	

REVISED JOINT CLAIM CONSTRUCTION CHART

The parties have met and conferred pursuant to Paragraph 10 of the Scheduling Order (D.I. 17) and present the following Revised Joint Claim Construction Chart below, which sets forth the disputed claims/terms from U.S. Patent Nos. 11,442,775 and 11,836,520.¹ The Revised Joint Claim Construction Chart identifies the disputed claims, terms and phrases of the patents-at-issue, and provides each party's proposed constructions of those claims, terms, and phrases as well as citations to the intrinsic evidence supporting each party's respective proposed constructions. The parties have made a good faith effort to include all known support in the intrinsic record for their respective proposed constructions but reserve their rights to supplement the Revised Joint Claim Construction Chart with additional evidence and to rely upon additional evidence in their claim construction briefs.

¹ Pursuant to Paragraph 10, the parties will provide a copy of the patents-in-suit in a subsequent joint appendix with the joint claim construction brief.

The parties have agreed to the following construction(s):

Claim Term	Joint Proposed Construction
“a second batch of requests” ’775 patent, independent claims 1, 10. ’520 patent, independent claims 1, 11, 21, 28, 35, 43, 51, 59.	“a batch that includes at least one request from the [first] batch of requests”
“a length of the sequence of input tokens for the new request is different from a length of an input for [the] at least one request [other than the new request]” (’775 patent, independent claims 1, 10; ’520 patent, independent claims 1, 11, 51, 59) “a length of the sequence of input tokens for the new request is different from a length of another sequence of input tokens for the at least one request” ’520 patent, independent claims 21, 28. “a [the] length of an internal state for the new request is different from a length of another internal state for the at least one request” ’520 patent, independent claims 35, 43. “a length of the sequence of input tokens for the new request is different from a length of the output token for the at least one request” ’775 patent, dependent claims 4, 13. ’520 patent, dependent claims 5, 15, 54, 62 “a length of the key cache tensor for the at least one request is different from a length of a key cache tensor for the new request, and a length of the value cache tensor for the at least one request is different from a	“length” refers to a “number or quantity of <units>” for a given context—e.g., the number of “tokens” in a sequence, such as “a [number or quantity of tokens] of the sequence of input tokens for the new request is different from a [number or quantity of tokens] of an input for at least one request”

Claim Term	Joint Proposed Construction
length of a value cache tensor for the new request” ’775 patent, dependent claims 6, 15. ’520 patent, dependent 7, 17, 25, 32, 40, 48, 56, 64.	
“a new request” (’775 patent, independent claims 1, 10; ’520 patent, independent claims 1, 11, 21, 28, 35, 43, 51, 59)	“a request other than the one or more requests of the [first] batch of requests”

The parties dispute the construction(s) of the following term(s):

No.	Claim Term	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Evidence	Defendant's Proposed Const.	Defendant's Intrinsic Evidence
1.	“dedicated cache memory” / “cache memory dedicated” (’775 patent, dependent claims 3, 5, 12, 14; ’520 patent, dependent claims 4, 6, 14, 16, 23, 24, 30, 31, 37, 39, 45, 47, 53, 55, 61, 63)	Plain and ordinary meaning. <u>In the Alternative</u> “memory for storing an internal state for a request.”	’775 Patent at Figs. 5A-5D; 22:44-46; 23: 22-29. ’520 Patent at Figs. 5A-5D; 19:48-20:31 22:51-53; 23:4-15; 23:28-35.	“physical memory in, or that is a component part of, the execution engine”	’775 patent file history, including 2/9/2022 Non-Final Rejection, 5/2/2022 Examiner Interview Summary, 5/3/2022 Amendment; ’520 patent file history, including 2/14/2023 Non-Final Rejection, 8/7/2023 Terminal Disclaimer, 8/7/2023 Amendment, 10/26/2023 Examiner Interview Summary; ’775 patent claims; ’520 patent claims; Figures 1, 2A-B, 3A-B, 4, 5A-D, 6A-B, 7; Specification(s)², including ’775 patent at

² The Figures and Specification for the parent ’775 patent and the child ’520 patent are identical and thus, citations to the ’775 Patent are representative of the identical disclosures of the ’520 Patent and vice versa.

No.	Claim Term	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Evidence	Defendant's Proposed Const.	Defendant's Intrinsic Evidence
					1:32-37; 5:7-29; 7:25-34; 17:1-19; 19:41-20:24; 22:40-46; 23:4-29; 23:48-51; 23:63-67; 24:28-38; 25:56-26-16.
2.	“scheduler” (’775 patent, independent claims 1, 10; ’520 patent, independent claims 1, 11, 21, 28, 35, 43, 51, 59)	Not indefinite. No additional construction necessary. <u>In the Alternative</u> “the component that schedules a batch of requests for execution on an execution engine.”	’775 Patent at Figs. 5A-5D; 22:23-57; 22:47-57; 22:58-62; 23:22-29; 24:1-16; 25:18-46. ’520 Patent at Figs. 5A-5D; 5:1-36; 22:30-53; 22:54-54; 22:65-67; 23:28-35; 24:7-22; 25:24-52.	Indefinite. Governed by 35 U.S.C. § 112(b).	Figures 5A, 5B, 5C, 5D. ’775 patent at 3:7-29, 22:22-23:29, 24:1-16, 25:18-46.
3.	“at least one batch operation” (’775 patent, independent claims 1, 10; ’520 patent, independent claims 1, 11, 21, 28, 35, 43, 51, 59)	Not indefinite. No additional construction necessary. <u>In the Alternative</u> “at least one operation of the transformer model that is applied to a batch.”	’775 Patent at 7:35-67, 8:1-6; 12:40-67; 14:52, 15:1-22; 16:65-67, 17:1-19. ’520 Patent at 1:45-49; 7:43-67, 8:1-14; 8:21-26; 12:46-67, 13:1-6; 14:58-67, 15:1-28; 17:4-25.	Indefinite. Governed by 35 U.S.C. § 112(b).	Figures 6A, 6B. ’520 patent at 2:14-27, 2:28-43, 3:7-18, 7:35-8:6, 8:7-22, 9:1-35, 11:41-53, 12:40-67, 14:52-15:7, 15:8-45, 15:53-63, 16:65-17:19, 24:51-67, 25: 1-17, 25:17-33.

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